THURSDAY, 14 APRIL 1994

Mr SPEAKER (Hon. J. Fouras, Ashgrove) read prayers and took the chair at 10 a.m.

PETITIONS

The Clerk announced the receipt of the following petitions—

Land/water Police Station, Redland Bay

From **Mr Budd** (120 signatories) praying that the Parliament of Queensland will examine the need for a 24-hour land/water police station at Redland Bay.

Cairns International Airport

From **Dr Clark** (763 signatories) praying that the expansion program for the Cairns International Airport be suspended until an independent study into alternative sites is carried out and that in the interim a curfew apply between 11 p.m. and 6 a.m.

Coral Dredging, Moreton Bay

From **Mr Burns** (2 584 signatories) praying that the proposed dredging of coral be effectively stopped from around the areas of Green Island and Moreton Bay.

Cannabis

From **Mr Beattie** (22 460 signatories) praying that the Parliament of Queensland will enact legislation to remove certain criminal sanctions applying to cannabis and repeal any legislation which prohibits the medical and industrial uses of cannabis.

Great Sandy Region Draft Management Plan

From **Mr Nunn** (974 signatories) praying that the Parliament of Queensland will ensure that road, track, beach and airstrip closures proposed in the Great Sandy Region Draft Management Plan be not implemented.

Petitions received.

MINISTERIAL STATEMENT

Report on Visit to United States

Hon. W. K. GOSS (Logan—Premier and Minister for Economic and Trade Development) (10.03 a.m.), by leave: On 3 March this year, I visited the United States representing the Government of Queensland in official talks with business and Government leaders and making a number of addresses promoting the interests of our State. The trip had three major objectives—

reinforcing Queensland's pre-eminent position as the leading State in financial and budgetary management in Australia;

promoting the advantages of investing in Queensland, especially in relation to the Asia-Pacific region and with particular emphasis on the burgeoning film industry; and

outlining the importance of free trade within the region.

As Queensland confidently leads Australia into economic recovery, it was opportune to visit the powerhouse of the world economic recovery, the USA. Discussions with finance sector leaders in New York confirm that the US economy is firmly in recovery phase, and it should provide a spur for world recovery.

There is intense interest in the United States about opportunities in the Asia-Pacific, and renewed activity holds great potential for Australia and in particular for Queensland. The Queensland economy is held in high regard in financial circles in New York. There is an acute awareness of our budgetary position, especially our low debt and stronger growth. Without exception, opinion is that the current situation is good and the future is full of opportunity and optimism.

The future of trade is somewhat problematic, especially as US policy impacts on our region. The three trouble spots are the warning signal that the Clinton administration has sent to Japan with its proposal to invoke the Super 301 executive order which carries trade barriers; the future of US/China trade following the linking of human rights and most favoured nation status; and the potential of human and worker rights impacting on trade with Indonesia in the lead-up to the November APEC meeting in Jakarta. Although senior officials in Washington addressed those issues with varying degrees of confidence, it was apparent that there remain significant uncertainties in the trade outlook.

As well as generally selling the advantages and opportunities that Queensland presents to potential foreign investors, I paid particular attention in the US to the film industry and the energy sector. It is clear that US energy companies are well placed for investment in Queensland, and there is significant interest in the future of economic development in this State and how that will be serviced by the power industries. Major companies expressed interest in the expansion of gas in Queensland, either

through exploration, pipeline construction and operation, power station development or general industrial infrastructure. In Los Angeles, senior representatives of the film industry were keen to explore the potential of the film industry in Queensland. While there was general optimism about investment at its current levels, some barriers were identified for growth in that investment. The Government is currently examining those issues raised by studio executives.

This trip succeeded in its aims—enhancing Queensland's position with financial markets, promoting the State as an investment opportunity and advancing our interests in the international trade outlook. I seek leave to table and have incorporated in *Hansard* the detailed report on my visit to the United States of America.

Leave granted.

Mr Bill Donaldson

Chairman of the New York Stock Exchange

I briefed Mr Donaldson on the current situation in Queensland in preparation for what was then his imminent visit to Brisbane and other parts of Queensland. Mr Donaldson reported on the state of the financial markets in the U.S.A., especially the volatility of the bond markets which had just emerged prior to our meeting. He expressed confidence in the future of the markets and the U.S. economy. Mr Donaldson said that Australian securities had a good reputation on the floor of the exchange and that Australia generally was well regarded by traders. Following our meeting Mr Donaldson took me on a tour of the floor of the exchange where I discussed the trade in the Australian dollar with traders.

Mr Peter Curtis

Australian Consul General

Mr Frank Passanante

Austrade Director

Mr Dennis Smith

Investment Commissioner, Austrade

These three senior Australian representatives in New York provided a detailed briefing on the trade and investment outlook for Australian-American relations. Mr Passanante outlined the increasing opportunities for specialty food and wine trade, especially in exotic fruits and processed foods. Mr Smith provided a briefing on the Asia-Pacific Business Outlook Conference I was to attend in Los Angeles.

Standard and Poors

Ms Gail Hessel, Managing Director

Marie Cavanaugh and Kathy Quail, Directors

These executives of Standard and Poors questioned me on Queensland's economic outlook and our budgetary strategies. I was able to inform them that Queensland's growth should run about one to one and a half points ahead of the nation. We would continue to maintain a tightly disciplined economic and financial stance, especially in relation to debt, funding liabilities and restrictions on borrowings. Standard and Poors expressed satisfaction in Queensland's economy and stated they had confidence in its future.

Ms Hessol expressed concern about the bidding process that was occurring in the U.S.A. between State Governments for investments. She said that many firms were being given incentive packages which often exceeded the economic benefit which the proposed investment might deliver. I said that although this was not common in Australia some States were prepared to offer what seemed like overly generous packages for investments. I assured Standard and Poors that Queensland only offered realistic incentive packages which were based on a clear justifiable benefit to the State.

Mr James D. Wolfensohn

President of James D. Wolfensohn Inc.

As an ex-patriot Australian, Mr Wolfensohn, regarded as one of Wall Street's key figures, has unparalleled insights and access when it comes to Australian investments in the United States. Mr Wolfensohn provided a very up-beat assessment of the U.S. economy and indicated that Australia's business cycle would closely mirror that of America.

Merrill Lynch and Co. Inc.

A lengthy briefing from senior Merrill Lynch executives concentrated on two areas—the global currency and interest rate outlook and the global economic outlook. Vice-president Karim Basta provided a detailed exposition on the current state of the currency and bond markets. He was particularly sanguine about the bond market, expressing confidence that the economic fundamentals in the U.S. were strong enough and correctly positioned to survive some turbulence. Of particular concern to Queensland was his forecasts for commodity prices which he predicted would rise markedly in the coming years. To counter this it should be noted that Merrill Lynch regarded the Australian dollar as significantly undervalued.

William Sterling and Dan Darrow presented a detailed global economic outlook which was very optimistic, mainly because of what they termed the "back to the 50s" inflation outlook.

Merrill Lynch was robust in its opinion of the emerging economies of Asia such as China, Indonesia, Malaysia, Thailand, Vietnam and Taiwan. They also believed that the coming technological revolution would act as a catalyst to global change, though the globalisation of business and commerce, the opening up of management and the tearing down of political barriers.

There are two significant illustrations of this communications revolution. In 1982 there were less than a million people world wide using E-mail on computers and today the figure is more than 20 million.

And the use of Internet—the international information swapping service—has grown from just 33,000 people in 1988 to more than 20 million this year and a staggering 100 million projected by the year 1998.

Merrill Lynch regarded the outlook for the international economy and world financial markets as being positive but they did identify five "wild cards" which they thought could destabilise markets—the Whitewater affair in the U.S., North Korea, China, Russia and India-Pakistan.

Following this briefing I accompanied Merrill Lynch executives to the securities trading floor where the Queensland Treasury Corporation's global A$ bond facility and other funds are traded. The traders responsible for Queensland paper reported that there continued to be steady and confident interest in the QTC products.

I then attended a boardroom lunch with Merrill Lynch hosted by Senior Vice-President, Mr Brian Henderson. We discussed international economic and political issues and the relationship between Merrill Lynch and the QTC.

Moody's Investor Service Inc.

Mr John Bohn, President and Chief Executive

Mr Bohn reported on Moody's latest survey of the Queensland economic and budgetary performance. He expressed satisfaction with the financial policies of the Queensland Government especially our commitment to low debt. Mr Bohn reported that Moody's latest review, conducted in October last year, had re-confirmed Queensland's triple-A rating for long term domestic currency debt. I briefed Mr Bohn on the Government's financial strategies and also outlined the Government's response to the Mabo High Court ruling.

Baker and Mckenzie dinner

The leading international law firm, Baker and Mckenzie hosted a dinner for 20 New York business leaders who have investments in Queensland or who are interested in investing here. The guests at the dinner represented the tourism, hospitality, retail and legal sectors. In addressing the dinner, I outlined the advantages of investing in Queensland and stressed the benefits from our State's low tax policies and the low costs of establishing businesses.

Investors lunch hosted by the Australian American Business Association

About 50 leading private sector representatives attended this lunch including members of the banking, legal, financial, mining, tourism and retail sectors. I used the opportunity to outline the benefits of using Queensland as a base to get into the Asian markets with particular emphasis on the cost advantages, the English legal and business cultures and relative time zones.

First Boston Corp.

Mr Jack Hennessy, President and Chief Executive

Dr Neal Soss, Managing Director and Chief Economist

Along with Merrill Lynch, First Boston trades the Queensland Treasury corporation's paper. Mr Hennessy provided a briefing on the U.S. economic outlook and Dr Soss outlined his views on world economic trends. Dr Soss said that the U.S. and Australian business cycles were at a similar stage and both should benefit from increased economic growth at a time of low inflation. I detailed the Queensland Government's economic and financial policies.

Washington

Australian Embassy

Officials at the Australian Embassy in Washington provided detailed briefings on current U.S. issues. These included political, economic, trade, strategies and military matters.

Ms Sandra Kristoff

Director, Asia Pacific Economic Affairs

National Security Council

Ms Kristoff is the key administration official charged with following through on APEC matters and is planning key aspects of President Clinton's proposed participation in the APEC meeting in Jakarta in November. Ms Kristoff discussed two significant trade issues in the U.S.—involving Japan and China. She discussed issues in Indonesia and their relationship to the planned APEC meeting and the participation by the President. I expressed Australia's support for a positive and free approach to trade issues.

Mr Peter Thomsen

Acting Assistant Secretary for East Asia and the Pacific

The State Department

Mr Thomsen outlined the State Department's attitude to current trade issues in the wake of agreement on NAFTA and GATT. He discussed potential issues relating to problems with the proposal to institute a super 301 order and the prospects that agreement could be reached on the human rights questions prior to the renewal of the most favoured nation status with China. I questioned whether in reaching agreement on NAFTA there were any arrangements which, like the export enhancement program, could have "unintended" consequences for Australia. He said he was unaware of any.

Mr Joseph Sutton, Principal

Mr Joseph Hillings, Vice-President

Enron Corporation

Enron corporation is the leading natural gas company in the U.S. with extensive interests world-wide. Enron is currently prospecting for gas in the Galilee Basin between Barcaldine and Hughenden. Mr Sutton outlined his company's intense interest in Australia and particularly Queensland. He sought details on the Government's attitude to private sector involvement in the planned gas pipeline from

south-west Queensland to Brisbane. He expressed keen interest in his company being involved in the project, building and/or operating the pipeline. He also outlined work his company was carrying out constructing and operating co-generation gas power plants which produce steam for industrial use and power for use in the grid. He indicated his company might be interested in such developments in Queensland if an opportunity arose.

Representative E. Clay Shaw Jr (Florida)—Co-chairman

Mr Joseph Westphal, Executive Director

The Congressional Sunbelt Caucus

The Congressional Sunbelt Caucus is a bi-partisan group which represents 17 south-eastern and south-western States. The members caucus together on matters of mutual interest aimed at promoting issues and supporting causes which affect their States. Many of the States have a similar economic profile to Queensland. As well as having economies based on tourism and commodities, many of these States attract strong interstate migration. We discussed a range of issues including problems with Federal funding, coping with rapid population growth and attracting new industries.

The Brookings Institution

Founded in 1927, the Brookings Institution is America's oldest independent policy advice and research foundation. The head of the Government Studies Program, Mr Thomas Mann, and a number of his colleagues provided a briefing on current U.S. political issues, including Federal-State relations, the administration's health care policy and the Whitewater affair. We had a wide-ranging discussion on the relationship between the Executive and the Congress, especially the ability of the Congress to influence administration policy.

Mr Phillip Lader

Assistant to the President and Deputy Chief of Staff

The White House

Mr Lader, a former Vice Chancellor at Bond University, provided a detailed briefing on current U.S. issues, especially those which had an impact on Australia. I outlined contemporary economic and social developments in Australia and Queensland.

Ms Nancy Adams

Assistant U.S. Trade Representatives for Asia and the Pacific

Ms Adams heads the recently created APEC Affairs Office. She provided a detailed brief on progress with APEC following the leaders meeting in Seattle, Washington, and plans for the attendance of President Clinton at the Jakarta meeting later this year.

Federal Quality Institute

Senior operatives from the Federal Quality Institute provided an extensive briefing on implementing total quality management in the U.S. Federal Government. The Institute was established in 1988 and has a similar role the quality development unit in Queensland's Department of Business, Industry and Regional Development.

Mr Bob Stone, Project Director

National Performance Review

The National Performance Review was started more than 12 months ago to run the Presidential review of the Federal Government being carried out by Vice President Gore. Following the publication of "Creating a Government That Works Better and Costs Less", the National Performance Review has been charged with implementing the recommendations which are based on four key principles: cutting red tape, putting the customer first, empowering employees to get results and cutting back to basics. Mr Stone provided a briefing on what reforms are underway in the purchasing area and projected savings from proposed measures.

Mr Frank Muller, Research and Project Officer

Centre for Global Change

Maryland University

Mr Muller is an expert in public and private environmental policy. He provided an extensive briefing on innovations in environmental policy in the U.S., including the use of third party appeals, strategies to reduce pollution and waste management.

Dr Don Russell

Australian Ambassador to the United States

Dr Russell outlined the current state of U.S.-Australian relations. Dr Russell had just returned from Canberra where he was attending the visit of the Secretary of State, Mr Warren Christopher. He provided a briefing on this visit.

Mr Michael Gleeson

Washington Correspondent

Australian Broadcasting Corporation

Mr Gleeson provided a briefing on issues of interest to the Australian media in Washington and outlined the media's view of current American political developments.

Los Angeles

Dinner hosted by Mr Rob O'Donovan

Australian Consul General to Los Angeles

The dinner was attended by a dozen senior representatives of the film industry in Los Angeles who had experience with making films and television programs in Australia. It provided an opportunity to receive first hand feed-back of the concerns users of Queensland film and television facilities have. Some issues raised are being examined by the Queensland Film Office.

Asia-Pacific Business Outlook Conference

I addressed a workshop of participants in this major three day conference, outlining the opportunities and benefits Queensland presented. I gave particular emphasis to the advantages offered by using south-east

Queensland as a base for access to the burgeoning markets Asia. Following this I attended a lunch which was addressed by Mr Adlai Stephenson Jr, a former U.S. Senator and diplomat who now works in trade and commerce with China. Mr Stephenson outlined the opportunities in China for the information technology industries.

In the evening I hosted a cocktail party for about 250 participants from the conference and addressed them on the benefits of investing in and doing business in Queensland.

Mr John Bryson, Chief Executive

Southern California Edison

Mr Ed Muller, Chief Executive

Mission Energy

Southern California Edison is a major Californian public utility company which provides power to the greater Los Angeles and southern Californian region. Mission Energy is a subsidiary of the company which builds and operates private power stations. Mission operates the Loy Yang Power Station in Victoria. Mr Bryson provided a briefing on demand side management strategies which southern California Edison employs as well as developments in renewable energy resource usage. Mr Muller outlined the activities of Mission Energy, including the plans to build a co-generation power plant in Western Australia. Mr Muller expressed interest in becoming involved with projects in Queensland if any opportunities arose.

The Australian American Chamber of Commerce

About 25 senior business leaders from Los Angeles attended a breakfast which I addressed. Again I outlined the economic and strategic advantages in investing in Queensland. I also detailed the growth in trade with Asia and some of the potential opportunities that existed in the region.

Ms Donna Smith, Senior Vice President

Universal Studios

Ms Smith is in charge of a significant proportion of Universal Studios' production of feature films, including projects which have been produced in Australia and Queensland. We discussed a major feature film which Universal was considering filming in Queensland as well as incentives which are offered for film and television investment. These are a payroll tax rebate for films budgeted over $3.5 million, a 10 per cent crew subsidy for the employment of Queensland crews to a maximum of $100,000 per production and free police and fire services.

MINISTERIAL STATEMENT

Establishment of Port Authorities as Government Owned Corporations

Hon. D. J. HAMILL (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) (10.06 a.m.), by leave: I am pleased to announce that the Government has considered and endorsed proposals to reconstitute three of the State's largest port authorities as Government owned corporations. These proposals will now form the corporatisation charters for the Port of Brisbane Authority, the Gladstone Port Authority and the Ports Corporation of Queensland. The charters represent the culmination of a detailed and important reform period for these three port authorities, which began with the major review of Queensland's port systems in 1990. I now table these documents before the House.

The tabling of these documents is a milestone in the Government reform process for Government owned enterprises. It represents the most significant stage in corporatising the first of the State's infrastructure-providing entities which are included in the corporatisation agenda. The remaining five Queensland port authorities, Queensland Rail and other Government owned enterprises will be corporatised in the coming years, and these documents establish a number of important principles which will be of relevance to those other entities.

One of the fundamental issues addressed in the charters is the balance struck between the need for port authorities to focus on commercial performance, as required under the corporatisation model, and the traditional role of port authorities as trade maximisers, that is, organisations whose prime objective is to provide port infrastructure to accommodate and encourage increased trade through the port.

In response to industry concerns that port charges will rise as a result of corporatisation, the charters recommend that user-funded assets be excluded from the asset base for rate of return calculations, in order to prevent port users from essentially paying for the assets that they have effectively provided. The industry will be consulted on this matter in the implementation of the charters. In relation to major infrastructure projects, each of the three port authorities will be required to adopt appropriate project evaluation processes and target rates of return to ensure that capital investment decisions are made in a manner consistent with private sector practice.

I seek leave to table and have incorporated in *Hansard* the balance of my ministerial statement. I want to thank all parties for their cooperation in this important venture.

Leave granted.

Non-Core Activities

The charters contain guidelines for distinguishing between core and non-core

activities for all three port authorities. The charters propose that all current activities of the port authorities be retained by the three port authorities for the time being, pending a more detailed examination of potentially non-core activities. The charter for the Gladstone Port Authority proposes that the current stevedoring and terminal operation activities of that port authority be treated as core business in view of its success in undertaking these activities and the particular circumstances involved.

Strategic Land Holdings

The charters include guidelines for the determination of strategic port lands and recommend that the three port authorities report to shareholding Ministers by 30 April 1995 outlining all of their land holdings, differentiating between strategic and non-strategic land on the basis of the criteria set out in the charters, assessing whether such lands are suitable for divestiture and justifying the holding of any non-strategic lands. Non-strategic lands will not enjoy any concessions from local government planning requirements and will be subject to local authority rates.

Dividends

The charters provide for dividends to be negotiated annually between the port authority boards and the shareholding Ministers taking account of a port authority's circumstances including its need for funds for port expansion. These dividends will be in line with normal commercial dividend payment rates. All port authorities currently pay an annual levy to Government in the form of a trial dividend.

Capital Structure

The charters propose that the capital structures for the port authorities be set within parameters consistent with an "investment grade company". This involves setting appropriate commercial limits for the authorities' debt: equity ratio, interest cover ratio and payback period for outstanding debt.

The charters also recognise the Government's role, as owner, to contribute equity capital for port authority development plans. Government would consider proposals providing the port authority could demonstrate, among other criteria, the commercial viability of the projects and that the projects related to core business activities.

Taxation

The port authorities have indicated they are in competition with port authorities which do not pay tax, and would be disadvantaged if they had to pay tax equivalents.

Consequently, while the charters recommend that the three port authorities be subject to tax equivalent payments to Government, it is also recommended that a decision on the introduction of tax equivalent payments be deferred until December 1994. This will permit an examination of progress towards the introduction of a taxation regime for competing interstate and overseas port authorities, while awaiting the development of charters for the remaining five port authorities later this year.

Pricing

Mr Speaker, there has been a concern that corporatisation of the port authorities will automatically result in higher charges for port users. The Treasurer and I, as responsible Ministers, are adamant that this should not occur. To this extent, the charters include three recommendations in relation to pricing arrangements comprising:

the adoption of Queensland Transport's pricing principles which provide for, among other things, requirements to avoid cross-subsidisation between business units and an over-riding reserve power for shareholding Ministers;

the targeting of overall port authority price levels, as measured by an index of port authority prices as part of the performance monitoring arrangements; and

the continuance of existing port authority contracts i.e. prices subject to current contracts will not be varied for the purpose of meeting rate of return requirements.

Some sections of the industry have recommended that the Government firmly commit to the recommendations of the Hilmer Committee. This issue is subject to negotiations between the States and Commonwealth which are yet to be finalised. However, I believe that the current monitoring arrangements that are proposed to be introduced are sufficiently rigorous.

In addition, the Government has agreed to a process of reducing its port pilotage and conservancy charges to more accurately reflect the cost of service provision. This action will deliver a direct benefit to port users. The industry will also be formally involved in the implementation of the charters and through that process will be consulted on price monitoring arrangements that will apply to the port authorities.

Conclusion

The charters take account of the many suggestions and concerns raised by the port authorities, industry, Government departments and other stakeholders during the consultation stage of the process.

The Treasurer and I believe, therefore, that the charters that I have tabled represent a pragmatic approach to the application of the Government's corporatisation policy.

MINISTERIAL STATEMENT

Report on Visit to Papua New Guinea

Hon P. COMBEN (Kedron—Minister for Education) (10.08 a.m.), by leave: Today I wish to report to the House on my recent official visit to

Papua New Guinea. The purpose of this visit was to further develop educational links between Queensland and Papua New Guinea and resulted in the signing of a memorandum of understanding on educational cooperation by the Papua New Guinean Minister for Education, the Honourable Andrew Baign, and myself. Three particular areas of education and training were targeted as areas of interest to both the Papua New Guinean Government and Queensland. These were—

(1) improving the standard of teacher education in Papua New Guinea through teacher exchange and fellowship arrangements with Queensland in an effort to prevent national educational standards declining further in PNG;

(2) the role of distance education services in PNG and how this might be improved through the use of fellowships to Queensland centres of distance education and expert consultancy assistance to improve curriculum in PNG; and

(3) the encouragement of greater numbers of PNG students to have an educational experience overseas, particularly in Queensland.

These issues were discussed in meetings across the country with members of both the national and provincial Governments, senior Government officials, university and teacher training colleges staff and schools.

This visit was highly successful in furthering the special relationship between Queensland and our nearest international neighbour, and I am sure that it will lead to valuable cooperation in the important area of education. In addition, I am confident that education has now been firmly added to the long list of areas in which Queensland can take a leading role in providing value-added goods and services to the growing PNG market. I table further information on my visit.

MINISTERIAL STATEMENT

Register of Members' Interests

Hon. T. McGRADY (Mount Isa—Minister for Minerals and Energy) (10.10 a.m.), by leave: A question asked in this House yesterday seemed to imply that I was guilty in some way of impropriety through my association as a director of the Queensland Country Credit Union. I believe the House should receive more information about this directorship and the credit union involved.

The credit union was established in 1971, at the initiative of the trade union movement in Mount Isa. It wanted to provide their membership in that city with the option of an independent financial service. A board was established with representatives from a wide cross-section of employees and Mount Isa residents. In 1971, an interest-free loan of $100,000 from Mount Isa Mines Limited was arranged to help start operations. Because of wide and popular support for the concept of an independent financial facility in that city, only $60,000 of that loan was taken up and it was repaid in full within six months. That was the extent of the MIM participation in this credit union. The company has no input into the running or finances of this credit union.

The credit union currently has about 28 000 members scattered throughout Queensland in offices situated in Ayr, Home Hill, Bowen, Townsville, Brisbane, Mackay, Mount Isa, Tieri, Glenden and Charters Towers. Any resident of Queensland is welcome to join this credit union.

My duties as a director are to assist in making policy and generally ensure the credit union continues to operate on sound business principles. This is important to make sure the union continues to offer the best service possible to its members.

I was invited to join the board in 1988 when a position became vacant. At that time, I was Mayor of the City of Mount Isa. I was subsequently re-elected to the board through a full membership vote in 1991. The elected board members currently include seven representatives from Mount Isa, Brisbane and Noosa.

I have declared my directorship of the Queensland Country Credit Union on the parliamentary pecuniary interest register, as is required. I believe I have followed the disclosure rules as required. I have also declared the income received from this duty in my taxation return, and tax is deducted at the source. It is difficult to predict how much I receive each year because the amount varies according to the number of meetings which I am able to attend. The fees amount to $100 per meeting and $166.67 per month as a director's fee.

I have been advised that so far this financial year I have received $2,000.03 before tax, and last financial year I believe I received $4,300 before tax. It is my belief that the purpose of the pecuniary interest register is to reveal any potential conflict of interest, and this requirement is met by disclosure of my directorship. There is no definition or even guidance provided to members on what is deemed to be "substantial" as a separate income source. However, should the Parliament deem it necessary to disclose the

actual income received from such sources, I will be happy to do so.

PARLIAMENTARY SERVICE COMMISSION

Appointment of Mr T. R. Cooper

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (10.14 a.m.), by leave, without notice: I move—

> "That Mr T. R. Cooper be appointed to the Parliamentary Service Commission to fill the vacancy caused by the resignation of Mr J. H. Randell."

Motion agreed to.

PRIVILEGE

Register of Members' Interests

Mr BORBIDGE: Mr Speaker, I refer to matters that I raised yesterday concerning the pecuniary interests register and I ask whether you have had time to make a ruling in regard to those matters.

Mr SPEAKER: Order! No, I am still considering the matter.

Mr BORBIDGE: Mr Speaker, for your assistance, I therefore table Guidelines for the Declaration of Registrable Interests issued by the Department of the Premier, Economic and Trade Development, which states in part that, as a general rule, other substantial sources of income of less than $1,000 per annum need not be disclosed; income under $1,000 should be disclosed if it is considered that the nature of the income indicates a sensitivity to a conflict of interest.

I also table the Ministers' Code of Ethics, which states——

> ". . . Ministers will: Comply with the requirements of the Members' Register of Interests held by the Clerk of the Parliament."

I would suggest to you, Mr Speaker, that the Minister is in contempt of the guidelines issued by the Premier's Department.

Mrs SHELDON proceeding to give notice of a motion—

Mr MACKENROTH: I rise to a point of order. Mr Speaker, can I draw your attention to the fact that, when we do sit late, Mrs Sheldon is never here.

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

Honourable members interjected.

Mr SPEAKER: Order! Honourable members, I would like to hear the notice of motion. I am going to warn members very soon.

PERSONAL EXPLANATION

Mr ROBERTSON (Sunnybank) (10.18 a.m.), by leave: Yesterday, during the Adjournment debate, the member for Indooroopilly alleged that I deliberately deceived my constituents over the issue of the Southern Brisbane Bypass. I take offence at this unfounded allegation and reject any suggestion that I misled, deliberately or otherwise, my constituents over this or any other issue or did anything other than represent the interests of all—and I repeat "all"—constituents in my electorate.

Time and time again in this Chamber I have spoken about this issue, and my views on this matter are well known to honourable members and the local community. I will continue to work constructively with the Minister for Transport and local residents to ensure that the impact of this future road is minimised. Unlike the member for Indooroopilly, I do not need a failed local Liberal Party candidate to write my speeches for me.

LEAVE TO MOVE MOTION WITHOUT NOTICE

Mr BORBIDGE (Surfers Paradise—Leader of the Opposition) (10.19 a.m.): I seek leave to move a motion concerning trading hours.

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

AYES, 31—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Hobbs, Horan, Johnson, Lester, Lingard, Littleproud, McCauley, Mitchell, Quinn, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Veivers, Watson *Tellers:* Springborg, Laming

NOES, 48—Ardill, Barton, Beattie, Bennett, Braddy, Bredhauer, Briskey, Budd, Burns, Campbell, Casey, Clark, Comben, Davies, De Lacy, Dollin, Edmond, Elder, Fenlon, Foley, Gibbs, Goss W. K., Hamill, Hayward, Mackenroth, McElligott, McGrady, Milliner, Nunn, Nuttall, Palaszczuk, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Szczerbanik, Vaughan, Warner, Welford, Wells, *Tellers:* Pitt, Livingstone

Resolved in the **negative**.

QUESTIONS UPON NOTICE

1. Mr D. Barbagallo; Mr D. Atkins

Mr SLACK asked the Premier, Minister for Economic and Trade Development—

"Will he table the itineraries, travel documents and expenses claims of Mr David Barbagallo and Mr Dennis Atkins for the period from 4 November 1993 to 18 November 1993, inclusive?"

Mr W. K. GOSS: I seek leave to table the answer and have it incorporated in *Hansard*.

Leave granted.

During the period referred to by the Member Mr Atkins travelled with me to Proserpine on Sunday, November 7 and stayed overnight at the Proserpine Motor Lodge before returning to Brisbane on Monday, November 8. The purpose of the journey was for the Cabinet meeting held in Proserpine on November 8.

On Wednesday, November 10 Mr Atkins travelled with me to Sydney where I took part in the announcement of Southport as the successful site for the America's Cup trials.

Later that day he travelled with me to Canberra. Mr Atkins stayed overnight on Wednesday and Thursday, staying at Government House as guest of the Governor General. He attended with me the service for the entombment of the unknown soldier at the Australian War Memorial on Thursday, November 11. That night he attended with me an official dinner at Government House.

On Friday, November 12 Mr Atkins travelled with me to Brisbane first thing in the morning.

He and Mr Barbagallo then travelled to Cairns and drove to Cooktown. The two stayed overnight at the Sovereign Hotel. On Saturday, November 13 they drove to the Starcke property and to Cairns. They stayed overnight at the Pacific International Hotel before travelling back to Brisbane first thing in the morning.

This represents all of the travel undertaken by Mr Atkins and Mr Barbagallo during the period November 4 to November 18. No expenses other than that associated with this travel were incurred by either person during this period.

All relevant documents relating to the part of the question which is the subject of the current Criminal Justice Commission inquiry have been given to the CJC. My office is co-operating fully with the CJC during this inquiry. I believe that the Commission should be able to conduct and conclude its inquiry without interference or political meddling by anyone.

2. National Industry Extension Service

Mr CONNOR asked the Minister for Business, Industry and regional development—

"With reference to the National Industry Extension Service (NIES)—

(1) How much money has been spent on the provision of subsidies to fund the engagement of management consultants by the Queensland Government for each of the years 1989-1990, 1990-1991, 1991-1992 and 1992-1993, by type of project subsidised and what was the total?

(2) How much money has been spent on the administration of the NIES programs in each of the above financial years?

(3) How many public servants were engaged in the administration of the NIES programs in each of the above financial years?

(4) How many consultants have been NIES accredited (a) in each of the above financial years, (b) by program and (c) in total?

(5) How many consultants who applied for accreditation to deliver NIES programs were rejected (a) in each of the above financial years, (b) by program and (c) in total?

(6) How many firms have received NIES subsidies (a) for each of the financial years 1989-1990, 1990-1991, 1991-1992 and 1992-1993, (b) by type of project subsidised and (c) in total?

(7) What improvements have occurred in the performance of firms granted NIES subsidies for the engagement of consultants, in terms of (a) increase in profit, (b) increase in employment, (c) increase in sales in total and (d) increase in export sales?"

Mr ELDER: I seek leave to table the answer and have it incorporated in *Hansard*.

Leave granted.

Total Commonwealth Government funding provided to Queensland from the commencement of NIES—in 1986 to June 1994 is $14.9m.

Total State funding for the same period is $16.4m.

Details on projects subsidised is attached (Annexure 1).

Since 1986 the percentage of funds directed to subsidies has increased. Expenditure on administration (excluding business advisory staff) as a percentage of expenditure on direct subsidies to firms has dropped from 25% at the commencement of the program in 1986/87 to 20% in 1992/93. This is a clear example that resources are being directed to relevant programs that directly assist business (annexure 2).

NIES has instigated a Consultant Registration process to ensure accountability by field officers for referrals of consultants to clients as well as ensuring that a quality service is undertaken by consultants. This is an example of Government being accountable for public funds.

The process was endorsed by the Institute of Management Consultants of Australia Queensland Chapter as well as their National body. IMCA administers the assessment of consultants based on an agreed rigorous evaluation criteria. DBIRD maintains the approving authority for this list of consultants.

To date, approximately 200 consultants have been registered, 19 rejected and 35 currently awaiting assessment. The guidelines are clear and allow for an element of self assessment on behalf of the consultant prior to lodging an application.

A breakdown of consultants by program area is attached as Annexure 3.

A comprehensive review of the Consultant Registration Process will be commenced this month. Interested parties will be able to offer comment and their views considered.

Annexure 1

Subsidy Expenditure by Project Type	1989/90	1990/91	1991/92 ($'000)	1992/93
Management	471	450	946	1,396
Marketing	23	63	299	290
Operations	129	145	263	358
Quality	267	304	423	570
Finance	3	-	17	20
Innovation & Design	85	198	507	472
Human Resources	13	69	128	204
TOTALS	991	1,229	2,583	3,310
Percentage of Expenditure for year	47%	44%	66%	77%

Firms Assisted with Subsidy Payments by Type	1989/90	1990/91	1991/92	1992/93
Management	117	94	165	235
Marketing	4	10	39	38
Operations	18	18	66	65
Quality	61	93	131	176
Finance	1	-	3	4
Innovation & Design	6	5	10	19
Human Resources	4	12	21	20
TOTALS	197	208	353	493

Totals for each year may be less than sum of assistance types because one firm may have received payments for two or more subsidies in year.

ANNEXURE 2

Non-subsidy Expenditure	1989/90	1990/91 ($'000)	1991/92	1992/93
Business Advisors	307	567	896	1,538
Industry Organisations & Multiplier Agencies (eg Qld Innovation Centre)	573	619	350	100
Management & Administrative Support	222	404	673	668
TOTALS	1,102	1,590	1,919	2,306

ANNEXURE 3

Skill Area	Number of consultants registered
Strategic/business Planning	124
Quality Management—QA	37
Quality Management TQM	36
Operations Improvement	38
Product Development	17
HRM	45
Marketing	66
Finance	34
Strategic Design	1

(Note: consultants can be listed in up to 4 skill areas)

ANNEXURE 4

The data requested is the subject of a survey which is currently in progress. A preliminary analysis in December 1993 of the 131 responses received to that date, from firms which had received at least $3,000 in subsidies from NIES, indicated that:

From 1991-92 to 1992-93 the median increase in gross profit was 8.5 per cent.

In comparing the growth of NIES client firms from their immediate pre-NIES year to 1991-92, relative to the Queensland average for the total manufacturing sector over the corresponding time period, as derived from the Australian Bureau of Statistics (ABS) data, the median growth advantages of the NIES firms were:

employment 9.1 per cent

turnover 5.9 per cent

No corresponding ABS data was available for gross profit. These figures will no doubt change to some degree when the full analysis of at least 300 cases is completed.

Of the 154 respondents which had provided useable export sales data as at January 1994, 62 firms had increased their exports by an average $671,000 between 1991/92 and 1992/93, the median being $153,000, while in 35 firms export sales had declined by an average $445,000, the median decline being $95,000. This was due in no small part to the recession and the need for firms to re-focus strategically on what they were doing.

3. Professional Officers Association Superannuation Fund

Mr COOPER asked the Minister for Police and Minister for Corrective Services—

"With reference to a CIB investigation into the circumstances surrounding the four missing Benefit Payment Request forms associated with the Queensland Professional Officers' Association Superannuation Fund as recommended in the Eighth Report of the Senate Select Committee on Superannuation—

(1) Will he reaffirm that the CIB investigation referred to is currently being conducted?

(2) Will he also confirm that the investigation surrounding the said missing documents will examine why they were missing so as to comply with the intent of the Senate Committee's report?"

Mr BRADDY: Yes, I can confirm that an investigation is being conducted in relation to this matter by the Criminal Investigation Branch of the Queensland Police Service at Oxley. At this stage, the investigation consists of an examination of some 83 cartons of files in an attempt to locate the missing documents in question. Should the documents be located within those cartons or elsewhere, the question as to why they were missing will probably be answered. In the event that the Queensland Police Service is unable to locate the documents in the files or elsewhere, the matter will be referred back to the Criminal Justice Commission for further investigation into possible impropriety in dealing with the documents.

4. Tenjin Festival

Mrs ROSE asked the Minister for Business, Industry and Regional Development—

"What will be the benefits of the Tenjin Festival which is scheduled to be held in Brisbane in early May?"

Mr ELDER: It is estimated that possibly 100 new part-time jobs will be created and up to $10m will be injected into the Queensland economy, particularly the Brisbane district, the Gold Coast and Sunshine Coast areas, when we host the Tenjin Mitsouri. The Tenjin festival is one of Japan's three major religious festivals, and it is quite a coup for us to be able to have that festival here in Brisbane on 6 and 7 May.

I am coordinating a committee that is, in a sense, overseeing and troubleshooting in terms of the organisation of that particular event. We are positive and confident that it will enhance our relationship with Japan, particularly with the Osaka Prefecture. It will be a two-day festival. On 6 May, there will be a city parade full of culture, colour and festivities. That parade will travel through the city down to the river. The whole parade will then be floated on barges, and there will be bonfire barges. It will be a day of activity and spectacle.

Mr Purcell: Fireworks.

Mr ELDER: The honourable member for Bulimba is quite right. The day will culminate in fireworks. It will be one of the biggest fireworks displays that we have ever seen in Queensland, involving about 1 500 kilograms of fireworks and 2 000 individual explosions, the highest of those being around 220 metres. I am talking about a massive fireworks display to culminate what will be a great day. I do not think that Brisbane has seen anything like that since Expo.

We are certain that, at the end of the day, this will enhance our relationship with the Osaka Prefecture. It has been an initiative of the Osaka Prefecture. We are expecting 1 000 Japanese executives, professionals and people who are involved as performers—1 000 people who are actually involved with the festival. That includes outside visitors from Japan and interstate. Members of the parliamentary delegation know how successful and exciting the festival will be for Brisbane itself. Those 1 000 people will inject about $3.5m directly into the economy. The Minister for Tourism might help me with this, but I think that, according to QTTC figures, it manifests to about three times that sum in terms of a total flow-on, that is, around $10m.

I emphasise that there is strong support from the business community—the private sector—in relation to that festival. They realise that it represents not only an opportunity for Brisbane, the Gold Coast, the Sunshine Coast and surrounding areas to attract that type of activity but also a good opportunity for a conduit for further business investment in Osaka and in Japan generally. It enhances the relationship with Government, the private sector and the media, and that in itself makes the festival quite rewarding. I request that all members—Opposition members and Government members alike—get behind that festival, because it will be marvellous for Brisbane.

5. Intellectually Disabled Female, Pregnancy

Mr LITTLEPROUD asked the Minister for Family Services and Aboriginal and Islander Affairs—

"Is it correct that an intellectually disabled female whose name begins with 'S' at a centre in Jindalee or this region was found to be pregnant but either had a miscarriage or had the pregnancy terminated as recently as March 1994?"

Ms WARNER: I do not intend to speak about the personal details of a private citizen publicly in this forum, but I will speak to the honourable member outside this House about the issue.

6. Autistic Centres

Mr LITTLEPROUD asked the Minister for Family Services and Aboriginal and Islander Affairs—

> "With reference to a meeting on 12 April between myself and the parents of children suffering from autism at which I was advised that if young children afflicted with this behavioural problem can be treated young enough, they can be cured and, if they are not treated at the right age they will probably never gain the power of speech—
>
> Is it a fact that the waiting time for assessment and treatment at an Autistic Centre has blown out from 11 months two years ago to almost three years now to produce a waiting list of 700 children while other States have virtually no waiting list for access to the services of an Autistic Centre?"

Ms WARNER: I seek leave to table my response to the question and have it incorporated in *Hansard*.

Leave granted.

> My Department currently provides in excess of $250,000 per annum to the Autistic Centre for accommodation support, a family group home and for a support group in North Queensland.
>
> This allocation was increased by 10% in the last 12 months.
>
> This underlies this Government's recognition of the high demand for quality services which the Autistic Centre provides.
>
> My Department's funding is in addition to the support and resources provided by the Education Department to the Autistic Centre.
>
> It is important to be aware that the Education Department provides assessment and early intervention services from birth to 6 years of age for children with disabilities including those with autism. The Education Department services are an alternative to people seeking assessment and therapy services from the Autistic Centre.
>
> Further information on services for children with autism should be directed to my colleague, the Honourable Pat Comben, Minister for Education.

QUESTIONS WITHOUT NOTICE

Salo—120 Days of Sodom

Mr BORBIDGE: In directing a question to the Premier, I refer to the film *Salo—120 Days of Sodom*, which starts its Brisbane season today, and I ask: why has his Government permitted, in the Year of the Family, the screening of a film described by the Commonwealth Censor as "wallowing in depravity" and which includes the torture, sexual abuse and assault of children?

Mr W. K. GOSS: The State Government has not permitted the film to be shown, or more particularly to be given an R classification. The State Government agrees with the Commonwealth Censor, who has repeatedly refused to classify this appalling trash. We agree with the Commonwealth Censor that it should not have been classified. Unfortunately an appeal to the Commonwealth Film Board of Review was successful and the Commonwealth Film Board of Review granted this film an R classification. From the descriptions that I have heard of it, it is nothing more or less than appalling trash and we will be calling on the Commonwealth Attorney-General to look at the operation and the composition of the Commonwealth Film Board of Review. While Australia should have national standards when it comes to these matters, we do not want to see this kind of trash.

The Leader of the Opposition is giving this film so much free publicity that he is likely to increase its audience substantially, and I appeal to him to stop giving the film free publicity and I urge Queenslanders to stay away in droves.

Salo—120 Days of Sodom

Mr BORBIDGE: I direct a further question to the Premier. I refer to his decision to scrap the Queensland Films Board of Review, a body which would have allowed him to stop the screening of a film that the Victorian Crown Prosecutor warned could lead to copy-cat torture crimes of innocent children. I ask: will he now follow the lead of the Western Australian and South Australian Governments and introduce legislation that would allow his Government to ban this film? "Yes" or "No"?

Mr W. K. GOSS: As I said before, Australia should have national standards and the legislation that was passed by this Government back in 1990 or 1991 was designed to try to end the appalling and improper political misuse of that power by the previous Government.

HOME Scheme

Mr PITT: In directing a question to the Minister for Housing, Local Government and Planning, I refer to recent statements by the Leader of the Opposition when referring to the Government's HOME lending scheme suggesting battlers whom the Government wanted to help had somehow become victims and that the Government had gone out of its way to disguise losses by putting up a complex web of paperwork. I ask: could the Minister please advise the House of the success of the HOME lending scheme to date?

Mr MACKENROTH: I have been waiting all week for the Leader of the Opposition to put me under pressure in relation to this scheme, as he has been running around telling people that he was going to do. But, of course, he has not asked the question. The HOME scheme has not hurt people. In fact, over 18 000 Queenslanders, either through HOME or HOME Shared, have had the opportunity to move into home ownership. When the scheme was established, the Government was very strict about the people to whom it lent money. It has looked at the amount of money that people owed—and people were not allowed to have debts—and it looked at their wages, and that is why the HOME Shared scheme is there. The Opposition claim now, of course, is that we should not be lending to these people and that we should not have done it.

I would like to quote quickly from a couple of letters—and I have received many—from members of the Opposition. One letter from Russell Cooper is as recent as 10 March. He complained that the department had withdrawn an offer for a loan when it found out that the person who had made the application had a $20,000 loan. Mr Cooper stated—

> "It seems strange to me that (the people) are not eligible for a Commission loan for the reasons stated"—

and that reason is that they have that loan.

Marc Rowell, the member for Hinchinbrook, had written to the previous Minister, Mr Burns, and complained because the department had knocked back somebody who was an undeclared bankrupt in Victoria.

Mr FitzGerald: Undischarged.

Mr MACKENROTH: "Undischarged"—that is the word. He complained that we had taken that into account. He stated that he would be pleased if we "could re-consider her application owing to the stress" that the applicant was in.

Joan Sheldon, the Deputy Leader of the Coalition, wrote to me in 1992 and complained because the department had knocked back an application from Mr and Mrs Losee. The letter stated—

> "Mr and Mrs Losee applied for a H.O.M.E. loan, but were rejected on the grounds that (the person) is not a permanent resident of Australia."

She was complaining that we were hurting Queenslanders, yet she wants us to lend money to people who are not even residents of Australia.

Mrs Sheldon: Read the letter.

Mr MACKENROTH: The honourable member can release her letter. I am not going to release it. I am just going to take the relevant sections from it. In a statement that was reported in her local paper about nine months ago, Mrs Sheldon said that there were a number of people in her electorate who were hurting from the HOME scheme. I wrote to her and said that I wished to help those people and asked her to tell me who they were. She wrote back to me and said, "Oh, no. I could not do that." These people are hurting—people whom she wanted to help—but for goodness' sake do not tell me who they are so I can help them!

Bruce Davidson wrote to me and said that, in his opinion, the only way that his constituent could achieve her goal was if the department would help her.

Judy Gamin, the member for Burleigh, has written to me and said—

Mr FitzGerald: Don't any of your mob write to you?

Mr MACKENROTH: No. Members opposite are the ones who are complaining about it. The letter stated—

> "This refusal has come as a great shock and she has no other means of bank finance. In order to retain her house, a Housing Commission Loan is the only avenue to open to her."

Mr SPEAKER: Order! I suggest that the Minister make his point.

Mr MACKENROTH: I will make my point, which is that the HOME scheme and the HOME Shared scheme are designed to help Queenslanders who cannot receive assistance from other avenues, such as banks and building societies. It is about helping people—as I said, 18 000 Queenslanders—to obtain home ownership.

Mr Borbidge made much of the fact that some people had been unable to keep up their payments and had had to hand back their homes. In the four-year period prior to the introduction of the HOME scheme and the election of this Government, under the previous Government's Home Interest Subsidy Scheme, which was a scheme under which people paid only a maximum of 25 per cent of their income, 553 properties were repossessed or handed back. Since the introduction of the HOME scheme, 140 have been repossessed or handed back. If Opposition members want to refer to people being hurt in some way, they should compare those figures and understand what I am talking about.

Finally, I would like just to talk about the HOME Shared scheme. Some people are

complaining about the HOME Shared scheme in that they cannot take the profit from the department's share. The HOME Shared scheme or, as it is now called, the Rental Purchase Plan, is a scheme under which the department buys a portion of the property, and rents that portion of the property as if it was a rental property. The other section of the property is bought by the person. That person receives the increased equity of the portion of the property that he or she owns; the department receives the increased equity of the portion of the property that it owns.

Mr FitzGerald: Are you answering the question or making a ministerial statement? Come off it.

Mr MACKENROTH: The member wanted this matter raised in Parliament. I am giving him the answer.

Mr Borbidge: Bring on a debate.

Mr MACKENROTH: No, Opposition members do not want to hear the answer. There is no way that the Government would be responsible if it was to allow people to take the increased equity in the share of the property that it owns.

HOME Scheme

Mr PITT: In directing my second question to the Treasurer, I refer him to newspaper reports that a study by international credit rating agency Standard and Poors shows that the Goss Government is hiding potential losses from its HOME scheme. I ask: can the Treasurer inform the House of the true situation with regard to these reports.

Mr De LACY: In common with the Minister for Housing, I have been waiting all week for the Opposition's devastating attack on the HOME scheme. The Leader of the Opposition said, "Bring on a debate." We are prepared to have a debate. In fact, we are having one right now.

Mr SPEAKER: Order! I suggest to the Treasurer that question time is not a time during which to debate matters.

Mr De LACY: Mr Speaker, I will answer the question. It is fair to say that, over the last few weeks, there has been some reporting on some issues that has left something to be desired. Nevertheless, in respect of the HOME scheme, I think that that standard of reporting has probably reached new depths. A number of public comments have been made— "HOME scheme troubles", "State home scheme risks heavy losses", "Government HOME scheme under fire"—and they all refer to the Standard and Poors' assessment of the Queensland HOME scheme. My advice to the media is that if it is going to undertake an assessment of a report, it should read the report and not take the version offered by the Leader of the Opposition. He has never read a report in his life. His press secretary will go through the report and select a couple of lines for him, which he will then quote out of context and misuse. I expect that of the Opposition, but the media should not take his version at face value. I do not know how anybody could come to such conclusions after reading that report.

The first point that I would like to make is that the Government commissioned this report. There is nothing secretive about it. It states—and this backs up what the Minister for Housing said—that the HOME program that the Government introduced is the least costly and the least risky of the department's housing programs and all the other housing programs that were introduced by the National Party. The report then goes on to refer to the confusion between the Government's HOME scheme and the New South Wales Home Fund, which was a disaster. The Opposition has been trying to cultivate a similarity between those two schemes. The report states—

> ". . . it is clear that the H.O.M.E. scheme will not give rise to any situation which will threaten Queensland's prime 'AAA' credit rating.
>
> The report goes on to state—
>
> ". . . the H.O.M.E. scheme has not suffered from HOMEFUND'S"—

that is the scheme that exists in New South Wales—

> "inadequacies relating to mortgage documentation and, unlike HOMEFUND, the management of the scheme has been integrated within departmental operations including centralised loan origination and administration."

The report states that that was the problem with the New South Wales Home Fund scheme. It goes on to state—

> "Queensland's comfortable financial position is the result of years of conservative financial management and close scrutiny of individual programs . . . close scrutiny and conservatism in relation to all programs, including H.O.M.E., is the reason for Queensland's financial position and credit rating."
>
> Finally, the report states—
>
> "Queensland's central agencies have traditionally exercised some vigour in questioning and restraining spending and

service providing agencies. Queensland Treasury's interaction with the Department of Housing reflect this pattern which has served Queensland well."

If the Opposition is going to comment on a report, it should read the report.

Mr D. Atkins

Mrs SHELDON: I ask the Premier: in light of the precedent set by his Government in the past where police and public servants were stood aside or suspended if under investigation by the Criminal Justice Commission, will he now stand aside or suspend his media adviser, Dennis Atkins, pending the outcome of the current inquiry into the events of the charging of Paul Barbagallo and Gordon Euchtritz on 13 November last year?

Mr W. K. GOSS: The Criminal Justice Commission has issued a public statement in respect of this matter in which it said that no adverse inference whatsoever should be drawn against any of the individuals involved. In light of that statement, in light of my information and my belief that there has been no wrongdoing and further, in view of my observation of the various issues raised by the Deputy Leader of the Coalition and her leader, namely, that they have produced no evidence of any wrongdoing or impropriety, in those circumstances I will not act on what is nothing more than a grubby smear from people who have no policies.

Mr P. Barbagallo

Mrs SHELDON: In directing a question to the Minister for Police, I refer him to the matters previously debated in this place surrounding the police interview at the Cooktown Police Station on the morning of Saturday, 13 November last year, and I ask: did the Cooktown police authorise the involvement of members of the Premier's staff in the interview involving Paul Barbagallo and ranger Pat Shears?

Government members interjected.

Mrs SHELDON: I will wait.

Mr Livingstone: We've got all day.

Mrs SHELDON: When the member has finished, I will continue.

Mr SPEAKER: Order! I warn the member for Ipswich West. I do not have all day.

Mrs SHELDON: Has the Minister received a report on the incident or a record of interview? Will he table any such report? Does he consider that any interference could constitute an attempt by the Premier's staff to pervert the course of justice?

Mr BRADDY: I can assure the honourable member that I have not received any report in relation to the matter, nor would I expect to do so. What is very clear in relation to this matter is that the CJC is investigating it. Obviously, one of the matters for investigation by the CJC would be the circumstances surrounding that particular interview. It would be highly inappropriate for me to give my personal opinion or details that are very germane to the matter that the CJC is investigating. The report will come out in due course.

Declaration of Members' Pecuniary Interests

Mr LIVINGSTONE: I refer the Premier to resolutions of this House on the declaration of members' pecuniary interests, and I ask: in light of discussions in the past 24 hours, does he believe that there is any need for an amendment?

Mr W. K. GOSS: I thank the member for the question. I think that some issues raised in the last 24 hours should interest all members, and some members on both sides of the House more than others. The matters raised by the Leader of the Opposition are another classic example of how he is able to suck in some people with a smear for a short time, that is, until they have a chance to reflect on it and see that, once again, it is nothing but a smear. But to turn to the issues raised——

Mr Borbidge interjected.

Mr SPEAKER: Order! I am somewhat interested in hearing the Premier's answer, because I have to make a decision about this at a later time. I intend to hear the answer.

Mr W. K. GOSS: As I said, I think this is of interest to all members. It may be that, if members think there is some substance to the complaint made by the Leader of the Opposition, they will want to amend the guidelines regarding the register of members' pecuniary interests to require more detail to be provided by members. I think the issues raised need to be dealt with on three levels: firstly, has there been an omission by the member in this case? Secondly, if there has been an omission, is it contempt? Thirdly, if there is a problem or a question mark, what do we do about it?

I will deal with the first point: is there an omission? The member for Mount Isa is a director of the Queensland Country Credit Union. That is the key factor that determines whether or not people can identify the possibility of a conflict of interest. It is declared by the member. Other than that, there is the section—I think it is section 12—which refers to "other substantial income". I

would have thought a reasonable interpretation of that was that "other" meant other than the matters referred to above, whether it be directorships, assets, businesses or whatever. The member for Broadwater scowled at that, but I will come to Mr Grice later; I have his details here. The other point is——

Mr BORBIDGE: I rise to a point of order. The matters raised by the Opposition relate to the declarations kept in the Clerk's office.

Mr SPEAKER: Order! I am on my feet. I warn the Leader of the Opposition under Standing Order 124. When I am on my feet, the Leader of the Opposition will resume his seat. If he does not do so, I will regard that as contempt, and I will deal with him. There is no point of order.

Mr W. K. GOSS: The first point that I would like to make in relation to whether or not there has been an omission is that there is an absence of an actual definition or monetary limit in the resolution itself, which is what I think members would be primarily guided by. Okay, so is there an omission? I think it is reasonable to argue that there is no omission by the member. However, if the Leader of the Opposition and members opposite want to argue that there is an omission, we will need to think about what we are going to do about it, which I will come to.

The second issue is: has there been contempt? It needs to be understood—and I do not think that this was pointed out or understood last night—that completion of section 12 of the form, which is "other substantial income", would have resulted in the insertion in that section by the member of the words "Director of the Queensland Country Credit Union". In other words, it would not have added any information to the declaration other than what was there already—unless, of course, the Leader of the Opposition is suggesting that, to comply and to avoid a finding of contempt, members have to specify the amount. If that is what he is suggesting, I think he needs to say so, because I think there will be some members on his own side who will have a keen interest in the outcome of that suggestion.

The third issue is whether members think there are some question marks, even if they think there is nothing wrong in terms of the member's position—and I think there is nothing wrong with his position, because I think there has been no omission and no contempt. Clearly, in my view, there is no problem. But this is a matter for all members. If members opposite think there is some grey area here or that there needs to be greater specificity, we need to have a debate.

What should we do about it? I think nothing is required to improve the section that lists the obligations on members to declare their interests. I think that, while no system is perfect, this system so far seems to be working and has not shown up any significant problems. But I say this: if the Leader of the Opposition believes that more detail is required, then it is a wider problem than the issue regarding the member for Mount Isa. To understand what I mean, members opposite would need to refer to the latest report that I have been able to obtain, which is the fifth report on the Register of Members' Interests.

I will refer to the interests of a number of members, but I want to say this at the outset: I am not suggesting in any way any impropriety or any failure to disclose on the part of any of these members. So before people such as the member for Broadwater or the Deputy Leader of the Coalition jump up and down, I will say specifically that I am not alleging any impropriety. If we turn to the Deputy Leader of the Coalition, we see that the public document makes reference to two directorships. In section 12, "other income", one of those companies but not the other is referred to as a source of "other substantial income". I stress that I am not suggesting any impropriety whatsoever. I am just saying that that would raise a question in some people's minds as to whether there is some confusion. I do not believe that there is any wrongdoing on the part of the Deputy Leader of the Coalition.

That raises another interesting question, though, because what this provision is all about is trying to ascertain whether there is a possibility of a conflict of interest as a result of directorships. That can occur as a result of a directorship. It can also occur as a result of shareholdings or an interest in a business. If members have shareholdings, a directorship, an interest in a business, or some other income-producing asset, they need to consider whether or not they want that information to be reflected in section 12 and whether they want more detail than is provided already, namely, a reference to the amounts of money earned from that.

If we turn to the person whom the Deputy Leader of the Coalition is consulting at the moment—that is, the member for Indooroopilly—we see that he lists shareholdings in a wide range of companies. I presume that Westpac, the National Bank, Metway, South Australian Brewing, the Commonwealth Bank and GIO Australia pay dividends, but there is no reference in section 12 to——

Mr Beanland: Not enough.

Mr W. K. GOSS: The member has my sympathy. But let me say this: I think that the member for Indooroopilly has discharged his

obligations properly, even though, like the member for Mount Isa, he has made no entry under section 12. Any possibility of a conflict of interest in respect of those companies is disclosed. There are many members to whom I could refer. I will not refer to them all. Let us turn to the member for Nerang, Mr Connor——

Mrs Sheldon: How about some on your side?

Mr W. K. GOSS: The member can go through them.

Mr Beanland: You go through them.

Mr W. K. GOSS: Okay, I will. Members opposite should just tell me when they have had enough. Turning to the member for Nerang—he has two directorships, but there is no entry under section 12. Once again, I say that, as far as I am concerned, he has made a proper declaration and has fulfilled his obligations. However, there is no entry in respect of section 12.

Let us turn to the member for Crows Nest, Mr Cooper. Once again, I make no adverse comment about Mr Cooper, who has shares in ANZ, the National Bank, the Commonwealth Bank, Boral, Pacific Dunlop, BHP and Western Australian Newspapers. I would like to compliment him on his portfolio; it is a good portfolio. Mr Cooper has some other interests that he declares in sections 2 and 3, but under section 12—"other substantial income"—Mr Cooper has nothing.

Mr Hobbs: How can you put down what shares are going to do?

Mr W. K. GOSS: I respectfully agree wholeheartedly with the member for Warrego. I point out to him that the problem that the member for Mount Isa had is that he does not know how much he is going to get because it depends on how many meetings he attends.

Members opposite need to think for a minute. If what they are saying is that, at the end of the financial year, once a member knows how much he or she has received, that amount should be declared, we can, if they wish, make provision for the amount of the dividends to be declared. There are others that I have marked here, but I will not go through them all.

Mr SPEAKER: Order! I suggest that the Premier does not.

Mr SLACK: I rise to a point of order. The Premier has made his point.

Mr SPEAKER: Order! I agree with the member. I suggest that the Premier has made his point and that we should get on with question time.

Mr W. K. GOSS: In fact, the member for Burnett has some directorships. Was he trying to stop me from coming to the names starting with "S"? I make no adverse comment about the member for Burnett, either. I will stop reading out the details of individual members. They are available to the public. People can have a look for themselves. Members on both sides of the House have directorships and shareholdings——

Mr Veivers: Being paid for directorships.

Mr W. K. GOSS: The member for Southport raises an important point. I think his point is that some members do not receive directors' fees. However, in respect of many of those holdings, if a member has an interest and a directorship in a company—unless they are run by absolutely hopeless business persons—one will find that some of those companies—and I suspect most of those companies—deliver income in the form of directors' fees, dividends or profits from property development or other businesses. If members opposite want that declared, that can be accommodated.

Some of these matters could be dealt with in more specific detail. I believe that the current requirements are adequate. However, I say to the Leader of the Opposition that, if he wants more detail to be provided in respect of income from directorships, interests in companies or interests in properties, he should refer the matter to the select committee, which consists of eminent members such as the member for Nerang, who I am sure understands the issues very well. If the Leader of the Opposition is serious, he will place before the committee his specific proposals for greater declaration of the specific amounts that members earn.

Business Advice for Rural Areas Scheme

Mr LIVINGSTONE: I thank the Premier for his detailed answer. I ask the Minister for Business, Industry and Regional Development: can he outline how the Business Advice for Rural Areas Scheme has benefited rural Queensland?

Mr ELDER: I am pleased that the Premier has confidence in the member for Nerang. I would be worried about any directorship that nets no return.

The Business Advice for Rural Areas Scheme is a joint State/Federal scheme running in 11 areas in rural Queensland. Under the scheme, we place business advisers in rural areas to help create businesses and jobs by providing information and resources, including data, expertise, manuals and project outlines. We also attempt to assist people with new ideas

for an enterprise in the rural sector and provide advice for those who are actually operating in the field.

At present, 11 places in Queensland have BARA facilitators—Goondiwindi, Charleville, Mundubbera, Charters Towers, Roma, Longreach, Malanda, Emerald, Murgon, Tully and Warwick. In relation to such joint schemes, I have said all along that we must have measurable outcomes from them. We must see that the schemes are in fact working to assist businesses in rural Queensland. The outcomes from the first year of the program are very encouraging. Since the scheme commenced, 61 new firms have been established; 33 firms have grown through the advice received from the BARA facilitators; 20 loss-making companies are now in a profitable state; 108 new full-time jobs have been created; 48 part-time jobs have been created; and, more importantly, at least 70 jobs have been retained in rural areas.

I want to cite some examples of the types of businesses that have been established under the scheme. I will not provide the locations of those businesses. They include a radiator repair business, a lighting store, a seamless flooring business, a motel and a tavern, an outback tour company and a tour bus operation. All of those businesses will benefit the relevant rural communities. The BARA facilitators all have community and business development backgrounds and, more importantly, they live in the local communities that they assist. That is an important factor, because it helps to break down the barriers in those communities. The scheme is a good example of how the State and Federal Governments can work with local communities to assist regional and rural Queensland.

I see that members opposite display a fair amount of disinterest in this subject. There is probably a reason for that. That is because, during their time in Government, members opposite did nothing of a similar nature. No initiative of this type was ever undertaken by the Opposition when it was in Government. So that it cannot be thrown at this Government, the final point I want to make is that all of the BARA facilitators are operating in the electorates of members opposite. In other words, all of that assistance and all of the resultant small-business growth in the rural economy is occurring in the electorates of those sitting opposite. I repeat the point that members opposite did nothing of a similar nature when in Government, and for that they should be condemned.

Australian Friesian Sahiwal Cattle

Mr LINGARD: In directing a question to the Minister for Primary Industries, I refer to his decision to overturn an interdepartmental recommendation that the State's AFS breeding and genetics program remain in Queensland. Despite criticisms from the Opposition and industry that the considerable investment of the Queensland taxpayer in research and development of the program should remain in Queensland, and despite other warnings, the Minister ruled that the program be sold to a Riverina company in December 1993. It is now four months since that decision. I ask: has the Minister received payment from the Riverina company for the program?

Mr CASEY: Again, the member for Beaudesert seeks to go round in circles. During his teaching days, he must never have read the story of the snake that started going round in circles and eventually swallowed its own tail. The member for Beaudesert has gone to all sorts of unbelievable lengths to try to lend some sort of credibility to the fanciful ideas in his mind on this issue. This issue has been handled in a manner that is in accordance with normal Government requirements and in accordance with the Financial Administration and Audit Act. The member has approached the Public Accounts Committee and the Auditor-General to see whether there is something——

Mr Hamill: He's got a fetish.

Mr CASEY: Yes, I think it might be some sort of a fetish. He has something on the brain about it, and it is certainly not the milk from the AFS cattle. This matter has been canvassed at considerable length. The matter is completed so far as my department is concerned.

Australian Friesian Sahiwal Cattle

Mr LINGARD: In directing a further question to the Minister for Primary Industries, I again refer to his decision to overturn the assessment panel's recommendation on the AFS program and the criticism by the Opposition and the industry that the cattle would be lost to Queensland and to Australia. RAB is now advertising the sale of 160 dairy cattle on 28 April, and sources within the Minister's department have stated that the AFS cattle will be sent to Cairns for airfreight to Bangladesh. I ask: does the Minister agree that because of his decision there is a risk of the complete loss of the AFS herd?

Mr CASEY: In common with all cattle in Queensland, AFS cattle have been bred for sale. What else would a person do with them—hang on to them like museum pieces? I am quite sure that that would not be the course adopted by people such as the member for Crows Nest, who is involved in the cattle industry, and it is certainly not the intention of the dairying program. As I have explained to this House previously, the whole idea of the Department of Primary

Industries becoming involved in a program to breed and develop AFS dairy cattle as a tropical dairy breed was undertaken more than 30 years ago.

As we have continued the development, it has become obvious that the Queensland dairy industry is not interested in the breed. There are 13 AFS breed cattle in commercial dairy herds in Queensland—13! None of those are in the tropical areas of Queensland, they are out in the Maleny area or somewhere like that. There might even be some in the Beaudesert area, where Mr Lingard is the member. That has been the whole program, the development of the breed for commercialisation.

Government should not be involved in that commercialisation. It is not the role of Government to set up a commercial industry and I know that is the philosophy that has been expounded on all occasions by members opposite, that Government should not be involved in the commercial industry. We are not involved in the commercial industry, we have disposed of the herd because of its cost to Queensland industry and the need to move for more important programs in this State so far as the dairy industry is concerned and to look after the dairy industry of the State of Queensland.

Prisoner Work Camp, Undarra Volcanic National Park

Mr BREDHAUER: I ask the Minister for Police and Minister for Corrective Services: can he inform the House of the details of the new prisoner work camp which is planned to operate within the Undarra Volcanic National Park in far-north Queensland?

Mr BRADDY: The prisoner work camp planned for the Undarra Volcanic National Park is a unique joint venture between the Corrective Services Commission and the Department of Environment and Heritage. It is based on, and very similar to, the very successful Work Outreach Camps which are already in operation in a number of towns throughout western Queensland. As such, it is a further extension of the Government's policy of developing alternative options to secure imprisonment for appropriate, carefully selected, low and open security inmates. Under the scheme, a permanent work camp is to be established within the national park to carry out an extensive environmental management program.

Up to 20 carefully selected and supervised prisoners from the Lotus Glen Correctional Centre on the Atherton Tableland will be responsible for building walking tracks, boardwalks and pathways, fencing the area and eradicating weeds. Corrective Services Commission officers and Environment and Heritage rangers will supervise the project. Final negotiations between the commission and the department are continuing and it is planned to open the work camp in August this year.

There are obviously a number of obvious benefits flowing from the project which promises to develop the tourism potential and protect the ecology of one of Queensland's most spectacular national parks. Community benefits include conservation of natural resources and improved tourist access. Aside from the benefits to the public, prisoners working on the project will gain by being able to develop useful skills. It is estimated that there is enough work there to last for at least five years. Once the major infrastructure work has been completed, it has also been proposed that prisoners may be available to work on other local community projects in that area.

I welcome the opportunity to place on record my appreciation to those responsible for making this project a reality. I include in that my appreciation to the district manager of the Environment and Heritage Department, who first proposed this project. I also include my thanks to the member for Cook, who has been consulted in relation to possible work camps not only here, but in far-north Queensland—particularly in relation to Aboriginal prisoners—and his contribution has been very helpful and very supportive. I am sure honourable members will agree that this unique joint venture offers a number of important benefits to the State and will join me in wishing it every success.

Cairns Airport

Mr BREDHAUER: I direct a question to the Minister for Transport and Minister Assisting the Premier on Trade and Economic Development. I draw the Minister's attention to an article in the *Cairns Post* of 6 April 1994 in which the Liberal Party's Federal spokesperson for Tourism and Aviation, David Jull, describes the Cairns International Airport as "the only major private airport in Australia" and a "model for privatisation". I ask the Minister: has Mr Jull some information on the ownership status of Cairns Airport about which this Parliament has not been made aware, or are Mr Jull's remarks another example of the Liberal Party's ignorance of important Government-owned enterprises in Queensland's economic development?

Mr HAMILL: I always enjoy it when my portfolio receives some praise—particularly from members of opposition parties—and that is why I treasure this article which appeared in the *Cairns Post* where the coalition spokesperson on

Tourism and Aviation praised the performance of the Cairns Airport.

An honourable member interjected.

Mr HAMILL: It is a very good story in Cairns. Indeed, Cairns is a model for airport management in Australia. If we look at the last annual report, we see that Mr Jull was correct in saying that the growth of passenger movements through the airport has been dramatic. In fact, compared with 1991-92, passenger movements last year were up 47 per cent. There were over one million international passenger movements through that airport. Compared with 1991-92, domestic passenger movements were up 7 per cent in 1992-93. They are great figures. I was intrigued that Mr Jull thought this was because the Cairns Airport was operated by the private sector. That is one of those ideological blinkers that the Liberal and National Parties continue to face: they cannot give praise where praise is due—when the public sector demonstrates that it can very efficiently and very successfully run major public infrastructure, in this case, an airport.

I am sure that the Liberal and National Parties here, if they have any sense of fair play, would send a fax this afternoon to Mr Jull telling him that while Cairns Airport is indeed a model, it is a model of effective public enterprise in north Queensland, and under this Government's policies it will remain so.

Dr Craig Emerson

Mr SANTORO: I ask the Premier: is the Director-General of the Environment and Heritage Department a member of the Australian Labor Party, and was he a business partner of David Barbagallo and his companion, Fleur Kingham, at the time of the incident at the Cooktown Police Station?

Mr W. K. GOSS: I do not believe it is appropriate or, indeed, my responsibility to discuss the party political affiliations of people in this place. It certainly does not fall within my responsibility.

Mr Santoro: Has he got your support?

Mr W. K. GOSS: That is just part of the rubbish that the honourable member and some of his mates peddle to a particular journalist at the *Sunday Mail*.

Mr SPEAKER: Order! The member for Clayfield has asked his question.

Mr W. K. GOSS: In relation to the second part of the question—I do not know what the honourable member is talking about.

Mr D. Atkins

Mr SANTORO: I refer the Premier to his press secretary, Dennis Atkins, who I am advised has been giving secret and misleading briefings to journalists full of misinformation in an attempt to smear the character of Patrick Shears. I ask: does the Premier intend to continue to allow Mr Atkins, who is in the centre of the controversy and under CJC investigation, to continue this smear campaign?

Mr W. K. GOSS: I am not aware of any such activities by Mr Atkins and I would have full confidence that he would not engage in such activities. The smear job that is being run here is being run by the characters in the Opposition.

Mr Santoro: I think you're trying to protect some people, that's what you're doing.

Mr W. K. GOSS: As I said before, in terms of any debate in this place, the integrity and the credibility of the member for Clayfield is as low as it can get, particularly when it comes to the smear business, as many people on both sides of this House know.

Gladstone Power Station

Mr BENNETT: I ask the Minister for Minerals and Energy: can he inform the House of the benefits for central Queensland following the successful sale of the Gladstone Power Station?

Mr McGRADY: That is one of the best and most sensible questions so far this week. The sale of the Gladstone Power Station was the biggest project in this nation. It was a major achievement for the people of Queensland and, indeed, the people of Australia. This is something which the Opposition failed to do after all those years of trying. This sale guarantees the erection of the third potline at Gladstone, injecting some $900m into this economy. It is providing thousands and thousands of jobs for the people of central Queensland. There will be 320 permanent jobs in the City of Gladstone and some 650 additional jobs as a direct result of the building of the third potline. Already, there has been a massive injection of funds into that city. I have no doubt at all that, when work starts, it will have a massive effect on the economy of not only Gladstone City but also the entire surrounding district. It will also assist our nation with its balance of trade problems.

Today, I believe it is appropriate that I congratulate all those people involved in the successful negotiations on that deal. I start off with the Premier, who took a very deep and personal interest; to the member for Gladstone, who played a very important role; to the trade union delegates and officials, who played a very

constructive role in the negotiations; to the workers of the Gladstone Power Station; to all those public servants who displayed a tremendous knack of professionalism; and to the people of Gladstone. This was a great victory for the people of Queensland, and I believe it is one of the major achievements of our Government.

Mr MACKENROTH: I rise to a point of order. This morning, the Deputy Leader of the Coalition complained about the fact that we were not sitting late nights. I draw the attention of the House to the fact that only half of the Opposition front bench is in the Chamber for question time. They cannot even stay here in the morning.

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

Small Business

Mr BENNETT: I direct a question to the Minister for Business, Industry and Regional Development.

Opposition members interjected.

Mr SPEAKER: Order! I would like the member for Gladstone to be heard.

Mr BENNETT: Can the Minister advise of any Government moves to recognise small business in this State?

Mr ELDER: I can. I will not make my answer too long.

Mr Foley: Ask me a question about trading hours. I've been sitting here waiting.

Mr ELDER: If Opposition members want to ask about trading hours, they should do so. They have not asked about that. We have been waiting for those questions, but they have not been asked.

I would like to talk about two initiatives. Firstly, I refer to the Small Business Awards, which have been running for a number of years and have been very successful. Today, I will be launching the 1994 Telecom Small Business Awards, which are important in the sense that they have been very successful from the Government's point of view and the small business sector's point of view. Because they have been successful, most of the companies that have entered the awards have found them extremely rewarding.

Mr Santoro interjected.

Mr SPEAKER: Order! The member for Clayfield!

Mr ELDER: For those companies that have not been successful, the awards provide them with a clear understanding and clear picture of the role played by facilitators and advisers who look at their businesses and give them a good insight into their trading conditions and what they should do to enhance their own operations over the forthcoming 12 months.

Many members opposite have in their electorates companies that were successful in 1993. One finds that, with the companies that are successful, their businesses are enhanced immediately because they have gone through that recognition and appraisal of their businesses and have been recognised by the community generally, the business community and consumers as being among the top small businesses in this State. I look forward to the awards this year. As we have done previously, we will be judging businesses in regional rounds. We will then go on to the national awards, where in the past Queensland companies have been very successful.

At the moment, through the department, we are running a women's safety in business seminar, which has been very successful. The member for Currumbin launched it on the coast recently, and I launched it in Brisbane this morning. That seminar enables women in business to have a better understanding of the types of measures that are needed to create a safe working environment. Crime exists, and it does not necessarily happen on dark nights in lonely corridors. The purpose of the seminar is to enhance women's appreciation and understanding of what measures they can take to make not only their work environment safe but also create a better business environment for themselves, their employees and their consumers.

Mr D. Barbagallo; Mr D. Atkins

Mr SLACK: In directing a question to the Premier, I refer to the revelation that the specific purpose of the trip by his staff to the Starcke station homestead was to find an airstrip, and I ask: if locating an airstrip at Starcke was the only reason for a return journey by the Premier's two most senior staff from Cooktown to Brisbane over two days, why did he not save the taxpayer a few thousand dollars and make a phone call to the Government Air Wing, the CAA, the local police, the Environment and Heritage Department or even the owner of the property, as any one of them would have been able to provide the answer? Is the Premier prepared to appear before the CJC to justify that trip?

Mr W. K. GOSS: The factual premise of the member's question is flawed. The purpose of the trip—as has been explained time and time again—was to check out the various forms of access to the property and the times within which

that could occur, involving me and/or a party of people. That included, as part of that consideration of access, the airstrip.

In relation to the second part of the member's question—I have already said publicly and indicated within my office that there will be full support of and cooperation with the Criminal Justice Commission. Any questions that it wants answered by anyone, and any documents that it wants from any source, will be provided.

Mr D. Barbagallo; Mr D. Atkins

Mr SLACK: In directing a second question to the Premier, I refer to the revelation that the total research by his two most senior staff last November to plan a trip that the Premier never took to Starcke—apart from improper involvement in an interview in the Cooktown Police Station—was a three-hour return journey on a made road from Cooktown to the station homestead and back, and I ask: how does the Premier justify such a trip, and does he not think that the claim that Paul Barbagallo was to travel 12 to 15 hours back from Cape Melville to act as a guide for such a simple little trip in the country is ridiculous?

Mr W. K. GOSS: There are a number of very detailed components to the honourable member's question. I believe it is important that I deal with them one after another so that the member gets a detailed answer. He has been pursuing this matter for months, but he has never produced any evidence. However, I believe that these questions warrant an answer, even though they have been answered already. If, during the course of this answer, I do not have time to address all the matters about which the member has asked questions, I refer him to the answers that I have given over previous days that are on the public record. I believe that, in the course of those answers, the honourable member will find answers to all——

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

RACING AND BETTING AMENDMENT BILL

Hon. R. J. GIBBS (Bundamba— Minister for Tourism, Sport and Racing) (11.28 a.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend the Racing and Betting Act 1980."

Motion agreed to.

First Reading

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

Second Reading

Hon. R. J. GIBBS (Bundamba— Minister for Tourism, Sport and Racing) (11.29 a.m.): I move—

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

This Bill represents the Government's response to three crucial issues that confront Queensland's racing industry: efficient administration of thoroughbred racing; effective coordination of the racing industry; and legalisation of telephone bookmaking.

Before the establishment of the Queensland Principal Club in 1992, thoroughbred racing administration was fragmented into five control bodies, four of which had voting rights at the Australian Conference of Principal Clubs. The Queensland Principal Club ended this fragmentation and brought broad, democratic representation into racing administration. Nominations to the QPC from racing associations ensured regional Queensland was well represented on the new body. For the first time, jockeys, trainers, bookmakers and breeders had input into decisions that affected their industry through their representatives on the QPC.

It was always recognised that there could be teething problems in creating a single control body for thoroughbred racing, and it was recognised that the Government had to protect the substantial public investment in the racing industry. That is why two Government representatives were appointed to the QPC. Since its creation, the QPC has achieved much. I would like to place on the record my appreciation for the hard work and diligence of the first QPC committee, including the licensee representatives and Government appointees.

Along with the achievements there have been problems, but these should not be allowed to overshadow the successes. It is now time for the Government to act to improve the Queensland Principal Club, to help it build on its significant achievements. This Bill will respond to the industry's model for a restructured Queensland Principal Club. I am hopeful it will facilitate recognition of the QPC by the Australian Conference of Principal Clubs and it will make thoroughbred racing administration in Queensland more efficient and effective.

The QPC is Queensland's only thoroughbred control body. The racing associations operate to support the QPC with

regional planning and policy development. QPC committee members are not there to represent particular groups—they are there to create a board of management that works for the betterment of the racing industry. The size of the QPC committee will be reduced from 16 to 11. Not only will this save money, it will allow the committee to function more effectively and improve decision-making.

The six largest race clubs in the south east of the State—the powerhouse of Queensland racing—will each nominate a person directly to the committee. Representation of regional Queensland will be maintained through a member nominated by each of the four non-south-east Queensland racing associations. This is the model proposed by the racing industry.

In addition, licensee representation will be maintained through a representative of licensed jockeys and trainers. The QPC will conduct a secret ballot of licensed jockeys and trainers and from this ballot propose one person to represent each group. The Bill provides that the Minister consider the suitability of each proposed person for membership of the committee before making a recommendation to the Governor in Council. This method of appointment ensures all QPC committee nominations come from the industry. It is consistent with Government policy to keep racing administration in the hands of the racing industry.

As the QPC has grown and developed greatly since its establishment, I am confident there is no longer a need for direct Government representation on the committee. These reforms should pave the way for Queensland thoroughbred administration to be recognised at the national level.

The Australian Conference of Principal Clubs has raised three key issues that must be resolved for recognition to occur. These are that a principal club should not have direct Government appointees; that people who are disqualified, warned off or on the forfeit list not be eligible to be committee members; and that no principal club should have power to make or amend the Australian rules of racing. This Bill removes direct Government appointees from the QPC committee, makes people who are disqualified, warned off or on the forfeit list ineligible to be appointed to or remain on the QPC committee and makes it clear the QPC has the power to make and amend only the local rules of racing.

The second crucial issue this Bill responds to is the coordination of the Queensland racing industry. The Racing Industry Advisory Committee was established in 1992 to allocate race dates and advise the Minister on the use of the Racing Development Fund and the distribution of TAB profit. The strong financial health of Queensland racing and record TAB turnover topping $1.2 billion are testament to the success of RIAC. However, new issues have emerged and the racing industry has sought reform to the structure and function of the committee. In recognition of its critical role in coordinating the three codes of racing and the TAB, RIAC will be renamed the Racing Industry Coordinating Committee. The new committee will comprise a representative from the Greyhound Racing Control Board, the Queensland Harness Racing Board and the TAB. The QPC will have two representatives. The TAB representative will have racing industry experience and one of the two QPC representatives is required to come from outside south-east Queensland. These changes have been proposed by the racing industry.

In addition, the committee's functions will be modified. As requested by the racing industry, the committee will no longer have a role in the assessment of Racing Development Fund applications. Perhaps the major modification is the committee's power to allocate betting meetings—meetings held by clubs at which no racing actually occurs. This innovation—one that has received widespread support, especially in the north and west of the State—will introduce flexibility and improve club profitability and the community use of racing facilities. However, it does not mean open slather for clubs to operate as seven-day-a-week betting venues. It will be an important tool for the Racing Industry Coordinating Committee in its work to coordinate a rational racing calendar—a calendar that provides optimum opportunities for owners to race their animals, promotes quality racing and, in turn, maximises TAB turnover to generate the profits that drive the industry. The privilege of allowing clubs to hold betting meetings should improve club profitability and community use of club facilities. However, it is recognised that clubs holding betting meetings are operating more like a TAB agency with bookmakers than a conventional race club. For this reason, deductions from totalisator turnover at a betting meeting—totalisator tax, Racing Development Fund levy and commission—will be levied at the off-course rate.

The third crucial issue this Bill responds to is legalised telephone bookmaking. Last year South Australia introduced telephone bookmaking and recently Western Australia followed suit. New South Wales, Victoria and Tasmania have announced they will legalise telephone bookmaking from 1 July this year. It is clear Queensland must keep pace with the other States to ensure Queensland gambling dollars

do not flow out of our industry and across State borders and Queensland must also react to the increasing calls from bookmakers, their customers and the wider racing industry to modernise bookmaker regulation.

Legalised telephone bookmaking will allow licensed bookmakers an opportunity to compete with the SP operator. This is in accordance with a key recommendation in the Criminal Justice Commission's *Report on SP Bookmaking and Related Criminal Activities in Queensland*. As recommended, telephone bookmaking will be controlled and regulated through a Government-owned and maintained voice recording and logging system. This system will guarantee integrity for the customer, the bookmaker and the Government.

In order to protect TAB turnover, a minimum bet has been set. The bet must be at least $250 or the minimum possible winnings must be $2,000. This ensures telephone bookmakers are competing against unlawful bookmakers, not the TAB, whose average bet is about $10. The CJC has estimated unlawful bookmaking turnover to be in the order of $500m a year. The introduction of telephone bookmaking offers licensed bookmakers the opportunity to capture a significant proportion of this market. Not only will this attack SP operators and criminals who finance their activities through unlawful bookmaking, it has the potential to strengthen legal bookmaking operations, enhance State revenue collections and increase the wealth of the racing industry.

Debate, on motion of Mr Veivers, adjourned.

STATUTORY AUTHORITIES (SUPERANNUATION ARRANGEMENTS) BILL

Hon. K. E. De LACY (Cairns—Treasurer) (11.38 a.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act about superannuation for members of statutory authorities."

Motion agreed to.

First Reading

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

Second Reading

Hon. K. E. De LACY (Cairns—Treasurer) (11.39 a.m.): I move—

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

The purpose of this Bill is to allow compliance by all statutory authorities, in respect of their members, with the Commonwealth's Superannuation Guarantee Charge legislation. Whilst statutory authorities have power under State legislation to participate in superannuation schemes, this is currently restricted to employees.

It is a requirement of the Commonwealth Superannuation Guarantee Charge legislation that a superannuation contribution be provided at the prescribed rate of the charge in respect of fees payable to directors and board members. It is, therefore, necessary that authority be provided for statutory bodies to establish complying superannuation arrangements for the members of those authorities who are paid fees on a level equal to the minimum level prescribed under the Commonwealth Superannuation Guarantee Charge legislation.

The Commonwealth legislation requires that such superannuation contributions be provided retrospective to 1 July 1992 and the legislation before the House is to apply retrospectively from such date. In order to comply with the Commonwealth Government's requirements, necessary administrative measures have been put in place to ensure the payment of prescribed contributions pending the passing of the legislation. As honourable members will appreciate, the proposed Bill is necessary to enable Queensland statutory authorities to comply with the Commonwealth Superannuation Guarantee Charge legislation, and I commend the Bill to the House.

Debate, on motion of Mrs Sheldon, adjourned.

CORRECTIVE SERVICES (ADMINISTRATION) AMENDMENT BILL

Hon. P. J. BRADDY (Rockhampton—Minister for Police and Minister for Corrective Services) (11.40 a.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend the Corrective Services (Administration) Act 1988."

Motion agreed to.

First Reading

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

Second Reading

Hon. P. J. BRADDY (Rockhampton—

Minister for Police and Minister for Corrective Services) (11.41 a.m.): I move—

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

The purpose of this Bill is twofold. Firstly, it introduces amendments to the legislation to ensure that membership of the newly appointed board of the Queensland Corrective Services Commission is drawn from the broader community. Selection of commissioners will acknowledge the range of expertise and experience relevant to the functions of the commission.

The Bill is secondly designed to settle beyond a doubt the commission's status as a unit of the public sector. After this amendment is passed, employees of the commission will have access to the same appeal rights and appeal structure available to public sector employees.

In its report on the review of the Queensland Corrective Services Commission, the PSMC identified the need for appointment of "high-quality people" having the "necessary mix of knowledge, expertise and background" to the board of the commission. I agree that selection of commissioners simply by virtue of their affiliation with an interest group or constituency is inappropriate. Preferably, selection of commissioners should be on an at-large basis to accommodate a broad spectrum of interests. In particular, the expertise or experience of individual commissioners should reflect the revised role the commission will play over the next five years.

The Bill provides for a term of appointment not exceeding three years. This allows terms of appointments to be staggered and assures continuity of membership to the board. To prevent any potential for a conflict of interest, persons contracting with the commission are not eligible for appointment. To maximise the pool of expertise available in the selection process, public service employees are not disqualified for appointment to the board. However, notwithstanding their expertise, commission employees may not be appointed. It is considered that it is not easy for commission employees to reconcile their responsibilities with the responsibilities they assume as commissioners.

In its review of the Corrective Services Commission, the PSMC examined grievance procedures and appeal mechanisms available to commission employees. In the interests of equity and consistency, it was considered by the PSMC that Public Sector Management standards and appeal rights should apply to officers and employees of the commission. The Bill establishes the QCSC as a unit of the public sector, and addresses amendments to the PSMC Act to ensure that officers and employees of the commission have appeal rights commensurate with those of public sector employees.

The Bill before the House is a necessary step in achieving the orderly implementation of the recommendations of the PSMC as approved by this Government. The Bill proposes a reconstituted membership of the commission board capable of monitoring the commission's operations and policy directions over the next five years. It further ensures that commission employees will share in the more certain and equitable appeal rights enjoyed by other public sector employees. I commend the Bill to the House.

Debate, on motion of Mr Cooper, adjourned.

SUNSHINE COAST UNIVERSITY COLLEGE BILL

Hon. P. COMBEN (Kedron—Minister for Education) (11.45 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to establish the Sunshine Coast University College, and for related purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. P. COMBEN (Kedron—Minister for Education) (11.46 a.m.): I move—

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

This Bill to establish a higher education institution on the Sunshine Coast is long overdue. Prior to 1973, responsibility for funding higher education in Australia was shared by Commonwealth and State Governments, with students contributing some 15 per cent to 20 per cent by way of fees.

In 1974, the Commonwealth Government assumed full responsibility for higher education funding and, with it, the major responsibility for policy making in the area. At the same time, however, the States continued to play a role in planning for the provision of higher education within their jurisdictions in negotiating funding arrangements with the Commonwealth and in

creating the legislative framework in which institutions are established and operate.

Until recent years, the history of higher education funding in Queensland has been a disappointing one. Commonwealth funding has failed to keep pace with the State's population growth and Queensland's institutions have been, according to the Commonwealth's own study of the relative funding positions of universities, among the lowest funded in the nation. In addition, the provision of university opportunities has been heavily concentrated in the metropolitan region, making higher education often inaccessible for the 55 per cent of Queenslanders living outside the greater Brisbane region.

Since 1989, those issues have been vigorously addressed by this State Government by repeated representations to the Commonwealth and, more directly, from its own funding resources. In response to pressure from the Queensland Government, the Commonwealth has progressively increased Queensland's share of higher education growth until, in 1994, we approached the national participation average, although we still fall well behind Victoria and Western Australia.

The Goss Government has committed more than $37m of Queensland funds to support the purchase of land and construction, or acquisition, of purpose-built branch campus facilities at regional centres such as Cairns, Townsville, Mackay, Gladstone, Bundaberg and the Sunshine Coast, as well as a new Conservatorium of Music building in Brisbane.

Further funding, including $42m to create an additional 2 300 university places for Queensland school leavers, has been made available over the period 1990-1994. This substantial allocation of State resources is evidence of the State Government's commitment to supporting a network of quality higher education services located appropriately to meet the needs of the State's widely dispersed population. The developments in regional centres over the last five years have enabled a 20 per cent shift of higher education places to those regions—a substantial improvement in opportunities for regional Queenslanders.

Together with the Queensland Open Learning Network, a State-funded program providing support to distance education students through 40 centres across the State, Queensland has put in place a higher education infrastructure which is ideally suited to its population distribution. The creation of a higher education facility on the Sunshine Coast continues this process. Nor is the Sunshine Coast facility likely to be the last new university campus in Queensland. In the face of continued rapid population growth, the State Government has already endorsed a process to assess sites for a proposed campus of the University of Queensland in the population corridor to the west of Brisbane City. Consideration of the needs of other rapidly growing and underserviced areas, including the corridor south of Brisbane and the Wide Bay/South Burnett region, is also under way.

Higher education courses were first offered on the Sunshine Coast by the then Brisbane College of Advanced Education in 1989, operating out of temporary premises in Nambour. As a consequence of the amalgamation of the Queensland University of Technology and the Brisbane College of Advanced Education, the Queensland University of Technology assumed responsibility for that program in 1990, and it was relocated to the Sunshine Coast Community College of TAFE at Nambour. The need for a more substantial higher education facility in the Sunshine Coast region had already been established, and was agreed in principle between the Commonwealth and the State in 1989. Commonwealth higher education policy requires that new university developments take place under the aegis of an established institution.

Because the Queensland University of Technology was already providing a limited range of higher education courses at Nambour, the council of that institution was asked, and agreed, to take responsibility for the new development. A 100-hectare site at Tanawha, and funding for external site works and services, were provided by the State Government at a total cost of $3.5m. The first Commonwealth funds, $9.5m for capital development, were approved in 1992 for expenditure in 1994 and 1995. An additional $6m has been promised by the Commonwealth for 1996, to be followed by a further $5m in 1997.

Commonwealth funding for the institution's operations, starting at $500,000 in 1994, will build up to more than $3m in 1996, when the institution will open for teaching with around 500 students. In 1993, the Queensland University of Technology and officers of the Department of Education and the Department of Employment, Vocational Education, Training and Industrial Relations undertook a comprehensive evaluation of options for the form of the new institution. Acting on the outcome of that evaluation, in November of last year the Commonwealth and State Governments agreed, along with the Queensland University of Technology, that the new institution should be created as a university college, under its own

legislation, and be affiliated with the Queensland University of Technology.

This arrangement offers the new institution a high level of control of its own affairs, and the freedom to develop its mission and directions in step with the needs of the region, while at the same time satisfying the Commonwealth requirements for the continued involvement of an established institution. Under current Commonwealth rules, the only forms of new university development which the Commonwealth will fund are new campuses or new colleges of existing institutions. The Commonwealth will not agree to fund new developments which aspire to independent university status in the short to medium term.

The Bill provides for the university college to be established from 1 July 1994, and to have the powers and functions of a university; to have its own governing body, to be responsible for the management of its own financial affairs and to grant its own higher education awards. The period from 1 July 1994 until the commencement of teaching in February 1996 will be devoted to planning and construction of the new facility, academic and institutional planning, and to the appointment of key staff, including the first vice-chancellor. The legislation contains some specific provisions for this transitional phase, which include provision for a first council which is smaller than the full council, and for a planning president, to have the role of chief executive officer until the first vice-chancellor has been appointed and takes up office.

The Bill also specifies the purpose and nature of the affiliation relationship with the Queensland University of Technology. Under this arrangement, the Queensland University of Technology will assist the university college to negotiate its annual funding agreement— known as its "educational profile"—with the Commonwealth. The Queensland University of Technology will set aside in a trust fund for the university college any funds granted by the Commonwealth and any funds contributed from its own resources in support of the university college.

The Queensland University of Technology will also play a role in providing academic quality assurance by serving on the university college's governing body, by assisting with the selection of senior academic staff, and with the development of quality teaching and research programs. A formal agreement is to be developed between the council of the university college and the Council of the Queensland University of Technology, elaborating on this framework, and identifying any additional services, such as library and administrative computing, which the new institution may wish to purchase from the Queensland University of Technology.

Finally, the legislation provides for a review of the university college's status and its affiliation with the Queensland University of Technology as soon as possible after 10 years from the commencement of the Act. This provision gives expression to the Commonwealth's determination to see a substantial and enduring bond between the two institutions. The relationship between the university college and the Queensland University of Technology is bound to be an evolving one, and it is clear that, as the university college grows and its own processes and expertise are developed, it will be appropriate for the level of Queensland University of Technology's involvement to reduce over time. Any earlier review of this relationship would, of course, need to have regard to both State and Commonwealth Government views on the status of the Sunshine Coast University College.

The establishment of a higher education institution in any community is a milestone in the community's development. In addition to improved educational opportunities, it brings to the region substantial economic and social benefits. The Sunshine Coast represents the largest population in Australia not currently serviced by a local higher education facility. The proposed Sunshine Coast University College will rectify this longstanding omission.

I place on record my appreciation of the great willingness to negotiate and to show direction for the future of the Vice-Chancellor of the QUT, Professor Denis Gibson. I also thank the officers of the Office of Higher Education—Ms Leigh Tabrett and her colleagues—for all of the work that has gone into the planning of this university. I also extend my appreciation to the community of the Sunshine Coast, especially the University of the Sunshine Coast Planning Committee, for their hard work over a long period.

I commend the Bill to the House.

Debate, on motion of Mr Quinn, adjourned.

JUSTICE AND ATTORNEY-GENERAL (MISCELLANEOUS PROVISIONS) BILL

Hon. D. M. WELLS (Murrumba—Minister for Justice and Attorney-General and Minister for the Arts) (11.57 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to make amendments of various

Acts administered in the Department of Justice and Attorney-General."

Motion agreed to.

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

First Reading

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

Second Reading

Hon. D. M. WELLS (Murrumba—Minister for Justice and Attorney-General and Minister for the Arts) (11.58 a.m.): I move—

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

This Bill contains minor amendments to seven different pieces of legislation. They are the Criminal Justice Act 1989, the Evidence Act 1977, the Imperial Acts Application Act 1984, the Justices Act 1886, the Public Trustee Act 1978, the Supreme Court Act 1921, and the Supreme Court of Queensland Act 1991.

The amendments have two elements in common—

they relate to statutes administered by me as Minister for Justice and Attorney-General and Minister for the Arts; and

they do not modify the underlying philosophy or direction of the statutes that are being amended.

The Department of Justice and Attorney-General is responsible for the administration of 172 statutes and, as a result, there is a necessity for a large number of technical amendments to regularly be made to various legislative provisions to ensure that the statutes continue to operate in the manner intended.

To facilitate this, an annual departmental Miscellaneous Provisions Bill is prepared so that the technical amendments needed can be effected by means of one statute. This ensures that much-needed statutory reform is not delayed and that the time of the Parliament is not unnecessarily expended on dealing with a number of disparate pieces of legislation, each of which could be more appropriately combined in the form of legislation we are now considering.

The amendments to the Criminal Justice Act 1989 update certain provisions in accordance with contemporary drafting style and clarify that the commission is a statutory body for the purposes of the Financial Administration and Audit Act.

The amendment to the Evidence Act 1977 relates to section 134 (a), which is the administrative alternative to court-ordered third party discovery, and gives a power of delegation to the principal officer of an agency in respect of the exercise of functions under that section.

The amendment to the Imperial Acts Application Act 1984 omits a section which prevents civil service of process on Sundays.

The amendment to the Justices Act 1886 enables magistrates to sit at any place within the boundaries of their assigned territorial jurisdiction.

A number of amendments will be made to the Public Trustee Act 1978 by this Bill. These largely consist of updates to provisions in accordance with contemporary drafting style. Other amendments increase monetary limits and clarify existing provisions so as to reduce costs to customers of the public trustee. There are also amendments reflecting changes to the office structure of the Public Trust Office as a result of implementation of recommendations of the Public Sector Management Commission; and an amendment to enable money held in the unclaimed moneys fund for more than 20 years to be transferred to the Consolidated Fund. This will not affect the rights of people to claim that money, with claims being able to be made in the same way that they are presently made.

The amendment to the Supreme Court Act 1921 confirms that in accordance with the provisions of the Statutory Instruments Act the calendar arrangements for the times, dates and places for court hearings are not subordinate legislation.

The amendments to the Supreme Court of Queensland Act 1991 eliminate duplication by removing from that Act the audit and accountability requirements for the Court of Appeal and the Litigation Reform Commission, which are already covered by the provisions of the Financial Administration and Audit Act 1977.

I commend the Bill to the House.

Debate, on motion of Mr Beanland, adjourned.

TRADING (ALLOWABLE HOURS) AMENDMENT BILL

Hon. M. J. FOLEY (Yeronga—Minister for Employment, Training and Industrial Relations) (12.03 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend the Trading Hours Act 1990 and the Retail Shop Leases Act 1984."

Motion agreed to.

First Reading

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

Second Reading

Hon. M. J. FOLEY (Yeronga—Minister for Employment, Training and Industrial Relations) (12.04 p.m.): I move—

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

In a free society, the rule of law should allow citizens the maximum liberty consistent with the rights of others and the public good. The welfare of the people is the chief law, as Cicero once observed. For this reason, our laws need to be constantly overhauled to ensure that they keep pace with the changing lifestyles and needs of the Queensland people.

Queensland has a modern and fast-growing economy. It is a State popular with interstate and overseas tourists and a mecca for those from the southern States looking for a better lifestyle. It is imperative that Queensland's legislation keep pace with and reflect the changes that our society has undergone and will continue to undergo into the twenty-first century. For example, many Queensland families now have both partners working; the influx of migrants and visitors exposes us to different lifestyles and cultures; and changing work and leisure patterns make more demands on our time. Queensland's retail trading hours legislation is one area where the laws have not kept pace with the demands of society. This legislation liberalises Queensland's trading hours to keep pace with the modernisation of society.

In April 1993, I commissioned a review of the Trading Hours Act 1990. The review was carried out to accord with the Government's commitment to the systematic review of legislation and regulations affecting business. A comprehensive consultation process was carried out, and a diverse range of views was submitted to my department on the issue. In addition, an economic impact study was commissioned by the department to assist in the review process. The Bill currently before the House is the culmination of that thorough process.

Clearly, there is a need for more allowable shop trading hours in Queensland. This decision has not been taken lightly. In arriving at the amendments in the Bill, detailed and lengthy consideration has been given to the sometimes competing interests of the general public, consumers, retail workers, small business, the tourism industry and other key stakeholders.

The history of Queensland legislation on trading hours dates back to the Factories and Shops Act 1900. The regulation of trading hours was made as a way of forcing employers to reduce the hours worked by shop employees and to improve the working conditions of shop employees. This followed a period of agitation for workers' protection by the "Eight Hour and Early Closing Movement", which led to Bills reaching various stages in this House from 1874 and an 1891 royal commission regarding conditions under which work was done in shops, factories and workshops in the colony.

But times change. The increased labour market flexibility achieved through enterprise bargaining has weakened the case for maintaining the current rigid regulation of retail trading hours. In a classic example of micro-economic reform, labour market flexibility is leading to retail market flexibility. What began as a workers' protection has become an impediment to workers obtaining better pay and conditions through enterprise bargaining. In a significant move, retail workers through their union the Shop Distributive and Allied Employees Association have argued over the past year for this change to more liberalised hours.

The position of small shops has been considered carefully in preparing this legislation. Extravagant claims have been made of an adverse effect on corner stores and smaller retail outlets, but the evidence of interstate retail deregulation does not bear out such prophecies of doom. In New South Wales, for example, employment in the retail industry increased by 40 000 in the period between 1986 and 1992, with half that employment growth coming in the smaller non-food sector.

If politics is the art of the possible, then timing is the essence of the art. Over the six years from 1985-86 to 1991-92, retail trade in Queensland increased by 35 per cent, according to Australian Bureau of Statistics figures. This is expected to continue over the coming years. The right time to make these changes is not when the retail market is depressed but when it is buoyant. The right time is now.

While proposed amendments to the trading hours legislation now are placed before Parliament, it must be realised that the general framework of the legislation is not proposed to be altered. It is proposed that the legislation will continue to provide for three classifications of shops, namely, exempt, independent retail and non-exempt. In addition, the Queensland Industrial Relations Commission will continue to have jurisdiction to determine non-exempt shop

trading hours and trading hours for special displays.

I now turn to the key amendments—

providing liberalised shop trading hours in the legislation, namely, 8 a.m. to 9 p.m. Monday to Friday, and 8 a.m. to 5 p.m. on Saturdays;

recognising the link between trading hours and enterprise bargaining;

removing the requirement to obtain a permit to operate a fete; and

providing necessary protection in the Retail Shop Leases Act to protect the rights of retailers from being forced to trade unreasonable hours.

Regulating non-exempt shop trading hours in the legislation

A major change to the legislation will be to liberalise the allowable trading hours of non-exempt shops. At present, the Industrial Commission is empowered to regulate non-exempt shop trading hours. While the legislation will provide these hours, the commission still will have an important role in determining any application for an extension of trading hours for non-exempt shops beyond those prescribed in the legislation.

From an analysis of the submissions received in the review and from a consumer's point of view, an extension of weekday hours with uniformity across the State is seen as necessary. At present, Queensland's trading hours are a hotchpotch of different rules. In respect of general retail shops, 13 different areas throughout the State operate under different trading hours. To achieve a more simple system, the most appropriate course of action is to provide for liberalisation in the legislation.

I must make it clear now that, while the Government is proposing this amendment, it still respects the impartiality of the Industrial Commission in determining applications for extensions of allowable trading hours. As a result, the commission will remain as an independent trading hours tribunal empowered to determine such applications.

Recognising the link between trading hours and enterprise bargaining

When introducing the Industrial Relations Reform Bill 1994 to the House earlier this year, I informed honourable members that labour market reform through enterprise bargaining is necessary if we are to ensure the Queensland and Australian economies are productive and competitive and provide satisfying and secure employment. Amendments proposed in this Bill complement labour market reforms the Goss Government has introduced over the past four years.

Removing the requirement to obtain a permit to operate a fete

Currently, under the legislation, a person who conducts a fair or other similar activity such as a fete for any religious, charitable, educational or other purpose from which no private profit is to be derived should hold a permit from the Minister or Chief Industrial Inspector. The issuing of such a permit is a quaint anachronism. Persons conducting these activities should be able to do so as a matter of right. Consequently, proposed amendments to the legislation will reflect this intent.

Providing necessary protection in the Retail Shop Leases Act to protect the rights of retailers from being forced to trade unreasonable hours

With any extension of trading hours, consideration needs to be given to the rights of retailers, particularly tenants of small shops, to protection against being forced to trade longer hours. Therefore, it is proposed to amend the Retail Shop Leases Act in this Bill so that core trading hours of a shopping centre are to be determined by a 75 per cent majority vote of tenants. Under this provision, retail tenants can determine whether or not they wish to trade extended hours.

The core trading hours are the hours the landlord of the shopping centre proposes for tenants to open. Such core hours will not be greater than allowable hours of trading under the trading hours legislation or orders of the Industrial Commission. It is essential that this amendment applies from the same time as the proposed trading hours amendments for the protection of shop retailers.

To highlight the fact that although this legislation provides a range of possible hours, it is not expected that all or even most traders will necessarily open their shops for all of those hours, the name of the Act is being changed from the Trading Hours Act to the Trading (Allowable Hours) Act.

Conclusion

This micro-economic reform is one that many Governments would gladly consign to the too-hard basket. Over four centuries ago, a keen student of political science wrote as follows——

> "It must be considered that there is nothing more difficult to carry out, nor more doubtful of success, nor more dangerous to handle than to initiate a new order of things. For the reformer has enemies in all those who profit by the old order, and only lukewarm defenders in all those who would profit by the new order . . . "

I suspect those words are as relevant today as when Machiavelli wrote them in *The Prince* in 1513.

In conclusion, the Bill's provisions recognise what people are saying to Government. The Bill provides a boost to the tourism industry, helping it to generate more jobs for Queenslanders. It provides a platform for assisting labour market reform and supporting economic growth.

I commend the Bill to the House.

Debate, on motion of Mr Santoro, adjourned.

QUEENSLAND BUILDING SERVICES AUTHORITY AMENDMENT BILL

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning) (12.15 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend the Queensland Building Services Authority Act 1991."

Motion agreed to.

First Reading

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

Second Reading

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning) (12.16 p.m.): I move—

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

I introduce the Queensland Building Services Authority Amendment Bill 1994 which has two objectives—

(1) the restructuring of the authority, including the constitution of the Queensland Building Services Board to facilitate the achievement of the objects of the Queensland Building Services Authority Act; and

(2) the fine tuning of the Queensland Building Services Authority Act after its first 18 months of operation.

The Queensland Building Services Authority Act was assented to in November 1991 and the majority of its provisions commenced operation on 1 July 1992. The Act replaced the Builders Registration Board of Queensland with the Queensland Building Services Authority and established the Queensland Building Tribunal. The authority assumed a broader charter which includes the provision of support, education and advice to consumers and those who undertake building work. The Queensland Building Tribunal was established to provide a quick and inexpensive dispute resolution process.

The Act strengthened the Queensland building industry by providing greater protection for all involved parties—builders, subcontractors and consumers. It extended licensing to all contractors engaged in the building industry in order to improve standards, upgrade skills, facilitate dispute resolution and discipline inadequate performance. Through its licensing activities, the authority has implemented a comprehensive new licensing system for builders and trade contractors and, from a consumer viewpoint, introduced more stringent requirements on owner-builders.

The initial industry opposition to contractor licensing has been replaced by support and there is also increasing evidence of growing consumer awareness of licensing. Approximately 17 500 builders and 21 000 trade contractors have now been licensed. The authority has initiated action through its home building advice activities to heighten consumer awareness in relation to building contracts, dispute resolution and other entitlements under the Act. The objective is to have consumers properly informed so they can deal effectively with contractors throughout the project. Through its dispute management activities the authority aims to minimise disputation and, where disputes occur, achieve an efficient and equitable resolution. The authority successfully resolved 90 per cent of the 2 500 building disputes notified in 1992-93. Previously a number of these disputes were either dealt with in the civil court system or through arbitration at greater costs to the parties.

The Queensland Building Tribunal has been very successful in achieving cost-effective and timely dispute resolution. Since July 1992, it has finalised 176 disciplinary matters and 74 reviews of decision and generally enhanced access to legal redress for many consumers and contractors who to their own disadvantage would otherwise not have sought to resolve their disputes.

The Queensland Building Services Authority Act included significant changes to the way in which it is administered. Whereas the former Builders Registration Board had full executive powers for the administration of the former Act, the Queensland Building Services Board has been established with a more strategic role and with day-to-day management responsibility being vested in the general manager.

The Home Building Advisory Service was also established reporting directly to the board. While the general manager is bound by the board's policies and reports to the board on the administration of the Act, he or she is otherwise responsible to the Minister. Some board members experienced difficulty with the changed arm's length role of the Queensland Building Services Board.

It is fair to say that in the first 12 months of the authority's operation, relations between the board and the general manager were not always harmonious and productive. This situation caused the previous chairperson of the board, Sir John Pidgeon, to advise me that the current roles and functions of the board, the Registrar/General Manager and the Director of the Home Building Services Authority were hindering rather than facilitating the work of the authority. In particular, the board of the day considered that all executive authority should be vested in the board, with both the General Manager and the Director of the Home Building Advisory Service being responsible and accountable to the board. Sir John Pidgeon and his successor also advised me that a 13-member board was oversized.

To resolve these issues, in September 1993 the authority commissioned Deloitte Touche Tohmatsu to review the structure of the authority, including the roles and functions of the three entities comprising the authority and the size and composition of the board. Deloittes consulted extensively with stakeholders in carrying out the review. In reporting on the review, Deloitte Touche Tohmatsu drew attention to a number of key issues, including—

the lack of clarification of the respective roles of the board and the general manager;

the need for improved corporate and business planning to assist the board and the executive team to achieve a partnership of interests;

inadequate policy development during the formative period of the authority;

the need for all authority stakeholders to recognise the ministerial role in the authority's operations;

the role and separation of the Home Building Advisory Service from the rest of the authority was difficult to understand and causing ineffective performance; and

the appropriateness of the board's size and composition.

The Deloitte's report made a number of recommendations for improvement in the authority's effectiveness and efficiency. The vast majority of these recommendations were accepted by the board, the general manager and the peak building industry organisations, with the exception of that on the size of the board. The report recommended a board of seven members. Most of those recommendations, which involve improved strategic and business management practices, have been already implemented cooperatively by the board and the new general manager. This Bill addresses those recommendations which require legislative change.

The Bill makes provision for the restructuring of the authority by omitting the Home Building Advisory Service as a separate entity responsible to the board and placing it under the control of the general manager. The Deloitte's report established the current division of responsibilities between the board and the general manager is sound. Any problems which have occurred can be attributed to the lack of clarity as to where the respective roles began and ended. The Bill therefore seeks only to clarify the role of the board and that of the general manager.

The board's role has been specified in the Bill to encompass—

setting the strategic direction of the authority in conjunction with the general manager;

monitoring the performance of the authority and the general manager;

industry liaison and advice to the Minister on industry issues and perspectives; and

establishing and reviewing policy.

The general manager continues to have responsibility for the overall day-to-day management of the authority.

Views as to the most appropriate board size were divided. Although two of the peak building industry organisations agreed with the Deloitte recommendation on a seven-member board, the board and the building industry subcontractors organisation of Queensland made strong recommendation for a board of nine. The Government has accepted the latter, and the Bill proposes that the board be reduced to nine. This revised board size and composition will undoubtedly overcome some of the ineffectiveness of the previous arrangements. The restructuring of the authority and clarification of the roles and functions of the board and general manager will also further enhance the improved operational effectiveness that has been evident over the past six months under a new board chairperson and general manager.

The Bill also finetunes other provisions of the Act. A number of amendments are aimed at further improving consumer protection by

closing loopholes in the Act or providing the authority with the power to expedite action to limit the impact of unscrupulous contractors. The amendment to section 99 will extend the successful mediation process to applications by consumers or licensees for review of authority decisions, while the amendment to section 96 will further improve the effectiveness of the mediation process. An important amendment is the extension of the tribunal powers to order the repayment of a debt owed to the authority by a licensee following the rectification or completion of work under the statutory insurance scheme.

These amendments introduced in this Bill will benefit the building industry in this State and the thousands of consumers annually who invest in home ownership and home improvements. I commend this Bill to the House.

Debate, on motion of Mr FitzGerald, adjourned.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning) (12.25 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to make various amendments of Queensland statute law and to repeal certain Acts."

Motion agreed to.

First Reading

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

Second Reading

Hon. T. M. MACKENROTH (Chatsworth—Minister for Housing, Local Government and Planning) (12.26 p.m.): I move—

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

I introduce the Statute Law (Miscellaneous Provisions) Bill 1994.

As with past Statute Law (Miscellaneous Provisions) Bills, the primary objective of the Bill is to make minor amendments to the statute law of Queensland where the amendments are concise, of a minor nature and non-controversial. These amendments are in Schedules 1 and 2. The Bill also repeals a number of obsolete Acts. These are specified in Schedule 3. All the amendments and repeals take effect from the date of assent unless another day for commencement is stated.

The Bill is in a similar format to recently passed Statute Law (Miscellaneous Provisions) Acts. It has five clauses and three schedules. Schedule 1 amends 28 Acts. The amendments are of a minor policy nature or relate to statute law revision. Schedule 2 amends 25 Acts. These amendments relate only to statute law revision. Schedule 3 repeals 19 Acts. These Acts have been identified as being obsolete. Explanatory Notes are placed at the end of each Act amended in Schedule 1 and 2. The Explanatory Notes are not part of the Bill.

The Bill continues the process of improving the Queensland statute book in three ways. Firstly, the Bill makes further improvements to the Acts Interpretation Act 1954, the Statutory Instruments Act 1992 and the Reprints Act 1992. These Acts are central to the orderly management of Queensland's statute book. The amendment of these Acts will help in the ongoing process of modernising the Queensland statute book.

Secondly, the Bill continues the process of identifying and repealing Acts that are obsolete or no longer required. Repeal of the 19 Acts mentioned in Schedule 3 will improve the statute book by removing "dead wood".

Finally, the Bill includes a number of amendments that are minor and non-controversial. These amendments would not necessarily warrant separate amending Bills. This Bill provides a convenient way of making the amendments that makes the best use of Parliament's time.

Mr FitzGerald: This is the speech you made last time.

Mr MACKENROTH: And it is just as true today as it was the last time I said it. Some of the more significant amendments contained in the Bill are as follows.

Acts Interpretation Act 1954

These amendments contain a number of clarifying and simplifying provisions, minor drafting improvements and drafting aids. A new section 15DA is inserted, which provides for the automatic commencements of Acts one year after assent. The period can be extended to two years by regulation. This provision will reinforce Parliament's control over the times that the Acts it passes take effect and will assist the orderly maintenance of the statute book. It applies only to Acts enacted from 1 January 1995. A new section 22C is inserted, which provides for the automatic expiry of Acts whose only effect is to repeal or amend other Acts. Once amendment or repealing Acts have commenced, there is no

logical reason for them to be retained. This section will help to clear the statute books of Acts with no ongoing operation.

Community Services (Aborigines) Act 1984 and Community Services (Torres Strait) Act 1984

These Acts are amended to give Aboriginal police and island police a similar right to indemnity for a tort committed in the execution of duty or in an emergency, as applies to police officers under the Police Service Administration Act 1990.

Education (General Provisions) Act 1989

Most of these amendments bring about statute law revision by omitting redundant references and provisions, updating references and recasting provisions in accordance with current drafting practice. Section 71 provides for dealing with land that has been donated for purposes concerned with education but that cannot be used in the way specified by the donor. The section has been recast and now applies to both real and personal property. This will overcome difficulties in administering small bequests where the property bequeathed cannot be used in the way specified. The section now provides for property to be used for another purpose of the department, sold or (in the case of land) returned to the donor.

Friendly Societies Act 1991

Certain provisions of the corporations law provide for the deregistration and dissolution of defunct companies. Section 10.2 (2) of the Friendly Societies Act 1991 presently applies these provisions to friendly societies in a limited way. However, under the present Act, a formal liquidation of each society is still required. Several friendly societies registered under the Act are clearly defunct and there are no funds to support a formal liquidation. The Act is amended to apply the relevant provisions of the corporations law to friendly societies. These will give the registrar power to deregister and dissolve a friendly society without the need for a formal liquidation. The power is similar to that available to the Australian Securities Commission under the corporations law.

Reprints Act 1992

These amendments will further facilitate the reprinting and upgrading of the Queensland statute book by the Office of the Queensland Parliamentary Counsel.

Roman Catholic Church Lands Act 1985

The amendments include the omission of a Henry VIII provision from the Act, that is, a provision that allows the Act to be amended by a statutory instrument.

Stamp Act 1894

The first amendment removes the requirement under section 16 for a statutory declaration to accompany every instrument lodged for stamping. The second amendment replaces section 49 (3), removing the requirement for an instrument of transfer to specify all property included in the relevant transaction, but retaining the requirement that a statutory declaration set out the total value of the property. Both these amendments remove unnecessary requirements from the Act.

Statutory Instruments Act 1992

The amendment inserts a new provision which applies if an Act provides for forms to be approved or made available. The provision deals with the requirements to make the forms available and to provide for their notification. The provisions have been developed in consultation with the Committee of Subordinate Legislation.

Primary industries legislation

Finally, a number of Acts administered by the Minister for Primary Industries have been amended by way of statute law revision. The amendments include removal of Henry VIII clauses, standardisation and classification of the subordinate legislation that may be made under the Acts, removal of redundant provisions and redrafting of provisions in plain English.

I commend the Bill to the House.

Debate, on motion of Mr FitzGerald, adjourned.

MARINE SAFETY BILL

Second Reading

Debate resumed from 12 April (see p. 7479).

Mr DAVIES (Mundingburra) (12.33 p.m.): I would like to endorse the comments of the Minister in his second-reading speech when he stated that the most refreshing change provided by this Bill—and a most welcome one from the industry's viewpoint—is the move towards self-regulation. The detailed inspection and licensing systems of the past are to be replaced with a system where the responsibility for safety is placed where it properly belongs, and that is with the participants in the maritime industry.

This Bill sets out to achieve a fine balance between the need to guarantee safety and the desire for efficiency and greater innovation. In saying that, I endorse the comments of the Minister that there can be no compromise with safety issues. Indeed, the whole thrust of this Bill is to ensure standards of marine safety in Queensland that are second to none. However, we are not of the view that the best way to achieve this is with an overdose of prescriptive

regulations that shackle the industry and create backlogs and blockages to innovation.

One aspect of this Bill that I would like to touch on momentarily is the proposal to establish a maritime industry consultative council, whose principal function will be to advise the Minister about marine safety issues. I am pleased that the council will comprise industry members who have a high level of expertise in a broad range of maritime endeavours as well as the chief executive of Queensland Transport. This will be a valuable avenue for the Minister to gain direct advice from the maritime industry, and an immediate role of the council will be to provide advice relating to the preparation of draft standards and/or the content of draft standards.

Appointment to the council will be for a period of not longer than two years and, in keeping with the policy of this Government, will take account of regional representation to provide for the needs of the industry on a Statewide basis. To ensure the effectiveness of the council, flexibility for the conduct of meetings has been provided for in this Bill, and members may participate in meetings by means of telephone, closed circuit television or other suitable forms of communication.

Several forms of accountability have also been built into the Bill. These have been extended to provide for the disclosure of interests where a member of the council has a financial interest in a matter for consideration and where that interest could conflict with the proper performance of the member's duties. Given the discussion in question time today, I think that that is very relevant.

The forming of a marine industry consultative council is an excellent approach for both marine safety and the development of the marine industry in Queensland. The experience, knowledge and daily involvement of the members of the council in the marine industry will ensure advice to the Government is current, contains the initiatives industry requires for greater flexibility, and will not compromise safety.

As to the aspect of safety—I will comment on some initiatives taken recently by the Townsville Port Authority, which recognises that safety in the port is significant and is very important. The Townsville Port Authority also recognises its close proximity to the residential and commercial areas of Townsville and has, over the last several years, improved land-side infrastructure to ensure that the risk from shipping and cargo handling activities in the port is minimised. In relation to that, a diesel-powered, remote-controlled firefighting system has recently been installed on the No. 1 tanker berth. This facility has the capacity to supply water or firefighting foam over the full length of any petroleum tanker which services the port. In addition, both tugs servicing the port are now equipped to class B firefighting standard, which is equal to tugs anywhere in Australia.

The eastern harbour development presently under way and the future development proposed in the authority's strategic land use plan provide for new facilities to be built further away from residential and commercial areas. By referencing the strategies to national and international benchmarks and international best practice, the new Act will ensure uniformity and thereby reduce confusion which could arise between different jurisdictions.

The authority sees the new Marine Safety Bill as being complementary to the authority's efforts in ensuring that port operations are carried out in a safe and secure environment. With those few words, I support the Bill.

Mr SANTORO (Clayfield—Deputy Leader of the Liberal Party) (12.38 p.m.): As a member representing a riverside electorate close to the mouth of the Brisbane River, I feel very comfortable in making this contribution. In this Bill, the Government is aiming to provide Queenslanders with a safe, more efficient and effective maritime industry. This is a commendable objective, and the Opposition, of course, supports this objective.

It is a very brave or foolhardy Government that completely repeals an Act of the complexity of the Queensland Marine Act and rushes in with a completely new set of rules for all and sundry within and affected by the marine environment. Let us hope the architects of this Bill have done their homework, for we have before us today a Bill, like no other, that refers time and time again to a huge conglomeration of regulations and standards yet to be developed.

The Bill, quite rightly, speaks of greater safety and less Government intervention in the maritime industry, but it delivers nothing of substance. We have to wait until the regulations and standards are actually created before any true evaluation can be made. The stated intentions are to be admired and supported by all levels of the community. However, we wonder just what the Government's hidden agenda is. What is being planned behind the closed doors? In clause 30, this Bill even allows for matters to be provided by regulation or standards even though reference is not made to the matters in the Act. Just what does the Government have in mind? Has it simply rushed this Bill beyond its own slow capacity to cope, and is it giving itself an easy escape route when things go wrong?

The Minister in his second-reading speech spoke of dispensing with cumbersome and

unnecessary regulations. What protection will our industry have against an onslaught of untried regulations? This Bill and its proposed regulations have the potential to be a dangerous minefield for all involved. We shall let all in the industry be forewarned and advised to keep the development of this legislation and its application under very close scrutiny.

In aspiring to radically improve marine safety and at the same time cut back on many marine safety requirements this Government is treading a tightrope between expediency and safety. This Government is, in fact, through this Bill experimenting with human lives. Let us hope that it is capable of getting it right the first time and has the fortitude to reveal, and repeal, the shortcomings as soon as they appear, as has been the case in so much legislation brought before this place by this Government.

It is, by its very nature, a complex piece of legislation and it has been constructed from a wide variety of disciplines within the Department of Transport. It is a jigsaw puzzle with half the pieces still not in place. Let us hope that the Government does not lose a few pieces before the process is complete so we can see just what the big picture actually is.

In his second-reading speech, the Minister stated—

> "Extensive consultation with industry users and Government agencies took place during the development of this Bill."

An information paper was produced and circulated. Then a series of meetings was held around the State to discuss the mechanisms of this project and the plans for Government consultation through "key focus group meetings". How many meetings were held with key industry groups? As far as I am able to ascertain, the only meetings held were some early interviews to ascertain the views of the industry about the abolition of the Marine Board, and then these initial briefings in October and November 1992.

Mr Hamill interjected.

Mr SANTORO: I am sure that the department obtained a healthy number of submissions from interested parties. I take that interjection from the Minister. I say again that I am sure that the department obtained a healthy number of submissions from interested parties reacting to the department's initial proposals. What has happened to those submissions? How much of this limited feedback has the department either listened to, or taken note of? What response has been given to the industry to date? I ask the Minister about this Government's promise of extensive consultation. What happened to those other meetings that were planned? Can the Minister confirm that any of the other planned key focus group meetings were actually conducted? If not, why not? If so, where?

I have to admit that before this Bill came before the House my knowledge of this industry and this aspect of Government activity was quite limited. However, upon circulating copies of this Bill among people in the community who have an interest in its provisions, they have asked me to ask these questions. I would think that where there is smoke, there is fire. I would like to know whether the Minister can extinguish that fire. Can the Minister give the people of Queensland his assurance that such consultation will be held prior to the avalanche of regulations that is obviously about to descend upon the maritime industry in Queensland?

When the Minister's initial timetable was launched, which outlined a proposed time frame to research, develop, consult, draft and bring this Bill to Parliament in just six short months, the industry simply laughed at him. The Minister attempted to do the impossible and, fortunately for the people of Queensland and those people who use our waterways, he failed—unless, of course, the Minister's officers had already decided what was to be in the legislation, had drafted it already and were ready and willing to thrust it upon the people with a minor show of consultation that was but a smokescreen, a scam, to cover up this Government's damnable record of riding roughshod over the interests of industry and the public.

Mr Hamill: You really don't know much about the Bill, do you?

Mr SANTORO: I will take that interjection from the Minister. I would like the Minister to go through the timetable of consultation again so that it can be circulated to the industry to indicate just how much of that consultation took place.

This Government has had a sad and sorry history of failing to communicate adequately with the recipients of its various dreams and schemes. In fact, that is what this industry is saying. What went wrong? Did the intensity of the backlash from the marine industry upset the Minister's plans so much that the architects of his master plan had to go back to their drawing boards to design a Bill that was more palatable to the public? Has this new Bill now been put before us without even a hint of what the subordinate legislation will contain? We simply ask on behalf of Queenslanders and the industry: why is there so much unsaid, and why is there such a need for subordinate legislation? Why is this Bill not more explicit, more reassuring and explanatory?

This Bill covers a vast number of areas that impact upon maritime safety in Queensland. It affects many industries and, in fact, the whole economy of the State. Therefore, it is vital that the Government acts in the interests of the whole community on this issue. The ramifications of this Bill are far too detailed to analyse here. It will need professionals in many areas of marine endeavour to satisfy us that this Bill provides the right prescription for achieving the Minister's commendable but lofty aim of being the maritime safety leader in Australia.

As can be seen clearly, this Bill is riddled with references to yet to be developed regulations and standards. Those standards will seriously affect not only the industry but also the very safety of Queenslanders, tourists and visitors. How does the Government propose to notify those people of intending standards? According to clauses 39 and 41 of the Bill, the Government will place two advertisements in a newspaper. I know that that newspaper has an admirable circulation record throughout Queensland and it would probably reach a number of vitally interested parties. However, does everyone read every newspaper and every advertisement in each newspaper every day? Are we, as a Parliament, satisfied that, by placing an ad in a newspaper, an intending standard that will affect the very safety of our constituents is effectively and efficiently transmitted to those involved?

As I said, I know that newspapers are read widely and are a generally accepted form of publicising official notices. They certainly should be published in the papers. However, in areas that affect the very safety and the lives of the people of this State, we owe it to them to ensure that more direct forms of notification are utilised. Those forms should include direct mail and, of course, the utilisation of the notices to mariners database to contact and inform those people involved directly in sea safety in this State. If this Government is genuine about widespread industry and community consultation on all marine safety matters, it will publicly do all in its power to ensure that everyone who will be affected has an equal opportunity to contribute to the debates that are looming on the horizon.

Let me examine a few areas that, in recent times, have been much publicised by a number of Ministers. A great degree of emotional discussion has been held about the use of EPIRBs. It is a widely held belief—endorsed publicly by the Minister—that these life-saving devices will be made compulsory for all vessels venturing off shore away from the safety of smooth waters. I call on the Minister to confirm to this House that, in fact, this long overdue safety measure will be introduced in the regulations that are yet to be developed. I ask him when this will occur. I also ask that he negotiate with his Federal colleagues to remove immediately any luxury sales tax imposed on these life-saving devices.

It has come to my attention that there is a high level of concern among those responsible for marine safety that, although those devices provide a much greater level of safety for maritime users, the fact that all boaties will be made to carry them will also inevitably result in a greater number of marine search and rescue operations. Obviously, boaties who are compelled to carry these devices will reach to activate them when they strike trouble, which will result in a major—and I stress "major"— operation to find them and provide assistance.

Let us be clear from the start that activating an EPIRB is, in effect, calling mayday—the signal for the most serious of life-threatening situations. Our marine safety authorities react to this signal with an all-out major search. As a result of their prompt and self-sacrificing actions, Queensland's marine rescue personnel have a good reputation for saving lives at sea. Undoubtedly, they would welcome the introduction of this proposed legislation to enable vessels that are genuinely in distress to be located as quickly as possible.

However, let us not fool ourselves. Even if all boaties are adequately educated in the use of such devices—and to date there has been no mention of such a campaign by the Minister or anybody else—there will be numerous occasions when EPIRBs will be activated as a result of minor incidents. The potential cost to this State will be astronomical.

Through the Minister who is present, I ask whether the departments of the Police Minister and the Emergency Services Minister are fully prepared for the introduction of this regulation. Have they budgeted for the additional cost of those searches? Do they have the manpower and the resources to undertake the tasks being thrust upon them by the Department of Transport? Perhaps the Minister may wish to give some answers to those questions.

I wish to advise the Minister and the House that some research I have had undertaken for me in relation to the cost of EPIRB rescues revealed some quite interesting figures. In 1991, 19 EPIRB-initiated searches cost an average of $6,635. In 1992-93, another 19 EPIRB-initiated searches cost $4,806. In 1993-94—to date—48 EPIRB-initiated searches cost an average of $3,161. They are substantial sums of money.

Mr Hamill: They're very cheap.

Mr SANTORO: They are very achievable?

Mr Hamill: Very cheap.

Mr SANTORO: Let me say that the related statistic—of which the Minister should take note—indicates that the greatest number of EPIRB searches takes place in Queensland. I will let the Minister know what I am talking about. In 1991-92, six EPIRB-initiated searches took place; in 1992-93, nine such searches took place; and in 1993-94, eight such searches took place. In comparison with those figures—if one can call it a comparison—in 1991-92, five EPIRB-initiated searches took place in Western Australia, and in 1992-93, five EPIRB-initiated searches took place in New South Wales. Clearly, the propensity for these types of searches is greatest in Queensland. Again, one does not have to be Einstein to realise why that is the case, and why the cost of those searches will increase.

Is there any alternative? I believe that at least one factor has the potential to reduce the incidence of a necessary EPIRB activation, and that factor has been impressed upon the Department of Transport by many of the recipients of its initial proposals. We are also led to believe that the department has chosen simply to ignore these suggestions. Perhaps that is because it is not responsible for the cost of the actual searches, or because it is not involved in the effects of its legislation.

Mr Veivers interjected.

Mr SANTORO: I will always take an interjection from the member for Southport, because his interjections are far more sensible than those from the other side of the House.

This is a classic example of how this Government has scattered marine safety matters over many departments, resulting in confusion and distractions to competitiveness. The simple solution, to which leaders within the industry refer, is the marine radio, a well-accepted and proven component of marine safety that has been with us for many years. If we are proposing to make EPIRBs compulsory, then appropriate marine radios should also be made compulsory at the same time, if not sooner. The radio is a vital link with both the shore and other shipping. An EPIRB does not replace—and should not be regarded as a replacement—for a radio, although this is the message that this misguided department is giving to the boating public.

If we asked the Department of Police and Emergency Services what the first thing is that any boatie should be able to reach for in an emergency, it would tell us that it would be a radio. Our Emergency Services Minister is a devout fisherman. Would he venture onto Moreton Bay without a radio?

When something goes wrong at sea, a minor problem can quickly deteriorate into a major one if assistance is not readily available. When a vessel strikes a problem, the first thing a skipper can do, along virtually any part of our coastline, is to reach for his radio and call for assistance or advice. Without a radio, the situation becomes drastic and life threatening very quickly. A boatie will reach for his EPIRB, which he has been forced to carry, and a major search will result, potentially costing many thousands of dollars, as I have just demonstrated.

In comparison with the cost of most vessels today, the price of a marine radio makes it an affordable insurance for vessel operators and their passengers. I ask the Minister: why has the provision for the compulsory carrying of marine radios been overlooked and ignored in this Bill? In conjunction with the carrying of EPIRBs, this would not only save lives but also enhance the operation of our marine rescue services, and greatly reduce the costs to all concerned. I suggest to the Minister that, if it is so important to be included in regulation, it should be included in this legislation.

We call on this Government to show some public responsibility and to demonstrate that it is indeed serious about marine safety by including the compulsory carrying of appropriate marine radios as well as EPIRBs in the forthcoming subordinate regulations to this Bill.

Another area of concern about which we hear is the department's stated intention to abolish the requirement that applicants for a speedboat licence undergo a practical test. How on earth this can be construed as improving marine safety we do not know. Everybody who has spoken to me about this Bill has said that it sounds more like cost cutting. This is a retrograde step for Queensland.

I can liken it only to the issuing of a vehicle driver's licence. What Government would be stupid enough to even suggest that removing the requirement to pass a practical test before the issue of a car driver's licence would improve road safety? It is alleged that the departmental reason is that this test is not required in other States, and we should standardise. Today, in question time we heard a lot from the Premier about the standardisation of censorship boards; that is, that Queensland should have the same standards as everybody else. Why should we lower our well-respected safety standards simply because other States do not require them? Surely, the Minister would be better encouraging the other States to adopt our safety standards—to take the lead—and reduce the

likelihood of maritime accidents by whatever means possible.

Proudly, our State has a large and growing pleasure boat industry. In some areas, some might say that it is overcrowded. The potential for serious injuries, and even deaths, will grow dramatically with this development. Should we simply let anyone take command of a fast, high-powered vessel after passing only a basic theory test. The idea is plainly ludicrous, yet this Government is about to foist the removal of this major safety measure on an unsuspecting public.

If the Minister is serious about marine safety, the practical test should be more demanding and should provide for some compulsory tuition before a licence is issued. If necessary, different classes of vessels can be catered for, as is done with bikes, cars, trucks and so on. I ask the Minister for Transport, the Minister for Police, and the Minister for Emergency Services whether they would venture on the roads with untested and, more than likely, untrained drivers. Of course not! Why should they expect the public to be subjected to these same risks on our busy waterways?

There can be no excuse for any Government that abdicates its responsibility in this area. This Government and this Minister will have to hang their heads in collective shame at the first serious incident involving inexperienced boat skippers—inexperienced because this Government took away the basic protection provided by the practical speedboat licence test. I call on the Minister to assure this House that he will not abolish practical speedboat driving tests.

What about the abolition of compulsory survey examinations of our professional tourist and fishing fleets? Is this another cost-cutting venture in the name of safety? There will be random testing of vessels. However, do our vehicle laws, which provide for random mechanical testing, keep rust buckets off the streets? I put it to the Minister that this legislation will not keep rust buckets off our waterways. In fact, the number of unseaworthy vessels will increase.

This proposed regulation must be seriously questioned. If the alternatives are satisfactory, the public may be satisfied with this major tinkering with a proven safety routine, otherwise the Government will have to wear the blame for the tragic consequences. These are a few examples of what this department proposes to introduce into the shell of this Act. I am beginning to be afraid that, if I put this shell to my ear, something nasty will come out and sting it.

The people of Queensland insist on the widest possible public scrutiny of the proposed regulations and standards. The Government must be genuinely committed to not only listening to but also to implementing the advice of the people involved directly in the many and various aspects of maritime safety in this State.

Government members interjected.

Mr SANTORO: Members opposite cannot grasp metaphorical references.

This is a very complex Act and it highlights again the diversity of different Government agencies involved in marine safety in this State. The introduction of this Bill should also be used to better coordinate the efforts of these different departments so that we have more conformity in legislation, regulation and standards, and less confusion for the marine industry and boating public. Is this Government capable of ensuring that the various departments, which include the Department of Transport, the Police Department, the newly formed Emergency Services Department and the Department of Primary Industries, aim for and achieve uniform marine safety requirements?

This new Act is needed, and the stated aim of achieving a high level of self-regulation for the industry is commendable. The marine environment has an important impact on the lives of all Queenslanders; not just those who take to the water for pleasure or business. Marine safety is vital to the tourism industry, the fishing industry, the boat building industry, international trade, rescue organisations and sporting groups, to name but a few. It is essential for the economic wellbeing of this State.

In the Minister's words: this Bill has the potential to provide a national benchmark for maritime safety, provided the further regulations and standards match the expectations of this Act. The Opposition hopes that they do.

Sitting suspended from 12.58 to 2.30 p.m.

Mr LAMING (Mooloolah) (2.30 p.m.): I rise to speak on the Marine Safety Bill in the knowledge that the first part of my contribution may not be absolutely aligned to the main objectives of the Bill. However, the points that I intend to raise are marine safety issues not only on the Sunshine Coast but also in many other areas of coastal Queensland.

Mr Nuttall interjected.

Mr LAMING: That is right. Those issues deal with the vessels, their power source, the licensing of operation and the policing of existing regulations. The Minister would be well aware that this subject has generated considerable correspondence between us. That is not due entirely to the fact that it is an area of concern to me personally but to the fact that it is an issue about which I receive many constituent inquiries

and expressions of concern. Of course, the Minister would not be aware of the fact that other aspects of the same problem have generated additional correspondence between me and the Ministers for Police and Primary Industries.

The first of those concerns relates to the modern design and construction of aluminium dinghies. Modern design and light, planing hulls have allowed those craft to reach considerable speeds with relatively low-powered outboard motors. As the Minister is aware, the minimum power of an outboard, the use of which requires a speedboat driver's licence, is more than 6 horsepower or 4.5 kilowatts. Unfortunately for the boating public, motors on or just below the 6 horsepower limit— measured at the propeller, I might add—are capable of propelling a light, planing tinnie at considerable speeds. Particularly under certain conditions, those speeds are very dangerous.

Added to that, we have a situation in which many of the operators are under age. That means that, in addition to their being short of boating experience, due to their age they do not hold a licence that can be suspended, endorsed or cancelled if and when they break the regulations. Unfortunately, I am talking not just about speed and the lack of a licence. The offences are quite often perpetrated at night, without any navigational lights and without other safety equipment. Although I do not believe it to be the case generally, I am sure that in at least some cases alcohol may be involved as well.

It is not only a matter of people—often very young people—operating those vessels outside the letter of the law; it is also often a case of those vessels being operated without any commonsense or parental supervision. I believe that the current legislation makes it too easy for the current excesses to continue. In the first place, the 6 horsepower limit is too high for modern engine and hull design. I believe that that limit should be reduced, or perhaps a return to the 10-knot capability should be considered.

Another concern that I have pursued with the Minister is that of proposed changes to the method of testing drivers for a speedboat driver's licence. As I understand it, consideration is being given to replacing the practical testing for that licence with written tests for operators of all vessels fitted with propulsion machinery exceeding 6 horsepower or 4.5 kilowatts. I simply cannot believe that serious consideration is being given to taking the practical boating test out of the examination procedure. Would such action ever be contemplated for a car licence? I do not believe that it would. I hope that that proposal is consigned to the bilges.

The third area of concern relates to the policing of the existing regulations. It is my understanding that juvenile offenders on the Sunshine Coast have never received anything but a caution. Although I do not advocate the levying of fines—particularly on young people—merely to fulfil some bureaucratic process or to raise revenue, I do believe that adequate action must be taken to discourage boating behaviour that endangers not only the operator but also other innocent people on the water.

Last year, the Minister responded to me that responsible parents encourage their children to obey the rules and behave in a capable manner on the water. I agree with the Minister, but as is usually the case in such matters, it is the minority who spoil it for the responsible parents and their children. Despite the Minister's stated reluctance to increase the constraint of prescriptive legislation on members of the public, I believe that, where such measures are obviously required, they should be put into effect.

I would like to commend the Minister and the department on some of the safety-oriented boating TV advertising that I have seen. I hope that it has the desired effect on the youngsters as I believe it will on the more mature viewer. Although it is not in his portfolio area, I would also appreciate any assistance that the Minister or other members can give to the installation of a permanent water police depot at Mooloolaba. Such a facility is most important in a region that has had a 64 per cent increase in boat registrations in the past 10 years. That would go a long way towards solving the problem to which I have been referring.

I would like to refer now to some specific concerns that I have with this Bill. Following discussions I have had with people engaged in the industry, I would like to put forward the following points and invite the Minister to respond to them. Does accreditation as a ship designer also cover accreditation as a marine surveyor for the purpose of allowing the designer to supervise the construction of those vessels designed by him and permit him to issue a certificate of compliance for any such vessel? That would seem to me to be a reasonable provision.

I have also received expressions of concern about possible non-acceptance of accreditation by other States or overseas authorities. I would be very concerned to learn that this legislation intended that, to have a vessel built in Queensland for an interstate owner, it might necessitate the builder having to import a surveyor from that State to supervise construction. Would the Minister reassure me on

that matter? Would the Minister also advise this House of the intention of the Government to ensure the technical qualifications and ability of those persons who will be selected and directed to draft the regulations that will follow the Act?

Another interesting aspect is the apparent blanket application of the Bill to all vessels. This effectively takes away the right of any private individual to build his own vessel. The cost of employing a surveyor would make it prohibitive. I am advised that in boat building, as well as in many other endeavours, the amateur has often shown himself or herself to be as capable as the professional. I seek some clarification and hopefully reassurance on that matter. I will not canvass the very important aspect of marine spills in the ocean. That topic has been covered by me on a previous occasion, and I am sure that the Minister is aware of my concerns in that regard.

Finally, I want to mention the relief felt by people on the Sunshine Coast and surely everyone throughout Queensland at the news yesterday of the safety of AnneLise Guy, who was discovered recently in the South Atlantic Ocean after being at sea for quite a few months. AnneLise was endeavouring to sail single-handed around the world.

Mr Veivers: One of your constituents.

Mr LAMING: As the member for Southport reminds me, she is one of my constituents. I am sure that all members would join with me in expressing relief that AnneLise has been found safe.

Mr VEIVERS (Southport) (2.38 p.m.): It is rare for me to say that I support any of the aims of the Labor Government. However, before speaking against the Marine Safety Bill, I must register my support for the supposed aims of this legislation. When introducing the Bill, the Minister told us that it was a complete rewrite "from the seabed up", designed "to reduce the amount of Government intervention" which prevents the maritime industry from being highly efficient. Somehow, I think the Bill got stuck in the sand. If the Opposition and the maritime industry in Queensland have anything to do with it, that is where this Bill will stay. It will never get out of the water.

I do not know from where the Minister obtains his figures, but he told us that the majority of people consulted were in support of this legislation, that in fact 98 per cent of Queensland's boating, shipping and commercial fishing industries were in favour of it. That is not what I hear! People in those industries are expressing grave concerns at the content of this Bill and the way in which it will detrimentally affect their businesses.

Perhaps the most devastating effect of this Bill will be felt by boat builders. There are a lot of them in my area. If this Bill is enacted, it will mean that their surveys will not be recognised. That will put Queensland's business out of step with both the domestic market and the international market. I cannot stress that point strongly enough. It will create insurmountable problems with domestic and export dealings, and will see the Queensland boat-building industry sunk before it can get going. I cannot believe that 98 per cent of the industry would support such an amendment, an amendment that will see Queensland boat builders regulated out of business.

When introducing this Bill, the Minister promised less Government intervention and regulation, yet he seeks to introduce a system whereby a Government officer—a shipping inspector or police officer—can enter onto a vessel operated by a cruise operator or commercial fisherman, for example, and can order that vessel back to port without any further ado. They can effectively take control of a shipload of passengers, cargo or tourists. We will have a whole task force of Government mutineers. There will be mutineers on the Broadwater and mutineers in the bays, not in the name of increased safety, but in the Government's thinly disguised grab for more rather than less intervention in the industry.

Mr Beattie: It's less intervention. Didn't you read this Bill?

Mr VEIVERS: The honourable member for Brisbane Central would not know the sharp end of a boat from the blunt end, so I will just forget about him.

Mr Hamill: You just can't think of the right word yourself.

Mr VEIVERS: I believe it is the bow and the stern. I know that port is left and starboard is right. One thing I do know is that when one is sunk, one goes straight down, and that is where this legislation should go—straight down.

Mr Beattie interjected.

Mr VEIVERS: Don't knock my grandfather.

Mr Beattie: Grandfather port.

Mr VEIVERS: That is different. Under this legislation, the department will use the services of shipping inspectors who are given wide powers—I emphasise "wide"—to maintain safety standards.

Mr Beattie: You would know all about "wide".

Mr VEIVERS: There is no need for the member for Brisbane Central to get personal. These shipping inspectors will have the power to make random checks, not only of vessels and equipment, but also of people— designers, builders and marine surveyors. That is also in the Bill, and it is not good. Not only can a person have his vessel hijacked, but also he could find himself under surveillance. The Minister warns people to be prepared— like boy scouts, I suppose. In his own words, he warns them to be prepared "at any time for a visit from one of our inspectors." Dear me, they will all be shaking in their boots.

Mr Hamill: It is also a regulation that they wear a patch and a parrot when they go out on a job.

Mr VEIVERS: I do not know about a patch and a parrot. The Minister says this is the Bill that reduces intervention by Government! Actually, it is appropriate that someone with the name "Hamill" is the person having the carriage of this Bill. This sort of stuff happened in Germany in 1933 with the Nazi Party. I am not joking. Seig heil, Mr Hamill! It is all coming back to me. It is unbelievable.

This legislation will also make it necessary for certain ships to use the services of pilots to enter, move within and leave an area. What happened to the concept of freedom of movement?

Mr Beattie: Where's your gun?

Mr VEIVERS: Not under the seat of the car. I have no hesitation in supporting any attempts to resolve the current problem in which responsibility for the industry is divided between the Marine Board and the Department of Transport. As I said earlier, I believe it is essential to improve the safety, efficiency and effectiveness of our maritime industry, but I fail to see how this supposedly new and improved Marine Safety Bill will do that. I believe that there needs to be much further consultation with the people in the industry to find out just what percentage really are in favour of these proposed changes. I do not believe the figure of 98 per cent that the Minister plucked out of the air, I think it is more like 2 per cent. The 98 per cent that the Minister mentioned is wrong.

People in shipping, boating and fishing circles—and this is from those people, not me—say that in some of those areas the Minister should go back to the drawing board and start again. I thank the Minister for being so kind.

Mr STONEMAN (Burdekin) (2.45 p.m.): I rise today to make some comments in relation to some aspects of marine safety that impinge and impact particularly on the lower Burdekin area. My electorate runs from the northern part of Ross River and encompasses the outlets of the Houghton River and the Burdekin River into both Bowling Green Bay and Upstart Bay, and a bit further south, Molongle Creek and the Elliott River.

One point I would like to bring to the attention of the Minister—and it may surprise him that it will be made in somewhat complimentary terms—is the relationship between this Government and its departments and the Molongle Creek Boat Club. The Molongle Creek Boat Club is located towards the southern end of my electorate in the southern half of Upstart Bay. That boat club services a couple of hundred members who undertake a lot of boating activity in the Cape Upstart area—an area that is accessible only by sea. One thing that has concerned me, numerous constituents of mine and, I am sure, people from Harbours and Marine over many years is the fact that there is no all-tide access into that area. When the previous Government was in power and Martin Tenni was the relevant Minister, I initiated a study—which cost a considerable amount of money—that was largely carried out by Riedel and Byrne. That study was to identify areas that might be able to be made as close as possible to all-tide access. Honourable members need to understand that the relevant area is about 200 kilometres of coastline in a straight line—even more if one follows the coastline around—that has no capacity to provide a safe haven for small boats that might be caught in rough weather while fishing on the reef. The Institute of Marine Science on the southern side of Cape Cleveland does provide some sort of a haven during rough weather but, of course, it is not accessible to the general public.

From Bowen right through to Townsville there is no all-tide safe anchorage in the event of any untoward happening. That means that air/sea rescue squadrons cannot get out to save people who might be in trouble. At this stage, I pay tribute to the people who work for the air/sea rescue squadron in my area, particularly people such as Matt Patane, who is the previous president of the local squadron and is now head of the State organisation of which he has long been a supporter. The people in the air/sea rescue squadrons in my electorate are a tremendous group, as are the people in similar squadrons up and down the coast. I do not want to go into that in detail.

Over the years, people involved in boating have expressed concerns over this volatile section of coast and the need for all-tide access. That study by Riedel and Byrne identified only one site as potentially useable or able to be developed as a marina area, and that was right in

the middle of Upstart Bay, but along came Cyclone Charlie and wiped out any hope of that ever occurring because its tidal surge proved that it was just too volatile an area. It is a great fishing area, one of the most prolific in terms of estuary fishing, creek fishing, river fishing and bay fishing anywhere along the coast.

Bowling Green Bay is famous as a tremendous breeding ground for sailfish and marlin. Again, that sport, and therefore the commerce of the area, would be able to be opened up and exploited if there was an all-tide access. I recognise, as have the department and Governments over the years, that it is extremely difficult to provide such an all-tide access. For years, the Molongle Creek Boat Club has been trying to improve the access they provide to their 200-odd members and probably hundreds of others who from time to time use their facilities at Easter and so on.

Most recently, in answer to a submission from the Molongle Creek Boat Club, the Transport Department has agreed to a proposal to further develop that area to as close as possible to all-tide access. Unfortunately, the Department of Primary Industries has seen fit to disagree, as has the Department of Environment and Heritage, and I must say the reasons advanced by the two latter departments are extremely nebulous. I also understand that there may well be something of a change of heart and that it will be possible to bring together the people involved in this dispute. It seems to me that we need to get together all the players in this particular equation and reach an understanding—as the Minister's department obviously has—of the need for, and benefits that could flow from, such a process.

Molongle Creek is very volatile. After each flood, the local boat club dredges that creek. But during the wet season, it fills up with sand, and dredging is a very expensive process. The proposal is to move back to where the old landing used to be, dredge an area, let the creek run through normally and then provide an access around the back of the creek mouth and into the bay itself. The Minister's department has agreed that that is reasonable. No money would be required. The boat club is not flush with funds, but it has a considerable kitty. It would be able to raise the necessary funds to get the job done. The sum of $120,000 has been suggested as a ballpark figure, plus annual maintenance.

For a number of years, the department has been assisting ongoing maintenance in that area. I understand that it is one of the few areas—if not the only one—where this is done without a formal facility, because it services many people. The Minister may not be aware that the Burdekin area generally has as high a concentration of small boats as does any other local authority area in this State.

Mr Bredhauer: Not the Torres Shire.

Mr STONEMAN: I am not sure of the exact figures. It used to be the highest concentration. I am not sure of the current figures, but I can tell the member that there are several thousand boats there and not many people.

The boat club was formed in 1962. According to a letter from the Molongle Creek Boat Club to the Minister for Environment and Heritage, Ms Robson, the original aims of the club were—

> ". . . to care for and generally improve the public reserve at Molongle Creek and to encourage its use as a pleasure and tourist resort and to maintain, develop and generally improve the boat ramp and general boating facilities at Molongle Creek."

The club has done that with great resolution and at no cost to the public. It has also suffered a lot of hardship. On occasions, its people have become sick and they have really had problems. Unfortunately, people do not get sick according to the tides. Accidents or tragedies also do not happen according to the tides. At present, the access is provided at a 1.7 metre tide, that is, access is available only 30 per cent of the time. During periods such as Easter, over 1 000 people use that particular facility. Lord knows how many people along the coast—but for the grace of God—may well have needed to go into some part of those two bays for safety reasons. I am a patron of the local air/sea rescue squadron. I have been with members of that squadron when they have had to walk their boat for kilometres through tidal creeks to access the open sea.

The department has accepted that the improvement is definitely needed, and I commend the department for that. The Department of Environment and Heritage has taken a fairly cavalier view of this. It is worried about a few mangrove trees which, in many cases, were planted by the original club many years ago. The local QCFO and other recreational organisations recognise the need for that improvement. The Bowen Shire Council has been most supportive of it. The Boating and Fisheries Patrol people want it to enable them to get access to creeks so that they can keep an eye on the activities of fishermen generally. The Transport Department provides markers. It is acknowledged that that area needs to be maintained. The club itself will take all the responsibilities; all it needs are a couple of signatures. The Minister should bring those

groups together and introduce some common sense into this argument.

I understand that, since this recent approach was made to me by Commodore Joe Linton and some of his members, there may well be a backing away from the concerns raised by the Primary Industries Department and the Department of Environment and Heritage. Those two departments are concerned about habitat fisheries, habitat areas and things like that. The very considerable study undertaken by Riedel and Byrne, the various maps and the photographs that have been taken over the years indicate that the proposed development will have minimal impact on the environment. In any case, it is fair to say that, had it not been for the presence of the Molongle Creek Boat Club, the impact on the environment in that area would have been far greater than it has been or is proposed to be in the future.

I am concerned about some of the comments made by people in other departments who do not seem to have an understanding of the processes that the Minister's department has imposed on that club and which are acceptable to the club. I have in my possession a considerable communication from Captain Dwyer to the club noting all the requirements and stating that they are acceptable.

A letter from the Department of Environment and Heritage to the Shire Clerk, Bowen Shire Council, states that a permit will not be issued to the club for some of the following reasons. Firstly, it is regarded by the Beach Protection Authority as "an unstable coastal site". That is correct. The total area of that coast is unstable. That is why it is attractive for fishing and good for farming. It is a delta area and, as such, must be unstable. The letter from the department states—

> ". . . the Molongle Creek floods and cuts off the access road."

The whole of the highway can be cut off during a flood. That is only one particular time of the year. It seems to me to be a very nebulous sort of concern. The letter states further—

> ". . . the area is a declared Erosion Prone Area."

Everyone acknowledges that and understands the sensitivity of that. It says also—

> ". . . the waterway has changed course over several decades and will continue to do so."

That is a very picky proposition to put. The waterway has not really changed. It has changed marginally at the mouth of the creek.

The thing that concerns me most of all is the last section of that letter from the regional director of the northern sector of the department. It states—

> "There is not adequate consideration of alternative options for the proposal, particularly in terms of the existing channel location, or the use of other areas of the coast which might be less constrained by coastal processes."

I wonder where those people have really been. Do they not know about the hundreds of thousands of dollars that have gone into studies and the concerns that have been expressed by local authorities and boating people along the coast for the past 50 or 60 years? It is quite ridiculous to say that there has not been adequate study of alternative sites. There are no alternative sites to the type of facility that is proposed. If the people of that particular part of my electorate, and visitors to that part of Queensland, are to be given reasonable access to the sea, it seems to me that the proposition should be processed and progressed more quickly. I shall leave the matter there.

Mr T. B. Sullivan: Hear, hear!

Mr STONEMAN: I have six more minutes. I will keep going, if the member wants me to do that. I shall leave the matter there, despite the interjections of some of the ruder members on the Government side of the House. However, I make the plea that the Minister's department will continue to support the Molongle Creek Boat Club; that it will help me, as the local member, facilitate the sort of group meeting that I believe needs to take place. This should involve the Burdekin Shire Council, because that is where the people live; the Shire of Bowen, because that is where the proposed facility will be located; the boat club; the Department of Environment and Heritage, because it has a concern—although I believe its concerns are unreasonable and unrealistic—and the Department of Primary Industries, which is really putting a blockade in front of its own departmental people; the Boating and Fisheries Patrol; commercial fishing operators, and so on.

I commend the Minister's department for its attitude towards this aspect of marine safety. I hope that this will continue. More particularly, we need to expedite this matter during the dry season so that the work can be started, the resources of the club can be used and people's safety in that part of the State can be greatly enhanced.

Hon. D. J. HAMILL (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) (3 p.m.), in reply: In relation to the debate of this important piece of legislation, a couple of points need to be made to draw the discussion to a close. The

first of these points relates to the question of consultation. I heard a number of Opposition members claim that there has been limited consultation. Some had suggested no consultation took place on this legislation. I might say that the start of that consultative process actually occurred when Opposition members sat on this side of the House—so long has been the consultation in relation to these important measures regarding marine safety. For the information of the House, I table and seek to have incorporated in *Hansard* a list of no fewer than 14 Government departments and agencies, 138 other organisations and 8 centres in which meetings were held to discuss the provisions, which we see before us in this legislation. That is true consultation at work.

Mr SPEAKER: Order! The Minister is seeking leave to have the document incorporated in *Hansard*.

Mr HAMILL: I have spoken to the Deputy Speaker about this.

Mr SPEAKER: Order! In that case, the Deputy Speaker's ruling stands.

Government Departments Consulted

Consumer Affairs and Corrective Services;

Business Industry and Regional Development;

Education;

Employment Vocational Education Training and Industrial Relations;

Environment and Heritage;

Family Services and Aboriginal and Islander Affairs;

Justice and Attorney General;

Minerals and Energy;

Police and Bureau of Emergency Services;

Primary Industries;

Treasury;

Office of Cabinet.

Tourism, Sport and Racing.

Administrative Services

Community/User Groups Consulted

Queensland Commercial Fishermen's Organisation

Australian Institute of Marine and Power Engineers

Raptis Pacific Seafoods

Stradbroke Ferries

Australian Maritime Officers Union

Ampol Shipping

Riverside Coal Transport

Roylen Cruises

Fantasea Cruises

BHP Shipping

Hay Point Tug Harbour

McIlwraith McEacharn

Marine Manager

Hayman Island

Whitsunday All Over

Marine Office

Hamilton Island

Whitsunday Barges

"Apollo III" Charters

Magnetic Link Ferry Services

Coral Princess Cruises

Australian Pacific Charters

East Coast Gamefish Charters

Townsville Charter Boat Owners Association

North Queensland Marine Towage

Magnetic Marine

Pure Pleasure Cruises

Merchant Service Guild

Sea Swift

Perrott Salvage and Construction

Thursday Island Travel

Peddell's Ferry Services

Islanders Board of Industry & Service

Island Co-ordinating Council

Torres Islands Industries

Department of Environment and Heritage Brisbane

Queensland Water Police Lower Boundary Street

Queensland Boating and Fisheries Patrol Brisbane

Dept of Environment and Heritage Brisbane

Air Sea Rescue Association of Queensland

Technical and Further Education, Training and Employment Queensland

Association of Marine Park Tourism Operators

National Parks and Wildlife Service

Road Transport and Traffic Division

Queensland Yachting Association

Queensland Small Craft Council

The Director-General of Education

Education Department

Boating Industry Association of Queensland

Queensland Boating and Fisheries Patrol Gladstone

Queensland Department of Environment and Heritage (Marine Parks) Gladstone

Great Barrier Reef Marine Park Authority

James Cook University of North Queensland

Queensland Boating and Fisheries Patrol South Townsville

Q'ld Department of Environment and Heritage Townsville Mail Centre

Quicksilver Connections

Queensland Boating and Fisheries Patrol Cairns
Cairns College of TAFE
Queensland Department of Environment and Heritage (Marine Parks) Cairns
Queensland Boating and Fisheries Patrol Thursday Island
Queensland Water Police Thursday Island
Australian Volunteer Coast Guard Association
Gateway Community College of TAFE
"Taslander" Charter
Pioneer Concrete (Qld)
Queensland Charter Vessel Association
Seaman's Union of Australia
Australian Workers Union
The Ports Corporation of Queensland
Port of Brisbane Authority
Marine Pacific Australia
"Adai" Cruises
South Queensland Power Boat Club
Queensland Sporting Hovercraft Inc
Moreton Bay Boat Club
Max Allen Cruises
P & O Resorts Marine Division
Capricorn Cruises
Gladstone Port Authority
Bundaberg Port Authority
Rockhampton Port Authority
Queensland Alumina
Whitsunday Connections
Whitsunday Charter Boat Industry Association
Whitsunday Bare Boat Operators Association
Mackay Port Authority
Hay Point Services
Dalrymple Bay Coal Terminal
Tropical Seafoods
Brisbane Marine Pilots
The Queensland Coast and Torres Strait Pilot Service
Australian National Maritime Association
The Australian Chamber of Shipping
Queensland Confederation of Industry
Nedlloyd Swire
P & O Container Shipping
Mackay Port Authority
Dalrymple Bay Coal Terminal
Townsville Port Authority
Abbott Point Bulk Coal
Cairns Port Authority
Comalco Aluminium
Cape Flattery Silica Mines
Torres Industries
Queensland Mining Council
Australian Volunteer Coast Guard Association
Queensland Sport & Recreation Fishing Council
Insurance Council of Australia
The Boat Manufacturers of Australia
Queensland Department of Environment and Heritage Gladstone
Master Boat Builders Association of Queensland
Det Norske Veritas
Norman R Wright & Sons
ASD Marine
Queensland Professional Officers Association
Queensland State Service Union
Australian Yacht Builders
Maritime Engineering
Lloyds Register of Shipping
Bureau Veritas
Mackey Electrical
Winders, Barlow and Morrison
Clubb Drafting Services
Bundaberg Engineering Design services
Ay "Apollo"
Sail Whitsunday
Whitsunday Connections
Whitsunday Charter Boat Industry Association
Whitsunday Bare Boat Operators Association
Woodnutt & Co.
C B Marine Engineering
K G Smith and Co
O'Brien Boats
Palm Island Barge Service
Capricorn Barge Co
Subsea Explorer
NQEA Australia
Norship Marine
Stewart Marine Design
American Bureau of Shipping
Northern Engine Reconditioning Company
Queensland Water Police Thursday Island
L W Emerick and Associates

Venue Centres

Southport
Brisbane
Gladstone
Mackay
Airlie Beach
Townsville
Cairns
Thursday Island

Mr HAMILL: The other point, which is a valid concern that has been raised by a number of members, is the worry that has been

expressed in some parts of the industry that other jurisdictions may not recognise the Queensland survey, the competency provisions, which we envisage coming out of this new regulatory regime. We have had substantial discussions with other jurisdictions, and nothing has come out of those discussions that would lead us to draw that conclusion. In fact, other jurisdictions are actually very interested in the approach that is being taken in this legislation. I think we will find that other jurisdictions will follow our lead in relation to it. Certainly, that is something that we will monitor very closely. We will continue to maintain a very close dialogue with those other jurisdictions.

Two other matters that came out of this debate were truisms. The first was the admission of the member for Gregory that he is no lawyer. If I can recall the arguments that were being put forward a few days ago in this House, it became very apparent to me that the member for Gregory was certainly not misleading the House. Reference was made to the deficiencies of this legislation with respect to marine pollution.

Mr Johnson: Are you a lawyer?

Mr HAMILL: I have passed Constitutional Law, and I think that that will stand me in good stead to understand that there is such a thing as section 109 of the Australian Constitution Act, which provides for Commonwealth legislation that covers the field to override contradictory State legislation. With respect to marine legislation, we inherited a body of Imperial legislation. It had very limited scope for the jurisdictions of the colonial Parliaments in respect to marine matters. Indeed, they relied heavily upon that Imperial jurisdiction. The Commonwealth Government, of course, has carried the major marine legislation governing shipping in Australian waters. This legislation complements the Commonwealth legislation and it correctly recognises that the Commonwealth legislation has primacy and this is effectively complementary to it, but it is more limited State jurisdiction. That is an obvious legal point—one which the legislation recognises.

The other truism that came out of the debate was a statement that was made before the luncheon adjournment when the member for Clayfield admitted that he did not know much about the subject matter of the Bill.

Mr T. B. Sullivan: It has never stopped him before.

Mr HAMILL: That has not stopped him in the past, I know. Unfortunately, today in the House he betrayed his ignorance yet again. Quite frankly, I was appalled. I thought that when the former member for Flinders, who is now the Federal member for Kennedy, departed this place, we would be finished with outrageous speeches that flew in the face——

Mr Johnson interjected.

Mr HAMILL: Oh, no, it is not. The member for Gregory should read *Hansard*. When the member for Flinders was in this place, he used to rail against road safety measures. In this place he was the friend of the drunk driver. Today, the member for Clayfield was attacking the use of EPIRBs, claiming that the $2,000 or $3,000 costs associated with responses to EPIRB calls was an outrageous expense. Maybe the member for Clayfield would have preferred not to have the EPIRB call, not to have a search and rescue mission organised. Maybe he would prefer to allow someone to perish at sea and forget about it. That is not our approach. We believe that EPIRBs are an important part of the marine safety arsenal. Having an EPIRB on a vessel is as important as having life jackets. That is why we are regulating to have compulsory carriage of EPIRBs. The legislation is sound; the legislation is futuristic, and I commend it to the House.

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

AYES, 48—Ardill, Barton, Beattie, Bennett, Braddy, Bredhauer, Briskey, Budd, Burns, Campbell, Casey, Clark, Comben, D'Arcy, Davies, De Lacy, Dollin, Elder, Fenlon, Foley, Goss W. K., Hamill, Hayward, Hollis, Mackenroth, McElligott, McGrady, Nunn, Nuttall, Palaszczuk, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Warner, Welford, Wells, *Tellers:* Pitt, Livingstone

NOES, 32—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Hobbs, Johnson, Lester, Lingard, Littleproud, McCauley, Mitchell, Perrett, Quinn, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Veivers, Watson *Tellers:* Laming, Springborg

Resolved in the **affirmative**.

Committee

Hon. D. J. Hamill (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) in charge of the Bill.

Clauses 1 and 2, as read, agreed to.

Clause 3—

Mr HAMILL (3.13 p.m.): I move the following amendment—

"At page 12, lines 8 to 23 and page 13, lines 1 to 4—

omit, insert—

'Division 2—Objectives of Act

'Objectives of this Act

'3.(1) The overall objective of this Act is, consistent with the objectives of the *Transport Planning and Coordination Act 1994*, to provide a system that achieves an appropriate balance between—

(a) regulating the maritime industry to ensure marine safety; and

(b) enabling the effectiveness and efficiency of the Queensland maritime industry to be further developed.

'(2) In particular, the objectives of this Act are—

(a) to allow the Government to have a strategic overview of marine safety and related marine operational issues; and

(b) to establish a system under which—

(i) marine safety and related marine operational issues can be effectively planned and efficiently managed; and

(ii) influence can be exercised over marine safety and related marine operational issues in a way that contributes to overall transport efficiency; and

(iii) account is taken of the need to provide adequate levels of safety with an appropriate balance between safety and cost.

'(3) These objectives are to be achieved mainly by imposing general safety obligations to ensure seaworthiness and other aspects of marine safety, and allowing a general safety obligation to be discharged by complying with relevant standards or in other appropriate ways chosen by the person on whom the obligation is imposed.

'(4) In particular, a ship may be taken to sufficiently comply with the general safety obligation even though a certificate of survey has not been issued for the ship.

'(5) The objectives of the Act are also achieved by establishing the Maritime Industry Consultative Council as a representative body to advise the Minister.

'(6) The objectives of the Act, and how they are achieved, are further explained in Part 2 (How to understand this Act).'."

In relation to this amendment—I appreciate the remarks that the Opposition spokesperson made during his speech when he addressed the matter of the monitoring of the performance of marine safety. These amendments will provide a framework for that process. It is the Government's way of safeguarding marine safety in Queensland.

Mr SANTORO: I was listening to the Minister's reply, during which he made reference to what I said. With respect, I encourage the Minister, when he urged members to read *Hansard* to ascertain what I said, to take his own advice. If he did so, he would see quite clearly what I said. He could have done that before he made that pathetic response to what I had to say. I again urge him to read *Hansard* before he makes comments. If there is something that he does not understand, he may even care to ask me for a copy of my speech. I actually said that if the Minister was going to make EPIRBs compulsory, he should also consider doing the same for radios, which is a very cheap instrument, and which is advocated by the industry as a first recourse for anybody who believes that he or she is in danger and in distress.

The Minister's colleagues the Honourable the Minister for Police and the Honourable the Minister for Emergency Services will tell him that that is a desirable option. If there is no radio on a boat but, as a result of the compulsory requirement contained in the legislation, there is an EPIRB, if people feel distressed or believe that they are in danger, the first thing that they are going to do is activate that instrument. It was within that context that I advocated the compulsory availability of radios in boats. That is not what the Minister said. If he does not understand what I say, he should not seek to misrepresent me or to compare me with anybody else. Clearly, that is what the Minister did, and *Hansard* will show that. Make no mistake—just because I am not present in the Chamber to listen to the Minister's reply, if I am in this place, I am listening to what he is saying and I will come back to respond. The *Hansard* record will show what I said, and clearly the Minister has made a grave error.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4—

Mr HAMILL (3.16 p.m.): I move the following amendment—

"At page 14, after line 7—

insert—

' "Coordination Plan" means the

Transport Coordination Plan developed under the *Transport Planning and Coordination Act 1994*;'."

This amendment merely brings this legislation within the framework of legislation envisaged by the Transport Planning and Coordination Act, which is a recent Act of the Parliament. It is a very simple amendment, and I commend it.

Amendment agreed to.

Clause 4, as amended, agreed to.

Clauses 5 to 18, as read, agreed to.

Clause 19—

Mr HAMILL (3.17 p.m.): I move the following amendment—

"At page 21, lines 12 to 21—

omit, insert—

'PART 1A—MARINE SAFETY STRATEGIES

'Division 1—Development and approval of strategies

'Development of marine safety strategies

'19.(1) The chief executive must, from time to time, develop for the Minister's approval strategies for marine safety that are designed to give effect to the Coordination Plan in relation to marine safety in accordance with the objectives of this Act.

'(2) In developing marine safety strategies, the chief executive must take reasonable steps to engage in public consultation.

'(3) The Minister may, at any time, direct the chief executive to prepare new marine safety strategies for the Minister's approval or to amend marine safety strategies in the way the Minister directs.

'(4) The Minister may approve marine safety strategies that are submitted for approval or require the chief executive to amend the strategies in the way the Minister directs.

'Contents of marine safety strategies

'19A.(1) Marine safety strategies must include—

(a) a statement of the specific objectives sought to be achieved; and

(b) proposals for the provision of marine safety and related marine operational initiatives; and

(c) investment criteria for deciding priorities for government supported marine safety and related marine operational initiatives and options for financing the priorities; and

(d) appropriate performance indicators for deciding whether, and to what extent, the objectives of the strategies have been achieved.

'(2) Marine safety strategies must aim to provide an adequate framework for coordinating and integrating the provision of transport services between the different transport modes.

'(3) Marine safety strategies must take account of agreements or arrangements between the State and other States and Territories and the Commonwealth, and Australia's international obligations, about marine safety.

'Tabling of marine safety strategies

'19B. The Minister must cause marine safety strategies, and each amendment of marine safety strategies, approved by the Minister to be tabled in the Legislative Assembly.

'Division 2—Obligations of marine safety strategies

'Objective of Division

'19C. In giving effect to the overall objective of this Act, this Division is intended to ensure value for money for resources applied to achieving marine safety.

'Obligations about marine safety

'19D. The chief executive must ensure that—

(a) marine safety strategies are developed in a way that—

(i) takes into account national and international benchmarks and international best practice; and

(ii) promotes, within overall transport objectives, the safe transport of persons and goods; and

(iii) encourages efficient and competitive behaviour in the Queensland marine industry; and

(b) the provision and operation of all marine safety infrastructure and services for which the State is

responsible is designed to achieve—

(i) efficiency; and

(ii) affordable quality; and

(iii) cost effectiveness.

'Report on giving effect to s 19D (Obligations about marine safety)

'19E. Each annual report of the department must include a report on the way in which effect has been given to section 19D (Obligations about marine safety) during the financial year to which the report relates.

'Division 3—Implementation of safety strategies

'Development of marine safety implementation programs

'19F.(1) The chief executive must, each year, develop for the Minister's approval marine safety implementation programs for the year and for 1 or more later years.

'(2) Marine safety implementation programs must include—

(a) a program of projects, and policies and financial provisions, for implementing marine safety strategies; and

(b) performance targets for marine safety.

'(3) Marine safety implementation programs may include proposals to spend amounts on programs other than marine safety if the spending would contribute to the effectiveness and efficiency of the Queensland marine industry.

'(4) In developing marine safety implementation programs, the chief executive must take reasonable steps to consult with port authorities, local governments and sectors of the maritime industry that, in the chief executive's opinion, would be affected by the programs.

'(5) Marine safety implementation programs are to be made publicly available in the way decided by the Minister.

'(6) The Minister may at any time direct the chief executive to amend marine safety implementation programs.

'(7) The Minister may approve marine safety implementation programs that are submitted for approval or require the chief executive to amend the programs in the way the Minister directs.

'Consistency with marine safety strategies

'19G.(1) Subject to directions of the Minister, marine safety implementation programs must be consistent with marine safety strategies.

'(2) If the Minister gives a direction under this section that results in marine safety implementation programs being inconsistent with marine safety implementation strategies, the Minister must cause a copy of the direction to be tabled in the Legislative Assembly within 5 sitting days after it is given.

'Report on operation of marine safety implementation programs

'19H. Each annual report of the department must include a report on the operation of the marine safety implementation programs during the financial year to which the annual report relates.'."

Although this is a lengthy amendment, it puts into different words—and gives rather more detail—the development of marine safety strategies. Indeed, it is part of that accountability process to which I referred earlier. It provides for reports in relation to those strategies to be made to Parliament so that Parliament is in a position to monitor the success or otherwise of those strategies for marine safety.

Amendment agreed to.

Clause 19, as amended, agreed to.

Clauses 20 to 33, as read, agreed to.

Clause 34—

Mr HAMILL (3.19 p.m.): I move the following amendment—

"At page 29, line 18, 'object'—

omit, *insert*—

'objectives'."

Honourable members will see that the amendment actually makes a typographical correction so that the word "object" is now rendered as "objectives".

Amendment agreed to.

Clause 34, as amended, agreed to.

Clauses 35 to 226 and Schedules 1 and 2, as read, agreed to.

Bill reported, with amendments.

Third Reading

Bill, on motion of Mr Hamill, by leave, read a third time.

MINERAL RESOURCES AMENDMENT REGULATION (No. 14) 1993 (SUBORDINATE LEGISLATION 1993 No. 512)

Disallowance of Regulation

Mr GILMORE (Tablelands) (3.20 p.m.): I move—

> "That the Mineral Resources Amendment Regulation (No. 14) 1993 (Subordinate Legislation 1993 No. 512) tabled in the Parliament on 16 February 1994 be disallowed."

In speaking to this motion, I would point out to honourable members that there are two aspects to the regulation. The first is in relation to export coal. The second, of course, is in relation to domestic coal. In the case of export coal, royalties are to be brought to 7 per cent, with variations in respect of specific rail haulage arrangements. This arrangement is presumed to be revenue neutral, in so far as there is a balance between royalties and new rail freight incentives. I presume also that the theory is that, because of these arrangements, our coal exporters will be no less competitive internationally than previously.

However, in respect of domestic coal arrangements, the story is somewhat different. The imposition of a percentage based royalty is nothing more than another frontal assault by Treasury on the electricity consumers of our State. Currently, there is a 5c per tonne royalty paid on all coal burnt domestically, either for electricity generation or for industrial purposes. That amount saw approximately $625,000 per year for generation, and $125,000 per year for industrial users. Under this proposal, those royalties will become enormous. For instance, the royalty paid by the Queensland Electricity Commission will jump from 5c per tonne to 22c per tonne—an increase of 340 per cent. Progressively, the royalty will rise from the current situation to the following: in 1995, 44c per tonne; 1996, 66c per tonne; 1997, 88c per tonne; 1999, $1.32 per tonne; and after 1999, $1.54 per tonne.

Last year, there were 12.5 million tonnes of coal used for electricity generation in Queensland. Therefore, in 1994, based on the 12.5 million tonne consumption, State royalties will rise from $625,000 to $2,750,000 in one jump. If we presume a 15 million tonne burning of coal for electricity generation after the year 1999, this tax on the people of Queensland will grow to over $23m in that year. Unlike the exporters, who have to a degree had the effect of royalty changes mitigated by concessions on rail freights, domestic producers supplying to power stations are, in many cases, not so fortunate.

For instance, coal is sent by conveyor to both Callide and Tarong, and in Ipswich the coal is conveyed by road vehicle. To compound the misery of domestic producers, the prices they receive are considerably depressed. In fact, these are expected to be approximately half the price of export coal. It may well have been more appropriate for the Government to throw a few more cents to the miners rather than to let the Treasury, once again, scoop the pool.

What then are the options for the Queensland Electricity Commission and, in a de facto sense, the consumers of electricity in Queensland? I believe that those options are as follows. In the first instance, the Queensland Electricity Commission could absorb these costs and further reduce its viability as an entity. The second option is that the Queensland Electrician Commission could pass the costs on to the electricity consumers through higher tariffs. Thirdly, the electricity commission could absorb the costs and pass them on to the Treasury by paying a smaller dividend. Whatever the outcome, one can bet that the Treasury will not lose. Therefore, either consumers will pay up front or some time down the track when the Queensland Electricity Commission can no longer absorb the load.

One wonders at the philosophy behind this action. Is it purely revenue driven? Or is it driven by a need for this Government to be seen internationally as forcing domestic industry to be internationally competitive? Is it a simple case of appeasement of international competitors and critics who have their own axe to grind? This does not stand up to scrutiny, however, as we know that the Department of Business, Industry and Regional Development is—and has been for years—offering special incentive packages to industry, including competitively priced electricity, to encourage that industry to develop and to thrive.

This amendment is, of course, immensely worse for the industrial coal users of this State. For instance, users of coal burnt for cement manufacture and for lime processing are already paying nearly twice the price that the QEC is paying for coal for electricity generation. Therefore, royalties on domestic coal for use other than for the QEC will jump from 5c a tonne to 40c—an increase of 700 per cent in one hit. In cash terms, in 1994 alone this will mean that royalties will jump from $125,000 to $1m in the first year. The final insult, of course, is that most of the coal burnt domestically is not of export standard, but much of it could be washed and value enhanced for the export trade.

The Opposition opposes this poorly disguised foray by the Treasurer into the pockets

of all Queenslanders, as we have done in the past and as we will continue to do in the future. This is nothing more than taxation by stealth. It is an attack on the capacity of the QEC and, as I said, in a de facto sense, on the capacity of electricity consumers in this State to continue to pay. Clearly, the Treasury of this State is seeking from all possible angles to raid the hollow logs that have not already been raided and emptied by this Government. This is another instance of such action. Therefore, for that reason, when this matter comes to the vote, I will divide the House.

Mrs McCAULEY (Callide) (3.29 p.m.): I second this motion for disallowance of the Mineral Resources Amendment Regulation (No. 14) 1993. I do this mainly because of my involvement in representing the Callide electorate, in which we have the Callide mine and the Callide Power Station. Hopefully, some time down the track, if the Minister gets his act together, we may well have a Wandoan power station and coalmine—that is, if the Minister can decide to make a recommendation for that and not rely on Jan Taylor to do it. I must say that I was a bit taken aback to find that he had formed a committee with Jan Taylor on it. She would know as much about where the next power station in Queensland should go as would the honourable Deputy Speaker.

The 7 per cent increase in royalties in last year's Budget will bring the take for the Government from $600,000 a year to some $20m over seven years. That must increase our power costs. It is very interesting that the member for Fitzroy was interjecting on the member for Tablelands. He is not on the speaking list. If he feels so strongly, why is he not speaking?

Mr Beattie: At least he knows something about coal.

Mrs McCAULEY: He has a lot of coalmines to represent, yet he simply interjects on other members. He knows that this is an indefensible royalty, an absolutely indefensible tax by this Government on the coalminers and on the people of Queensland.

Queensland consumes about 15 million tonnes of coal a year. Of that, the State-owned power stations use some 12 million tonnes. So what is happening? It is a bit like robbing Peter to pay Paul. It is creative accounting by this Goss Labor Government of the highest order. It is the sort of creative accounting that it does in all fields, whether it be health, education or, now, the QEC. However, at the end of the day, the taxpayers bear the responsibility. The taxpayers will bear the responsibility when electricity prices go up and up and up because of this impost that the Government is putting on domestic coal.

It is similar to the creative accounting with the sale of the Gladstone Power Station. The Premier had a look at the cheque that he received and said, "Oh, yes, all the zeros are there." He was very proud that he had sold the Gladstone Power Station for such a large amount of money. However, what the Premier did not say was that that was not the correct amount of money, because some deals had been done behind closed doors. Concessions had been made on items such as coal rail freight rates. Suddenly, Comalco—which was screaming like mad about this when it first came out—had gone very quiet. That was because it had received concessions behind closed doors.

The amount that Comalco paid up-front and that the people of Queensland thought this Government received for the Gladstone Power Station was not the correct amount at all. It was some considerable number of millions less, because a whole lot of concessions were made behind closed doors. That had to occur, because otherwise the deal would not have gone ahead. This Government can fool the public some of the time, and it can probably fool the public for a considerable length of time. However, eventually this affair will catch up with the Government. It will catch up with the Government after 1996, when the power prices jump through the roof. Recently, when I built my new house, I was very tempted to make the power source all gas, because I can see what is coming down the line. The people of Queensland will not be very happy about this.

I was interested to read the comments by Steve Shapiro on this matter in *Business Queensland*. He is the president of Arco Coal Australia. He said that the royalty is a tax on electricity and it is an added cost. He went on to say—

> "We were told the government was considering it but, in essence, it was part of the budget package."

In other words, no consultation—just slip it in and hope that everyone will not notice it and will not understand the ramifications of it. That article went on to say—

> "Industry sources estimate the increase could increase electricity prices by about 4 percent."

The article made a further interesting point. It stated that, under the new coal royalty arrangements, export coal producers will pay around $5 a tonne. In that same article, the Minister stated—

> "We don't believe there will be any adverse effect on the mining industry because the reduction in rail freights will offset the increase in royalties."

That article corroborated a statement made by the member for Tablelands during his contribution to this debate. It stated—

> "At least half the mines which supply Queensland's domestic needs don't use rail to transport the coal to power stations . . .
>
> Shapiro says Arco Coal, which does transport its coal by rail, doesn't pay the charges."

So what the Minister said was wrong. The article stated further—

> "Arco Coal won't benefit from any fall in rail charges because the commission pays for freight . . .
>
> And there is scepticism in the mining industry that the rail freights will fall.
>
> 'I've been told by some of my government sources that rail charges won't fall,' one source says."

We have been waiting for that to occur ever since this Government came to power, and we will be waiting for a considerably longer time yet.

The bottom line is that the 4 per cent rise that will occur in electricity costs after 1996 will disadvantage this State. We have been very proud of the fact that we have been able to provide our electricity very cheaply. This greedy grab by the Goss Government to increase its take from $600,000 a year to some $20m a year will not build a new Stanwell power station. The Government has corporatised the QEC and it is ripping out all the money that it can—$17m a year, or whatever it is—a huge amount of money. There will be no resources left to develop the Wandoan type coal fields. The future looks very bleak for the consumers of electricity in this State. I am very pleased that the Opposition is opposing this regulation most vigorously.

Dr WATSON (Moggill) (3.35 p.m.): I rise to speak on the Mineral Resources Amendment Regulation (No. 14) 1993 and to support the disallowance motion moved by the member for Tablelands. These amendments refer to the final instalments of the much-publicised coal assistance package—an ill-conceived package that is unlikely to stop Queensland losing coal markets to low-cost countries such as Indonesia.

To Queensland, the mining industry means income, investment and jobs. In real terms, the industry's contribution translates into the State's second largest source of income. It means $2 billion a year invested in infrastructure development and more than 10 000 jobs. The coal industry places Queensland on the map as the second largest coal exporter in the world, second only to the United States. The State of Queensland benefits from these coal exports by more than $1.1 billion a year.

The Labor Government purports to understand the importance of the mining industry in Queensland. Let me quote what the Goss Government said about the mining industry in the *Queensland—Leading State* package—

> "Queensland's minerals and energy sector is a major generator of wealth for the State. Mining is the State's leading earner of export revenue and contributed $226m to State Budget revenue in 1990-91 through mining royalties alone. Mining provides a base for major manufacturing industries in the State and underpins many other industries such as transport and construction. Many towns and regions in Queensland rely upon the mining sector to generate economic activity and employment."

A fair synopsis! Coal is Queensland's primary export earner. The mining industry is an essential wealth generator and investor in Queensland. The Queensland Government gains revenue from the mining industry through royalty charges and the rail freight charging system. That system began in the 1970s when, because of the oil crisis and the relative scarcity of commercially accessible deposits, mining companies could earn super profits. During that time, royalties paid to the Government were dramatically increased. Mining companies were able to meet those high charges and still provide for expansion of the industry. But we are now in the 1990s and the situation is different.

Firstly, the mining industry has changed. Most mines that began in the sixties and seventies have reached maturity and are having to spend much of their profits on replacement of worn machinery, leaving little money for investment. Queensland has some of the best coal resources in the world, but the exploitation of those resources is being limited because of higher operating costs. Secondly, technology has changed. New steelmaking technologies such as the electric arc furnace, new casting technology and pulverised coal injection will affect the demand for steelmaking materials, meaning that the same furnaces will be using less coal for the same job. Thirdly, everybody needs less coal. Demand for coal depends on economic conditions, and because of low economic growth worldwide— especially in Japan, Europe and the United States—there has been a slowdown in this demand. Coupled with this is the fact that there is a large supply of coal

on the world market. Coal is available from new low-cost suppliers such as Indonesia, Venezuela and Columbia, as well as already established suppliers such as the United States and South Africa.

Mr Pearce interjected.

Dr WATSON: Low demand and high supply force price pressures on major coal suppliers. The member for Fitzroy should listen to this, because he might learn something. Only two weeks ago, negotiations were completed with Japan to lower steaming coal prices. The price of steaming coal was dropped by US$2 a tonne, taking effect on 1 April this year. That is a 5.5 per cent drop on last year's contract prices.

Mr Pearce: How many jobs?

Dr WATSON: Earlier in the year, coking coal prices were dropped by US$3.85 per tonne—8 per cent lower than last year's prices. I take the point made by the member for Fitzroy that it could cost jobs. That is why it is important.

For Queensland coal producers to have a comparative advantage, or even just to remain competitive, coal prices have to be kept down, which means production costs of coal must be monitored. This is an issue of supreme importance and one that the Government should have attended to earlier. The point I am making is that the Government realised the importance of the coal industry. The Government promised support and reforms. The Government promised action. But the Government has only prevaricated. The profitability of the industry declined. Sustainability of the industry has been jeopardised. But the Government still did not look to facilitate development of the industry; instead, it continued to rely on it for revenue.

Reviews of the coal rail freight policy have been promised by the Labor Government since its election in 1989. A review was again mentioned in *Queensland—Leading State* in 1992. It is now 1994, and we have only just begun to see movement. The Government's reaction to changes in the environment has been slow in coming. Once again, we have listened to talk and seen little action. The Government promised commitment to the mining industry. It promised to provide a market of investment opportunities, expansion opportunities and a maximisation of returns. Let us look at what is proposed in these amendments.

It is now proposed that rail transport for coal producers will be charged at commercial rates. So what is a commercial rate? Firstly, there is the operating cost. What is that? We really do not know, because Queensland Rail claims that, as a commercial business, it does not disclose detailed operating costs in order to retain its commercial integrity. It certainly does not disclose detailed comparisons between various lines. We do know, through the courtesy of the Bureau of Industry Economics, that Queensland Rail has prices which are some 38 per cent higher than US lines for equivalent distances. Then there is the cost of capital. What is that? Again, we do not know because the Queensland Government is yet to enlighten us about the rates of return it expects to achieve on a commercialised Queensland Rail. However, we do know that this is capable of being manipulated, thus affecting the ultimate price of railway services.

Something else we cannot predict because of the non-transparent nature of Queensland Rail is the impact of lower coal freight rates on other rail users. It is not known what cross subsidies are occurring within Queensland Rail. Is coal subsidising wheat transport, wool transport or passenger transport? If coal freight rates fall, will pensioners who take their holidays aboard the Sunlander have to pay increased prices or will the Government fully meet its community service obligations from the Budget? Without the detailed costs, how will we know?

Secondly, Queensland Rail is phasing in the higher royalties and lower rail freight charges over a number of years. While the idea sounds good in theory, will it be translated into practice? There is no guarantee that Queensland Rail is going to bring down its prices, but there is a guarantee that royalties will rise. This may just be another hollow promise to the mining industry. When it comes to the crunch, will the Government back down, claiming it cannot afford to bring rail freight rates down any lower because of extraneous events?

Lastly, we come to the part where the Labor Government is doing its usual sleight of hand. Domestic coal royalties are to be increased to 7 per cent per tonne, in line with export rates. This will increase the domestic royalty per tonne from today's level of 5c per tonne to an estimated $2 per tonne in seven years—a big rise in a short time. As the member for Tablelands has already mentioned, the implications of this may be a dramatic rise in electricity prices. QEC is one of the biggest users of coal in Queensland, and as a monopoly it passes costs on to the user. As a monopoly, it has the ability to exploit users of electricity. In fact, it has a record of doing so. With the economies of scale it is now achieving, and the lower interest rates it is paying, QEC could lower electricity costs by $300 per customer. Instead, much of the profits are going straight into the Treasury. The Government said it would not introduce new taxes, so it takes dividends from corporatised companies instead. With

QEC's corporatisation, new rates of return will be set. What is the incentive to drop prices when QEC is such an important source of funds for the Government? The Treasurer, Keith De Lacy, said there would be no rises in the price of electricity because of corporatisation. But Mr De Lacy did not mention price rises due to rail costs. What is to stop QEC from putting prices up due to increased costs?

Higher electricity prices will also have ramifications throughout our export industries. Queensland manufacturers will be paying more for electricity, which means that the higher input costs will reduce competitiveness and reduce the ability of these companies to expand.

Just to demonstrate another thoughtless error by the Government, let me quote what the Minister said—and I think the member for Callide used this quote as well. He said—

> "We don't believe there will be any adverse affect on the mining industry because the reduction in rail freights will offset the increase in royalties."

Obviously, Mr McGrady did not consider the mines that do not use rail transport. At least half of the mines that supply Queensland's domestic coal do not use rail to transport coal to power stations such as Tarong, which uses a conveyor belt. Arco Coal does not pay rail transport costs either; the commission pays for freight. These two companies, as well as the others involved, will be paying a huge royalty not necessarily offset by lower rail freight charges.

The only demonstrable beneficiary of this whole situation is not the public and not industry, but the Queensland Treasury. It is estimated that Queensland Treasury's earnings from domestic coal royalties will increase from $600,000 to $20m a year.

In conclusion, let me repeat what I said in the beginning. The Labor Government's rhetoric in supporting the Queensland mining industry has clearly not been demonstrated in practice. These amendments do not deliver the promised reforms needed by the mining industry to keep it viable. These amendments are not in the best interests of all sectors of the industry and the hidden impacts will cost all Queenslanders money. These amendments are typical of the way the Labor Government has yet again failed to provide a truly competitive solution for the problems of Queensland's most important industry.

Hon. T. McGRADY (Mount Isa— Minister for Minerals and Energy) (3.45 p.m.), in reply: This matter was openly discussed and debated in the media at the time of the last State Budget, and I cannot recall one single word of disagreement coming from the mouths of Opposition members at that time. There were comments made and questions asked by sections of the media but, as always, the Opposition missed the boat. I was quite amazed by the comments made by the member for Callide, who said that electricity prices have gone up, up and up. In fact, the reverse is the case. I want to table this graph in my possession that shows that in real terms electricity prices have come down, down and down.

The member for Callide referred to Mr Steve Shapiro as the President of Arco Coal in Australia. In my opinion, Mr Steve Shapiro is an excellent person, but once again the Opposition is behind the eight-ball, because Mr Steve Shapiro is now back in the United States. The comment that there was no consultation at all was totally and utterly untrue, because I took part in a number of meetings with members of the Queensland Mining Council at which these matters were discussed. If one went back to the media reports, one would see that there was not unanimous, but certainly general, agreement that the package—and this is what it is, a package—was generally welcomed by the mining industry.

As usual, Dr Watson made a very professional contribution to this debate, but I do believe he got the two debates mixed up because some of the points he made would have been more appropriately made in the debate that is to begin in a few minutes' time.

However, the amendment that is being debated today was designed to enhance the competitiveness of the Queensland coal industry and the attractiveness of that industry to new investment. It provides a number of beneficial side effects in a wide variety of areas, including more efficient and fairer domestic coal markets and a strengthening of Australia's position in international forums designed to free up trade.

When this Government took office in 1989, it was faced with a coal mining industry that had been protesting for many years about excessive rail freights which had been rightfully claimed as a hidden tax. This Government undertook to review the situation. The review of coal freight rates quickly became a part of the review of coal royalties. In this regard, the new 7 per cent ad valorem royalty will be accompanied by lower rail freights to be based on normal commercial business principles. That has been approved and has been agreed to. The revised arrangements are to apply to new mines and mine expansions and to existing mines as rail contracts expire or are renegotiated for mutually beneficial reasons in the period to the year 2000.

Under the new policy, the hidden royalty component in rail freights will be eliminated completely by the year 2000, giving way to a single, completely open ad valorem royalty scheme that will allow the community to identify clearly the significant contribution made to the country by the coal industry.

The coal industry is vitally important to Queensland. For each of the past two years it has earned more than $4 billion in exports through the production of more than 70 million tonnes of coal. With figures like these, the Government was keen to introduce the revised royalty and rail freight arrangements because they enhance the growth prospects of the coal industry and ensure its international competitiveness in the longer term. Indeed, since the Government first announced the move to commercial rail freights for new mines and expansions, there has been a dramatic boost in investment in new coal mine developments, with $1 billion in commitments to five projects, creating 650 jobs and generating some $570m in annual export earnings.

These new arrangements will place the Queensland coal industry on an even more competitive footing, and the excellent response by the mining industry to the Government's release last year of Bowen Basin land for coal exploration is a further clear indication of the acceptance of the new rail freight and royalty arrangements. The changes were the subject of intensive study and the end result is balanced. The Government is satisfied that the 7 per cent royalty is fair to both the mining companies and the community. It represents a fair return to the community while not impacting on investment decisions.

The Government has also decided to phase in over the next seven years a 7 per cent royalty on coal used domestically. The new royalty here will be accompanied by the phasing in of commercial rail freights where necessary. It should be noted that prior to this the royalty on coal used in Queensland had not changed in more than 100 years and stood at 5c a tonne—a very poor return to the community for such a valuable resource.

The Government is also conscious of the need to remove distortions in the energy market. For instance, oil and gas producers pay 10 per cent of the wellhead value in royalties, whilst being in direct competition with coal in the local market. The Government was very mindful of the likely impact of the new royalty for domestic coal on major users. It is for this reason that we have decided to phase in the royalty over seven years to allow these users time to adjust. To ensure that there is no adverse outcome, we will be reviewing the impact on these users in three years' time.

In the international sphere—by bringing domestic and export coal royalties into line, the new royalty regime has assisted Australia's negotiations in the General Agreement on Tariffs and Trade. The subsequent lifting of coal production subsidies in Europe and Japan has already had a marked effect on Australia's export coal industry, with new coal markets opening up, especially in Germany.

The new royalty rate on coal will ensure rational energy choices amongst consumers. With the phasing in of the lower commercial rail freights to the Stanwell Power Station, there will be no effect on electricity prices. I want to stress that the price of electricity in Queensland will not be affected by these changes.

Question—That the motion be agreed to—put; and the House divided—

AYES, 31—Beanland, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Hobbs, Johnson, Lester, Lingard, Littleproud, McCauley, Mitchell, Perrett, Quinn, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Veivers, Watson *Tellers:* Springborg, Laming

NOES, 47—Ardill, Barton, Beattie, Bennett, Braddy, Bredhauer, Briskey, Budd, Burns, Campbell, Casey, Clark, Comben, D'Arcy, Davies, De Lacy, Dollin, Elder, Fenlon, Foley, Goss W. K., Hamill, Hayward, Hollis, Mackenroth, McElligott, McGrady, Nuttall, Palaszczuk, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Warner, Welford, Wells, *Tellers:* Pitt, Nunn

Resolved in the **negative**.

ELECTRICITY AMENDMENT REGULATION (No. 1) 1994 (SUBORDINATE LEGISLATION 1994, No. 10)

Disallowance of Regulation

Mr GILMORE (Tablelands) (4 p.m.): I move—

> "That the Electricity Amendment Regulation (No. 1) 1994 (Subordinate Legislation 1994 No. 10) tabled in the Parliament on 16 February 1994 be disallowed."

In speaking to this disallowance motion, I remind honourable members of a previous debate on just such an amendment. In 1992, two amendments were proposed, and agreed to, to take from the Queensland Electricity Commission, in the first instance, $15m and, in the second instance, $30m. I told the Parliament then of my concerns about this pilfering of cash from the system and my views about the likely outcome in the long term for electricity prices.

Now that we see the third dip into the larder of $95m, we can easily perceive the exponential increase in the Treasurer's greed. I feel compelled once again to try to get the message across about the almost certain outcome of this action by this typical Labor Government. This outcome will not happen tomorrow; this is a long-term outcome. I find it difficult that members on the other side of the House simply cannot understand these long-term outcomes.

There is no doubt that the actions of this Government which we are witnessing today will, in the long term, result in a debilitated Queensland Electricity Commission and higher electricity prices than might otherwise have been the case. This is despite the protestations of this Minister that he and his Government believe—at least they would have us believe that this is the case—that they can continue to white-ant the QEC and continue to take out of the QEC its cash flow, its cash reserves and its ability to pay and, somehow or other, keep the balloon inflated. This is typical Labor Party accounting.

In the past, the Queensland Electricity Commission was allowed to retain all its revenue and to derive a profit, which was ploughed back into the infrastructure— generation, transmission and maintenance— to the point at which the QEC was able to build new facilities such as Stanwell without borrowing a cent. Put simply, this meant a low debt-to-equity ratio, low interest and redemption charges and low power prices for both domestic and industrial consumers. Regrettably, this Government has sighted this healthy state of affairs and an enormous cash flow, and it has determined quite clearly to do something about it. It has, therefore, imposed an electricity tax on the people of Queensland—on every consumer, including industrial consumers and mums and dads. This is not a tax on the QEC; it is clearly a tax on every household in this State.

The outcome is as inevitable as it is obvious. This year, $95m will be taken out of the pockets of Queenslanders and put in the Treasury's sticky fingers. The QEC will have $95m less with which to repay debt and install new plant. Therefore, if the QEC is to meet its obligation to Queenslanders to ensure adequate power supplies beyond 1998, it will have to do one of three things. It will have to borrow, raise electricity prices, or invite private investment into the system. Anyone can see that to borrow—whilst offering short-term relief—would be disastrous in the long term. Raising prices would impact on every household and industry in the State. Inviting private investment, while highly desirable from the Opposition's point of view, should not be only a mechanism to cover up the pillage of the accounts and to camouflage a reduction in the equity of the Queensland people in their electricity industry.

This Government is undertaking asset-stripping of the QEC. Corporate raiders of the eighties would have been proud of it. However, as with the corporate raiders, there is and will be an evil day of reckoning. Unfortunately, it will be years away, and only the astute and experienced can see it. In truth, for years, Queenslanders have been receiving a dividend from the QEC by way of cheap power. In the first instance, this Government is stripping away that dividend and, in the second instance, it is busily eating into the equity of the asset.

The rhetoric of the Premier in covering up this scandal has been breathtaking. I will refer to some recent press releases. I should like to quote from one that appeared in the *Courier-Mail* in relation to the recent announcements that the Government was not going to increase electricity prices for industry, only for households. The article states—

> "Domestic electricity users will pay an average of 11c a week more for power but tariffs for big commercial users will be frozen as an incentive to business."

Apparently, the 11c represented a rise equivalent to half of the increase in the CPI. For some years now, that has been a policy of this Government and of the previous Government. The Minister has trumpeted around the State, "Yes, half of the CPI." I am prepared to bet right now that within the foreseeable future, a rise equivalent to half of the increase in the CPI for domestic users and industrial users in this State will no longer be sustainable. There are very good reasons for that. However, the Premier went on to say—

> "'But in relation to domestic use, we believe we can keep down increases to less than the cost of living increase.'"

Now he is hedging his bets—"less than the cost of living increase". It is no longer half of the increase in the CPI. The Premier goes on—

> "In addition to that, we are working at being able to offer big manufacturers, big business, a zero increase."

What was his justification for that? The article continues—

> "So we will hit two key buttons in terms of performance. We will be able to deliver to consumers the lowest power price increases of any mainland state and to big business—to attract investment and jobs . . ."

Running concurrently with that in the *Bulletin* magazine was an advertisement from Pacific

Power of New South Wales which stated, "More electricity price cuts"—very interesting indeed—"for business and industry—for new investment in New South Wales."

While our Premier and our Minister are busily saying that they are simply not going to increase the price of power in an attempt to encourage industry to develop in this State, New South Wales is doing something far more positive. In fact, if honourable members cared to look at the actual prices charged interstate for electricity for industrial users—particularly those industrial users at the high end of the scale—they would discover that Queensland is currently charging more for electricity.

Mr Beattie: What about the shortage of supply in New South Wales? We're on the national grid. We're the ones supplying them.

Mr GILMORE: I am glad the honourable member said that. That is not the case. Within a very short time, New South Wales is going to have a considerable—

Mr Beattie: But not now.

Mr GILMORE: But we are not hooked up to the national grid now. By the time the national grid becomes functional—if it becomes functional—Queensland will be drawing power from New South Wales—unless, of course, our "wonderful" Minister can actually make a decision and do something about the requirement for the next power station.

The point that I am making is that New South Wales is doing something positive in respect of cutting real prices for business by 10 per cent to 15 per cent. That is 10 per cent to 15 per cent when that State is already in the higher range of consumption, and it is close to the mark in Queensland. Within a couple of years, New South Wales is going to have cheaper power than us. Industry Australiawide is aware of that and, therefore, businesses are not going to transpose their entire operations to Queensland in the anticipation of cheaper power prices from this Minister, because they will not be available to them by the time they get here. That causes a bit of a problem for this Minister; it takes away some of his credibility.

This Minister is doing nothing more than pretending that he can outdo the Victorians at Victorian accounting. Of course, he can keep prices down for a period. I have said that before, and I acknowledge it again. Of course, he can milk the cow to fund the scandalous social schemes of this Government. But there will be, and there must be, a day of reckoning. To make matters worse, recently the Government sold the Gladstone Power Station for $750m, which we applauded. That was wonderful. It has been widely touted that the funds were to be set aside for repayment of loans.

An honourable member interjected.

Mr GILMORE: It will be interesting to hear what the Minister says about that.

Recently, the Premier was widely reported as having said that the money was given to the QEC in the form of a cash cheque. Wonderful! He also said that it will pay for the next power station. The Premier and the Minister have said on many occasions that that money was to be set aside to reduce the debt of the QEC. Now it appears that the Government is wobbling a little bit. Government members have the money in their little fingers and they do not know what to do with it. What will they do? They will spend it. So we will not have achieved a single thing from the sale of that power station.

The scenario with which we are confronted at present is frightening. We see the plot further unfold. In the past, power stations have been funded by the QEC from revenue, not debt. Now, so soon after this Government has come to power, we are witnessing the erosion of the QEC from within, to the point at which its very viability is being placed at risk.

To add insult to injury, recently this Government appointed an inexpert committee to tell the Queensland Electricity Commission how it should go about planning for the next power station. I am sure that the engineers, the planners and the scientists employed by the Queensland Electricity Commission are weeping into their beer. They could not possibly believe that any Government of this State could be so stupid as to hand over the whole planning process for the requirements of power for this State after 1998 to an inexpert committee comprised of people who have no background in the electricity industry—people who would not know the difference between a transmission line and a power station. However, they have been asked to go forth and consult with people in the community. Frankly, the people in the community do not know either, because they are not expert in the business of providing adequate power supplies to this State after the year 1998 and into the year 2000.

What are the options that are available to this Government? The options are manifold. We could have coal-fired thermal power stations, gas turbines—either with or without combined cycle—or we could have hydro-power. Other alternatives are that we could have cogeneration with industry, or private investment in the industry. All of those options are available to this Government. However, the Government has a credibility problem because it cannot make decisions on how it is going to provide adequate

power supplies to the people of Queensland after 1998. That is a major concern.

So we are scrambling around patching together little bits and pieces. We might refire Collinsville; we might refire one of the Callide stations; we might build a gas turbine somewhere up or down the coast and, thereafter, waste the enormously valuable resource of natural gas. The Government simply has not been able to make a decision on the hydro-station at Tully/Millstream. It cannot even say, "No." If the Government had four years ago said, "No", at least the people of Queensland would have known where they were going in respect of viable alternative power generation for this State.

Where are we going with alternative power generation? The fact of the matter is that another inexpert committee has been set up to paddle around the State looking at ways of providing power to people whom this Government has determined shall not have power. Queensland is the only place in the world where people are denied power because, by royal decree, we say, "You may not have it." Sometimes people in this State cannot receive power because it is too far away, or other reasons are involved. In this State we make the decision to say, "No. There is a group of people up there whom we do not like very much. Therefore, they cannot have power." Another inexpert committee has been set up to make recommendations about funny little waterwheels, fans and other things—none of which is proven technology in the world. The people whom we are dealing with have been living with alternative power supplies for years. They do not want it any more. They have had it up to here. They have tried everything that is available commercially and yet this Minister sets up a committee. Goodness gracious me!

It makes one weep to think that this Minister and this Government, who have been entrusted with a precious legacy that has been left to these people by the previous Government and the QEC—one of the most highly respected organisations in electricity generation and transmission in this country—have frittered it away because they cannot make decisions. Every time, they fail to make a decision. They cannot even make a decision not to do something. Therefore, when it comes to vote on this disallowance motion, I will most certainly call for a division.

Dr WATSON (Moggill) (4.14 p.m.): It gives me pleasure to rise to support and second this disallowance motion with respect to Electricity Amendment Regulation No. 1 (1994), which was moved by the member for Tablelands. This regulation relates to the dividend of $95m that was proposed. The dividend was first mentioned during the Estimates debate last year. Out of interest, I referred again to the annual report of the Queensland Electricity Commission to remind me of the way that dividend came about. I think that it is now an opportune time to comment about some of the points that are contained in that report. A paragraph on page 40 of the annual report refers to the dividends that have been paid to the Government by the Queensland Electricity Commission over the past couple of years. That paragraph states—

> "A $30 million dividend was paid to the Government. A further $95 million was provided for a dividend payable during 1993/94."

That is what we are talking about now. Of course, this annual report is part of the preamble to the financial reports, and it is compiled by the management of the QEC. Presumably, the Minister is aware of what is going on in the QEC. However, I make the point that the dividend referred to in the paragraph means two different things. The $30m dividend is different in complexity from the $95m. As the Minister has explained on a number occasions, the $95m is made up of a dividend, a payment in lieu of the half a per cent charge to Treasury and also the community service obligation.

At this time, I think that it is appropriate to say that when I was studying English in primary school—maybe even in high school—I was taught that the same terms ought to mean the same thing in a single paragraph. Not only in an accounting sense but also in an English sense the word "dividend" means one thing in the first sentence and means something else in the second sentence. That is unfortunate, to say the least and, quite frankly, it is misleading.

The same page contains another misleading indication, which is the reference to reduced interest costs. Again, this matter is important and is related to the debate because, eventually, interest costs are deducted, and they help determine the net profit of the entity from which dividends are paid. With respect to reduced interest costs, again on page 40, it states—

> "The application of industry surplus to reduction of debt together with lower interest rates has reduced the impact of interest cost on customer accounts and industry profitability."

I think that most reasonable people, upon reading that the lower interest rates have reduced the impact of interest costs on customer accounts would believe that, somehow, the customer accounts may have been favourably affected by that reduction. It is quite clear—and I have demonstrated this in the past—that that is

simply not the case. Interest rates have been reduced, yes, but that has not been passed on in any way whatsoever to customers. I made the point before and I am going to continue to make it again——

Mr Barton: You're an economics professor, and you can't count.

Dr WATSON: The member for Waterford has kindly interjected. I have no problem with that. Of course, there is no question that, during the 1992-93 financial year, interest was reduced by $260m. However, not one cent of that money has been passed on to customers. A significant reduction in cost could occur if the Government did what that sentence in the annual report implies. However, the Government did not. Prices keep going up, revenue keeps going up and, as I have indicated on a number of occasions, revenue is increasing proportionally faster than operating costs.

The annual report also refers to industry profitability. It is also interesting to consider what goes into increased profitability. One aspect is a reduction in costs. Presumably, a reduction in costs takes place for technical or other reasons. The Government in its *Queensland—Leading State* document was quite comfortable in referring to the efficiency of the Queensland electricity industry. For example, on page 45 of *Queensland— Leading State* it displays a chart on total factor productivity in the electricity supply industry in Australia and the United States. That chart came from a 1990 BIE publication, and it indicates that between 1983-84 and 1990 there was a substantial increase in the productivity of the Queensland electricity industry.

Mr Barton: Good management by the unions.

Dr WATSON: The union's participation in strikes and supply disruption eventually led to the previous Government taking action. The member for Waterford was a member of the Trades and Labor Council at the time, so he understands what happened.

Mr Veivers: They lost.

Dr WATSON: They did lose, as the member said. The increased total factor productivity for labour was substantially brought about by changes in work practices. Taking the member's point that it was something to do with the Government and QEC management, I will show him what has happened since that time. A recent BIE publication showed the same kind of graph movement extended from 1990 to 1992. In other words, it has been updated for the past couple of years. Can honourable members guess what has happened? The Minister is smiling, because he knows what has happened. The total factor productivity increase has gone flat. There have been no further productivity increases in the Queensland electricity industry. The simple reason for this is that the Government has changed and the unions are now on top. There is no question about that. The Government is destroying the ability of the Queensland electricity industry to increase further its substantial improvement of the 1980s.

Mr T. B. Sullivan: Santo is away. Are you taking his place? A little bit of union bashing?

Dr WATSON: The member opposite referred to my economics background earlier on and tried to make disparaging remarks. Unlike him, I understand these things. When I look at graphs, I know how to interpret them. That is the difference between me and the honourable member.

Mr T. B. Sullivan: A little bit of the old union bashing.

Dr WATSON: The facts are, irrespective of what the member says, that the BIE is independent of this Government and the previous Government. It is independent of any of the Government's mates. It compared the total factor productivity of all Australian States and the United States. It came up with the figures. The Government must like them, because it proudly promoted them in the *Queensland—Leading State* package. It was quite willing to take full credit for the figures then.

However, a couple of years down the track, I guarantee that the Government will avoid those figures like the plague. It clearly demonstrates that the previous conservative Governments knew how to manage the industry and how to get the best deal for Queenslanders. The Government simply does not. That is why we are raising this issue. That is the why the member for Tablelands has moved for a disallowance. That is the reason that I am proud to support it.

Mr BEANLAND (Indooroopilly) (4.24 p.m.): I rise to support the motion being moved today. I had thought that this would be the last thing that we would see from the Minister, who is always telling us how he runs the State so frugally, in particular the electricity industry. Instead of that, what we see now is the great tax grab. We have all heard of the great train robbery by Ronald Biggs; this is the great tax grab. The Minister is ripping off another $95m on top of that which he has ripped off in recent times from electricity undertakings.

It is worth while noting how this increase came about. It was $15m in 1991-92; it was up to $30m in 1992-93; and jumped to $95m as of 1 January this year. So it has been a very significant increase. This action must remind

everyone in this Chamber of what John Cain and Joan Kirner did. They hopped into the electricity authorities in Victoria in exactly the same way. As members would well remember, there was quite a stink about that at the time. It went on for some years. They kept taxing the electricity authorities in that State in the same way in which the Government is doing here. The ultimate result there and the ultimate result here will be increased electricity prices for consumers.

It is interesting that, when the Government first did this in 1991, there was a 3 per cent increase in electricity tariffs. It took the additional funds—$15m. It increased the tax grab—the dividend tax, the credit enhancement fee, or whatever term it wants to use; we hear a different term for it each year. Over the past 12 months, I have noticed that it has been called the "dividend tax". In February 1992, there was another 2 per cent rise. Firstly, there was a 3 per cent rise and then there was a 2 per cent rise. All of this was being passed onto Queensland electricity consumers, simply because the electricity authority had to find additional funds. It had to service its indebtedness and pay for other activities, such as expansions, from its revenue funds. It was then put in the situation in which it had to turn around and find an additional $15m, $30m or, in this case, $95m. At the end of the day, the consumer has to pay.

The community is starting to talk about this, and it will talk about it a hell of a lot more when this $95m leads to increased electricity tariffs. The community is saying that corporatisation is all about a big tax grab by this Government. That is exactly what it is. It is nothing more and nothing less. It is giving this Government the opportunity to put its hand out and tax these semi-Government authorities. It will be able to turn around and say, "It is nothing to do with us; it is all about the new corporatised authority." Of course, it is really about this Government putting out its hand and reaping a windfall—about milking every cow it can find. The Premier is on the record as saying that the sacred cows and hollow logs of this State have all been milked—they certainly have been. Now it is starting on the semi-Government authorities. That is what we are seeing here—to the tune of $95m. That is a huge sum of money in anyone's language.

Earlier this evening, we made reference to the increase in domestic coal prices. That will further affect electricity undertakings. Domestic coal prices will be another squeeze on profitability. The Minister seems to have made no allowance at all for that. It will flow through to the consumer as an added cost. It will also hit industry. Not only will it hit every household in this State but also industry. And the Premier whinges and whines about how business is not coming to Queensland and about how directors come to Queensland, have their meetings, and go home again.

Business is starting to see that the Government is increasing these costs, which business has to incur. It can see that this Labor Government is going in the direction of other Labor Governments. It is competing against Governments from New South Wales, Victoria, South Australia and Western Australia, which are aggressively attracting business back to those States. Those States lost business under previous Labor Governments for the past decade or so. So the wheel is turning.

However, the point is that, as well as hitting the householders, the Minister is starting to price out industry. He is pricing industry out of this State. The great train robbery by Ronald Biggs is so apposite in relation to this tax grab.

An honourable member interjected.

Mr BEANLAND: Certainly, they want to keep themselves at arms-length and with their hands in their pockets. That is exactly what is going on. This Government abused the previous National Party Government over freezing tariffs. The Government said that, because it froze tariffs, business did not have the ability to repay debt. The Government was looking around for excuses to put up tariffs. It did anything to avoid blaming its own tax dividend. What will the Minister blame this time for increasing electricity tariffs? He will not be able to blame the previous Government, as the Government did in 1991. He will have to blame somebody else. The blame will squarely come home to members opposite. Not only will this hit every household and every consumer but also every industry and business in this State.

The issue this afternoon is more than simply the issue of increased electricity tariffs. The issue is the flow-on effect across the State. It will mean increased costs to industry and small businesses. The Government recently increased the trading hours for retailers. Small businesses will be hit with increased electricity prices. This will flow across-the-board, whether it be the small-shopkeeper, the small-business person who is operating in the service industries, or the bigger producers such as Mount Isa Mines. They will all be hit with increased electricity costs.

It is little wonder that secondary industry is shying away from this State. Some of the big users of electricity in secondary industry are shying away because they can see exactly how the Minister and his Government will treat them in the longer term. They can see exactly where business is headed in this State under this

Government. Electricity is a major cost to any small or large business operation, as it is to any householder. At the end of the day, this will mean increased electricity prices. Of course, there can be reduced investment in generation and transmission infrastructure in the electricity industry, but we know that that can be cut back only for so long. On the other hand, this could lead to increased indebtedness. Whatever road is taken in the short term, in the long term it is the consumer, the industry and the businesses in this State that will be forced to foot the bill for the tax grab by this Government.

It is all very well for Government members to talk about the Governments of the past 32 years. However, the fact remains that previous Governments went out of their way to attract growth in industry which meant growth in jobs—a concept that I know is foreign to this Government. One would have thought that the Government would be trying to encourage the establishment of more businesses in order to create more long-term jobs. Increased electricity prices will have the opposite effect.

It is very unfortunate that members of this Chamber are confronted with what I believe is the most objectionable regulation that has been brought forward by the Labor Party. The Opposition has no alternative but to vote against this regulation.

Hon. T. McGRADY (Mount Isa— Minister for Minerals and Energy) (4.33 p.m.), in reply: Sometimes in this Parliament, Opposition members demonstrate a little bit of passion, and sometimes one could be forgiven for believing that they really mean what they are saying. Today, it was quite apparent to me that their hearts were not in the debate. Members opposite did not believe one word that they were saying. They are simply prophets of doom. Sadly for the Opposition, the prices of electricity are not going up, up, up; in real terms, they are going down, down, down.

I suppose anybody can stand up in any place around this State and say that, in the foreseeable future, dividends will rise to a certain level. Just after the last Budget, a National Party barbecue was held in the electorate of the member for Beaudesert. The whole three of the party faithful had their photograph in the local paper. There we had the member for Beaudesert telling the party faithful that, this year, the Goss Government had extracted $200m as a dividend from the QEC. That was a blatant and utter untruth, yet Opposition members were parading up and down in the backblocks of Queensland spreading those untruths.

I make no apologies at all for this Government's decision not to increase the tariff rates for large businesses in this State. As I said previously in this Parliament, we want to put out the welcome mat and to tell large businesses to come to this State. We want to encourage large businesses to make the decision to leave the southern States and move here. We will continue to do that.

It was interesting to note that members opposite referred to the revenue received from the sale of the Gladstone Power Station. I think it was the member for Moggill who suggested that that money was just going to be frittered away or it was going to be used to build another power station. That is an interesting comment. Not too many months ago, the Leader of the Liberal Party was suggesting that that money should be used to abolish payroll tax for small businesses. I wish that the members of the Liberal Party and the National Party would get their act together and tell us exactly what they would like us to do with the money that was received from the sale of the Gladstone Power Station.

The member for Tablelands mentioned consultation. As the Minister for Minerals and Energy, I make no apologies to anybody for this Government consulting with the people of Queensland. I believe that the alternative energy task force will play a very important role in assisting—and I emphasise the word "assisting"—the QEC and the Government to decide what our next source of power will be. The member for Tablelands mentioned that the establishment of various committees makes people weep. It certainly made me weep to see the people of Boulia in my electorate wait for 32 years for some form of power but never, ever receive same from the previous Government. At least the alternative energy task force, which is now working hard, will provide power to those people.

The Queensland electricity supply industry is one of the Government-owned enterprises that will be corporatised in line with Goss Labor Government policy. This means that, following corporatisation on 1 January next year, the QEC will pay tax equivalents and dividends to the Queensland Government. The Government makes no apology for that. In the lead-up to corporatisation and the increased operating efficiencies that that policy will produce, the Government has been receiving dividends from the QEC using the electricity amendment regulation. The Queensland electricity supply industry has performed very well and has been reducing its debt by its good commercial performance. Indeed, the debt level has been cut so effectively that some of the QEC's earnings have already been applied to the payment of dividends while maintaining a half CPI cap on price rises.

In the past two years, dividends have been $15m and $30m respectively. That has been transferred to consolidated funds for the benefit of the Queensland community—to help provide the schools, the hospitals, the transport system and all the other amenities that this rapidly growing State requires. This year, $95m was earmarked for consolidated funds—money again destined for the benefit of the Queensland community to be obtained through the Electricity Amendment Regulation (No. 1) of 1994.

The principle underlying the payment of those amounts is the same as that which applies in business generally; that is, the payment to the owner of an enterprise of a return on his or her investment in the business. Thus, the people of Queensland, as owners of the public electricity supply industry, receive a benefit from the good commercial performance of that business. Similar, less efficient utilities in the southern States of New South Wales and Victoria make considerable contributions to the State Treasuries in tax equivalents and dividend payments to the tune of hundreds of millions of dollars.

As I stated earlier, the proposed dividend payment in respect of 1993-94, on the same basis as the figures I cited earlier, is $54m. Although an allowance of $95m is shown in the QEC's 1992-93 annual report, this is offset by the cessation of the QEC's direct liability for funding pensioner rebate payments of approximately $25m, as well as approximately $16m in loan guarantee funds. We have had that debate many, many times before. If my memory serves me correctly, I understand that the Auditor-General has made an offer to the member for Tablelands to explain those sums, and I assume that the offer was accepted. The report from the Auditor-General has been tabled in this Parliament.

The ways in which the money that is being earned by the Queensland electricity supply industry could be used to benefit the people of Queensland were studied very closely before the Government decided to use the electricity amendment regulation. One option involved electricity tariff price cuts, but that would result in a non-commercial return on industry assets, which would benefit larger consumers rather than small consumers. The subordinate legislation means that we can apply the moneys across the entire community and direct them to those people and those areas where they will be most beneficial. I urge members to reject this disallowance motion.

Question—That the motion be agreed to—put; and the House divided—

AYES, 29—Beanland, Connor, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Hobbs, Lester, Lingard, Littleproud, McCauley, Mitchell, Perrett, Quinn, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Turner, Veivers, Watson *Tellers:* Springborg, Laming

NOES, 43—Ardill, Barton, Beattie, Braddy, Bredhauer, Briskey, Budd, Burns, Casey, Clark, Comben, D'Arcy, Davies, De Lacy, Dollin, Elder, Fenlon, Foley, Goss W. K., Hamill, Hayward, Hollis, Mackenroth, McGrady, Nuttall, Palaszczuk, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Warner, Wells *Tellers:* Pitt, Nunn

Resolved in the **negative**.

FISHING INDUSTRY (CLOSED WATERS—FISH OR MARINE PRODUCTS) AMENDMENT REGULATION (No. 1) 1993 (SUBORDINATE LEGISLATION 1993, No. 479)

Disallowance of Regulation

Mr PERRETT (Barambah) (4.48 p.m.): I move—

> "That Fishing Industry (Closed Waters—Fish or Marine Products) Amendment Regulation (No. 1) 1993, identified as Subordinate Legislation 1993 No. 479, as tabled in Parliament on 15 February 1994 by disallowed."

In December, the Goss Labor Government used its numbers to force the so-called Mabo legislation through this Parliament. It put the Parliament's mark of approval on a law designed to entrench inequality in this State and nation. Members on this side of the House had grave misgivings about that. Labor used its numbers to corrupt the statute book with the notion that there should be one set of rules for the vast majority of Australians and a different set of rules for Aboriginal or Torres Strait Islander Australians.

As I told the House in that debate, there should be no white Australians or black Australians or any other coloured Australians. Before the law, we should all be regarded simply as Australians. That is why I was so disappointed and angry when I looked closely at the statutory instruments tabled in this House on 15 February.

The proposed changes to the fishing regulations of this State go down the same philosophical road as the divisive and destructive Mabo legislation. The specific regulation challenged here—the Fishing Industry (Closed Waters—Fish or Marine Products) Amendment Regulation No. 1 of 1993—gives people of Aboriginal or Islander descent the unfettered right to fish where and when they choose. The

regulation specifically excludes these people from the application of the closed waters and closed times which apply to every other angler or person who takes marine products.

Most of us, for instance, cannot take fish or marine products from the area inclusive of Waddy Point and Indian Head at Fraser Island during September. That is a sensible regulation which has been on the books since October 1989, and as someone who fishes regularly in the Fraser Island and Hervey Bay areas, I agree with it. People who know that area realise that tailor virtually commit suicide there in September when any sort of angler can land as many as 200 fish each day. The closure is a sensible measure to ensure that there are fish left for other times of the year, but it should apply to everyone, including those of Aboriginal or Islander descent. A fish does not choose who takes it. If it is taken, it is taken, and that is the end of it. If there is a reason to protect fish and marine products, then they should be protected.

In other regulations tabled by the Minister at the same time, there is a direct reference to native title which might be declared under the terms of flawed legislation not yet even proclaimed. I note also that the same provision is included in subordinate legislation laid on the table of the House since then—even this week—so it is obviously something which will continue into the future.

I do not want to be jumping up and moving disallowance motions every day, so I will just say this: one of the first things I will move for in the House as Primary Industries Minister will be to get rid of odious provisions like this wherever they occur in legislation. This Goss Labor Government tries to use regulations to achieve even more than Mabo, and this time it tried to do that without any public debate at all. Without this motion before the House, those regulations would have slipped through unnoticed by the people of Queensland. I am determined that this discriminatory and racially biased regulation will not become part of our law without challenge. I am determined that it will not slip through without Labor members having to put their names to it publicly and to have those names recorded in *Hansard* for their constituents to see.

Mr Casey: Are you aware that the existing fishing legislation that was brought in by your Government does make special provision for Aboriginals and Torres Strait Islanders?

Mr PERRETT: Mr Minister——

Mr Casey: Obviously, you are not, so go on, make a bigger fool of yourself.

Mr PERRETT: The way I voted on the Native Title Bill is recorded in *Hansard*, and this is just an extension of that Bill. I am sure that the many anglers around Queensland are going to be totally dismayed when they find out what this Government is doing, that is, making one rule for one group of people and another for the rest of us.

This regulation gives one racially determined group a right which other Australians are denied, that is, to fish areas that others cannot, or to fish certain areas at times when other Australians cannot do the same thing. That sort of law is un-Australian, discriminatory and unnecessary. Labor's politically correct ideologues will try to convince us that Aboriginal or Islander people need to fish in closed areas to survive. That is arrant nonsense. Aboriginal and Islander people have the same access to welfare payments and services as do all other Australians. That is as it should be. In some circumstances, they have even better access; but that is an argument for another time. I am content here to make the point that there is no survival imperative for special fishing privileges denied to other Australians. Labor's social engineers make much of the virtue of granting special privileges to people of Aboriginal or Islander descent because of some sort of cultural affinity with particular areas or types of areas.

There is nothing mystical about culture; it is simply the collection of knowledge, beliefs, values and rules existing within society. There is no cultural imperative for special fishing rights that does not apply with equal force to other Australians. It is undeniable that Australians with their ethnic roots in some South East Asian areas have a strong cultural background in the sea and in fishing. The same applies to many Australians of Mediterranean background. It applies to each of us here in this Parliament.

For instance, I include fishing as one of the pursuits integral to the way that I live my life, and I have always done so. I know that the same applies to the member for Noosa, and even the Deputy Premier. Fishing is one of the rituals in our lives. In my case, it is fishing in the Hervey Bay area, including Fraser Island. I have done so since my early youth, and my family has maintained a fishing shack in the area for as long as I can remember. I have as much cultural affinity with fishing the area as does anyone else—whatever their colour. The same applies to the Deputy Premier with respect to Moreton Bay. More importantly, it applies to something like one in four Queensland families.

With respect to this crazy exclusion of one group from laws restricting access to fishing, I have specific comments to make about Fraser Island. For generations, locals and tourists—many from overseas—have had

relatively unrestricted access to the publicly owned natural attractions of Fraser Island. The people now being given special access have not shown any notably greater interest in the island than have other visitors. Indeed, my own observations and those of the locals would indicate very little interest until recently. That makes it doubly obvious that this regulation is nothing but blatant racial discrimination by a Government that has lost its way in social engineering. It is already being seen that way by the locals. Those locals, and especially some of the island residents, have made it clear that they do not accept the Government's propositions. I believe that they will openly, deliberately, continually and very publicly flout the Goss Labor Government's new laws.

When news of this regulation sneaks out, I am sure the locals and Fraser Island regulars will be joined by anglers from all over the State. They will flout the Government's silly law until sanity is restored. Labor will not have enough police or fisheries inspectors to force acceptance of racially biased fishing closures. Those people have always accepted the need for closures or other restrictions. They have never made a fuss about them since they were introduced by the conservatives. In common with me, they accept restraints imposed in the interests of preserving the resource for the enjoyment and sustenance of future generations.

If I am to accept restrictions, then I want everyone to have to do so. I will not concede the legitimacy of laws which discriminate for or against any group or groups, no matter how the discrimination is disguised or justified. Such discrimination is against all of my principles. I must say that it is against long-held Labor principles—the Labor Party of old.

There was a time when the Labor Party stood for a fair go for all Australians. But that was before the yuppies and the feel-goods were able to hijack the party. Egalitarianism has given way to the warm inner glow, and Labor members in this Chamber should be ashamed of themselves for going along with it. Is this the thin end of the wedge on all sorts of other special privileges? Will the next one be justified on the grounds that Parliament has already granted this one?

This regulation takes on another more sinister aspect for most anglers when they think of the draconian new regulations awaiting the pursuit of their fishing interests. The recreational fishing community is alive with rumours about the sorts of taxes that this Labor Government is getting ready to saddle them with. They wonder if these new taxes on fishing gear, boats and trailers, or dishonest and unworkable licensing systems, will be applied equally to all Queenslanders. Will the iniquitous philosophy behind the regulation being debated here today apply to the new imposts? Will one group of Queenslanders escape the new laws on the basis of the colour of their skin?

While Labor preaches to the rest of the world about racial equality, the reality of its action is very different. Regulations such as this can only lead to divisions in our society. At the end of the day, they will harm the cause of the very people the Labor Party pretends to want to assist. This sort of thing might sound like fun at a wine and cheese night for the local Labor branch, but in the real world it will be seen for exactly what it is—more dangerous meddling by the confused trendies who have hijacked the Labor Party.

Mr DAVIDSON (Noosa) (4.59 p.m.): I rise to second the motion moved by the member for Barambah. I believe that closed waters should be closed waters. I understand the need for Aboriginal and Torres Strait Islanders to be able to fish and hunt in traditional grounds, but the Waddy Point area of Fraser Island is closed for the spawning season of tailor. I think it needs to be clarified whether tradition in reference to Aboriginal and Torres Strait Islanders is traditional hunting grounds or traditional methods of capturing fish and wildlife.

As I said, the Waddy Point area of Fraser Island is closed for the tailor spawning season. I believe that it is essential that this area should be closed to all people. When we have closed waters to protect the spawning of a species of fish or marine life, it should be understood that, if Aboriginal and Torres Strait Islanders were to net that fishery, it would create major problems with other professional and amateur fishermen.

The Minister should consider that there are many Aboriginals today who use nets for the capturing of fish. As the Minister would be well aware, Waddy Point has been a very successful closure for some years. Amateurs and professionals alike have been delighted that that area has been closed off. Most people respect that closure. That area is in the Schedule. If an Aboriginal group were to move onto Fraser Island and fish that closed area——

Mr Casey: If you have a submission you want to make to me about Fraser Island, well, do so. I will quite happily have a look at it for you, but today's debate is all about shellfish in Moreton Bay.

Mr DAVIDSON: I understand that. However, the Schedule, which the member from Barambah has obtained from the library, does include Fraser Island—the Waddy Point area—as a closed water. It was bought to my notice today

and I am quite concerned about it. As I said, that has been a very successful closure for all fishing people and it should be considered that if Aboriginals were to fish that closed area on Fraser island, it would create major problems with amateur and professional fisherman. That closed water area also houses a large population of pipi, which is a shellfish. Once again, although there is a bag limit of 50 pipis per day per person, Aboriginal or Torres Strait Islanders would be able to take many more than that number. If they ventured into a commercial operation they would be able to harvest that area of beach even though it is a closed water. That would cause great concern to amateur fishermen. I believe that consideration should be given to whether the term "tradition" in fact refers to a traditional method or a traditional ground. If it refers to a traditional method, I do not think many people would object to the methods that Aboriginals and Torres Strait Islanders would use. However, if it means traditional grounds and they are able to use boats and nets—whether they be cast nets or long nets—that would be a major concern to both amateur and professional fishermen. Some consideration should be given to the term "tradition" when we are referring to fishing by Aboriginal and Torres Strait Islanders, because a great deal of technology is now available for them to purchase and use—boats, nets and so on. To apply that definition of "tradition" to the Waddy Point area of Fraser Island would cause all sorts of problems for the many visitors and the professional fishermen who live and work there.

Mr HOBBS (Warrego) (5.02 p.m.): It is my pleasure today to speak to this disallowance motion. I believe that it is one of the most disgraceful and discriminatory regulations that has come before this House for quite a long time. The second section of the amendment states that the waters described in the second column of the Schedule are not closed to an Aborigine or Torres Strait Islander taking or keeping fish or marine products under Aboriginal tradition or Islander customs.

The Opposition asks why the Minister is supporting one race of people against another? The Mabo legislation that was passed in this House late last year is not consistent with the Commonwealth legislation. It really is not necessary for the Queensland Government to issue this regulation now. There is no requirement at all. I ask the Minister: what is the reason for the introduction of this regulation? Is it to protect the breeding grounds of fish and marine animals? Is it to protect species from seasonal activity that makes them vulnerable to harvest? If that is the case, why bother? All the Government is doing is reducing the competition between exploiters of the fish and those marine animals and allowing a special group to reap a rich harvest. Does the Minister really think that the Aboriginals or Torres Strait Islanders will operate within the traditional custom criteria, that is, dug-out canoes, spears or bone-type hooks and lines? Those are traditional customs.

What will the Minister do if Aborigines are caught fishing with modern-day fibreglass rods; high-speed reels; modern, lightweight, super-strength fishing nets; using power boats with outboard motors and driving four-wheel-drive vehicles? They are not traditional customs.

Mr Casey: How can you take shellfish out of where they are with a fishing net?

Mr HOBBS: They would be able to dive for them, or do whatever it is that they do. If that is traditional, then perhaps the Minister has an argument. We are not talking about that. If the Minister wants to word the regulation in a better way, then that is something else that we can debate.

The Aboriginal and Torres Strait Islanders will be able to fish in these waters using modern tools. It is as simple as that. If they cannot fish in these areas with modern tools, will an instruction be issued by the department requiring just that? Or, if an instruction is not issued by the department, how does the Minister intend to protect the species that he is trying to protect? I suspect that this was probably not the Minister's intention when this regulation was first put together. However, it is the way that it has turned out, the regulation exists and now he has to try to sort the mess out.

Mr Pitt: Do you want to freeze Aboriginal people in time and have them go back to their traditional ways in everything?

Mr HOBBS: No, we do not. We can allow them to use traditional methods.

Mr Pitt: When it suits you.

Mr HOBBS: No, we believe in equal rights for everybody. If the Minister wants to try to preserve a fishing area during the breeding season, during spawning or perhaps during seasonal flows when fish become vulnerable, then we have to protect them. In this day and age, does the Minister really believe that people who see an opportunity to go out and catch a large number of fish will not take it?

Mr Pitt: You are saying they are as exploitative as the crowd you represent.

Mr HOBBS: No. The Government is saying that it is prepared to allow one group of people to go in and reap a harvest when others cannot. That does not appear to me to be fair. It does not seem to be democratic. It is discriminating against the average Australian.

Mr Pitt: You are denying the nation's history.

Mr HOBBS: It has nothing to do with the nation's history. The nation's history has nothing to do with the present breeding grounds of fish or marine animals. It is today that we are talking about. We are protecting those species today, not 2 000 years ago. The Minister has a difficult problem. I sympathise with him. I hope that he is able to come to some arrangement whereby he will protect those areas that we dearly want to look after.

Hon. E. D. CASEY (Mackay—Minister for Primary Industries) (5.09 p.m.), in reply: I noted the contributions to the debate by Opposition members. However, most of them had absolutely nothing whatsoever to do with the regulation that they have moved be disallowed. However, it is one of those weeks when I have decided to be kind and courteous and certainly not my usual self in so far as responding to some of the verbal pollution of the Chamber that we have heard today on this subject. These regulations are really all about restrictions on the taking of shellfish on the foreshores of Moreton Bay. They are all about events that have been occurring between the Redlands area and Scarborough.

Very simply, people from outside that area have been coming down to the foreshores and taking shellfish in large numbers. A couple of years ago, partial restrictions were imposed, but following representations by members for those areas— people such as Mr Elder, Mr Burns, Mr Briskey, and Mr Vaughan from Nudgee, whose electorates encompass that area——

Mr Budd: And Redlands.

Mr CASEY: Very true. I forgot that we had a split-up down there.The situation is such that it has become necessary for us to enforce a total closure just to see what the response by the shellfish fishery will be.

The Aboriginals were not the problem. In fact, as I just said to Mr Vaughan a moment ago, it has been a long time since the Moreton Bay tribes assaulted the beaches of Nudgee. Other ethnic groups have descended upon the foreshores of Moreton Bay in large numbers and taken these shellfish. Consequently, it has become necessary to put in place the total ban so that we can monitor the regrowth.

As to the suggestion that these regulations related to Fraser Island—certainly, parts of the original regulations did refer to fishing closures that are from time to time put in place on Fraser Island. However, the amendments to the regulations before us today do not have anything whatsoever to do with Fraser Island. As I indicated to the honourable member for Noosa by way of interjection, if he perceives that a fishery in his electorate is under pressure—and I think Mr Davidson would be aware of the closures that we do have in place from time to time on Fraser Island, which have been accepted by recreational fishermen, as has this provision that we are putting in place for the foreshores of Moreton Bay—and he makes a submission to me, I will certainly look into it.

Fish do not vote. There are no politics in fish at all. However, there is great pressure on the fishing industry. Any member of this House is quite welcome at any time to come forward with a proposal to relieve that pressure. For that reason, I was rather surprised to see the honourable member for Warrego enter this debate. It is a long way from Warrego to the foreshores of Moreton Bay. However, I know that he is very good at chasing yellow-belly out there, as is the honourable member for Gregory.

Mr Johnson: There aren't many out there now.

Mr CASEY: Yes, the honourable member is correct. There are not many out there now. There has been pressure on that fishery, and if the honourable member can think of a way that we can help to make sure that the natural breeding program of those fish can be adhered to by the implementation of regulations such as these, I am quite happy to accept a submission from him, to have it investigated and to consult the various sections of the fishing industry to see whether it could be put in place. That is what these types of regulations are all about. That is why we put them in place.

I turn now to one issue that was raised, which seemed to be the nub of the contributions by some members, and that is the issue of the native title legislation that has been passed in this State. Sure, the Opposition in this Parliament voted strongly against it. Only the other day, I spoke to the President of the National Farmers Federation in western Queensland on this very subject. The National Farmers Federation in Australia strongly supported the native title legislation that we have put in place because it protects the existing rights of people in rural Australia to hold and maintain their land. Nobody in this House could deny that, traditionally, the Aboriginal people inhabited this country before we did. Nobody could deny that the traditional foods that Aboriginal people ate are the ones that we still believe they are entitled to take, should they wish or should they require them.

In recent weeks, I have met with commissioners of ATSIC in Queensland. They do not want to put pressure on fisheries, either. Although we talked generally about fish and fish

products, we talked specifically about turtles and dugongs. Every member of this House knows—and if they do not, they should know—that the dugong is in danger of becoming extinct. There is also grave concern that there are not as many turtles as there used to be offshore. Those ATSIC commissioners also indicated clearly to me that Aboriginal people want to fall in line with the things that we are doing in trying to alleviate the pressure on our fisheries. However, they have ceremonies that existed long before any of our ancestors came to this land, such as tombstone ceremonies, to which they take traditional food. They seek that food, and they will be able to seek that food on a permit basis. Their own communities will have the necessary mechanisms in place to police the take of those animals. It is a very small take indeed, but through that mechanism they can continue to hold those ceremonies.

This clause in the regulation ensures that those people have that right in regard to the shellfish in Moreton Bay, if they so desire. Again, I would relay the same comment that I relayed to Mr Vaughan earlier during the course of this debate, and that is that it has been a long time since we have seen major groups of Aborigines roaming up and down the beaches of Moreton Bay. They do not go there on a regular basis. They have not created the problems that other ethnic groups have created on the foreshore. We want to ensure, through this regulation, that just as the Native Title Act and other legislative measures protect the rights of all people to own land in Queensland, the traditional rights of those people who lived in this country before our ancestors arrived are also protected.

Question—That the motion be agreed to—put; and the House divided—

AYES, **27**—Beanland, Borbidge, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Johnson, Lester, Lingard, Littleproud, Mitchell, Perrett, Quinn, Sheldon, Simpson, Slack, Stoneman, Turner, Veivers, Watson *Tellers:* Springborg, Laming

NOES, **40**—Ardill, Barton, Beattie, Braddy, Briskey, Budd, Burns, Casey, Clark, Comben, D'Arcy, Davies, Dollin, Elder, Fenlon, Foley, Goss W. K., Hamill, Hayward, Hollis, Mackenroth, McGrady, Nuttall, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Warner, Wells *Tellers:* Pitt, Nunn

Resolved in the **negative**.

REGULATORY REFORM AMENDMENT REGULATION (No. 1) 1994 (SUBORDINATE LEGISLATION 1994 No. 17)

REGULATORY REFORM AMENDMENT REGULATION (No. 2) 1993 (SUBORDINATE LEGISLATION 1993 No. 516)

Disallowance of Regulations

Mr CONNOR (Nerang) (5.25 p.m.): I seek leave to move that Notices of Motion No. 5 and No. 6 be taken together.

Leave granted.

Mr CONNOR (Nerang) (5.26 p.m.): I move—

> "That the Regulatory Reform Amendment Regulation (No. 1) 1994 (Subordinate Legislation 1994 No. 17) tabled in the Parliament on 16 February 1994 be disallowed; and
>
> That the Regulatory Reform Amendment Regulation (No. 2) 1993 (Subordinate Legislation 1993 No. 516) tabled in the Parliament on 16 February 1994 be disallowed."

Firstly, I would like to seek some advice and a ruling from Mr Speaker. The Statute Law (Miscellaneous Provisions) Bill 1994 was recently brought into the House, page 95 of which refers to the Statutory Instruments Act and changes to subordinate legislation. This impinges upon the debate that I intended to have. Both the Bill and this motion deal with subordinate legislation.

Mr SPEAKER: Order! The Clerk has advised me that it is a Bill, not an Act of Parliament. At the moment, it is not something that I would consider at all.

Mr CONNOR: So I can speak about this?

Mr SPEAKER: Absolutely. The fact that that Bill is before the House does not in any way limit your ability to speak to your motion in this House.

Mr CONNOR: Thank you, Mr Speaker. I rise to speak on this disallowance motion basically to set out our position on what is obviously a very dull, but very important, issue—that is, the Regulatory Reform Act amendment regulations. As many members would know, the Regulatory Reform Act was brought in in 1986 to require all regulations of subordinate legislation of this House to expire after seven years. Effectively, it meant that any regulation that was inappropriate or overdone would be able to be reviewed. If it were seen as necessary, a regulation could be given another seven years of life.

The trouble is that the legislation had one big flaw—and it is on page 5 of the Act—that being that the Governor in Council may, by regulation, defer the expiry of subordinate legislation under section 5 for a specified period.

In other words, purely by the stroke of a pen, by a regulation, the regulations could be exempted from the requirements of the legislation.

I would like to bring the attention of the House to some of the regulations that this disallowance involves. The pile of documents I am holding is about a foot thick. About 50 different pieces of regulation have been exempted by the stroke of a pen here today. I will not go into them in detail, but I will mention some of them. They include the Criminal Investigation (Extra-territorial Offences) Regulation 1986, the Motor Vehicles Securities Regulations 1986, the Perennial Statistics Regulation 1986, the Prince Charles Hospital Foundation Research Rule, the Princess Alexandra Hospital Research and Development Foundation Research Rule and the Queensland Museum By-laws 1986. They go on and on.

Mr Elder: Tell me what the Queensland Museum by-laws have to do with business. Have you had a look at them?

Mr CONNOR: I will give an example of one that has a lot to do with business. What does the member think about the business names regulations, which have just been exempted?

Mr Elder: I am saying that it has no impact.

Mr CONNOR: They have not been reviewed; that is the whole point. I remind members of the House that the Minister was in here recently seeking another 12-month extension of the legislation. As I said, it has one big flaw, that being that by the stroke of a pen, any regulations can be exempted—and we see 50 or so in this case—from the requirements of the Act.

The House may also remember that the Savage report, commissioned to investigate the burden of regulation on business, came down with quite specific recommendations in this regard. But the bureaucracy had its say in the end, and the legislation was drafted to give it this back door. Moreover—last year, this Government simply multiplied the problem by giving the bureaucracy an extra year to get its house in order and another further way to exempt regulations from the requirements of this legislation.

So now we have another list of regulations that are being exempted from any scrutiny. That is why this disallowance is being moved. It gives members of this House the opportunity to bring up particular regulations that they consider should be reviewed or, alternatively, to debate the issue of whether there should be such a blanket ability to exempt regulations from the scrutiny of regulatory reform.

An associated issue that is very much at the heart of regulatory reform is that of forms associated with regulations. As many members know, public-use forms have been included traditionally as a schedule to regulations associated with most Acts. In other words, if forms are to be used to gather necessary information for compliance with regulations, such forms were included in those regulations and, by inclusion in regulations, were subject to tabling in this House and to disallowance.

So what we have here is a type of subordinate legislation that is also being exempted. For instance, the Lands Department, purely by regulation, exempted the requirement for the forms to be included in regulations. So we ended up with a situation whereby the chief executive officer of the department can, at the stroke of a pen, issue forms. He would have the full strength of the law in not requiring them to be part of subordinate legislation. As parts of regulations, if there are any changes, the forms would be required to be tabled in the House. However, with the change in the case of the Lands Department, that was no longer required. Under the provisions of a Bill that is before the House, an attempt is being made to deal with this issue. By the requirement of forms being in regulations, because of the requirements of subordinate legislation a register was automatically created. In the present situation, since December 1991, all forms associated with the Lands Department have not been required to be gazetted and were not registered anywhere. There was no way that anyone was able to tell what form was legal and what form was not, because there was no requirement under subordinate legislation. The whole thing was a mess.

However, I acknowledge the fact that, in the Statute Law (Miscellaneous Provisions) Bill 1994, this subject is being dealt with. I will contribute to the second-reading debate on that Bill and detail my concerns in relation to forms. On that basis and because that is the main point that I was making, I do not see any need to extend my contribution to this debate any further.

Mr BEANLAND (Indooroopilly) (5.34 p.m.): I rise to second this joint disallowance motion. If these regulations are of so little consequence, why are they being amended in this form? Why is the Minister exempting them in this form? Why is he not taking some other action in relation to them? Clearly, a number of these regulations pertain to industry, to business and to a range of other areas, including health activities and the Justice portfolio. The Supreme Court Library Rules even get a mention. It is quite obvious that the Minister

does not have his act in gear. If he did, he would not be exempting these regulations. It is worth while noting that——

Mr Elder: It's no good coming in after the horse has bolted.

Mr BEANLAND: It is all right; the Minister was not here in 1986. Just after arriving on the scene he is preening himself for the Premiership. The Premier is not very impressed with the Minister. In February this year, the Minister copped a roasting from the Premier in no uncertain terms. Mr Deputy Speaker, you would be aware of that event. You read the newspaper articles and the journals relating to regulations. In February, the Premier made certain comments in the press about the fact that there is too much regulation in Queensland. He was complaining about the fact that businesses are not coming to the State of Queensland. In the process, the Premier gave this junior Minister a little clip under the ear. The *Australian Financial Review*— which is a very worthwhile journal—contained a large article in which the Premier made certain comments. He stated—

> "We do all that we can for business. We try to attract it to the State."

The Premier went on to state—

> " 'That's what disappoints me about some of these big companies, and I'm going to have to increasingly say it to them bluntly.
>
> 'What is holding them back?
>
> 'They all come up here for their annual board visits and say "Well done, well done", and then fly back the next day.
>
> 'That's bad enough, but when the business investment doesn't match their rhetoric . . ."

Then the Premier went on to attack the business sector. Of course, one of the reasons that large companies do not operate from Queensland is the amount of regulation and red tape that this Government imposes on them.

On 6 November 1993, an article headed "Goss blasts government red tape" appeared in the *Courier-Mail*. I will not take up the time of the House to go through that article in infinite detail, but it is yet another example of the recent comments on this topic by the Premier. Another article was headed "Goss unsheathes the red tape knife". So much for that! We have another load of it before us now. On 19 February, yet another similar article appeared headed "Firms resist Queensland investment: Goss". Again, in that article the Premier was complaining about his frustration that firms were not moving to this State because of the red tape that is imposed by this Government.

Clearly, today we are confronted with another example of the excessive red tape that exists in this State. The honourable member for Nerang highlighted that fact. Time and time again, the Minister would have us believe that there is no red tape in Queensland under this Government, that all the bodies of regulatory reform that are in place are wiping out the red tape in this State. The truth is that there has never been more red tape. Never have businesses faced more delays and problems. That is the reason why businesses are not being attracted to Queensland, bringing with them the investment that is needed so desperately. Because of the excessive red tape and regulations, the long-term jobs that the State needs desperately are not being created. Short-term, casual employment is cropping up, but long-term employment is not being generated. The Minister is chasing away business——

Mr Elder interjected.

Mr BEANLAND: The Minister is always chatting on, but his is only empty chatter.

Mr Connor: Would you say he is a show pony?

Mr BEANLAND: It is up to the Minister to "show" us; so far, we have seen only the "pony" part.

Queensland offers so many opportunities to businesses. It is sad that this Government is not grabbing those opportunities with both hands and making the most of them.

Mr J. H. SULLIVAN (Caboolture) (5.38 p.m.): I will not take long to point out a few issues that I believe need to be highlighted. This is a debate about regulations made under the Regulatory Reform Act. The member who moved this disallowance motion has done so in a way that I suggest displays his ignorance of matters relating to regulations and the way in which they interact with legislation in this place. I recall the member for Nerang speaking to Act No. 53 of 1993, which was an amendment to this Act that placed on this Government some onerous provisions in regard to what was happening in the systematic review of regulations. I recall that basically everything in the member's speech——

Mr Connor interjected.

Mr J. H. SULLIVAN: We will come to those. Basically everything in the member's speech on that occasion was quoted chapter and verse from the EARC report. If we were to adopt the process that the member for Nerang suggests that this Parliament should adopt, all of us would be superfluous. The member for Nerang has been superfluous for four years. I believe that the rest of us are doing a good job.

The regulations under this Act are not a problem. Let me explain why that is so. What is happening——

Mr Connor interjected.

Mr J. H. SULLIVAN: The member has had his turn. He could not use all of the time allotted to him. He should not use my time.

Let us examine what is occurring with the two regulations on which the member for Nerang moved disallowance motions. In total, we are exempting in these two regulations only 12 regulations from the sunset clauses of the Bill. In total, we are extending time on 31 regulations. Let us consider the alternatives to those extensions of time. The first alternative to extending the time is to allow, under the provisions of the Act passed in 1986——

Mr Connor interjected.

Mr J. H. SULLIVAN: Let us talk about the alternatives. I beg the member for Nerang to display some intelligence and keep his mouth shut for a second. One alternative is to allow the regulation to expire. Let us allow the regulation to expire and see what option the Government has. The Government has the option of reviving the regulation by passing a regulation to revive the regulation and give it another seven years' life. It is very simple, we can pass a regulation in this place to extend the life of it for a finite time to allow the regulation to be reviewed and a new regulation that meets modern standards brought into this place or we can pass a regulation in this place to revive that regulation.

Once upon a time, under the National Party's legislation, the revival of that regulation could be done by proclamation. In the amendments that the honourable member for Nerang argued this Minister should not introduce last year, we have made it more onerous for ourselves. That revival would have to be done by regulation, but no more difficult a regulation than the one we are talking about today. In fact, what we are doing by extending those regulations for that period is saying, "Sorry, folks, the seven-year period is up. We have not been able to complete the review. It is happening, these regulations have an impact on business and we"——

Mr Connor interjected.

Mr J. H. SULLIVAN: The honourable member can wave around all the props he likes, it does not give any credibility to the dribble that he delivered both in the debate on the Bill as it was at that time and the debate here today.

Mr Pitt: Where's his kettle?

Mr J. H. SULLIVAN: Exactly, where is the honourable member's kettle? He is the member for props. He comes in here and he waves something around and he thinks he has made a point; he has not. In this case, the point that he is trying to make and the point that he tried to make on the debate on the Bill is wrong, wrong and wrong. The alternative is worse.

Mr Connor: Actually doing the job.

Mr J. H. SULLIVAN: The member for Nerang waves around a great wad of legislative material. Has he any idea how many pieces of subordinate legislation there are pursuant to the Acts of this State? He has not got a clue.

Mr Connor: That was the whole point.

Mr J. H. SULLIVAN: It is not the member's whole point at all.

Mr Connor: That was the whole point of the original legislation.

Mr J. H. SULLIVAN: I have a terrific idea for the member. He wants to get rid of them; let us get rid of them. Let us get rid of the commodity marketing board elections regulation of 1987. Wipe it out; we do not need it any more—the member says so. Let us get rid of the development control by-law of 1987. Wipe it out; we do not need it any more—the member says so.

Mr CONNOR: I rise to a point of order. What the member is saying is untrue. I find it offensive and I ask him to withdraw it.

Mr DEPUTY SPEAKER (Mr Palaszczuk): Order! Under the provisions of Standing Order 126, when the Deputy Speaker rises, the member sits and I would expect the member to respect that. Now I am going to make a ruling. The ruling is that there is absolutely no point of order. I would suggest also to the member for Caboolture who is on his feet now, and who should not be on his feet, that he temper his language as well.

Mr J. H. SULLIVAN: I shall be very careful, Mr Deputy Speaker. The point that I am making I think is right. By way of interjection the member said, "Let's get rid of a few", and I have just been reading out a few that he wants to get rid of by disallowing this regulation. That is the effect. If we disallow this regulation, those regulations and the others that I have read out will expire and the Ministers conducting those portfolios will have no option but to bring a regulation into this House reviving those regulations and giving them life of another seven years.

The member does not understand. The member should be aware—although I am quite sure he is not—that every time a regulation is passed, a document called an explanatory memorandum is promulgated. If the member

sought to go and obtain an explanatory memorandum on those occasions he would understand what is going on. He clearly does not understand. He did not understand during debate on the legislation. What the member tried to give us here today was a tour de forms. There is nothing about forms in the two regulations that he is seeking to have disallowed.

In conclusion, these disallowance motions are vexatious; there is no basis for the disallowance that the member has moved. He has some distant, dreamed-up problem. If he only took the time to understand the relationship between legislation and subordinate legislation—to understand what is happening in the regulatory review—he would understand just how far off the mark he has been.

Hon. J. P. ELDER (Capalaba— Minister for Business, Industry and Regional Development) (5.45 p.m.), in reply: I see the member for Indooroopilly has left the Chamber. He had a quick little belt and he is out of here. I might be, as he said, a pony, but I can say that within my party I have not yet been gelded, an excruciating act that he has had to put up with.

Mr J. H. Sullivan: I think the term is that you are still whole.

Mr ELDER: I think that might be the term as well, but I certainly see he has left in a hurry. It is typical of the member for Indooroopilly to get up here and second the motion. In fact, as I suggested across the Chamber, he was obviously paid to second the motion because there was virtually no input of a constructive nature into the debate beyond that.

I am pleased that the member for Nerang has actually combined the two motions. I am not sure that the member realised that he could have actually moved only one disallowance rather than two. I know that he has done it for convenience so I will just take him through a learning exercise now—a step-by-step process—so that in the future, if the need arises, he will be aware of it.

The Regulatory Reform Amendment Regulation (No. 2) 1993 was made on 16 December 1993. The Regulatory Reform Amendment Regulation (No. 1) 1994 was made on 27 January 1994. Both regulations were laid before the Legislative Assembly on 16 February 1994, basically, for the ease of the members of Parliament, legal practitioners, the general public and for parliamentary purposes. Parliamentary Counsel updates the full regulation each time a new regulation is made, which was what the member for Caboolture was referring to. It also saves the users the costs of purchasing additional copies of the regulations and the regulations are kept up to date.

The apparent duplication that occurs in this case, as the member for Nerang would have seen it, happens because the regulations were made at different times; however, because of the parliamentary recess, they were tabled on the same day. There is no duplication in the two sets of regulations. The latest regulation supersedes the previous. Unfortunately, members opposite are not all that familiar with the business matters within the Parliament and, as a result, at one stage we were asked to debate the two regulations twice. It had to be done only once.

I will just comment on the commitment of the Opposition. Opposition members come in here and criticise this Government about its commitment to eliminating red tape. The member for Nerang whacked a wad of regulations in front of me—and I will not deal with issues that the member for Caboolture dealt with for the sake of brevity and we all want to head off to dinner—but the simple fact is that prior to 1986 the then Government had no control over subordinate legislation because it just exempted the lot.

Between 1987 and the time Opposition members were defeated, all they did was do it in three lots as it rolled through. There was never a major commitment to regulatory reform by the National Party when it was in Government. In 1983 the National Party started looking at regulatory reform. It looked at setting up a task force, but it really did not take any action until 1985 when the task force was actually set up. After the task force reported, the first of the 31 recommendations of the Savage report talked about the implementation of a revocation program and it went through a lot of the objectives and how that should be undertaken. Those now in Opposition did nothing. Basically, it has been this Government that has had to take up the cudgels of regulatory reform out in the business community. It has been this Government, through the establishment of the BRRU process and through the establishment of the systematic review of business legislation and regulation, that has had to run that agenda. This Government had to do that. Quite honestly, I get fed up when Opposition members come into the House and criticise the job that this Government is doing when, in reality, they did nothing when they were in Government. In terms of the change in the legislation and the amendment to the Act last year to give it that extension, we have moved down the road; we have met nearly every obligation that has been put in front of us in terms of business regulatory review.

Mr Connor: Except the main one.

Mr ELDER: All of them. The trouble is that the member for Nerang—and I can understand why—just does not understand and appreciate

the complexity of this issue. It is not the member's fault. At the end of the day, he will come into the House, he will rave on, and as the member for Caboolture says, he will throw the props up and down. However, he just does not touch on the issue, nor does he understand the issue. Under the system, we have already reviewed 157 pieces of legislation; we have 128 that are currently under way and about 18 that we are yet to get to, but we are committed to completing that systematic review by 1994.

We have already committed ourselves to introducing many of the PEARC recommendations in relation to committees and regulatory reform. The simple message to the Opposition is that those in the business community understand and appreciate that because, for the first time in Queensland, they are playing a functional role in actually reviewing Government legislation that impacts on business. The difficulty for Opposition members is that they know that to be a fact. Both the State Chamber of Commerce, the QCI, the MTIA and myriad other business organisations play a structural and fundamental role in dealing with business regulation in this State.

Mr Connor: What do you call the Savage report then?

Mr ELDER: The Savage report was a waste of money, because members opposite did nothing with it. They cannot criticise this Government when they had before them a report upon which they did not act. They pigeonholed it on the top shelf because it was a little too difficult for them.

I shall not go into the specific amendments to which Mr Connor referred, because I believe that the member for Caboolture handled him quite effectively. Liberal and National Party Governments interstate have said, "We have cut red tape from the system." Recently, the Victorian Government said the same thing. It plucked a figure of billions of dollars out of the air and said, "This is what we have saved business." But that Government has not one methodology for doing that. We asked, "What is your methodology? How do you compare it across departments? What do all departments do to be able to ascertain their savings to business and to Government?" The answer was that the departments pluck figures out of the air and say, "We think we have saved the public so much." I am working on the introduction of a methodology across departments so that we can quantify the amount of savings for Government and business and the benefit to the taxpayer.

Mr Connor: How many bureaucrats were employed to do that?

Mr ELDER: None within my department. The honourable member will now understand just how good and efficient this Government is. At the end of the day, that will prove to him and the people of Queensland that this Government can properly demonstrate savings across-the-board.

As I said earlier, this Government has been able to demonstrate its commitment by action. Members opposite certainly did not demonstrate any commitment, because they simply sat on their hands and did nothing. If they need any other demonstration of how well the business community in this State thrives, and the role that this Government has played in that improvement, they need look only at the economic indicators. Opposition members hate looking at those indicators; they really despise them, because they give them no ammunition against this Government.

Private and business investment in this State has grown. There are record numbers of new businesses in this State. The number of bankruptcies has decreased. Per capita taxes in Queensland are the lowest of any State. If Opposition members suggested that Keith De Lacy might have one hand in the pocket of taxpayers in terms of per capita taxes, I would suggest that Jeff Kennett has both hands in the pockets of business in Victoria. The jewel in the Opposition's crown is not providing any initiative or incentive for business.

Population growth in Queensland is 2.4 per cent above the national average. I notice that the member for Indooroopilly has left the Chamber. He spoke about job growth. There has been substantial job growth in this State. In fact, Queensland has been the only State to provide employment growth throughout the recession. No other State has been able to do that.

Small business is now looking at better expectations in profit and sales. A range of indicators confirm that the policies we have put in place are working. Those policies will lead to growth and jobs in this State. One of the elements of that growth is the elimination of red tape, which we have been doing for some time. That has been one of the elements that provided an environment in this State that is conducive to growth. The figures to which I referred earlier are a reflection of that growth in the community.

The next time that members opposite come into the Chamber, I ask that they do me a favour. If they are going to talk about regulations and the disallowance of regulations, they should talk to the Clerk before they do so.

Question—That the motions be agreed to-—put; and the House divided—

AYES, 26—Beanland, Connor, Cooper, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Johnson, Lester, Lingard, Littleproud, Mitchell, Perrett, Quinn, Sheldon, Simpson, Slack, Stoneman, Turner, Veivers, Watson *Tellers:* Springborg, Laming

NOES, 39—Ardill, Barton, Beattie, Braddy, Briskey, Budd, Burns, Casey, Clark, Comben, D'Arcy, Davies, De Lacy, Dollin, Elder, Fenlon, Hamill, Hayward, Hollis, Mackenroth, McGrady, Nuttall, Pearce, Power, Purcell, Pyke, Robertson, Robson, Rose, Smith, Spence, Sullivan J. H., Sullivan T. B., Szczerbanik, Vaughan, Warner, Wells, *Tellers:* Pitt, Nunn

Resolved in the **negative**.

SPECIAL ADJOURNMENT

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (6.01 p.m.): I move—

"That the House, at its rising, do adjourn until Tuesday, 26 April 1994."

Motion agreed to.

The House adjourned at 6.02 p.m.

V.R. Ward,Government Printer, Queensland