TUESDAY, 2 AUGUST 1994

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

PRIVILEGE

Alleged Contempt by Chairman of Criminal Justice Commission

Mr SPEAKER: Order! Honourable members, I am in receipt of two letters from the honourable member for Moggill, Dr Watson, which I now table, outlining a telephone conversation between himself and Mr O'Regan, the Chairman of the Criminal Justice Commission. In his second letter, Dr Watson alleges three grounds for contempt against Mr O'Regan. I have decided that the matter is of such importance that I will now invite the member to move a motion in accordance with the practice of the House.

Dr WATSON (Moggill) (10.02 a.m.): I move—

> "That the letters from the honourable member for Moggill to the Honourable the Speaker of 18 and 22 July alleging grounds for contempt against the Chairman of the Criminal Justice Commission be referred to the Privileges Committee for investigation and report."

Motion agreed to.

ASSENT TO BILLS

Mr SPEAKER: Order! Honourable members, I have to inform the House that I have received from Her Excellency the Governor a letter in respect of assent to certain Bills the contents of which will be incorporated in the records of Parliament.

> Government House,
>
> Brisbane
>
> 7th July, 1994
>
> Dear Mr Speaker,
>
> I hereby acquaint the Legislative Assembly that, in the period in which Parliament has stood adjourned, the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to by the Administrator in the name of Her Majesty on 28th June, 1994:
>
> "A Bill for an Act to appropriate certain amounts from the Consolidated Fund for services of the Parliament for the financial years starting 1 July 1994 and 1 July 1995"
>
> "A Bill for an Act to appropriate certain amounts to services for the financial years starting 1 July 1994 and 1 July 1995"
>
> "A Bill for an Act to amend certain Acts administered by the Treasurer"
>
> "A Bill for an Act to provide for the transfer of part of the undertaking of the State Bank of South Australia to a company formed to carry on the business of banking under the law of the Commonwealth and for other purposes"
>
> "A Bill for an Act to amend the *Anti-Discrimination Act 1991*, and for related purposes"
>
> "A Bill for an Act to amend the *Liquor Act 1992*"
>
> "A Bill for an Act to amend the *Financial Institutions (Queensland) Act 1992*, the Financial Institutions Code, the *Australian Financial Institutions Commission Act 1992* and the Australian Financial Institutions Commission Code"
>
> I further acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to by me in the name of Her Majesty on 30th June, 1994:
>
> "A Bill for an Act to amend the *Land Title Act 1994*"
>
> "A Bill for an Act to amend the *Transport Infrastructure Act 1994*, and for other purposes"
>
> Yours sincerely,
>
> (Sgd) Leneen Forde
>
> Governor

PAPERS TABLED DURING RECESS

Mr SPEAKER: Order! Honourable members, I have to advise the House that papers were tabled during the recess in accordance with the list circulated to members in the Chamber.

29 June 1994—

- University of Queensland—Annual Report and Appendices for 1993
- Brisbane Girls' Grammar School Board of Trustees—Annual Report for 1993

8 July 1994—

- Criminal Justice Commission—Report on an Investigation Into Complaints Against Six Aboriginal and Island Councils

12 July 1994—

- University of Central Queensland— Annual Report for 1993

Ipswich Girls' Grammar School Board of Trustees—Annual Report for 1993

Tobacco Leaf Marketing Board of Queensland and the Tobacco Quota Committee—Annual Reports for 1993

13 July 1994—

Criminal Justice Commission—Report on Cannabis and the Law in Queensland

Ipswich Grammar School Board of Trustees—Annual Report for 1993

Townsville Grammar School Board of Trustees—Annual Report for 1993

Rockhampton Girls' Grammar School Board of Trustees—Annual Report for 1993

14 July 1994—

Central Queensland Egg Marketing Board—Report for the half year ended 31 December 1993

29 July 1994—

Trustees of the Queensland Fire Service Superannuation Plan—Annual Report for the year ended 31 March 1994.

PETITIONS

The Clerk announced the receipt of the following petitions—

Sentencing Procedures

From **Mr Turner** (67 signatories) praying that appropriate steps be taken to ensure that prisoners serve the full sentence handed down by the courts upon a conviction.

Port Hinchinbrook Resort

From **Ms Robson** (97 signatories) praying that the Parliament of Queensland will take action to ensure that the Port Hinchinbrook tourist resort and marine development does not proceed.

Camira Bypass

From **Mr Hamill** (1 155 signatories) praying that action be taken to develop and examine viable alternatives to the proposed route of the Camira bypass road corridor.

Shorncliffe, Roadway

From **Mr Nuttall** (25 signatories) praying that the Parliament of Queensland will take action to ensure that the Brisbane City Council reopens the extended Ashford Street at Shorncliffe, joining it as originally dedicated to Curlew Street as a permanent roadway.

Railway Station, Bald Hills/Carseldine

From **Mr Nuttall** (749 signatories) praying that approval be given for the construction of a railway station between Bald Hills and Carseldine stations.

Turtles, Mon Repos

From **Mr Slack** (812 signatories) praying that action be taken to investigate and halt the decline in the number of nesting turtles at Mon Repos beach.

Airport Motorway

From **Mr Santoro** (3 188 signatories) praying that all planning and development of an airport motorway cease until a full and extensive process of consultation and community agreement has been achieved.

Petitions received.

STATUTORY INSTRUMENTS

In accordance with the schedule circulated by the Clerk to members in the Chamber, the following documents were tabled—

Acquisition of Land Act—

Lands Legislation (Fees) Amendment Regulation (No. 1) 1994, No. 250

Associations Incorporation Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

Auctioneers and Agents Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

Bills of Sale and Other Instruments Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

Building Units and Group Titles Act—

Lands Legislation (Fees) Amendment Regulation (No. 1) 1994, No. 250

Business Names Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

City of Brisbane Act—

City of Brisbane Amendment Regulation (No. 2) 1994, No. 237

Cremation Act—

Health Legislation Amendment Regulation (No. 1) 1994, No. 213

Egg Industry (Restructuring) Act—

Egg Industry (Restructuring) Amendment Regulation (No. 1) 1994, No. 209

Explosives Act—

Explosives Amendment Regulation (No. 1) 1994, No. 241

Explosives (Fruit Ripening) Amendment Regulation (No. 1) 1994, No. 245

Factories and Shops Act—

Factories and Shops (Sale of Motor Fuel) Amendment Regulation (No. 1) 1994, No. 247

Financial Institutions Legislation Amendment Act—

Proclamation—the provisions of the Act not in force commence 1 July 1994, No. 222

Fire Service Act—

Fire Service Amendment Regulation (No. 3) 1994, No. 216

Food Act—

Food Standards Regulation 1994, No. 212

Foreign Ownership of Land Register Act—

Lands Legislation (Fees) Amendment Regulation (No. 1) 1994, No. 250

Funeral Benefit Business Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

Gas Act—

Gas Amendment Regulation (No. 2) 1994, No. 243

Government Owned Corporations Act—

Government Owned Corporations Amendment Regulation (No. 1) 1994, No. 220

Government Owned Corporations (Ports) Regulation 1994, No. 219

Hawkers Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

Health Act—

Health Legislation Amendment Regulation (No. 1) 1994, No. 213

Health Services Act—

Health Legislation Amendment Regulation (No. 1) 1994, No. 213

Health Services (Transfer of Officers) Amendment Regulation (No. 3) 1994, No. 239

Industrial Development Act—

Industrial Development (Sale of Surplus Land) Regulation 1994, No. 214

Invasion of Privacy Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

Land Act—

Land Amendment Regulation (No. 2) 1994, No. 211

Lands Legislation (Fees) Amendment Regulation (No. 1) 1994, No. 250

Land Title Act—

Lands Legislation (Fees) Amendment Regulation (No. 1) 1994, No. 250

Liquor Act—

Liquor Amendment Regulation (No. 1) 1994, No. 230

Local Government Act—

Local Government (Allora, Glengallan, Rosenthal and Warwick) Amendment Regulation (No. 1) 1994, No. 256

Local Government Finance Standard 1994, No. 217

Local Government Superannuation Act—

Local Government Superannuation Amendment Regulation (No. 1) 1994, No. 236

Local Government Superannuation (Relevant Persons Scheme) Regulation 1994, No. 238

Mental Health Act—

Mental Health Amendment Regulation (No. 2) 1994, No. 240

Mineral Resources Act—

Mineral Resources Amendment Regulation (No. 6) 1994, No. 244

Miners' Homestead Leases Act—

Lands Legislation (Fees) Amendment Regulation (No. 1) 1994, No. 250

Mining Titles Freeholding Act—

Lands Legislation (Fees) Amendment Regulation (No. 1) 1994, No. 250

Mortgage Brokers Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

Motor Vehicles Securities Act—

Consumer Affairs (Fees and Charges)

Amendment Regulation (No. 1) 1994, No. 251

Mutual Recognition (Queensland) Act—

Mutual Recognition (Queensland) Regulation 1994, No. 257

National Parks and Wildlife Act—

National Parks Amendment Regulation (No. 2) 1994, No. 215

Pawnbrokers Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

Petroleum Act—

Petroleum Amendment Regulation (No. 1) 1994, No. 242

Primary Producers' Organisation and Marketing Act—

Primary Producers' (Levy on Cane Growers) Amendment Regulation (No. 1) 1994, No. 235

Public Trustee Act—

Public Trustee Amendment Regulation (No. 1) 1994, No. 210

Queensland Industry Development Corporation Act—

Queensland Industry Development Corporation (Capital of Corporation) Regulation 1994, No. 228

Queensland Treasury Corporation Act—

Queensland Treasury Corporation Inscribed Stock Amendment Regulation (No. 1) 1994, No. 221

Racing and Betting Act—

Racing and Betting Amendment Regulation (No. 1) 1994, No. 229

Radioactive Substances Act—

Health Legislation Amendment Regulation (No. 1) 1994, No. 213

Registration of Births, Deaths and Marriages Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

Retirement Villages Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

Second-hand Dealers and Collectors Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

Statutory Bodies Financial Arrangements Act—

Statutory Bodies Financial Arrangements (Local Governments) Regulation 1994, No. 218

Statutory Bodies Financial Arrangements (Ports) Regulation 1994, No. 226

Stock Act—

Stock Amendment Regulation (No. 1) 1994, No. 234

Stock Identification Amendment Regulation (No. 1) 1994, No. 233

Superannuation (Government and Other Employees) Act—

Superannuation (Government and Other Employees) Amendment of Articles Regulation (No. 1) 1994, No. 224

Superannuation (Government and Other Employees) Regulation 1994, No. 225

Superannuation (State Public Sector) Act—

Superannuation (State Public Sector) Amendment Regulation (No. 1) 1994, No. 227

Superannuation (State Public Sector) Variation of Deed Regulation (No. 2) 1994, No. 223

Trade Measurement Administration Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

Traffic Act—

Traffic Amendment Regulation (No. 3) 1994, No. 232

Traffic Amendment Act—

Proclamation—the provisions of the Act (other than Part 3) commence 1 July 1994, No. 231

Transport Infrastructure Act—

Transport Infrastructure (Airport Management) Regulation 1994, No. 254

Transport Infrastructure (Candidate GOC Port Authorities) Transitional Regulation 1994, No. 255

Transport Infrastructure (Ports) Regulation 1994, No. 252

Transport Infrastructure (Roads) Act—

Transport Infrastructure (Roads) Amendment Regulation (No. 3) 1994, No. 206

Travel Agents Act—

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994, No. 251

Valuation of Land Act—

Lands Legislation (Fees) Amendment Regulation (No. 1) 1994, No. 250

Water Resources Act—

Water Resources (Central Queensland Coal Associates Agreement) Regulation 1994, No. 207

Water Resources (Shire of Gayndah) Regulation 1994, No. 208

Workers' Compensation Act—

Workers' Compensation Amendment Regulation (No. 1) 1994, No. 249

Workers' Compensation Amendment Regulation (No. 2) 1994, No. 248

Workplace Health and Safety Act—

Workplace Health and Safety Amendment Regulation (No. 1) 1994, No. 246

Workplace Health and Safety (Mixed Gases Diving) Special Standard 1994, No. 253.

PAPERS

The following papers were laid on the table—

(a) Treasurer (Mr De Lacy)—

Annual Reports for 1992-93—

Registrar of Commercial Acts on the administration of the Friendly Societies Act 1991

Registrar of Co-operative Housing Societies on the administration of the Co-operative Housing Societies Act 1958

(b) Minister for Education (Mr Comben)—

Government response to Travelsafe Committee Report No. 11—The safety and economic implications of permitting standees on urban and non-urban bus services

(c) Minister for Housing, Local Government and Planning (Mr Mackenroth)—

Government response to Travelsafe Committee Report on local area traffic management

(d) Minister for Administrative Services (Mr Milliner)—

Government response to the Report of the Parliamentary Committee of Public Works into the Cairns Convention Centre.

MINISTERIAL STATEMENT

Freight Train Collision

Hon. D. J. HAMILL (Ipswich—Minister for Transport and Minister Assisting the Premier on Economic and Trade Development) (10.07 a.m.), by leave: It is with significant concern that I rise to inform the House that I intend to establish a board of inquiry to investigate a rail accident which occurred between Elimbah and Beerburrum last week. On Thursday evening, 28 July 1994, a southbound express freight service collided with a northbound express freight service approximately one kilometre south of Beerburrum.

The incident resulted in serious injuries to the drivers of both services. I can report that one driver suffered a small fracture of the shoulder blade and bruising to the lower back and was discharged from hospital on 30 July. The other driver suffered a broken hip, fractured cheekbone and general abrasions and cuts. He was discharged from hospital on 31 July. The collision caused extensive damage to the rolling stock.

I am clearly concerned that two rail services were travelling on the rail line at the same time and in an opposite direction and have determined to commission a board of inquiry, pursuant with section 7.4 (1) and 7.4 (1) (b) of the Transport Infrastructure (Railways) Act 1991. Under the Act, the board is empowered to inquire into the circumstances and possible causes of the accident or incident and will make its findings in writing to myself as Minister.

The board will have four members, including an industrial magistrate as chair. The other three members will be one representative of the employer, one representative of the employees and a safety expert in the industry.

I look forward to receiving the board's finding and trust that it may elicit some information which will ensure that such a serious incident does not occur in the future.

MINISTERIAL STATEMENT

Titles Office

Hon. G. N. SMITH (Townsville— Minister for Lands) (10.08 a.m.), by leave: I wish to inform the House of an important measure that the Department of Lands has taken to deal with the record number of lodgments with the Titles Office. For the past few months, lodgments have remained at an all-time high of about 3 000 a day, surpassing the number of lodgments associated with the residential boom of 1988. This has meant that the current resource and staffing levels which were allocated for lodgments of about 1 500 to 1 800 a day are being increasingly strained.

To overcome this 35 per cent increase in lodgments, the Titles Office will employ 15 additional titles staff starting from today. These 15 employees will be used to increase throughput at the Brisbane Registry Office, which has the largest volume of title transactions in Queensland. This figure will be reviewed, depending on the continued level of lodgments. These transactions can be attributed to the record subdivisions, housing starts and refinancing that are being driven by the State Government's sound economic policies and the continued high level of immigration from southern States of about 1 000 a month.

I must make the distinction for honourable members between the department's response to the record lodgments and the new computerised titling system. The new $13m system has nothing to do with the current resource situation. This is simply demonstrated by the fact that last week the registrations were higher than lodgments. I can only say that if the new computerised system had not been introduced in June this year, record lodgment-related problems would have been far greater.

I believe that the additional 15 positions will overcome the short-term resource problem. As more and more of the 1.7 million paper-based titles are captured on computer over the next 12 months, the new $13m system will deliver Queensland one of the most efficient and secure titling systems in the world.

MINISTERIAL STATEMENT

Overseas Visit

Hon. M. J. FOLEY (Yeronga—Minister for Employment, Training and Industrial Relations) (10.09 a.m.), by leave: Last month, I travelled to Asia to officiate at the signing of two international agreements involving the Queensland Government and to investigate further vocational education and training opportunities. From Saturday, 9 July to Sunday, 24 July I visited Hong Kong, Vietnam, China, South Korea, Malaysia and Indonesia.

In Kuala Lumpur, I signed a memorandum of understanding with representatives of the Federal Hotels chain, part of the Malaysian-based Low Yat group of companies. In Indonesia, I signed a similar agreement with the head of the Planning and Development Board of the Ministry of Manpower, Dr Yudo Swansono, on behalf of the Minister for Manpower, Abdul Latief.

Under the two agreements, the Queensland TAFE system is to use Commonwealth funds to investigate the feasibility of setting up Australian TAFE colleges in Malaysia and Indonesia. Students from south-east Asian nations paid $5.9m last financial year to study in Queensland TAFE and a number of Queensland TAFE training ventures are already completed or under way in the Asia Pacific region.

Based on my discussions with senior Government representatives in each country that I visited, I believe that further opportunities exist for Queensland to market its training expertise in Asia.

Most of the officials I met emphasised their preference for on-site training closely attuned to the needs of industry work forces. For instance, I believe that Queensland could build upon our sister-State relationship with Shanghai in China by providing training in food processing to upskill workers in this industry sector.

Our future is in the Asia Pacific, and the Queensland Government has an obligation to future generations to pursue closer cultural and economic links in the region.

I seek leave to table a detailed itinerary.

Leave granted.

PARLIAMENTARY COMMITTEE OF PUBLIC WORKS

Annual Report

Ms SPENCE (Mount Gravatt) (10.11 a.m.): Pursuant to section 24 of the Public Works Committee Act 1989, I table the annual report of the Parliamentary Committee of Public Works for 1993-94, and I move that the report be printed.

Ordered to be printed.

Ms SPENCE: This report provides the Parliament with details of the activities of the committee during the last financial year. Members will see that the committee has had its most productive year since its establishment in 1989, both in terms of numbers of inquiries undertaken and reports presented to the House. More importantly, the committee has made recommendations on a wide range of issues associated with capital works undertaken throughout the State. The committee has been pleased to see many of these recommendations adopted by the Government and will continue its work in providing effective parliamentary scrutiny of the State's Capital Works Program.

In conclusion, I take this opportunity to thank the members of the committee—Mr Len Stephan, Mr Peter Beattie, Mr Bruce Davidson, Mr Graham Healy, Mr Terry Sullivan and Mrs Margaret Woodgate—for their support and hard work. I also thank Mr Vaughan Johnson, a former member of the committee, for his contribution.

Finally, I would like to acknowledge the outstanding contribution of our research assistants, Mr Darryl Martin and Mr Ross Mensforth.

I commend the report to the House.

Mr G. PICKSTONE

Mr CAMPBELL (Bundaberg) (10.12 a.m.): In December 1991, Mr George Pickstone presented to the Parliament and the people of Queensland a lovely carving of Charlie the owl. I advise the House that it is located on Level 3. Recently, George Pickstone died, and I want to convey our thanks for his presentation to the Parliament.

Mr SPEAKER: Order! I had trouble hearing some of the ministerial statements, so I suggest that we have some tolerance with each other to reduce the noise level here today. We have to be able to hear each other.

QUESTIONS WITHOUT NOTICE

Eastern Corridor

Mr BORBIDGE: I refer the Minister for Transport and Minister Assisting the Premier on Economic and Trade Development to the Government's promise in 1992 that it "had decided against identifying and preserving a corridor north of the Logan River" and the associated assertion that, "Importantly, the Government's decision allows communities and landowners to plan ahead with confidence", and I ask: why did the Minister lie?

Mr HAMILL: Some people——

Mr SPEAKER: Order! I ask the Leader of the Opposition to withdraw that term; it is unparliamentary, and he knows that it is not parliamentary.

Mr BORBIDGE: I ask the Minister: why did he tell deliberate untruths?

Mr HAMILL: Some people may have asserted that I arranged this Dorothy Dix question this morning. I can assure members that, if it had been arranged from my office, it would have been couched in more temperate language.

Last night, I found out that the Leader of the Opposition was extraordinarily ill-informed when it came to the great body of work that has been undertaken in researching the transportation needs of south-east Queensland. To assist the Leader of the Opposition to come to grips with the issue, I thought that I should bring some material with me this morning which I am sure that he will find of great interest. Yesterday evening, on Cathy Job's program, the honourable the Leader of the Opposition admitted that he had not read the extensive community planning report which had been commissioned by this Government before 1992, nor has he read the findings of the SEQ 2001 report.

For the information of the Leader of the Opposition, I will quote from the pamphlet which was produced following the planning study in 1992 to which the honourable member referred. The document states that the Government is—

> "Developing a regional master plan for the area from the Gateway Arterial Road to the Beenleigh-Redland Bay road, including bushland areas incorporating koala habitats at Burbank and Mount Cotton, in consultation with the local authorities of Brisbane, Logan and Redland."

The pamphlet goes on further to point out—

> "Even an eight lane Pacific highway"—

which is the considered view of the Opposition, as would appear from yesterday's shadow Cabinet meeting—

> "in conjunction with the Brisbane-Gold Coast Rail link, would not be able to cope with travel needs by about the year 2006."

To enable us to fill the gaping hole in the knowledge of the Leader of the Opposition, I happily table that document.

It continues to amuse me how Opposition members flounder trying to find some issue that will unite them. We are looking at a coalition of disunity. We are looking at a group of people who do not know where they are going or how they are going to get there. Nothing further exemplifies that than the events of recent days. The member for Caloundra had a rush of blood to her head and decided that she would get out her old Tollbuster T-shirt and take herself off down to the protest meeting. Of course, that was to the acute of embarrassment of the Leader of the Opposition and, indeed, the coalition as a whole. One only has to look at the statements that these people opposite—including the Leader of the Opposition—have been making over a period with respect to the transport needs in the Brisbane-Gold Coast corridor. In fact, in August last year, the Leader of the Opposition complained about the traffic delays on the Pacific Highway and said that this was hurting tourism. Yet in the same article, the member for Nerang stated that the Government needed to make a start on the planned eastern corridor right now. I table that article. It makes interesting reading.

Furthermore, I am sure that the Leader of the Opposition would have been painfully aware of the views expressed by the Queensland Chamber of Commerce and Industry in a media release by that former Liberal member of the

Legislative Council in Victoria, a former Victorian—as is the Leader of the Opposition—in which he stated—and I commend it to all members of this House—that the SEQ 2001 process has identified that the south-east corner of Queensland will double its population by the year 2001. But get this. He states further—

> "It would be absolute lunacy to sit on our hands and do nothing when faced with this sort of growth. The business community cannot allow itself the luxury of being dictated to by a relatively small group of people largely motivated by self-interest."

Mr Borbidge interjected.

Mr SPEAKER: Order! The Leader of the Opposition will cease interjecting.

Mr HAMILL: I can only assume that Mr Bubb was including the Leader of the Opposition when he referred to people being largely motivated by self-interest, because it did not take very long for the Leader of the Opposition to contradict those pious statements that his deputy made so fervently at a rally on Sunday. Mr Borbidge said on Channel 10 news—

> "I'm not saying that at some future time there does not have to be another corridor."

And what did he say on the *7.30 Report* last night—and he was smiling benignly? He said—

> "Look Cathy, I have never hidden the fact that in sometime in the future there will be more roads between Brisbane and the Gold Coast . . ."

It only took 24 hours for the Leader of the Opposition to deny his deputy twice with respect to the need for an alternative road corridor. The posturing of the Opposition on this issue is there for all to behold. It is about time that the Opposition set its own house in order.

It is no coincidence that, when Mr Bubb in his statement yesterday pointed out that tourism and manufacturing would be the two big losers if this highway did not go ahead, shadow Minister for Tourism, Mr Veivers, and the shadow Minister for Industry, Mr Connor, have gone on record in repeatedly calling for the highway. It just shows what sort an Opposition we have.

Eastern Corridor

Mr BORBIDGE: I direct a further question to the Minister for "Mistakes", the Minister for Transport. In view of his promise in 1992 that no eastern corridor would proceed north of the Logan River and his recent double-cross, I ask: what compensation arrangements will apply to properties required for the selected route, and will special compensation be considered for non-resumed property owners whose properties will be devalued by the proximity of his new tollway?

Mr HAMILL: For the first part of the question, I will refer the slow-learning Leader of the Opposition to my earlier answer. With respect to the second part of the question, let me assure the Leader of the Opposition that in the development of any future corridor the same compensation measures which were okay and good enough for the National Party and the National/Liberal Party coalition—the same legislation holds—will be applied to the letter. Furthermore, and in addition to those fair compensation measures, anyone who is affected by new infrastructure in Queensland today gets a far better deal than those who were affected when previous administrations drove new infrastructure through existing suburbs.

I ask honourable members to take their minds back to the development of the South East Freeway in Brisbane when 400 residents were turned out of their homes in the inner southern suburbs of Brisbane. Were there any noise barriers? Were there any buffers? Was there any consideration for the relocation of those people? No. In fact, for those residents who were left behind on the South East Freeway, it took the election of this Government to be able to respond to the very real inconvenience that those people experienced, particularly with noise. That is why we have put in place a policy with respect to noise attenuation. That is why those people are now getting the benefits of noise buffers, something that neither the National Party nor its erstwhile coalition colleagues, the Liberals, gave two hoots about 20 years ago.

Public Funding of State Elections

Mr PITT: In directing a question to the Attorney-General and Minister for Justice, I refer to the recommendation from the Parliamentary Committee for Electoral and Administrative Review that a system of public funding for elections be introduced in Queensland, and I ask: can the Minister inform the House whether the Government has made a decision on this proposal?

Mr WELLS: The Government is giving serious consideration to this proposal at the moment, though at this stage no decision has been reached.

Mr FitzGerald: It was a minority.

Mr WELLS: There was minority opposition to it, and I expect that honourable members opposite will be exercising themselves very carefully on this question. I understand that the

Opposition has yet to receive the final result and come up with a final position. Some analysis is interesting. I have some information about a few electorates chosen at random. I have just picked a random group of electorates.

In Redlands, the Liberal vote was 3 240, yielding $3,240; the National vote was $5,596 in terms of the yield that would come from public funding; and the Labor vote was $9,909. If there were public funding in Albert, the Liberals would receive $4,512, the Nationals would receive $5,541 and Labor would receive $9,388. I will select another electorate at random. For example, if there were public funding in the electorate of Barron River, the Liberals would receive $3,844, the Nationals $4,369, and Labor $8,199.

Mr FitzGerald: What will they get next time?

Mr WELLS: Therefore, under a $1 per vote public funding system—

Mr W. K. Goss: Depends on how many run.

Mr WELLS: I note the Premier's interjection. I would like to point out that under a $1 per vote funding system, if the Liberals did not run, they would forgo $11,596, with most of that going to the Nationals. However, if they did run, they would get up to $15,506, which would otherwise go to the Nationals.

Stamp Duty on Motor Vehicle Purchases

Mr PITT: In directing a question to the Treasurer, I refer to a report in the *Gold Coast Bulletin* newspaper on 4 July in which the Deputy Leader of the Coalition claimed that "a recent reinterpretation of the Stamp Act meant that car buyers were being hit for stamp duty on the recommended retail price of a new car regardless of any discounts given by the dealer", and I ask: can the Treasurer inform the House—

Mrs Sheldon interjected.

Mr SPEAKER: Order! I warn the Deputy Leader of the Coalition under Standing Order 123A. I will not allow interjections while questions are being asked.

Mr PITT: Can the Treasurer inform the House whether new car buyers in Queensland do pay stamp duty on the list price, and is this a reinterpretation of the Act?

Mr De LACY: I noted with interest the comments made by the Deputy Leader of the Coalition. Perhaps I can answer this question in two parts—firstly, whether or not Queenslanders do pay stamp duty on the list price and, secondly, whether or not it is a new interpretation or, as the Deputy Leader of the Coalition claimed, one of the most sneaky, secret tax rip-offs ever introduced.

The fact is that in Queensland all Queenslanders do pay stamp duty on the list price of new motor vehicles. To explain that, I will read from a letter, because I think it gives the best justification for that position. This letter states—

> "With respect to your concerns on the use of 'list price' for stamp duty purpose instead of the actual amount paid, the view has been taken that this represents the only fair and equitable manner of obtaining consistency throughout the State due to the considerable regional price differences. This method also ensures that purchasers who obtain discounted prices due to the size of their purchase are not granted further concessions by way of reduced stamp duty as a result of their purchasing power."

That is the explanation. It was written——

Mr Hamill: Who?

Mr De LACY: The honourable member asked "Who?" That explanation was written on 23 February 1989 by Brian Austin, the former Minister for Finance. The next question is whether or not it was one of the most sneaky, secret tax rip-offs ever introduced. If it was, it was introduced by the National Party, and maybe the comments of the—

Mr Hamill: And he's also a Liberal.

Mr De LACY: And an ex-Liberal.

Mr Hamill: A good coalitionist.

Mr De LACY: Therefore, maybe the comments of the Deputy Leader of the Coalition are accurate. The reason the Deputy Leader of the Coalition gets caught like this is that she gets sucked in by shonky journalists. Recently, we have had a few Sunday *Mail* journalists who have raised the tabloid journalistic profession to new heights. What they do is ring on Saturday afternoon just as I am sitting down to look at the football and they ask for a technical interpretation of the tax Act.The fact is that they have written their story and they are not interested in what I have to say, but they need to ring so that they can say, "We telephoned the Treasurer." Then they ring the Leader of the Liberal Party and say, "The Treasurer has just introduced a new, sneaky tax. Are you prepared to go on record and say that it is a new, sneaky, unprincipled tax?" Of course, being a quick thinker, the Leader of the Liberal Party says, "Yes, I am." However, the fact that it is wrong week after week makes no difference to her, makes no difference to the journalist and, it seems, makes no difference to the *Sunday Mail*.

The *Sunday Mail* has been trying to prove the unprovable—that Queensland somehow is a high-tax State. For the record, let me make this point: if we levied our taxes at the same average rate as the other States of Australia, we would receive another $1.3 billion a year. The Leader of the Liberal Party, the *Sunday Mail* and all of those shonky journalists will never get away with trying to prove the unprovable.

Eastern Corridor

Mrs SHELDON: In directing a question to the Minister for Environment, I refer to the weekend protest at which between 5 000 and 7 000 people rallied in the Daisy Hill State Forest against the destruction of the environment by the construction of a toll road north of the Logan River. Given that this was specifically——

Mr Hamill interjected.

Mr SPEAKER: Order! I warn the Minister for Transport.

Mrs SHELDON: Given that this was specifically ruled out in the Labor Party's 1992 long-term road infrastructure policy—which I now table and which the Minister may be able to read—and that the forest is in the middle of the Minister's electorate, I ask: as the Minister for the Environment and the member for Springwood, why did she stay away and refuse to listen to and answer her constituents?

Ms ROBSON: Quite clearly, the Leader of the Liberal Party had people bussed in from Toowoomba, from all over Brisbane and from the Gold Coast. I was reliably informed that 7 000 people attended that particular meeting. The majority of them were not my constituents. The reality is that I sent my apologies. I had a longstanding engagement that I wished to honour. I sent my apologies and a message that I had been consulting with members of the community in my electorate. I have been consulting with community leaders and a variety of other people. This was a meeting for the people. I was very interested in their views, and I will continue to solicit their views. The fact that the Leader of the Liberal Party chose to score a political point on what is a very significant community issue is not to her credit.

The reality of life is that the people of my electorate of Springwood have been given the opportunity by this Government to consider proposals that are being put forward by the Transport Department as part of a long-term transport strategy. It is a shame that the mob opposite when in Government did not undertake some future road planning for that area. Not only did the Opposition not undertake future road planning but it also facilitated the development of that area through a lack of control on local government and the lack of a regional plan for the area. The Opposition has put this Government in a position in which it must now address the very real problems of congestion on the Pacific Highway.

This Government is going to the community for consultation. I am on the public record as constantly opposing the devastation of the environment in that area. I have stood by that, and my constituents know it. The people that the Leader of the Liberal Party bussed in from Toowoomba, from the Gold Coast and from all over Brisbane—the usual rent-a-crowd people—have not fooled my constituents. I have had a lot of contact with them. They are a wake-up to the Leader of the Liberal Party's political ploy. On the other hand, I genuinely care about my constituents.

Minister for Family Services and Aboriginal and Islander Affairs

Mrs SHELDON: I ask the Minister for Family Services and Aboriginal and Islander Affairs: will she confirm or deny that she intends to resign at the next State election, if not sooner?

Ms WARNER: You wish! It is not part of my ministerial responsibility to answer those sorts of questions.

Eastern Corridor

Mr LIVINGSTONE: In directing a question to the Minister for Transport, I refer the Minister to the Government's decision to build a new highway between Brisbane and the Gold Coast, and I ask: can the Minister indicate what support there is for this new road?

Mr HAMILL: I am delighted to inform the House that, contrary to the claims of that old Tollbuster, Mrs Sheldon, there is actually quite a lot of support for an alternative highway route to the Gold Coast. I have already mentioned in the House this morning the very strong support for the concept which came out of the SEQ 2001 process. That was a very broadly based consultative program to address the problems of population growth and how we manage that growth in south-east Queensland. In fact, it was the chairperson of the transport working group of SEQ 2001 who came out yesterday with such a strong statement endorsing the Government's decision to address the issue. Of course, I refer to Mr Clive Bubb. I table Mr Bubb's statement, some of which I have already quoted this morning. It makes good reading, and I think it demonstrates what the vast majority of people—those who are not tainted by short-term

political point scoring—see as the real needs in the area.

Mr Bubb states that business recognises legitimate community concerns about the koala habitat. I believe that comment is quite fair and quite reasonable. The Government shares those concerns. But our concern is also based around the fact that each week 1 000 people—like Mr Borbidge—are coming from Victoria and other places to live in south-east Queensland. There has been no significant new highway development in this part of south-east Queensland since 1988, yet the population in the area has increased by 25 per cent since that time. That is a very good statement, and I table it.

I mentioned earlier that the member for Nerang has been a repeated supporter of an alternative road development. I note that, contrary to the position of the shadow Cabinet, yesterday on 4BC, Ray Connor stated that he thought that trouble was that the decision should have been taken about three years ago. Mr Connor said that he does not care what the Government does so long as a decision is taken. That is a good demonstration of shadow Cabinet solidarity! However, I appreciate the member's support.

I noted in this morning's edition of the *Gold Coast Bulletin* that the ill-informed Leader of the Opposition—who does not have time to read the important reports on this matter that have been made public—was making a plaintive cry on the Gold Coast saying, "I want to go and talk to the local councils. I want to hear what they have to say." I know that the Leader of the Opposition cannot have been travelling the highway too often lately, because he does not appreciate the amount of congestion that exists there. However, I will save him a bit of trouble. For the information of everybody, not just the Leader of the Opposition, I am pleased to table a piece of correspondence that I received from the Gold Coast City Council dated 26 July 1994. It states—

> "Dear Mr Hamill,
>
> Proposed Eastern Corridor Road
>
> At its meeting of 15th July, 1994, Council resolved to urge the State Government to proceed with the Eastern Corridor as a matter of urgency.
>
> Accordingly, I am directed to write to you expressing Council's concern that it is of paramount importance that a start be made on an alternative road to the Pacific Highway, connecting the Gold Coast Region with Brisbane."

I table that letter. It makes good reading. I agree with its sentiments.

The other party in this, of course, is the shadow ministerial colleague of the Leader of the Opposition, the member for Southport, the Opposition spokesperson on Tourism. I give the member for Southport his due. He has been a very forthright advocate for the tourism industry on the Gold Coast. He has seen the issue in similar terms to Mr Clive Bubb and the rest of the industry. The member for Southport has been a repeated advocate in this place for an alternative highway to the Gold Coast. He has written letters to the editor extolling the need for an alternative highway. He has even attacked the knockers, attacked the NIMBYs, attacked those who would seek to stand in the way of the highway development.

If they doubt my words, honourable members should have a look at the article of 15 October last year, to which I have already referred. I am very concerned that the Leader of the Opposition and his redoubtable deputy have been trying to muzzle the member for Southport, the shadow Minister for Tourism, Sport and Racing. In order that the member for Southport can stand by his constituency and the industry which he supports, I consulted with three of my colleagues who are listed to speak in the Matters of Public Interest debate this morning, Mr Beattie, Ms Power and Mr Davies, and each one of them said to me that they are quite prepared to allow their 10 minutes to be taken up by Mr Veivers so that he can stand by the tourism industry on the Gold Coast and advocate the easter corridor, the alternative south coast highway.

Public Flogging

Mr LIVINGSTONE: In directing a question to the Premier, I refer to recent public debate about the introduction of whipping and flogging as a punishment for criminals. I ask: can the Premier inform the House what attitude the Government takes to this proposal?

Mr W. K. GOSS: I think it is fair to say that Government policy is pretty consistent with the approach taken by the National Party and the Liberal Party, including the Cabinet of which "Mr Whippy" was a member in 1986, that removed whipping and flogging from the Criminal Code. It was the National Party Government in 1986 that removed whipping and flogging from the Criminal Code. At the time, the National Party Attorney-General, Mr Harper, that well-known moderate, said that it should be removed because—

> ". . . it was outmoded and 'entirely out of keeping with a modern approach to criminal justice.' "

The Liberal Party supported the National Party on that occasion, with the Leader of the Liberal Party saying—

> "The removal of whipping and solitary confinement as punishments were 'totally modern, up to date and supportable'."

It seems now that we are seeing the development of a new joint, united coalition position. I have been trying to work out what that new united coalition position is, but that is a little bit hard because at their recent conference, at which members of the National Party were going to make tough decisions and issue firm policies, when it came to this particular issue they decided to refer it to a committee. So what is the agenda item that has gone to the committee? It is an agenda item calling for corporal punishment for people convicted of a range of offences, some of them serious, such as drug supply and violent assaults and, of course, the most serious offence of evasion of fares, for example, rail and taxi fares. We are going to have those terrible fare evaders publicly flogged and whipped as well. That did not help me much, seeing that, under the firm leadership of Mr Borbidge, they had taken a firm decision to refer this to a committee. I looked at some of the background statements to see where the debate was heading and whether the Government should modify its position. I saw a quote from Mr Lester that said—

> "It is my view that 95 per cent of all National Party members would support Russell Cooper and myself in that floggings should be introduced."

He went on to say that Mr Borbidge had not asked him to abandon the idea. He said—

> "Behind the scenes"——

and honourable members can believe it when it is about Mr Borbidge—

> "he's telling me to get on with it and keep the issue alive, he's waiting to see how the public feel about it."

He is ever consistent. Mr Borbidge always has something to say but never has a position.

Then we heard from the member for Burleigh, a slightly more enlightened member of the National Party, saying, I think, if I quote her correctly, that this would be a return to the Dark Ages. What did Mr Lester have to say about that? He took the floor again, telling delegates at the National Party conference— and I am told that they stood and applauded for this—

> "People, generally, were very much more safer in the dark ages."

The *Townsville Bulletin*, reflecting Townsville public opinion, referred to the depths of the Dark Ages. It said—

> ". . . the population was only about 600 000."

It went on to say—

> "It was not a good time for law and order. It was a great time for pillaging, mayhem and barbarian hordes."

I do not know whether the "barbarian hordes" reference was prompted by the presence of the National Party in Townsville.

Then, as part of the development of the united coalition position, we had a statement issued by Mr Quinn, the member for Merrimac, who rejected calls for the reintroduction of caning in schools, and said that it is not part of Liberal Party policy. I suspect that even the National Party might be softening its position, because the last quote I have here is one from Mr Russell Cooper. Indeed, I saw him on television saying something like this. He made references to whipping people in public with the cat-o'-nine-tails and said that obviously that was not on. The quote I have here from the *Townsville Bulletin*, which was obviously quite taken by these barbarian hordes, is from Mr Cooper saying that his policy team, that is the committee, would examine the issue as part of a sentencing option for criminals. While that was happening, Mr Lester was taking the Singapore option. Mr Cooper went on to say that, clearly, that severe kind of response was not on and that it would be done decently, as it is in schools. So, presumably, Mr Cooper backed away from the Singapore option and said that he would give them six of the best.

So, Mr Speaker, I will bet that—and I am referring to the Opposition's agenda—drug traffickers, the break and enter merchants, the people convicted of rape, attempted rape, extortion, child molesters, murderers and robbers will be absolutely terrified at the prospect of a National Party Government giving them six of the best.

Proposed Airport Motorway

Mr SANTORO: I refer the Minister for Transport to his statement on the *7.30 Report* last night when he said that all documents relating to the current toll roads controversy are available to all people in Queensland, including the Opposition. In view of the statement, I ask: will the Minister tell me if my FOI requests about the proposed airport motorway will be answered in full, and if so, when? And will the Minister provide this House with an assurance that all of

the relevant documents will not be hastily bundled up to become part of a Cabinet submission, thus excluding them from the scrutiny of the Opposition and the people of Queensland?

Mr HAMILL: Again, it is good to have a couple of questions rolled into one. I would have thought the member for Clayfield had better powers of comprehension than those he has exhibited this morning, because rather than trying to distort what was said on the *7.30 Report* last night, I do suggest that he might go and have a look at the video tape of the interview. Quite clearly, the discussion on the *7.30 Report* last night was based on a claim made by the Leader of the Opposition that material pertaining to the whole issue of the alternative highway to the Gold Coast had not been made public, and I pointed out in the interview that those very important documents—consultants' reports, SEQ 2001 and so on—were on the public record, and the Leader of the Opposition had to admit in front of the cameras—and I know it must have been very embarrassing for him—that he had not read them. Those documents are indeed available.

Mr Borbidge: That's untrue; that's another lie.

Mr HAMILL: The honourable member should go and have a look at himself on the video last night when he admitted that he had not read the reports. He should go and have a look at himself on the video last night when he could not back up the words of his deputy leader.

Mr BORBIDGE: I rise to a point of order. What the Minister for Transport is saying is a blatant untruth.

Mr HAMILL: I commend the audio visual section of the library to the Leader of the Opposition because he will see there again how he could not rule out a future road corridor to the Gold Coast even though on Sunday the Liberal Party was running around in tired old Tollbuster T-shirts claiming quite the contrary.

With respect to the second part of the question asked by the Deputy Leader of the Liberal Party—any application for FOI quite properly is dealt with by the responsible officer in the department. It does not come to me as Minister. I am sure that the honourable member will get every bit of information that he deserves under FOI.

Proposed Airport Motorway

Mr SANTORO: In directing a question to the Minister for Transport, I refer to his repeated claims that State Cabinet has not made a decision in relation to the proposed airport toll road, and I ask: if this is so, can the Minister explain to the House why six casual employees turned up to Transport House on the morning of 11 June to be trained to answer telephone queries on a toll-free line about the proposed airport toll road? Will the Minister confirm that these potential casual employees of the Transport Department were sent home following the leak of the now infamous Transport Department pamphlet?

Mr HAMILL: I can certainly confirm that Cabinet has not considered its position with respect to a proposal for a motorway to the airport. That is a fact. With respect to any other matters that occur from an administrative perspective in the department, the facts are these——

Mr Santoro: Did they turn up or didn't they, and were they sent home—that's the question.

Mr HAMILL: With respect to the honourable member's inquiry—the facts are these. Until such time as Cabinet makes a decision in relation to the matter, it is immaterial what other preparations or other matters are undertaken at a departmental level. Cabinet makes decisions in relation to significant policy matters. At this point in time, Cabinet has not considered this matter.

Sale of Spirits in Certified Glasses

Mr PURCELL: I direct a question to the Deputy Premier and Minister for Consumer Affairs. In the past 12 months, we have heard the Minister for Consumer Affairs advise both traders and consumers about the requirements for selling beer in certified glasses which clearly show the volume held by such glasses. I ask: can the Minister outline to the House any similar improvements in consumer protection which relate to the sale of spirits?

Mr BURNS: Given the honourable member's keen interest in this matter, I advise the House that the national uniform trade measurement legislation, which was enacted in Queensland on 1 July 1991, requires rum, vodka, whiskey, gin and brandy to be sold by volume measurement. This means that when these spirits are sold by the nip, they must be dispensed through correct certified measures or measuring instruments in quantities of 15 millilitres or 30 millilitres.

By national agreement, the liquor industry was given a three-year phasing-in period for this legislation. The requirements for spirits thus took effect on 1 July 1994. Since then, inspectors of

the Trade Measurement Branch have been visiting licensed premises to ensure compliance with the legislation. Already, in a couple of cases, we have found non-compliance.

Previously, consumers were not protected in this area of trade as there was no control over the measurement of spirits. As the honourable member would know, a similar requirement for the sale of draught beer by volume measure in certified glasses was implemented on 1 July 1993.

National Economy; States' Performance

Mr PURCELL: In directing a question to the Treasurer, I refer to the recent series of newspaper articles by columnist Terry McCrann on the state of the national economy and performance of individual States, and I ask: can the Treasurer inform the House how Queensland fared in this appraisal?

Mr De LACY: I am pleased to, although I suspect that most honest Queenslanders would have read the series of articles by Mr McCrann, who is a well-known national columnist. There are two particular features about him. Firstly, he is a Victorian, and, secondly, he does not have a longstanding reputation as a supporter of the Labor Party. Therefore, I believe that his articles are worth reading. I am sure that all honourable members did read them. They were printed or syndicated throughout Australia.

One of the articles that I have in my possession was printed in the Melbourne *Herald Sun*. It is headed "Queensland the pride of states". As I said on another occasion, modesty prevents me from reading all of the article, but I do think that there are a couple of quotes that ought to be in *Hansard*. Mr McCrann said—

> "Well, we should all now become Queenslanders—not in the literal sense of all upping stakes and moving north.
>
> But in copying the Queensland success story—getting the fiscal foundations right and then boisterously, confidently and assertively building real economic prosperity from that."

Mr McCrann goes on at great length to say how we have done it right, but I will just summarise it. He said—

> "In the first article I gave Australia a B-plus. If we all do become Queenslanders we will produce an A, indeed an A-plus performance."

It seems that the whole world is starting to recognise how well we do it in Queensland. In fact, there are probably only 35 people left who do not recognise how well we are doing.

Mr Elder: Who?

Mr De LACY: The Minister asks, "Who?" In fact, somebody said that the figure is only 34 because the member for Moggill secretly does know how well we are doing. Do members recall that, four or five years ago, members opposite used to say that we inherited it?

I have a copy of *Hansard* from 2 October 1990, which includes a statement from Mr Borbidge. I do not think he was Leader of the Opposition then, but he had all the wisdom that he still has now as leader. During the debate on the Budget, Mr Borbidge said—

> "However, the simple fact is that both the Treasurer and the Government are being propped up by the financial legacy that they have inherited from the National Party.
>
> From this day on—"

2 October 1990—

> "the Government is on its own. The Treasurer is on his own; he will have to answer for himself. Next year, he will not inherit a cushy surplus from the National Party."

We stand on our record.

State Government Fuel Supply Contract

Mr LINGARD: I will place on notice my second question to the Minister for Administrative Services. I refer to the protracted tendering process which has occurred in the calling of tenders for the State Government fuel supply contract. This particular contract expired in February 1994, yet two extensions of the contract have been sought from the existing supplier, BP Oil, because the Minister's department has been unable to complete the tender process.

If the Minister wishes to answer my question now, I will ask it without notice. This has created a great deal of uncertainty—uncertainty for the existing supplier and uncertainty for the supplier's retailers throughout the State. I ask: why has the Department of Administrative Services required two extensions of the existing fuel supply contract to finalise the tender round?

Mr MILLINER: The reason that an extension has been sought as a result of the fuel contract with BP is that we are putting in place an efficient fuel management system throughout the State so that we can better manage the resources of fuel for the benefit of the taxpayers

of Queensland. The member for Beaudesert has been running around the State making all sorts of criticisms of the Government in regard to this particular issue.

Obviously, we are concerned about the sorts of things that have occurred, but we have an obligation to the taxpayers of Queensland to ensure that we put in place the most efficient method of procurement that we can possibly put in place. We have instituted a State Purchasing Council, which is made up of both public and private sector people. There are 18 people on the council, half of whom come from the——

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

MATTERS OF PUBLIC INTEREST

Australian Labor Party Factionalism

Mr BORBIDGE (Surfers Paradise—Leader of the Opposition) (11 a.m.): For the last few days the Opposition has been told that today we were to see the big assault on the coalition. We were going to have a little guessing game this morning as to which Government backbencher would win the meat tray for the best Dorothy Dixer. It was left to the Attorney-General to come good. What we have is a Government in disarray, a Government breaking into faction after faction after faction. When we get down to it, the Labor Party does not even need branch-stacking—all that it needs in Queensland is some arrogance, as we are told by the Labor Party in the *Courier-Mail* this morning, following the announcement that the Minister for Education would be resigning.

The people on the ground—the branches—are simply being made redundant. We now have a master plan to pluck the discredited Minister, Paul Braddy, out of Rockhampton and to impose him on the people of Kedron. Mr Braddy is the man who has single-handedly turned a safe Labor seat into a marginal seat. We have the master plan to lift Robert Schwarten straight out of his taxpayer-funded holding pattern and deposit him into Rockhampton. What a breathtakingly arrogant way for the Labor Party to impose its will on the people. On this subject this morning's *Courier-Mail* stated—

> '"We are looking at a pretty sleazy deal that ignores the wishes of the grass roots and could destabilise the party . . .
>
> 'In Kedron, at least two local people considered themselves as having a chance of following Comben.
>
> 'The locals are not going to take kindly to having an import thrust upon them, even if that person has the imprimatur of kingmaker Wayne.' "

What we are seeing here are the workings of a party which, between the old guard, the new guard, the Rudd-guard, the Left, the Centre Left, the independents and the Ludwigites, is not one party, but at least five and a bit. In the Cabinet alone, we have five Ministers swearing allegiance to the independent faction—the Clayton's faction. Nobody will be surprised that one of those Ministers has had his usual bob each way; he has a foot in two sub-parties in the Government.

The Premier does not even know which faction to belong to: the faction that isn't—the Clayton's independent faction, or the faction that pulls his strings, the AWU faction. We have five swearing allegiance to Labor Unity, four to the AWU, two to the conventional Left, one to the McLean Left and one to the Gibbs Left. Guess who! Counting the Premier's one and half factions, that makes five and a half factions in the Government—and that is just in the Cabinet.

On the back bench, we have two members of the Premier's Clayton's faction—the independent faction; we have eight in Labor Unity, 17 aligned with the AWU, three with the McLean Left, and some company at last for the Minister for Tourism, Sport and Racing—five members of the Gibbs Left. Among these factions we have the McLean Left plotting against the Gibbs Left and all other factions, particularly the AWU.

Mr Santoro: Sounds like a happy family to me.

Mr BORBIDGE: A happy family, yes. The AWU returns the favour. Labor Unity goes off and sulks, and the independents go with the flow, seeking advantage wherever they might find it. In the battles between these factions, nothing—and nobody—is sacred. The sitting member for Salisbury—from the independent faction—is the victim of branch stacking. According to a former assistant secretary of the party, the honourable members for the State seats of Cleveland, Thuringowa and Woodridge are all suffering branch stacking.

And in the Federal arena we have the Rudd-guard stacking branches with Vietnamese Australians to get their noses in front of the branch stacking with Greek Australians by the Left. The same shenanigans, we are told by the Labor Party, are also occurring in Herbert and Moreton. This information is not coming from the Opposition, it is coming from the former assistant secretary of the Queensland Branch of the Labor Party.

This is the mob that attacked the coalition parties for engaging in cronyism and for engaging in abuse of power. It is this faction-ridden mob that dares, and that has the cheek, to seek to make political mileage out of discussions between two parties on this side of the House to enhance what is already the tightest and the most detailed coalition anywhere in the country. We have endorsed all of our members; the Government has not started yet. Members of the Labor Party are prepared to abuse and to take advantage of the sad and the factionalised history of people such as Vietnamese Australians and Greek and Macedonian Australians to further their own miserable and, to quote their own sources, "sleazy" little power plays. This is the disunited, squabbling, back-stabbing mob that thinks that discussions between just two parties to further cement the best coalition in the country are something that they should celebrate. Only a party in such disarray as the Labor Party could even entertain the idea.

Where is the coalition of the five and a half Labor Parties? Labor members have five and a half parties all going in different directions! The conservative coalition is not running around plotting to depose key party officials; that is the Labor Party coalition. The conservative coalition is not plotting against sitting members; that is the Labor Party's coalition. The conservative coalition is not playing on the tragic history of Asian and European-born Australians to stack branches so that it can oust sitting members; that behaviour is coming from the Labor Party coalition. Honourable members can ask the member for Salisbury where the Labor coalition stands in relation to his seat. Ask the member for Thuringowa where the ALP coalition stands in relation to his preselection. Ask the member for Woodridge whether the Labor coalition includes him. Ask the member for Cleveland how he feels about the Labor coalition. Is it united behind him? Ask the members for Herbert and Moreton in the House of Representatives. The simple fact is that the Labor Part is falling apart just as it did in 1956.

The governance of Queensland over the past four and a half years is testimony to disorganisation, disunity and the contortions that the governing faction is prepared to go to in order to create a facade that it is actually in control of all the other factions. The push from the Left factions—plural—has been to boost pay in the public sector and to chase the social justice issues. So what we have had is a Government that has bowed to most of the demands of the Left, while pretending to the people of Queensland that it has not. So, we have a land rights policy disguised as a national parks policy—a policy designed to mollify the Left, while keeping the anti-Left silent majority in the dark. Because the Left does not really like spending money on law and order, we have a Government which says it spends a lot and does a lot, whereas the truth is that the Government's promise of 1 200 extra police in its first term may just be met by the end of its second term. We have an accommodation crisis in prisons and the judiciary is saddled with the sentencing demands of the Left. In health, the Left has also won. We have hundreds of billions of dollars being spent, while services go into free-fall: almost a precondition for any social justice policy that is going to get the support of the Left. The Left has also won in education—or so it thinks. The appointments process is now so akin to Marxist requirements of political correctness that scores of schools do not have headmasters and cannot get teaching staff.

The flip-side for the allegedly ruling Right-wing clique is the need to pretend that it has done its job by the parents and students rather than by the Left of the party. So we have the departing Education Minister confirming in the recent Budget Estimates process that roughly one-third of all the extra teachers he says the Government has employed do not actually have, as he put it, "warm bodies"; they are fictitious. No wonder he wants to go home!

So the bid to marry the demands of the factions with the demands of the electorate has already led the schizophrenic ruling clique of this Government into dysfunctional government. I say again that a party, which is really five parties now engaged in total internal warfare, has a hide when it seeks to make any mileage out of two parties talking— not brawling, but talking—about how to improve their relationship. I commend that approach to the five and a half Labor Parties opposite.

Coalition Candidates; Boothville Maternity Hospital; Sheldon Report on Crime

Mr BEATTIE (Brisbane Central) (11.09 a.m.): Before I make my contribution on two issues today, I want to make passing reference to the contribution to this debate by the Leader of the Opposition. It does not matter how many different points of view we may have in the Labor Party, we know that there is strength in diversity. We are not dictators like this lot opposite. Let me say that the Labor Party is a party worth belonging to. On the other hand, the coalition cannot even work out in which electorates it wants to run a Liberal or a National. They cannot work out which party candidate they are going to run in which electorate.

The Leader of the Opposition yelled out, "We've endorsed our lot." If that is the case, more fool them. We are delighted to deal with those clowns at the next election. If they have all been endorsed, that is worth 5 per cent to the Labor Party in all electorates. The Labor Party is delighted that the coalition members have all been endorsed. I plead with Opposition members: for heaven's sake, do not change the leadership; do not change Borbidge or Sheldon; the Labor Party wants both of them there for the next election. Coalition members really are the "shamble ramblers". They cannot agree on whether they are going to cane or whip. They cannot work out which electorates they are going to run in. What a joke! Queenslanders think that they are a joke and the Parliament thinks that they are a joke. They will get thrashed at the next election, and I look forward to that.

The major issue that I want to raise today relates to the Boothville Maternity Hospital at Windsor. On 30 September 1994, the Salvation Army will close the Boothville Maternity Hospital, which is located at Windsor in my electorate, and dispose of the property.

The Boothville Hospital has been operating for over 70 years—indeed, since 1924—and more than 80 000 babies have been born there. The news of the closure by the Salvos is a great disappointment to those who have been associated with the hospital and who have a great respect for the services that it has provided since 1924. Although the decision of the Salvation Army to withdraw its support obviously reflects competing interests from other areas for its valuable community work, this does not in any way detract from the value of the services offered at Boothville.

The imminent closure of the Boothville Hospital is a major setback to those interested in and responsible for the quality of birthing services being provided for the people of Brisbane and the Queensland community as a whole. The birthing services offered by Boothville are unique in many ways and are not duplicated by other facilities in the Brisbane region. The hospital has been an innovator of many practices that are now widely adopted by birthing facilities elsewhere, and offers a model similar to the birthing centre models in operation and widely accepted in other States of Australia and overseas.

Indeed, Boothville has been the pioneer in Queensland in the fields of obstetrics and gynaecology. It was the first to welcome fathers into the birthing suites, to introduce the famous Le Boyer birthing method and to encourage women to have natural, active births. Other features of Boothville include after-care for postnatal depression, breastfeeding problems, bed rest and sleeping problems with babies; a 24-hour midwife telephone service; a training hospital for university institutions and support workshops for new mothers.

Boothville has one of the lowest intervention rates of any hospital in Australia and has developed a birthing program that focuses on supporting active birthing participation and giving quality care not only while a mother is in labour but also, equally importantly, in all aspects of pre and postnatal care.

A large number of my constituents believe that the people of Brisbane should be able to continue to have this choice of birthing facility, and I agree. A committee called the Brisbane Needs Boothville Action Group has been established—to which I will refer later—that is researching all options for allowing Boothville to remain open to offer the unique services to which I have referred. On Friday, 22 July 1994, in King George Square, a public campaign organised by the group and its three key members, the campaign launch coordinator, Joanne Kreibke, the Government liaison officer, Beth Clark, and the publicity officer, Andrea Southern, was launched. Along with Mike Horan, MLA, and Councillor Maureen Hayes from the Brisbane City Council, I spoke at the launch. Because of the short notice given for the launch, the Minister for Health was unable to attend, and I represented him as well as my electorate.

It is my view that the long-term solution to saving Boothville lies in the hands of private enterprise. Boothville is a private hospital and we need a private-enterprise solution. At the King George Square launch, I called on Brisbane's obstetricians to band together to form a partnership to take over the running of the Boothville Hospital, and I renew that call today. It would be ideal for a group of obstetricians to put together capital and to take over Boothville from the Salvation Army. I believe that a private enterprise solution involving a group of doctors and perhaps another existing private hospital would provide the best long-term solution to the problem because it would allow the unique and valued services of Boothville to survive. As I said, Boothville is a private hospital and its problems need a private-enterprise solution. Surely, there is a group of Brisbane obstetricians who have the initiative and energy to see the value of retaining the unique character of Boothville.

I also appeal to Brisbane's other private hospitals to examine the possibility of running Boothville. Perhaps a private hospital with an established maternity unit might be able to operate Boothville as an adjunct to its existing services, or a private hospital not operating a

maternity service may want to add Boothville's unique services to its existing activities. After all, Boothville already has an established, sound and excellent reputation. Boothville also offers obstetricians the possibility of managing consulting rooms from the hospital, which is operated from a heritage-listed building with wonderful grounds.

I hope that the large number of constituents who have contacted me to help save Boothville, because they see it as an alternative birthing centre to the large city hospitals, will see it saved by a private-enterprise initiative.

For the information of the House, I table 440 letters that have been sent to the local councillor, Maureen Hayes, and me by Queenslanders who are trying to save Boothville.

I also refer to an update I received from one of the organisers, Beth Clark, which outlines their campaign and what they are seeking to do. In that communication, she states—

> "The Brisbane Needs Boothville Action Group has been formed in response to the announcement of the hospital's imminent closure. This committee recognises the important and unique role that Boothville has played in the provision of maternity services in Queensland and has been exploring options to retain this model within the range of birthing choices available.
>
> The BNBAG has resolved to proceed to establish a community-based maternity hospital/women's health centre based on the present Boothville model. Such a centre would provide a similar service to that currently offered at Boothville Mothers' Hospital, and in addition, look at expanding and revising the present range of community services offered.
>
> BNBAG is presently preparing a submission seeking agreement in principle to sponsor a community based maternity hospital/women's health centre as a demonstration project for a two year trial period. It is intended to eventually run the facility on a cost neutral basis, with a management structure that facilitates community participation in the management and delivery of services relating to birthing."

In the few moments remaining to me, I want to deal with another issue, that of crime. I was concerned to read in the Sheldon report, which is a document produced by the Deputy Leader of the Coalition, that she is intending to survey her electorate of Caloundra with what I regard as a very biased and politically motivated survey that, unlike what this Government is seeking to do, will not assist in the fight against crime. For the information of the House, I table copies of the relevant sections of the Sheldon report, including the survey. In doing so, I make a number of points. A perusal of the survey shows quite clearly that it contains a number of leading questions that lend themselves to a particular answer. They are designed to reach a predetermined outcome. That type of politically motivated survey is discredited and will simply undermine the work done by police. If one reads the survey questions—to which I will refer shortly—one sees that few options are given. It ignores the complex operational planning undertaken by police. This survey is very simplistic and very destructive. It is really designed to achieve some cheap political statistics and, clearly, it is politically motivated.

Mr Welford: It's a stunt.

Mr BEATTIE: I take that interjection. It certainly is a stunt. It is destructive of police work and planning. It will undermine police work in the Caloundra area and in other areas on the north coast. I urge people in the electorate of Caloundra to get behind the police and to not become involved in a political exercise.

A couple of the questions in the survey relate to law and order and other crime issues. A reader of the survey is given four options about crime rates: "Are they of great concern? Of concern? Of little concern? Of no concern?" What a silly question! Of course people are concerned about crime. The survey asks—

> "Do you favour a cluster system of policing or a system of suburban police stations?"

The survey provides no explanation of what a cluster system is all about. How can people rationally make a decision without that information? The survey goes on to ask further—

> "How would you describe police response?"

The option is that it is either adequate or inadequate. That is the only choice, and what a pathetic choice! There is no attempt to give some idea about how long the response was and there is no attempt to get detailed statistical information. What does that mean? It is a very unprofessional question. It undermines the work of the police. It goes on to state—

> "Do you believe that the police presence in our community is adequate and a deterrent to would-be wrong doers?"

What does that mean? That is pathetic. I think that this survey is a disgrace.

Time expired.

Eastern Corridor

Mr J. N. GOSS (Aspley) (11.20 a.m.): When it comes to transport and traffic planning in this State, the people of Queensland have to deal with a Government that has a million dirty tricks in the transport drawer. Let us quickly have a look at the record of this Government, and in particular that of the Minister for Transport. There were no tolls on the Sunshine Coast Motorway, and now even people going to their own airport have to pay the toll twice at the same toll plaza. The people affected by the southern bypass, the residents of the Runcorn area, were presented with a red or a blue option. Yet the people of Stretton were unaware that they would be the victims of the Government's third and secret option, now known as the white option because it did not appear and was not visible on the plans.

I now move on to the issue of the Gateway Bridge toll rip-off. The people using that bridge believed that they were paying off the Gateway Bridge but, at the same time, this Minister is syphoning off the money to use in other projects. Then we saw what happened with the airport tollway. The Minister claimed that he did not know anything about a glossy Government publication related to the project. It was all set to go. Staff had been employed to present and explain the proposal to the public, and shopping centres were booked for this purpose. What a waste of public money if it was never intended to proceed with that project. If it were not for my colleague the member for Clayfield and the local newspaper, the *Bugle*, the bulldozers would be revving up today to go through those houses.

In fact, the member for Brisbane Central and the member for Chermside knew all about the proposal, yet the Minister did not know anything about it. Maybe the Minister should resign and allow the member for Brisbane Central to become the Minister for Transport. The people on Brisbane's south side in the Shires of Logan and Redland were told, "No corridor north of the Logan River." The people of south-east Queensland want to know why this State Government has stalled with the consultation process. Why is it afraid to tell people what is happening? This Government has stalled on the construction of the Gold Coast rail line, which will finish three years behind schedule. We have to ask why it is three years behind schedule.

What is the reason for the go-slow on the widening of the Pacific Highway? It is designed purely to cause as much disruption as possible to the traffic flow on the Pacific Highway. It has been a deliberate campaign by this Government to cause congestion. A typical example is the construction of the bridge over the highway at Pimpama. Traffic engineers have told me that that bridge could have been constructed with precast sections in 12 weeks. How long did that work take with a go-slow approach? Nine months! Either the Minister or the department are incompetent or there is a deliberate policy by this Government to create as much congestion as possible on the Pacific Highway. Lanes are closed off for long periods.

As an example of a cause of this congestion, in one case two people were doing some painting work that would have lasted all day and closed off a lane. The police had to move in to make them remove their cones and move on. The proposal is for a four-lane eastern tollway. Added to the four existing lanes, that would make eight lanes. Yet the Government is saying, "If we widen the existing road to eight lanes, it will last only to the year 2006, and in 2006 eight lanes will be clogged." The Government is actually saying that the eastern corridor, being a four-lane highway, will be good only to the year 2006.

The promise of no corridor north of the Logan River did cause some concerns among the local residents. It was quite obvious to them that the Government could not build a tollway to the river and stop there. The representatives of Veto spoke to the Minister and queried the undertaking that there will be no corridor north of the Logan River. The Transport Minister was asked whether there was an ulterior motive. He assured those people that there was no ulterior motive. In fact, the Minister wrote the following note to Richard Walding, the Vice-President of Veto, "To Richard, with best wishes from David Hamill", and he signed it, "p.s. No ulterior motive." Here we have Winton revisited. I doubt whether there would be a bank in Queensland that would accept the Minister's signature these days.

Dr Watson: It's not worth the paper it is written on.

Mr J. N. GOSS: No, it is not worth the paper it is written on. The people of western Queensland know, as do the people on the south side, what a shallow person the Minister is to sign such documents and then instantly walk away from them.

The Transport Department has drawers full of proposals for roads and bridges for south-east Queensland. I do not know why the department and the Minister cannot be up front and present those proposals to the public. Why does everything have to be a secret? The member for Brisbane Central, Mr Beattie, may know that the bridge across the Brisbane River at New Farm has already been designed by the department and is locked away.

Mr Beattie: That is not going to happen, and you know it. That is scaremongering.

Mr J. N. GOSS: I can assure the honourable member that the bridge has been designed. If what the member says is the case, that has been a great waste of money.

The solution to the problems on the Pacific Highway is not just a new highway. The solution to the problems is far more complex. No matter how many corridors and roads we build, there will be problems when the traffic reaches the outskirts of Brisbane. The members who represent Brisbane seats should all be concerned. If the Government is going to have 8, 10 or 12 lanes of traffic coming into Brisbane, that will mean that roads and bridges inside Brisbane have to be upgraded, otherwise it will just transfer the problem from the Pacific Highway right into the heart of Brisbane. It is logical that, if upgrading continues, we will see further development within Brisbane of roads such as the airport tollway.

What we have to do—and it was considered a joke—is build a busway down the middle of the freeway so that we can transport people from Logan City and areas around the Hyperdome into the centre of Brisbane in 22 minutes in peak hours. Once people see that they can travel to the city in 22 minutes instead of 40, they will catch the bus. The problem is that the buses are caught up in the traffic. People do not want to ride or stand on a bus for that long. If the eastern tollway goes ahead, it will be a disaster for Brisbane.

The Premier has stated—

> "The corridor route decided by Cabinet last February"—

and this is in 1993—

> "which stops just north of the Logan River, still stands. I cannot understand why the VETO group is so upset."

Again, in the *Redland Times*, the member for Capalaba, Jim Elder, said—

> "I am certainly not in favour of a corridor through the Koala habitat and I will not support such a route if it is recommended by the study group."

Jim Elder has given a public commitment that he will oppose it. The Premier cannot understand why everybody is upset, because he said that it was not going to happen. Con Sciacca said—

> "I sometimes wonder, as do many other people within government parties, as to where Mr Hamill learnt his politics because he certainly displays a lack of them. Approval of an Eastern Corridor would be political suicide for the Labor Party and would cost the Government two seats at the next election."

There are solutions, but the Government wants a toll road and the money from the toll. The Government is afraid that, if it provides public transport, it will have to subsidise it instead of being able to rip off motorists and get more money so that the toll road will eventually be self-funding. It is a pure rip-off of the Queensland motorist.

Roads

Ms POWER (Mansfield) (11.30 a.m.): It gives me no pleasure to follow the member for Aspley in this debate. However, he provided me with some ammunition to prove what a sham the coalition is when it comes to the issue of roads in the Brisbane area. I want to use the time allocated to me to highlight the hypocrisy of the Opposition on the issue of roads. This is not the first time that I have had to highlight the hypocrisy of members opposite. I would have thought that, after five years in Opposition, members opposite would have gained something from sitting on the Opposition benches. However, I am afraid that that is not the case.

Mr FitzGerald: You'll learn very shortly.

Ms POWER: I wait for that day! I know that at least 10 coalition factions are fighting it out in Mansfield. I am waiting for those factions to decide which way they will jump. I will be watching and waiting to hear their comments. I intend to remind the councillor for Wishart about his deceit over the Brisbane landfill. His actions in that regard are on the record.

The political point scoring in which the Opposition has begun to engage over the eastern corridor is very familiar to me. It is very reminiscent of the debate over the Brisbane landfill. I find it abhorrent that the Deputy Leader of the Coalition should carry on as though she has the united support of her party, because she does not. The pros and cons of the eastern corridor have been discussed frequently in the media and in correspondence cited in this House. That debate will continue. I do not intend to contribute to it at this time. I will hit hard at the Leader of the Opposition, the Deputy Leader of the Coalition and some others who have made comments on this issue. At the end of my contribution, I will ask the member for Lockyer who is sitting more comfortably in their seat.

Last night, I watched the Leader of the Opposition waffle on, which is not unusual for "Mr 17 per cent". He agrees that there is a need for the eastern corridor, but he is not sure when or where it should be located. Mr Borbidge needs to make some decisions. His lack of positive decision making is the reason why his public approval rating is 17 per cent and why the

Premier scores much higher. How can people get on with their lives and how can businesses make decisions if no announcement is made about the location of the road? We cannot persist with the status quo for years until the Pacific Highway is completely inadequate and then say, "Oh, my goodness, we should have done something else." There is no point in talking about a whole range of alternatives. The decision needs to be made now, and it needs to be made under very difficult circumstances. The Leader of the Opposition is always complaining that the Labor Government has failed to make decisions; that it merely appoints committees and never comes up with the answers. I suggest that the Leader of the Opposition's performance last night in the news and on the *7.30 Report* showed who was ready to make decisions and who was not.

The Minister for Transport has a very difficult job, but he has been prepared to come out and argue his case strongly. I am sure that most people are aware that I do not always agree with his opinion and that we have had a number of debates on various issues. However, I do not envy the Minister in his task, and I appreciate the difficulties that he faces. If he believes that a need exists for a new road, I challenge the Leader of the Opposition to return to the Chamber and inform the House when he thinks it should be constructed. Some members of his own party and members of the coalition are on the public record supporting the eastern corridor. Of course, I refer to those stalwarts the member for Southport and the member for Nerang. At least one National and one Liberal support the corridor. It is evident that at least two Opposition members are in support of the concept, and they are not members of only one party or one faction of the coalition. The Leader of the Opposition supports the corridor; he just cannot decide when or where to build it. Last October, the member for Southport said, "Build it now." He certainly supports the eastern corridor. The member for Nerang supports it and says that it should have been built at least three years ago. I note that those two stalwarts are not in the Chamber to defend their positions, nor to support the member for Aspley in his great tirade on roads.

The most hypocritical Opposition member has to be the Deputy Leader of the Coalition. On the weekend, she fronted at a meeting of local community members in order to score political points. She bussed in people from all over Queensland to lend support to her cause, and I will refer to some of those people later. How honest is the Deputy Leader of the Coalition? Did she tell the people at the meeting at Daisy Hill on Sunday about the comments of members of the coalition? No! She wanted merely to join a great Tollbusters' retreat and relive her glory days, when she protested against the tollway on the Sunshine Coast. It is a shame that the Deputy Leader of the Coalition is not in the Chamber to defend her minority position, because I believe that it is a minority position that she is taking.

Supporting no tollway is very short-sighted, but of course the Deputy Leader of the Coalition is known for her short-sightedness. I believe that her position would not be very popular in the coalition. If this Government or any other Government were not to consider tollways in south-east Queensland, what would happen to roads in the rest of Queensland? Some members of the coalition have made public comments about the——

Mr J. N. Goss: Who wrote this for you?

Ms POWER: I inform the member for Aspley that it is my own writing.

In the safety of their own electorates, far away from south-east Queensland and this House, some members opposite have made public comments on this issue, and I will refer to those comments later. There are some very important facts that the Deputy Leader of the Coalition fails to understand. This Government is in its present difficult position, having to make hard decisions about infrastructure, because the Opposition parties when in Government failed to make those decisions. Mr Hinze was the Minister for Main Roads. He was a major player in the former Government. What did he do? He was aware of the high level of traffic that was using our roads. Bjelke-Petersen was always claiming how good it was in Queensland and skiting about how many people were moving here. What did these two men do? They failed to set aside a corridor. As a result of their inaction, the people in my electorate, the people in the electorate of Springwood and people right down to the Gold Coast are facing heartache. I find it absolutely incredible that the Deputy Leader of the Coalition would front up at a public meeting and use those people's heartache to score political points.

The Leader of the Opposition in 1985 hoped that the Gold Coast rail line would be open for Expo 88. It was not. Why? Because the National Party would not commit the necessary funding to it. Of course, those same people had the great foresight to rip up the rail line 20 years ago. Now the Labor Government has to provide the funding to construct that rail line. How many roads could that level of funding have sealed in the rest of Queensland? The funds that we have had to commit to rebuild the rail line may have given us different options for the road corridors

that have to be set aside. Make no mistake: this Labor Government is facing hard decisions. It has realised that traffic congestion is increasing, and it is prepared to make the hard decisions. The Deputy Leader of the Coalition has a cheek to score political points at the public meeting attended by residents of the areas affected by this issue, because her coalition partners caused most of the problems.

As I said earlier, the Minister for Transport does not have an easy job, but he has made his policies very clear. He has adopted a broad approach to this issue. We should not consider one small issue in isolation and use it to score political points. As to people attending meetings in city squares, at Daisy Hill or anywhere else—I remind members opposite that when in Government they would not have allowed such meetings to occur. People would have been dispersed. They would have been thrown into paddy wagons by police and hauled off. Members opposite may laugh, but I remember such incidents well. It is about time people were reminded of the attitude of the former Government.

Members opposite refer to pitting the people of Logan against the people of Redlands. That is not very true. However, let us remember the way in which the former Government treated the people who were affected by the construction of the Pacific Highway and the freeway. The actions of the former Government in that regard will not be forgotten; they will be remembered for a long time. The former Government gave scant consideration to the feelings of those people.

If I have not already presented enough evidence of the hypocrisy of the Opposition, I want to conclude with the views of the member for Western Downs. In the safety of his electorate, he said—

> "Why is this colony of koalas so important? There hasn't been an outcry about fauna in rural Queensland being killed by cars every night.
>
> I do believe the needs of people who don't have a sealed road should be placed before a desire to preserve a small pocket of the environment in the crowded south-east corner . . . "

Time expired.

Brisbane Tribal Council Ltd; Gwandalan Community Corrections Centre

Mr LITTLEPROUD (Western Downs) (11.40 a.m.): The matter of public importance I raise today involves the Brisbane Tribal Council Ltd and its past arrangement with the Queensland Corrective Services Commission to operate the Gwandalan half-way house for Aboriginal prisoners at Woolloongabba. At the outset, I state that there is a need for a full and open inquiry into this whole issue by the Criminal Justice Commission. In my view, the matters I will outline, which involve poor accountability and slipshod administration, coupled with documents I intend to table, are sufficient to warrant close investigation by the appropriate authority.

The Gwandalan Community Correction Centre was owned and operated by Brisbane Tribal Council Ltd under a management agreement with the QCSC which dated from 20 February 1990. The three-year contract was extended by two years to 20 February 1995. The QCSC paid the Brisbane Tribal Council Ltd a management fee of $398,000, which was paid in monthly instalments of $33,166.67. This was for all operational expenses of the centre, including offender allowances. I table a copy of the variation agreement between the Brisbane Tribal Council Ltd and the Queensland Corrective Services Commission said to be dated 16 August 1993.

As honourable members would be aware, Brisbane Tribal Council Ltd was placed into receivership last year with a debt of $242,000 owing to the Commonwealth Bank. This occurred about two weeks after the death of the council's coordinator/manager and well-known Aboriginal community figure, Mr Don Davidson. The receivership action was taken by company secretary Elizabeth Ditton and resulted in a prolonged and frequently heated period of unrest among those associated with the company and its running of Gwandalan. These circumstances are outlined more fully in an affidavit of Elizabeth Ditton lodged with the Supreme Court, a copy of which I now table. In this affidavit, Ms Ditton points out that, following Mr Davidson's death, there were no structured management or business procedures put into place within the company.

In late August 1993, the situation worsened when the Commonwealth Bank's Woolloongabba branch indicated that it was not prepared to extend the company's overdraft to cover wages for the week ending 27 August 1993. This resulted in staff at Gwandalan going on strike because wages were not paid. This occurred about a week after a conference held at the representation offices of Deloittes Touche Tohmatsu involving representatives of the funding agencies, legal representatives and others. The contents of the meeting are outlined in a diary note from F. G. Forde, Knapp and Marshall, a copy of which I now table. At this meeting, a Mr Jack Duff indicated that if there were no funds available the Brisbane Tribal

Council was unable to trade. The meeting was advised that this had the potential of rendering directors of the company personally liable for any debts incurred. According to the diary note, Mr Duff indicated his intention to be appointed as receiver for a period of about one month, at the end of which he would make a statement of the financial position of Brisbane Tribal Council Ltd.

On 3 September 1993, a Supreme Court order was issued appointing Robert John Duff of Deloittes Touche Tohmatsu as receiver and manager of Brisbane Tribal Council Ltd. I table a copy of the Supreme Court order. Elizabeth Ditton, who had been elected to the board as company secretary a second time following a special general meeting ordered by the Supreme Court in July last year, was obviously concerned at her potential liability due to the company's outstanding debt at the bank. She had also sighted at the Commonwealth Bank copies of cheques with signatories who were not authorised by the board of directors of Brisbane Tribal Council Ltd. The council reportedly had 26 accounts. I table copies of cheques as examples of some of these.

In the receiver/manager's report to the Supreme Court, Deloittes Touche Tohmatsu found that Brisbane Tribal Council Ltd was insolvent and that the company had no significant means of generating any income, being totally reliant on continued funding from Government departments, both State and Federal. The receivers found a deficiency of more than $600,000 and called for an investigation as to whether taxpayer-supplied funds had been misapplied. I am informed that some of the liabilities included unsecured creditors, including trade creditors, $169,563; group tax, $84,029; the Commonwealth Bank of Australia, $242,000; and the Queensland Corrective Services Commission, $62,103.

The receiver's prime concerns included the large number of cash cheques drawn with no supporting vouchers or documentation and their finding that cash book dissections may not have reflected the actual nature of the expense. It is interesting to note that the $62,103 applying to the QCSC related to an overpayment made to the company. The company had sought approval from the Minister at that time to have the debt written off, but this was rejected. However, the commission did agree to repayment of the amount at the rate of $2,000 per month. I also table a copy of the letter from the Minister relating to this advice.

In a letter to the Brisbane Tribal Council Ltd President, Mr M. Riley, dated 6 August 1993, the receiver outlined a review of the company's operations for previous financial years back to 1988-89. This was to include examination of all expenditure which was to be vouched to supporting documentation, if any, for the following: cash cheques, personal payees if board members, capital expenditure for purchase of assets, lease payments, consultative fees, and cheques considered to be abnormal to the operations. I table a copy of this letter.

I now turn to some specific concerns outlined in an article written by Phil Dickie in the *Sunday Mail* of 8 May this year. The article outlined the extent of the alleged fraud, and no official investigation appears to have been undertaken. It outlined the abuse of hire cars for Gwandalan, with over $6,000 being expended in one financial year. At times, prisoners had use of the cars, and in one instance, one prisoner, Trevor Stone, was found to be driving a vehicle while intoxicated. He was subsequently returned to the Sir David Longland Correctional Centre. The hire cars were used by supervisors of Gwandalan, office staff and an Alice Springs policeman, a Mr Robert Mills. How that ever happened, I would not know. The manager of Gwandalan, Mr William Daddow, even used hire cars when he was in Cairns on leave. These accounts were paid for by QCSC. In one instance, he hired a Falcon GLi from 24 December 1992 to 3 January 1993 at a cost of $713.91. I table copies of the Hertz car rental accounts. Prisoners' hotel and mini-bar expenses were paid for by QCSC while the prisoners Trevor Stone and David Logan spent some time at the Royal Pines Resort, Gold Coast, on 10 May 1992. I table copies of the Royal Pines Resort account and associated correspondence.

There are other examples of questionable expenditure, namely a specialist optometrist consultation for the prisoner David Logan, the purchase of a rotary ironing machine—tax exempt—for $1,510 and a receipt for air travel by Bill Daddow and his brother Stephen to Cairns worth $676. Honourable members should remember that Bill Daddow was Gwandalan's manager and Stephen, his brother, was a supervisor and that their family hailed from Cairns. In relation to the rotary ironer, the invoice for which was marked "Attention Marlene Davidson"—the widow of Don Davidson—it is noted that the 1992 audit report submitted to the Australian Securities Commission does not show a rotary ironer being a capital expenditure item. This is despite the fact that livestock at Purga, one of the company's properties, is listed at $840 in the capital expenditure for Gwandalan, including a horse for $90. There is a lot of detail there, but no detail when it comes to the ironing

board. I table copies of the relevant invoices referring to that.

In relation to the Purga mission site at lot 60, Boonah Road, just south of Ipswich, it is claimed that the commission paid nearly $18,000 for essential services, capital repairs, maintenance and rent on this property. I emphasise the word "rent" because Brisbane Tribal Council Ltd owned the Purga mission site, but in the main cash books from the council's administration office the rental income allegedly paid to Professionals Real Estate does not appear as income. I table copies of the cash book journals of the Gwandalan Community Corrections Centre with regard to that.

In the article by Mr Phil Dickie in the *Sunday Mail* of 8 May referred to earlier, it was alleged that Don and Marlene Davidson had extensive repairs and maintenance work undertaken at their home at 31 Wareela Street, Murarrie. It is alleged that the work was performed by inmates of Gwandalan under the supervision and direction of Bill Daddow. Daddow was given the position of overseeing all maintenance work to be undertaken in Brisbane Tribal Council properties. I table a copy of the material on which this article was based, including a letter dated 11 March 1992 from Don Davidson to Bill Daddow appointing him as being responsible for overseeing all repairs. The letter states, in part—

> "Most importantly we are depending on your years of experience to scrutinise all accounts and therefore safeguard against ill-spent monies."

Deloittes Touche and Tohmatsu, as I understand it, does not have a brief to do an investigative audit as part of the receivership. In her role as company secretary, Elizabeth Ditton started to investigate the records of the Brisbane Tribal Council. In the issues I have mentioned here today, the results of her investigations have been revealed. I believe there is a need for a thorough, official investigation because, from the copies of documentation I have tabled, it seems quite obvious that the activities of the Brisbane Tribal Council Ltd left a lot to be desired in terms of public accountability. The Queensland Corrective Services Commission was also negligent in its administration.

Brisbane-Gold Coast Highway

Mr VEIVERS (Southport) (11.49 a.m.): Today, I rise to answer the Labor Party's challenge, which was made in the House earlier this morning. I must thank the member for Mundingburra, Mr Ken Davies, for this opportunity. He kindly stood aside so that I could speak in this debate. Today, I want to address the issue of the massive traffic problems that are threatening the Gold Coast's tourism, commerce and small businesses. There is no doubt about it; they are definitely threatening those industries. I refer to traffic problems that have turned what was a one-hour trip to the Gold Coast into a three-hour nightmare. Those traffic problems have been created by four years of inaction by this Government.

Mr Beattie: Ha!

Mr VEIVERS: The member for Brisbane Central may laugh. He moved an entire road sideways from the centre of his electorate and put it into the electorate of some poor unfortunate member north of him, but the Minister did not even know about that. I think the member for Brisbane Central was the one who had all those brochures printed, but he has not been game enough to admit that to the Minister for Transport. And he says, "Ha!" to me!

This Government has contributed to the chaos by taking the view that it will be able to justify the creation of a new tollway to obtain extra revenue—more money to balance the books. This is the highest charging Government we have ever had in Queensland. That is the agenda—the Labor agenda.

What has the Government done over the past four years in respect of the Gold Coast highway? Has it moved to expand its capacity? No! Has it done anything to remove the bottlenecks? No! I know that the Minister travels via Beaudesert when he goes to the Gold Coast. I have been reliably informed that he will not even try to travel via the Gold Coast highway; he goes via Beaudesert, Canungra and the gorge road. That trip takes two hours, but at least one keeps moving. What has this Government done? Nothing! It has only just tinkered at the edges.

Mr Beattie: Stop your whingeing. Tell us what you're going to do about it. What will you do about it?

Mr VEIVERS: Excuse me! I am a member of the Opposition. The member for Brisbane Central is part of the Government. What has he done? He has been in Government for four years, but he has just sat on his hands. I have tried to tell him what to do, but he would not listen. Even the Minister for Transport——

Mr Beattie interjected.

Mr SPEAKER: Order! The member for Brisbane Central will cease interjecting.

Mr VEIVERS: I cannot hear myself think. Thank you for your protection, Mr Speaker.

This morning, the Minister for Transport bestowed accolades on me, saying how gallant I have been by trying to look after the people of

the Gold Coast. Did Mr Beattie, the member for Brisbane Central, not hear that? I am responsible for the people of that area. I try to give them what they deserve—unlike Mr Beattie. Incidentally, how is his turbo Saab going?

The simple fact is that if the coalition had been elected in 1992, the Pacific Highway would be well on the way to being an eight-lane highway of international standard. It probably would have been completed by now. We would have got on with the work immediately, because that is how we on the conservative side of politics do things. That is how people such as the late Russ Hinze built this State. He was a man who was supported by Labor Federal Ministers who asked, "How does this man do these things? How does he get money from Labor Governments to put into roads?" He was competent—unlike the Minister, even though he was kind to me this morning.

It was the foresight of people such as Russ Hinze that allowed us to expand that highway. I must admit that that is contrary to what the Minister does. All he does is write letters and sign them. Then he goes back on his word. He did not even turn up at that protest meeting at Daisy Hill the other day. It was apparently too long a trip from one side of Brisbane to the other. The Minister would have had to arrive with pockets full of white hankies, and he would have had to surrender.

The current traffic gridlock is threatening the tourism industry and all the other industries on the Gold Coast. That is a fact. In most cases, for international visitors the first and last memory of a Gold Coast holiday is the traffic jam between the Gold Coast and the Brisbane International Airport. It is a disgrace.

Mr Beattie: What do you want done about it?

Mr VEIVERS: What do we want? The Minister has had four years in which to do something, but he is still sitting on his hands, warming his little cheeks—or whatever. He had his chance. He issued the challenge, and I am responding to it.

The problems with the highway have resulted in abandoned tours and missed flights. Some people who have travelled to Brisbane from the Gold Coast to catch a flight to Sydney and then home to Japan have missed flights. When they get home they say, "Don't go to Australia." This problem is affecting our tourism industry. The problems with the highway have also resulted in accidents, calamity and total frustration.

It is the Minister who sits in Cabinet. It is the Minister who makes the decisions—or he is supposed to. How many decisions has he made? He has made three decisions, he has written three letters, and he has blown it away. He did not even know that that pamphlet had been sent out under the stamp of the Transport Department. Mr Beattie did. He moved that road beautifully. Like a demented half-back, he threw a long pass, and the Minister ran onto it.

The Minister has sat on his hands for four years and failed to act. All we have had has been four years of dithering designed to create bottlenecks and frustration in an attempt to justify the new corridor. I am getting a bit excited. I have never had the opportunity to speak in this Chamber at the invitation of the Labor Party. It is unbelievable.

These problems have existed for far too long. It took 12 months to build an overpass that could have been built in just 11 weeks—an overpass that resulted in single-lane traffic during peak hours.

Mr Beattie interjected.

Mr VEIVERS: The honourable member never travels out of Brisbane. Members witnessed the closure of one lane of traffic in peak hours. Mr John Goss said that this was so that guard rails could be painted. My God! How well organised is this department?

Mr Hamill: It is very well organised.

Mr VEIVERS: The Minister does not know. He presided over the publication of papers that he did not know about. Members have seen the closure of one lane of traffic in peak hours so that the lawn-mower and the whipper snipper could be put into action. It is no wonder that we have traffic chaos. It is no wonder that we have seen delays. And all this is from a Government that can work around the clock to build a new grandstand at Lang Park—seven days a week, 24 hours a day; but it works public service hours on the major road link between Brisbane and the Gold Coast.

Mr HAMILL: I rise to a point of order. The honourable member is misleading the House. He knows as well as I do that work occurs around the clock on the maintenance of the highway, causing major traffic disruption.

Mr SPEAKER: Order! There is no point of order. The Minister will resume his seat.

Mr VEIVERS: Thank you for your protection, Mr Speaker. The Minister is worried that he allowed me to speak. His secret agenda will not work; nor will the deliberate untruths that he and his colleagues have peddled to the people of south-e ast Queensland. Unfortunately, the member for Mansfield, Ms Power, has left the Chamber. She said some nasty things about me when I was not here, but I will not speak about her in her absence.

What about the commitments given to constituents in the electorates of Mansfield and Springwood? They were told that they had nothing to fear; that they could invest with surety and get on with their lives. It is little coincidence that those are both marginal Labor electorates in which the sitting members need to be propped up. I notice poor Molly over there. That grey patch on her head is getting bigger. By the time the election comes around, because of what she has done to those poor koalas she will have a full head of grey hair. But I do not want to be personal. It is very nice. Sitting members in those electorates need all the help they can get.

Time expired.

Mr SPEAKER: Order! The time for the debate on Matters of Public Interest has expired.

FAIR TRADING AMENDMENT BILL

Second Reading

Debate resumed from 28 April (see p. 7894).

Mr ROWELL (Hinchinbrook) (12 noon): Generally, the Opposition supports the amendments to the Fair Trading Act. When the Fair Trading Bill was introduced into the House and debated in 1989, it received bipartisan support. The Government of the day described it as the most significant piece of consumer protection legislation ever introduced. We are not walking away from that statement.

I start by referring to the Land (Fair Dealing) Act, which was introduced in 1988 and which is being repealed. Aspects of that legislation are to be included in the Fair Trading Act, with some additional provisions. The Opposition understands the intention behind the reframing of these amendments. It is difficult to find effective ways of protecting consumers against the consequences of signing a contract. If people have any doubt about their ability to interpret a contract or, for that matter, any legal document that they may be required to sign, then it is vitally important that they call upon the services of a person who is competent to assist in the translation of the document and its ramifications.

Although the Minister quoted a specific incident, and no doubt there may be others, the legislation is not a panacea for that particular problem. In the case of land transactions, it will make developers more responsible for drafting contracts in a manner that is clearer in intent and better understood by the purchaser of the land. Irrespective of any legislation that is designed to protect consumers, if a person has not the ability to fully understand a document, it is vitally important that the person seek assistance. I can see the Minister nodding his head.

Although there may be a cost associated with this assistance, there is no amount of legislation that can protect totally anybody against his or her own lack of diligence. In the marketplace, a "buyer beware" situation will always exist. Very often, for many people purchasing a block of land to build a house means the culmination of saving over a period to realise the goal of owning their own home. It is quite easy for them to be caught off guard as the significance of the occasion can create a feeling of wellbeing. Developers who have a prospect of selling land where large outlays have been spent in complying with the numerous requirements of local government and other Government institutions want to ensure that contracts signed realise a return on the investment.

Contracts that are signed subject to finance have, in the past, been aborted by astute legal practitioners. For a number of reasons, contracts that are signed certainly have to be looked at more clearly by those signing the contract. Often contracts run for a month or more while finance is sought prior to settlement. Should the finance not be available, the developer has then to find another purchaser, while often paying interest on money borrowed to carry out the development. However, it is not reasonable that the purchasers should be misled by the fine print in any agreement. Most purchasers should have sufficient knowledge of their prospects of raising the money required to purchase the land prior to the contract being signed. The practice of small print on contracts of sale should be discouraged. I believe that that is what the Minister is trying to achieve through this legislation. I do not believe that it should be used as a fall-back position for a developer to enforce granting of finance provisions of a contract of sale by providing unspecified interest rates in the advent of the purchasers not being able to obtain finance from competitive commercial sources. There has been a degree of goodwill on both sides and this must prevail.

I know of a development similar to the one mentioned by the Minister in his second-reading speech. The developer is selling a range of packages, including house and land, for between $90,000 and $200,000 and is providing finance in the event of the purchasers not being able to obtain their own. I understand that the terms of that finance, in the event that the purchaser is unable to raise the loan through the normal commercial institutions, is interest only for the first year. The loans start at a rate of 15 per cent, reducing to a flat rate of 12 per cent. Although this would be above the general home loan rate, considering that it is offered to

purchasers who have not been able to borrow at a lower rate—due, no doubt, to their being in the high risk category—the rate is probably not excessive. However, a purchase of a land package such as this would be over the $40,000 limit, which constitutes a "consumer" in accordance with the provisions of the amendment. I am supportive of the Government's intentions with this aspect of the legislation in eliminating doubt with land purchase agreements.

The provision of an interim order by the Minister prohibiting or restricting the supply of dangerous or undesirable goods or services may not be quite the same as withdrawing dangerous goods from the marketplace. In the Minister's second-reading speech withdrawal is referred to, but the amendment specifies only the restricting of supply, not withdrawing. Although there may be a subtle difference, I believe that there is a difference between the two meanings of excluding the dangerous goods or services from sale. Possibly, withdrawing goods could lead to compensation, particularly if after the 42-day period specified in the Bill the goods or services prove to be safe. The opportunity to have the goods on sale, if they prove to be safe, undoubtedly would lead a retailer to seek some form of compensation to recover the loss of trade.

However, despite this matter, the Opposition agrees with the intent of the amendment as now, with the Federal Government's policy of opening the flood gates to cheap imports, a number of products are coming into Australia. These imported products have their origin in countries which accept much lower safety standards than ours. In those countries, life and safety are not regarded anywhere near as highly as in Australia; the sale and manufacturing of goods is stimulated by the need to earn income. In those countries, little regard is paid to the consumer. Of course, when they export products, they are not particularly concerned where they end up. I would be surprised if the stink bomb mentioned in the Minister's second-reading speech, which resulted in children and teachers going to hospital, was not an imported item. The current legislation makes provision for goods to be seized after seven days. A quicker response is supported by the Opposition.

Providing guidelines for service industries, through mandatory codes of practice, makes the codes more enforceable. It is to be hoped that the guidelines set out are not unworkable for service industries. The Opposition will be vigilant in the scrutiny of these practices. A yardstick has to be determined for curbing those operators who blatantly adopt procedures that are of a poor standard. I am concerned that the provision of these mandatory codes of practice should not be used as an exercise to build a bureaucratic empire. The Opposition will not allow the Minister and his department to further get carried away with creating a power base. It is essential that adequate funding should be targeted for the codes of practice with service industries. It would be disastrous if a mandatory code of practice was to be applied to goods. The cost of drawing up guidelines would be horrendous, and the policing of the provision would be archaic. However, I can see no evidence of the Government's intention to do this; I can only hope that the matter is not being considered.

False and misleading information has been a stock-in-trade of charlatans the world over. Talking up or advertising the value of a product at an overrated value, then reducing the price to a cosmetically low level, creates a perception of an incredible bargain, when the truth of the matter is that it may not be worth the reduced price. The main problem with this amendment is: how is a benchmark established and what percentage is accepted over a reasonable price? Who will determine what is a fair or just price for a particular article? From my personal experience, valuations received from valuers often depend on the reasons and circumstances for which the valuations are sought. For the most part, the system is governed by supply and demand. Generally, retail sales are conducted on the retailer being the price maker. The value of a product can vary widely in accordance with the exchange rate from one country to another. A product made in Australia, with labour costing $15 an hour when all benefits are taken into account, must be substantially more expensive than the same article made in, say, Malaysia or Indonesia, where labour is less than 5 per cent of the cost of the Australian component. A number of products are being imported and then reconstituted in Australia under the guise of having some Australian content.

I must ask the Minister: when is it considered that a trade is manipulating people's perspective of value, and when is it not? If the proposed amendment of section 40 has an impact on those types of operators, it will assist the general retailer who makes every endeavour to reflect true value and to do a good job of supplying products to the general consumers. With no real substance for determining a realistic margin on a product or service, I think the group that has participated in this type of marketing will continue, but perhaps not as blatantly as before. Once again, consumers have to be aware of unrealistic offers and have to use discretion in how they use their disposable income.

It is unusual to legislate in such a vague manner. Although the Opposition has reservations about some aspects of this legislation, it will not condone predatory operators that dwell on marketing techniques designed to deceive and misrepresent a product or service. I understand that the legislation will provide greater uniformity with other States without compromising the lifestyles of Queenslanders.

Generally, the legislation endeavours to target unfair transactions and attempts to reduce distortions in values. If the initiatives and the amendments are effective in producing the desired result, a trader who tries to provide a good product or service should be better off. The up-front price is not the only consideration a purchaser makes. If there is a prospect of backup service, that aspect of the purchase should also be included in the price paid. I think that this is a very important aspect because it does not matter what a consumer takes on as a purchase, very often he or she needs that backup support of the service provided by the producer of the product, or the service in particular.

The system must be allowed to flow in that way. It is important that the minimum Government interference is evident and is activated only when a blatant or dangerous breach occurs. As I said initially, the Opposition supports the amendment to the Fair Trading Act. There are some minor problems, but they are not insurmountable. I congratulate the Minister on what he has done in that area.

Mr WELFORD (Everton) (12.13 p.m.): I am pleased to support the Deputy Premier in the introduction of these amendments to the Fair Trading Act. At the outset, let me say that even when this Government came to office, it was my view that it was appropriate that there be a Minister for Consumer Affairs. Previously, the Consumer Affairs portfolio was simply part of the Justice portfolio. I can think of no better person than the Deputy Premier to take on the responsibility for the portfolio of Consumer Affairs.

It is a very important area of concern for all Queenslanders, and it is an area in which many of us in the Labor Party have had an interest for many years. We believed that when the opposition parties were in Government, they took too little interest in the concerns of consumers. They were always siding on the side of big business; they were always appearing to be associated with shonks and shysters.

During the 1970s, the Federal Labor Government brought in the trade practices legislation, which was visionary legislation of the then Attorney-General, Lionel Murphy, who later became a judge of the High Court of Australia. However, the conservatives never took the time to protect the interests of consumers. No, they were always set on assisting those who wanted to make profits at any cost; those who strode blindly over the interests of consumers in their grasp for greed. However, under the Deputy Premier's leadership, this Government is reviving a clear and strenuous drive to protect the interests of consumers.

An Opposition member interjected.

Mr WELFORD: The honourable member who interjects would need a good deal of protection, because I know from my own personal experience that he shows a good deal of naivety when it comes to commercial matters of this type. He could well do to take a close interest in the fair trading legislation, because he is one of the poor unfortunates who would go through his life being taken advantage of by those whom he purports to represent in this place. He simply does not understand his rights under the law. More than the honourable member ever did when he was a Minister in the former Government, this Government will set about introducing laws that protect him from his own folly and also protect him from the sharks and shysters who are out there in the community.

As the Minister said in his second-reading speech, this legislation also goes further to improve the level of uniformity in these types of laws that exist throughout Australia. In relation to these matters, increasingly, all States are at last finding some common ground. Previously, in this House I have given my views on uniformity, particularly in relation to consumer affairs and commercial transactions. The economic efficiency of this country depends largely upon people having to trade across State boundaries. In this day and age of transport, communications and interstate trade, it is an absurdity that laws relating to trade and commerce should be different in any way across State boundaries. These amendments take us one step further towards improving the level of uniformity in laws that cover commercial transactions and, in particular, the laws that protect consumers in relation to commercial transactions. I commend the Deputy Premier for taking that step.

Let me turn specifically to the relevant implications of these amendments. The first point to note is that this Bill repeals the Land (Fair Dealings) Act 1988. Let me say something about the genesis of that Act. Members will recall that, during 1978 and 1979, there was a property boom in Queensland. There was another one during the late 1980s. In that intervening period, a number of very suspect practices arose in

relation to property transactions in Queensland. Members may recall that there were all sorts of difficulties not only in a technical, legal sense but also in terms of the rights of consumers who entered into contracts relating to the sale of properties that had not even been surveyed or, if they had been surveyed, had not been registered. Lots were being sold off in subdivisions when no title had been issued for the relevant subdivision. Building units were being sold even before the building was built, or even before the plan for the building, which divided up the building into unit titles, had been registered in the Titles Office. That was creating many headaches.

It was not a new phenomenon. It started with the first boom in the late 1970s and, despite the cries for protection from the consumer lobby and, indeed, from the legal profession to clarify the matter, it took almost a decade for the then National Party Government to do something about it. In 1988, barely months before it was cast from office for other nefarious activities and incompetence, it managed to introduce the Land (Fair Dealings) Act. It certainly was not before time. However, to be fair, one must say that the Land (Fair Dealings) Act contained some strenuous provisions that sought to redress some of the iniquities in commercial transactions that affected ordinary consumers in relation to land transactions that had occurred during the previous decade.

Of course, the effect of this amendment is to repeal that Act, but to incorporate its substantive provisions into the Fair Trading Act. In particular, I note that the provision relating to false representations and other misleading or offensive conduct, which parallels section 53 of the Commonwealth Trade Practices Act, will be incorporated by an amendment in this Bill into the Fair Trading Act. This provision relates specifically to false and misleading representations about a range of things in relation to land; for example, the nature and interest in land, the price payable for land, the location of land, the characteristics of land—and it takes in a fairly broad description of the range of things that might be represented about land that people are buying—and the existing or availability of facilities associated with land. I presume that this would include things such as water, sewerage and electricity. I am not sure whether it includes facilities in relation to the transaction, such as the availability of finance, to which the Deputy Premier referred. I think that is to be caught.

The particular concern that the Deputy Premier raised in relation to representations about the availability of finance is not caught by the provision that is imported in proposed new section 40A, but is dealt with generally in other existing provisions of the Fair Trading Act that will now be extended to apply to land generally. That provision is an important one and I am pleased that it will now be incorporated into this Act.

Another relevant feature is the very wide definition in the amendment to the existing section 40 relating to false and misleading representations, particularly in relation to goods. I am pleased to see included very important concepts such as value, composition, model, quality and representations that goods have a particular standard or history. That will clarify issues in relation to a number of disputes that are very commonly thrust upon ordinary consumers in our community, particularly in relation to the history of motor vehicles. The standard or quality of certain products, particularly where children are involved, is very important, and representations which are false or misleading in that regard need to be proscribed. I am pleased that the amendment to this Act will now do that in a very clear and unequivocal way.

Another important amendment—and I think it is an important innovation—that relates to household and motor vehicle repairers is that proposed in relation to the existing section 77. A problem was arising where people were installing parts or equipment in a house and relying solely on the warranty in relation to that equipment. If installers fitted equipment in an incompetent fashion and it did not operate, they sought to escape their responsibility for the goods or equipment sold simply by saying that the only warranty available to the consumer was a warranty in relation to the goods themselves and not the installation. I am pleased to see that the Deputy Premier has remedied that bit of sneaky sidestepping that some repairers and tradespeople got up to by specifically making it clear that, if the installation is arranged in connection with the supply of the goods, the installation itself is to be subject to the same requirements of fair trading as any warranty given in relation to the goods.

Probably the most immediately significant feature of this amendment Bill is the power that the Minister will have to make interim orders. We can be excused for wondering whether people will say that exercises of ministerial power such as this can become capricious or whimsical, but if members look closely at the amendment provided they will see that there are a number of protections in this provision— proposed new section 85A—in relation to interim orders. I do not think anyone disputes the appropriateness or desirability of some provision allowing interim orders to be made promptly. It is absurd and inappropriate that, if a dangerous product is being sold in a market, whether by a Queensland

supplier or an interstate supplier, which has clear potential to do physical harm to people, the Government should have to be delayed by some sort of investigative process in trying to protect the public from it.

If there is a question of doubt, clearly someone has to assume responsibility for ensuring that a product is withdrawn from the market, even if it is only on an interim basis until a proper investigation can be undertaken to determine whether a product should be allowed to be sold. That is what this provision allowing for interim orders really does, but it does so with a protection—namely, that the Minister can only make the order if the committee recommends to the Minister or to the Commissioner for Consumer Affairs that such an interim order should be made. Of course, if the Minister makes an order, he has to give effect to it by giving notice of the order to the supplier or, I presume in circumstances where the supplier is not easily identifiable either because the supplier is interstate or overseas, the order can be published in the *Queensland Government Gazette*.

Further, once an interim order of this kind has been made, it automatically lapses at the end of 42 days. So it can apply only for six weeks and it will automatically lapse at the end of that time unless the investigation reveals that there is justification for a permanent prohibition to be imposed, in which case the other provisions of the Bill will take effect in the normal course, or unless for some reason it is determined that this interim order should be renewed. The Act specifically limits the renewal of these orders so that they cannot be used by an unruly or intemperate Minister to send a supplier broke.

For example, a supplier might sell only one product in the market and rely on that product for its business. Clearly, if there could be no substantive basis for prohibiting sales of that product but a decision was taken by a Minister to repeatedly renew interim orders, the effect would be to impose a permanent prohibition that would have severe financial impacts on suppliers and sellers of those goods.

Orders can only be renewed once, and only on the recommendation of the committee advising the Minister. If they are not renewed, they will lapse after 42 days. In all of those respects, there are appropriate levels of protection, both for suppliers and consumers. Again, I commend the Deputy Premier on this initiative in tightening up this area, in particular with respect to safety.

I will say something about codes of conduct. I noted in the Deputy Premier's second-reading speech that he pointed out that the Trade Practices Commission is aware of many hundreds of codes of conduct in various industries, trades and professions throughout Australia. Codes of conduct are being used increasingly in industry and the public sector to strive to achieve best practice, or what has become well known as international best practice. Codes of conduct are an important part of professional and trade self-regulation. Those industries with established codes of conduct, and more particularly those industries, professions and trades that actually take steps to enforce them, deserve to be commended.

A recent report by one of our own parliamentary committees recommended that there be codes of conduct for public officials in Queensland. This will not only apply to public officials employed as public servants but also in due course this Parliament itself will look at codes of conduct for its members. This amendment Bill provides some teeth with which to enforce codes of conduct. I was pleased to note that within the past week the President of the Real Estate Institute of Queensland, Mr Ray Milton, made clear his support and the support of the REIQ for legislative measures to give teeth to the enforcement of codes of conduct.

I had the pleasure of working with Mr Milton in the extensive review that I chaired in relation to this State's residential tenancies laws and laws relating to caravan park tenants, boarders and lodgers. I am pleased to say that Mr Milton's contribution to the joint Government/industry committee that I chaired was a very considered, responsible and constructive one. Although in the past people might be have been forgiven for thinking that real estate agents are a pretty low lot with few scruples, I can vouch for the fact that, under the leadership of Mr Milton, the REIQ has shown some responsibility.

I commend Mr Milton and the REIQ for the stance they took within the last week to support Government regulation to enforce standards within the real estate profession under their code of conduct. As he pointed out, although the REIQ can exercise some control over its members, something like 40 per cent of all real estate agents throughout Queensland are not members and are therefore not subject to the controls that the REIQ might bring to bear to enforce their own code of conduct. What the Deputy Premier has in place here is the opportunity for such a code of conduct to be officially recognised and therefore enforced, not just against REIQ members but all of the real estate agents throughout Queensland. I think it is a good thing for any trade or profession to be able to stand up and say that their profession is properly overseen to ensure that improper practices or unfair trading practices are not

perpetrated by their members upon Queensland consumers. That is what this amendment will allow.

Although the code of conduct provisions appear to be secondary to the important other provisions of this Bill, it may well be that the long-term implications of the opportunity to enforce codes of conduct throughout a number of areas of trading activity in Queensland will in many respects be more significant and a more enduring reform than many of us currently appreciate.

The definition of "consumer" in the Bill in proposed new clause 6 is widened. I think that is entirely appropriate. However, I draw the attention of the Minister to the new definition of "consumer" in section 57 (1) that is contained in the Schedule, which does not appear to be entirely consistent with the definition in section 6. It may be that nothing flows from that, but it might be something to note.

Time expired.

Mr SANTORO (Clayfield—Deputy Leader of the Liberal Party) (12.33 p.m.): I am pleased to be able to support the honourable member for Hinchinbrook and shadow Minister for Consumer Affairs and to support the Fair Trading Amendment Bill. I commend the honourable member on his first and fine contribution as a shadow Minister for this particular area.

As honourable members would appreciate, the coalition parties have always firmly supported private enterprise operating within a competitive marketplace. To ensure competition, however, it is sometimes necessary for framework laws to be put in place which create, as far as possible, a level playing field between market participants. The Fair Trading Act, which is based in large part on the Trade Practices Act, is a piece of legislation designed to facilitate competitive forces and, to that extent, is an important tool in protecting and sustaining a truly competitive economic system. The amendments we are now debating will help to bolster the Fair Trading Act and expand the protection which this law provides to Queensland consumers.

I support the proposal to include land transactions within the statute. It is patently clear that the Land (Fair Dealings) Act 1988 is inadequate in this regard, and the Fair Trading Act will help to fill the present gaps in the law. Honourable members will remember the very unfortunate Villa World transactions on the Gold Coast a few years ago. In that case, the land developer engaged in unconscionable dealings with purchasers of land but, apparently because of the deficiencies in Queensland's consumer laws, no appropriate action was able to be taken.

I might also say that this is but one of a number of examples that I have seen where the Trade Practices Commission has apparently not been very effective in helping to overcome unfair market practices. The commission deliberately prioritises its resources towards dealing with the high-profile end of the market and does not seem to do very much to protect the smaller consumer. This seems to be left to State consumer affairs officials. To the extent that State consumer affairs officials would appear to be in the front line in protecting ordinary Queenslanders who are dealing with shonks in the marketplace, the Liberal Party and the coalition support measures of this type designed to ensure that there are no gaps in the legislative armory.

The next significant amendment that I should note is the proposal to allow for interim banning orders for unsafe products. For some time now, I have been concerned about the present gap in the law which allows clearly unsafe products to be marketed until the long, drawn-out process of banning can be completed. I am sure the Minister would agree that, if there is an unsafe product on the market and the present process is activated, many market operators will simply put a flashing red light outside the front of their store and have a fire sale. The unsafe goods are out in the community by the time the banning order becomes effective. Although the process is pure, the harm has been done. This amendment will make sure that Queenslanders are not placed possibly at mortal risk by the greed and short-sightedness of certain players in the market.

I would, however, seek the Minister's undertaking that this power will be used only in extreme circumstances where there is a clear and identifiable risk to the community from a product. I would be very interested to hear from the Minister as to what sort of discretion he intends to exercise when he is applying that power. The Minister is being given very considerable power and, if exercised too readily and without careful thought, it could result in irreparable harm to a trader. I am sure that the Minister will oblige me with an answer in relation to the concern that I have raised. As I said, I support wholeheartedly this move to protect the public, but with greater power also comes great responsibility to use this intervention sparingly and only when absolutely necessary.

The proposal to bring in mandatory codes of conduct is also a good one. Mandatory codes of conduct are a novel middle ground between no regulation and over-regulation. I note that the head of power proposed in the Bill is very wide but, from my research, it would seem that in those States that have similar powers they have

rarely been used. In common with many honourable members, I have been surprised lately by the large amount of voluntary codes of practice that are in existence. While giving every encouragement to industry to regulate itself, I sometimes wonder whether people are misled by codes of practice which are not enforceable and, to that extent, I am happy that this Bill contains these provisions, because it increases the scope for appropriate intervention without passing draconian statutes with significant penalties which require an army of public servants to enforce. To that extent, I am in agreement with the honourable member for Everton. I am not often in agreement with the honourable member. However, I certainly am in agreement with him in relation to this amending provision.

I was especially interested in the proposal to overcome the Federal Court decision to which the Minister referred, which ruled that a Persian carpet seller who had made misleading statements about the value of his merchandise had not breached the law. I see a great deal of scope in this provision for cleaning up fringe elements in the marketplace. I am sure the Minister would appreciate that the main beneficiaries of this provision will include not only consumers but also reputable traders, whose economic life is often cut short because of sharp and misleading practices by their competitors. Perhaps this amendment sums up why the coalition supports the philosophy underpinning this Bill. It is designed to strengthen private enterprise by enhancing a marketplace in which safe products are sold by traders on the basis of legitimate information given to consumers so that a sensible product choice can be made. That is the whole basis of the private enterprise system and, accordingly, we welcome this measure.

Before concluding, I want to highlight an issue that touches on consumer laws, although admittedly it is not specifically within a State jurisdiction. I want to mention the role of plastic bank notes, which have now been a part of Australia's currency system since 1988. The first plastic note was the $10 note, which was released in 1988, featuring an Aboriginal youth and design. It was issued in limited numbers as a commemorative note for the bicentennial. The Reserve Bank intends to replace all of the current notes with plastic equivalents by 1995. The portraits of those appearing on the proposed notes have already been decided.

The reasons for the change from paper to plastic notes include an increase in security, because the various markings on the notes enable them to be tracked down. The notes are easier to handle. There is a durability that attaches to plastic notes, which I am sure members would appreciate. There is also the question of hygiene, because plastic notes are obviously cleaner and more hygienic to handle than paper notes. Of course, plastic notes are also recyclable. Previously, the paper used for bank notes was imported, but the plastic that is currently used is made in Australia.

Despite these alleged benefits, I have found that plastic notes are relatively unpopular in the broader community. I am sure that many members on both sides of the House will agree with these sentiments. People tell me that they tend to lose them. A shop assistant who I spoke to recently told me that she finds them on the other side of the counter where customers have been standing when they are getting served. Older people tell me that they find them more difficult to handle. The $5 note was brought in as an experiment—and one would expect resistance to change—but there has now been an adequate trial period. I can assure members on both sides of the House that most people do not like them. The decision to make $10 notes in plastic was made unilaterally.

I call on the Federal Government and the Reserve Bank to undertake a survey of Australians to ascertain their views on plastic notes and if they find that the people do not like such notes, then they should be replaced. I suggest to honourable members that this is not a trivial issue, it is a matter of principle. Governments and bureaucracies should be made to serve the people—to treat them as customers and to be responsive to their needs. They should not make service delivery decisions without adequate consultation. Mr Deputy Speaker, I have appreciated your allowing me to depart a little from the Bill, but I do think it is an important issue, particularly for elderly people, and it is one that Governments, particularly the Federal Government, should be sensitive to. So it is with pleasure that I do endorse the remarks of my colleague the honourable member for Hinchinbrook in his support for this Bill. As I have said, my only caveat is the considerable discretionary power which is given to the Minister. This power will need to be exercised carefully and with a full appreciation of the ramifications for traders and the community of any decision that is taken.

Mr CAMPBELL (Bundaberg) (12.41 p.m.): In relation to the Fair Trading Amendment Bill, as the Minister said in his second-reading speech—

> "This will help maximise levels of consumer protection and foster greater cooperation in combating fraudulent traders operating in more than one jurisdiction. In

> this way, the interests of consumers and legitimate traders are best protected."

We have a great need to ensure that the fraudulent traders, the con men of our State and nation, do not and are not able to take advantage of Queensland consumers. This Bill provides a statutory basis for enforceable codes of practice. One group of people who need a code of practice is financial brokers. Financial brokers are the big con men of this State and, due to the actions of many of them, people have suffered. Some people have lost their homes and properties and, in some cases, some victims of con men have even committed suicide.

On 24 November 1992, in this Chamber I brought to the notice of honourable members and the people of Queensland the overseas loan scam and the advance fee fraud, that is, the up-front fee fraud. I warned the trusting citizens and legitimate businessmen of our State of the activities of con men who fleeced thousands of dollars from unsuspecting citizens. In that speech, I outlined an example of the Bundaberg based supposed financial broker Arnold Neal of Finance Services, a Victorian con man by the name of Raymond Goldring and international con man Anthony T. Twohill, based in Singapore. It is interesting to note that, under Victorian fair trading practice legislation, Raymond Goldring has been fined $11,000 and has had to refund all those up-front fees to his clients. However, it is disappointing to have to say that in Queensland we have not had the same success. Arnold Neal has operated since September 1991—that is when I first caught notice of his activities—and he still continues to operate. Although investigations and inquiries have been undertaken in relation to him, no action has taken against him.

I welcome these changes in the Fair Trading Amendment Bill that ensure that in the future we will not have people such as Arnold Neal operating in Queensland. We could make an enormous number of changes that result in the best possible Acts, but unless we are prepared to police those Acts we are not going to protect the people of Queensland.

Under the scam to which I have referred, hundreds of thousands of dollars were collected in up-front fees to obtain supposedly cheap overseas loans, but no funds are forthcoming. I have made six telephone calls to people who have been waiting since 1992 and early 1993 for overseas funds from this Arnold Neal, and they tell me that not one dollar has been received, even though some Queenslanders have paid over $60,000 in up-front fees. This Arnold Neal has been operating, I am sorry to say, with seeming impunity, although he has been investigated by the Fraud Squad.

This man has been acting under business names that have not been registered. For example, Finance Services, a name that honourable members will find at the top of his letterhead, has not been registered as a business in Queensland, yet he still operates under that name today. Arnold Neal is also a director of Sun Hut Pty Ltd, and that is the company name for the unregistered business Finance Services. Again, that is unregistered and operating in Queensland. Although he has been operating since 1991, not one dollar has been received by his clients.

Since November 1992, Mr Neal has tried to exert pressure to stop my raising these concerns about his activities. One of his business associates, and I now understand former associate, Douglas Mayne, of Queensland Cattle Company of St Aubins and Pony Hill properties, also joined him in a process of exerting pressure on myself. On 25 November 1992, he sent me a letter carrying the letterhead, "Finance Services, Oakwood Park, Cumming Street, North Bundaberg". The letter states—

> "In regard to your comments made in State Parliament on the 24th November 1992 I require from you a full retraction and a public apology. If you wish to get in contact with me over these rather serious allegations you can contact me on the following number 0011 1 913 9622470."

That is a United States number. He was not even in the country, because he was spending the hundreds of thousands of dollars given to him by his unsuspecting clients. In addition, he had the gall to get a lot of his clients to send form letters to the Premier. One letter, under the heading of the "Queensland Cattle Company", states—

> "I am writing this letter in reference to the comments made in Parliament by Mr Clem Campbell about Mr Neal's involvement with Mr Goldring of Melbourne.
>
> I feel that Mr Campbell's comments are misleading and doesn't support the true facts about Mr Neal.
>
> Mr Neal was as surprised as everyone else once he learnt that the funding was withdrawn and he is doing everything in his power to try and rectify the situation.
>
> I feel that Mr Neal has been successful in obtaining overseas funds through other avenues and Mr Campbell's comments are jeopardising his arrangements."

I understand that the Premier received over 60 letters of this type from all over Queensland, dating back to 1992, yet not one dollar has been

received by any clients. A different letter was sent by other clients. That letter stated that he was going to get funds from Credit Swiss Bank of Zurich and Geneva, but there is still no money forthcoming.

What has troubled me is that over the years that I have been raising concerns about Arnold Neal, he has been able to rip more people off and it does not seem as if the Australian Securities Commission or any other organisation has been able to do anything to date. I do hope that these amendments will enforce a code of conduct on financial brokers. We either have to do that or bring in some form of registration of financial brokers so that they are not allowed to operate in this fashion.

The *Sunday Mail* of 4 July 1993 carried an article titled, "Businesses Ripped off by Loan Scam". That article states—

> "Police yesterday warned of an elaborate international con trick that had already cost hard pressed business people in Brisbane and the Gold Coast more than $600,000."

This is not a little shonky $20 scam, it involves more than $600,000. The article continues—

> "The sting has been worked Australia-wide and in New Zealand, netting conmen more than $1million.
>
> Two men, based in Brisbane, with associates in America, are under investigation.
>
> The conmen offer cheap multi-million offshore loans with a too-good-to-be-true way of painlessly repaying, and in some cases an immediate 'fall-out' profit to boot.
>
> The hook is in their demand for big, up-front fees.
>
> Their spiel is so convincing even experienced financiers fail to see flaws.
>
> Queensland business people have paid out tens of thousands of dollars seeking loans of up to $28 million.
>
> One West Australian developer sought a loan as high as $105 million.
>
> Some victims paid out as much as $US100,000 in fees."

What concerns me is that those people were operating from Queensland. We must be certain that we do not allow these things to continue to happen. We should be catching up with those people who have been operating in that way. The article continued—

> "Police believe the Australian sting is part of a huge international fraud organised by various crooked promoters operating from Asia, America and Europe."

One of those operators is Mr Twohill, who has a company called Quest United Limited. Although he has been tied up again and again with con men from New South Wales, Victoria and Queensland, he is still able to operate from Singapore and take advantage of people. I am told by people who undertake investigations into these matters that the problem is finding where the fraud took place—did it take place in Queensland, in another State or overseas? People wipe their hands of it, because they are not prepared to say, "This has been happening in Queensland, and we must stop it."

One person had been waiting for $450,000 to buy the property next door to his. He was a cane harvesting contractor. He was a good worker—a good, solid Australian. He bought that property on finance, and he actually grew a cane crop on it. The deal fell through, and that crop reverted to the previous owner. That fellow lost that property. His business is in such a state that he is very close to bankruptcy.

Today, I rang a property owner in Blackall. I asked, "Did you get any money from Arnold Neal?" The person to whom I spoke said, "I am sorry. They don't live here any more. They were sold out. They had to go." These are examples of the types of trauma, stress and heartbreak that people such as Arnold Neal have been causing for four years.

A newspaper article headed "Brisbane loans scam costs victims $1m" states that there have been 10 complaints in Queensland involving $600,000 in fees paid for $110m of loans, but not one loan has been provided. In South Australia, there were six formal complaints, and the fees paid were $142,000. In New South Wales, one complaint involving $117,000 in fees was made. In Western Australia, there was one complaint involving $90,000 in fees that were never refunded. In New Zealand, there have been four complaints involving $92,000. Those complaints were made by people who were prepared to go to the police, but many business people are so embarrassed that they are not prepared to make complaints; they just want to write off that money. I am asking all Queenslanders to come forward and say if they have been caught by those con people.

Little con men are also appearing now. Members would probably have seen advertisements claiming, "No deposit. We will get your housing loans for you. Up-front fees are $500. Even if you are on social security, we will get the housing loan for you." The loss of $500 to the sorts of people to whom this advertising is

directed means as much as a loss of $10,000 or $20,000 to somebody else. They do not get their homes, and they are a further $500 down the drain.

It makes the headlines when some corporate frauds are found to be manipulating funds. What about the Skases and the frauds in Victoria? Those cases make the headlines. But many tears have flowed from little people who have been caught by financial fraud. Queensland has an Act that states that financial advisers must be registered and that they are not allowed to give financial advice. However, financial brokers can act with impunity. I cannot understand the logic of that. When we make amendments to the Fair Trading Act, we should also introduce and enforce acceptable codes of practice for people such as financial brokers.

I should mention other con men who have been operating. I really want to warn the people of Queensland and Australia about them. I have referred to Arnold Neal of Finance Services and Sun Hut Pty Ltd. I believe that Raymond Goldring might still be operating, although he has been fined under other Acts. Skygrams Pty Ltd, which has been operating from Sydney with M. Costello and R. Wilson, in collaboration with Twohill, who is still operating in Singapore, are people to watch out for. Chris Frier and Joe Rossi of JOSAB Pty Ltd and Australia/Atlantic Acceptance have also been operating in a similar manner, which has been causing similar problems here.

The problems that we face are, firstly, jurisdiction and, secondly, showing intent to defraud. If those people say, "The funds were supposed to be there. We are sorry. They just did not turn up", then they say there was no intent. But if a person has been operating for four years and has not gained one dollar, surely that incompetence must show some contempt; surely it must show that there is a need for legislation to protect people. I urge the Minister to consider this matter seriously to ensure that those types of people do not continue to operate in the future.

Some great advances have been made by this Minister and the previous Minister. I refer to the new contract that has been designed for the purchase of land and/or homes. People who use that contract have commented how much easier it is to understand. It has a great deal of support from all sectors, including lawyers and people in the real estate industry. People are saying that the new contract is easier and better to use. I congratulate the Minister on introducing that contract.

I wish to ensure that this Government will not allow Arnold Neal and people like him to operate in the future. Too many Queenslanders and other good people have been hurt by him in the past.

Sitting suspended from 12.58 to 2.30 p.m.

Mr BEATTIE (Brisbane Central) (2.30 p.m.): It gives me a great deal of pleasure to rise this afternoon to support the Fair Trading Amendment Bill. I intend to go through it in some detail, but I say at the outset that the most important aspect of the Bill that I support relates to the interim orders provision, which is clause 11. It allows for interim orders to be made prohibiting or restricting the supply of dangerous or undesirable goods or services. It sets out the requirements and procedures to be followed for such orders.

Presently, the Act provides for permanent prohibition orders, but there may be significant delays for putting these in place. That is the source of some difficulty. The current Act requires, amongst other things, notification or advertisement of the proposal to make the prohibition order. That is the first thing that has to be done. Secondly, seven days have to be allowed for affected persons to submit a response. Thirdly, the consideration of the responses must take place before a prohibition order can be made. One does not need to be Einstein to work out that that period is much too long. That process may take far too long if a patently dangerous item is on sale: for example, the novelty stink bomb produced in a novelty shop in Mackay last year that has already been referred to. It exploded at the local high school and injured a number of students and teachers.

That is not the only illustration of a desperate need for an interim order in recent times in Queensland. An article in the *Courier-Mail* on 19 August 1992, which I table, referred to a rocking cradle that was found to have contributed to the death of an Adelaide baby. That was banned in Queensland. The then Minister for Consumer Affairs, Mr Milliner—the Minister before the Honourable Deputy Premier—took the appropriate steps. At the time, he stated—

> ". . . the timber rocking cradle, marketed by Melbourne company Siesta Nursery Products, would be banned until modifications were made.
>
> An Adelaide inquest which concluded yesterday found a fault with the cradle had contributed to the death of the three-month-old baby girl."

In those circumstances, when those items are on the market, one cannot wait around for a seven-day period for affected persons to submit a response, or for notification or advertisement of

a proposal to make a prohibition order and consideration of the responses. If that was allowed, in the meantime we could end up with the loss of a life. Under those circumstances, it is quite clear that there needs to be immediate action. That is not the only illustration that I would like to draw to the attention of the House. An article in the *Sun* of 13 November 1991 referred to baby rattles. Under the heading "Blitz on dangerous toys", the article stated—

> "Markets and discount retail outlets will be targeted by the Consumers Affairs Bureau in a pre-Christmas blitz on dangerous toys."

The then Minister, Mr Milliner, said—

> ". . . displayed a range of toys which have been seized by the Consumer Affairs Bureau including a rattle which, when pulled apart, contains metal spikes."

Quite clearly, that is very dangerous. The article continues—

> "He said that another toy, that spews out dough from facial orifices, could be psychologically damaging to young children.
>
> . . .
>
> This year Consumer Affairs will concentrate on toys sold through markets, liquidation shops, reject and clearance retail outlets as part of its pre-Christmas check.
>
> . . .
>
> Many of the offending toys have parts which can be easily swallowed or contain toxic substances."

Those of us who have children, or who have had children——

Mr T. B. Sullivan: We've had them, all right.

Mr BEATTIE: Some of us have had more children than others. I can understand the honourable member's enthusiastic support for what I am saying. We all know how young children are prone to put toys into their mouths, to bang them around and to do all sorts of other things to give them a very rigid test as to their durability and strength. Under those circumstances, if matters are drawn to the attention of the Minister or his inspectors, or if officers of the Consumer Affairs Department ascertain that these toys are dangerous, then clearly immediate action needs to be taken. One cannot wait around for that complicated, long process. As a parent, I have to say that, although our children are older—our little girl is nine and our twins are eight—I am delighted to see that the Minister has taken this action to protect young children. When one sees these pieces of legislation, one says to oneself, "Why has it taken so long to get here—to finally bring in these pieces of legislation?" I congratulate the Deputy Premier, Tom Burns, on bringing this in.

There is nothing terribly revolutionary about this legislation; other States provide for interim prohibition orders. In other words, what we are doing is bringing Queensland in line with other States so that the current slow system is overcome and there is not the threat to children to which I referred. One of the mechanisms that will allow an interim order to be activated is that a similar order has been made in another State. In the illustration that I gave in relation to the rocking cradle in Adelaide that was produced by a company in Melbourne—if a product is banned in Adelaide or Melbourne, a similar order can be made here because obviously it is the same product. There would be no point in having the Consumer Safety Committee duplicate the investigative work that had already been undertaken in another State. Of course, in that case there was a coroner's finding in Adelaide. If such an order is in place in another State, all that would be required for an interim prohibition order to become effective would be for the Minister to serve notice on the supplier. I think that that is a fairly basic and sensible way to go.

From what I have said, the benefits of this initiative are obvious from the perspective of ensuring the safety of the community in general. I am pleased that the Opposition spokesperson has been supportive of this Bill. That is the main provision of the Bill about which I am enthusiastic. There are three other parts that I think are important. One relates to putting into the Act a structure for statutory enforceable codes of practice. Again, that is something that is very important. Codes of practice or conduct have become an increasingly popular device for improving standards of trade and industry behaviour. Self-regulation, enforced by statutory backup, is a very sensible way to go. Codes of practice without statutory backing represent a mere voluntary agreement, and compliance generally remains the concern of the particular industry group. In some circumstances, a voluntary code of practice can be enforced on a contractual basis. However—and this is the key part—a statutory enforceable code of practice represents a mid point between a voluntary code of practice and black letter regulation. That is why I endorse enthusiastically and am drawn to these provisions in the Bill.

The model chosen in this Bill allows for court orders to be obtained, in the event of a breach of a code, prohibiting further breaches. A breach in the first instance is not an offence under the Act. That is a sensible way to encourage better behaviour. If that order is breached by the trader,

he is liable to the usual sanctions for breach of a court order. Consumers can obtain damages or compensation for breaches of the code to cover losses suffered. Industry will be able to have appropriate input into the drafting of a code and, therefore, the Minister can go through the appropriate consultation process.

The Office of Consumer Affairs has already been involved in the preparation of a number of voluntary codes. For example, one for the dry cleaning industry; another for swimming pool construction. Some of these have had a rocky road, as we saw with swimming pool construction. I have no doubt that that will happen from time to time. However, at the end of the exercise we end up with a code of behaviour which is designed to protect the community as a whole. There is always a very fine balance—and sometimes a difficult balance to achieve—between allowing industries to get on with the business of producing and selling their goods without being fettered with too much red tape or too much Government legislation and protection of the interests of consumers. We cannot simply allow producers or manufacturers to produce goods willy-nilly, without some standards being required.

I was pleased to hear the contribution of the member for Everton earlier today. He talked about the past Governments in this State not spending enough time being worried about consumer rights and protecting the consumers. Often, consumers are not in a very good financial position to protect themselves. Therefore, there needs to be enshrined a code of behaviour that is backed by legislation or sufficient provisions to protect consumers. I agree with what the honourable member for Everton said when he talked about the days of the National Party supporting the white-shoe brigade—that it was all about simply supporting those people who had money as opposed to ordinary citizens who were consumers. We need balance and fairness, and when it comes to the production, distribution and sale of goods and, of course, their consumption, this Fair Trading Amendment Bill provides that fairness and balance.

The third area to which I refer is the extension of the coverage of the Fair Trading Act to include land transactions. As the honourable member for Everton said earlier, in 1988 the Land (Fair Dealings) Act was passed. That Act prohibited the making of false or misleading representations in relation to land transactions. The following year, in 1989, when the Fair Trading Act was enacted, it was restricted to transactions involving goods and services and not land, because land was covered already by that 1988 Act. However, that arrangement had two undesirable consequences. Firstly, the Land (Fair Dealings) Act provides only criminal sanctions for breaches and no remedies by way of damages or compensation for consumers who have suffered loss because of false or misleading representations in land transactions. Secondly, some matters fall between the two Acts, for example, false or misleading representations in respect of subject-to-finance clauses in land transactions. I remember when, during my days of practising law, not enough people understood the necessity of subject-to-finance clauses being strong enough, clear enough and having enough detail. That is the key to them. If the amounts involved, the time limits involved, the institutions involved, how much is going to be borrowed and so on are all detailed, then people are protected. Unfortunately, not enough people do that. They accept advice from people that they should not accept.

During the 1980s, a number of complaints were made to the then Consumer Affairs Bureau about Villa World at Coomera. Purchasers were told——

Mr Szczerbanik: Hear, hear!

Mr BEATTIE: I am sure that we will hear a little more about that from the honourable member. When entering a subject-to-finance contract to buy a house or land in the development, purchasers were told that if they were unable to obtain their own finance on their terms, they could cancel the contract. However, the fine print of the contract revealed that they were still held to the contract and were required to use vendor finance at exorbitant rates of interest. Heaven forbid that that practice ever be allowed again! Of course, that is one of the strengths of the REIQ contract, to which the honourable member for Bundaberg has made reference. I endorse his remarks about the REIQ contract and the work carried out by the Real Estate Institute in this area, as well as the work carried out by the Law Society.

This Bill will allow consumers who suffer loss because of false or misleading representations in a land purchase to claim damages or compensation to cover that loss. I turn to land matters, particularly in relation to real estate agents. This matter is not covered particularly by this Bill. I am not someone who supports overregulation. At the outset, I should say that in recent years I have applauded the role adopted by the president of the REIQ, Ray Milton, and its executive officer, whom I see from time to time. I believe that they have worked hard to try to establish high standards for real estate agents and the real estate industry generally. The REIQ deserves full praise for the action that it has taken.

However, in my activities as a humble member of this House, I have noticed behaviour by members of the real estate industry that is certainly not only illegal but also undesirable. I keep a close eye on real estate values in my electorate. Recently, I attended an auction at Windsor. I will not mention the name of the real estate company that was running this auction, but it had appointed a particular auctioneer to conduct the auction. During the auction, after there had been a number of bids the auctioneer said, "Ladies and gentlemen, make no mistake, on the fall of the hammer, this land will be sold." In other words, he was saying to everyone who had assembled for that auction that when he received the next bid and brought down the hammer, that house would be sold. No-one forced him to say that but, in other words, he was saying that the reserve price put on that house had already been reached. There were then other bids and he managed to get the price a little bit higher. Then instead of saying that the land had been sold on the fall of the hammer, he passed in the property. Frankly, that is a practice which I believe is illegal. Had I been the highest bidder on that day for that property, I would have been quite happy to sue the agent and, indeed, through him, the vendor for the completion of the sale of that property. I reckon that in law that agent, on behalf of that vendor, should have given that property for sale.

As I said, I have no criticism of Ray Milton and the REIQ, because I think that they work very hard. However, they need to make certain that if real estate agents involved in the auction business—and, these days, many agents hold two licences and operate as an auctioneer as well as running a real estate business—are going to conduct auctions in that way, they do not mislead people. My complaint about that auction is that the auctioneer was urging the people to lift their bids in the firm belief that the land would be sold to the highest bidder. The real estate industry says that it wants to avoid overregulation. From time to time, when I meet people who are involved in that industry, they say to me, "We do not want too much red tape; we do not want to be bound by all this". I respect that, but they must make sure that auctioneers clean up their acts. Otherwise, they are falsely misrepresenting what is happening at auctions, which I believe is an undesirable state of affairs.

All members would receive complaints about consumer issues. That is why this piece of legislation is so important. Although a public education campaign is conducted from time to time to alert people and warn them of the operations of shysters and con men, without the protection of this piece of legislation that we are introducing and the original Act people would still be at risk.

I have referred in this House previously to the operations of Allan Nelson, a former private investigator who, I am happy to say, was exposed recently on the ABC's *Investigators* as a shyster and a humbug. This bloke, who was conning people here, has now gone to Sydney where he is running television ads which con people into enrolling in schools or colleges for private investigators. It was bad enough that he did that in Brisbane. However, a group of people in Brisbane have taken over his course. They claim that they are trained by Allan Nelson. Let me assure them that I will be keeping an eye on their activities as well.

People such as Allan Nelson will bob up to try to rip off students and partners, as he did in Brisbane. This legislation is designed to ensure that such people get short shrift. I will refer members to other examples of consumer problems that illustrate clearly the need for this legislation. For example, last week, a shonky roof painter conned an elderly Brisbane man out of $35,000 simply to paint his roof. There were problems with a baby rocking cradle that was sold. A 65-year-old Brisbane grandmother was left penniless after a three-year battle with a Toowoomba businessman over a house removal. There was the instance of accommodation packages on a cargo ship to Expo 1992. Queenslanders have been the targets of an apparent mail rip-off offering prizes including a new car for as little as $15. Some discount liquidation stores have been involved in making quick bucks. The list goes on. For the information of the House, I will table that list, because I think that we need to be ever vigilant about these problems.

Indeed, sometimes business people should know better. I table for the House a racist change-of-address memo from an advertising agency formerly located in the Valley. There has been some media comment about this matter. The agency demonstrated some insensitivity about a range of issues. That group of people should know better. We always need to be on our guard.

Time expired.

Mr SZCZERBANIK (Albert) (2.50 p.m.): I notice in the gallery some of the consumers of the future listening to this debate. I welcome this opportunity to speak to this Bill. The issue was first raised by me in 1991 in relation to a developer in my area called Villa World and its unscrupulous activities, which I will go into further. This Bill shows that this Government really cares for the battlers of Queensland. It is a sign telling unscrupulous salesmen that this

Government is on their back, that it will not tolerate such action ever again and that it will legislate to hound them out of business.

I have in my hand proof of the need to amend the Fair Trading Act. It is an agreement of sale document drawn up for a relative of mine regarding the purchase of a small house at Oxenford in my electorate. Fortunately, my mother did not get her fingers burnt like so many other unfortunate home buyers before her. She asked me to look over this document prior to the purchase. To my horror, I discovered some disturbing clauses.

By way of background, I mention that to encourage her to sign this document, the sales representative of this company told my mother that she could insert a subject-to-finance clause. However, in the fine print of the contract—which, luckily, I crossed out—it was stated that, rather than being relieved of the contract should finance fall through, the purchaser would be required to take the vendor's finance at a much inflated interest rate. That clause was contained in Annexure B, under the heading "Special Conditions—Finance". I am not an expert on legal matters; that is why I pay a solicitor. I know that there are quite a few lawyers and solicitors in this place. Paragraph (C) of this document states—

> "The Purchaser shall notify the Vendor in writing of the outcome of the application for finance, (which in the case of approval may be subject to final inspection or valuation), within two (2) working days of receipt by the Purchaser of notification of approval or otherwise from the financier and in any event, not later than sixteen (16) days from the date hereof. The Purchaser shall forthwith provide the Vendor with a copy of the Application for Finance and/or the approval of such application upon request from the Vendor."

Not having studied law for two years, I thought that that was a bit strange. Further on in the document, paragraph (D) states—

> "In the event that the Purchaser fails to make such application or fails to provide the financier with information or details as aforesaid, or to notify the Vendor pursuant to the next preceding paragraph, then the Purchaser shall be deemed to have obtained approval of finance and the contract shall be unconditional in this respect."

And "unconditional" is the word in that paragraph that sticks out. Paragraph (E) states—

> "In the event that the Purchaser fails to obtain approval as aforesaid then the Vendor shall have the option to loan, or arrange a loan, to the Purchaser the amount referred to in paragraph (A), the terms of the option are contained in paragraph (G)."

This is where they really get one by the short and curlies, as they say. Paragraph (G) states—

> "For the purpose of the option given by paragraphs (E) and (F) the Purchaser shall within five (5) days request supply all information and records reasonably required by the Vendor for the purpose of considering whether to grant finance to the Purchaser. The options given to the vendor in paragraphs (E) and (F)"—

and that gives the vendor the option, not the purchaser—

> "may be exercised within fourteen (14) days of the Vendor receiving the information mentioned in the previous sentence. The loan shall be on security of a First Registered Bill of Mortgage over the lot for the amount above referred to at an interest rate not exceeding 21% per annum,"—

they are great, are they not—

> "reducible to 18.5% per annum for prompt payment, calculated daily and payable monthly, with the principal sum being repaid in one lump sum"—

and purchasers have to pay the balance back in one lump sum within 12 months of the date of the loan—

> "and otherwise on terms and conditions usually used by the Vendor's Solicitors for loans of a similar nature. In the event the Purchaser is a company . . ."

It goes on to say that the purchaser's company will back him up and pay out his mortgage. This is one of the reasons why this Government is looking after battlers. Shifty lawyers out there—and I do not say that all lawyers are shifty; there is a minority in any group such as Shakespeare and Haney of Suite 2, 23 Orchid Avenue, Surfers Paradise—look for loopholes in legislation. They are not looking after consumers; they are looking after companies.

As I said before, I spoke about this matter in March 1991, and my comments in the House drew the threat of legal action from the developer Villa World, as I was drawing attention to its misleading and confusing sales documents. I believe that a company has a moral obligation to the community to make sure that people do not get their fingers burnt. Sometimes people are not bright enough to look after themselves.

The Land (Fair Dealings) Act of 1988 came into existence one year prior to the Fair Trading Act of 1989. At the time when the Fair Trading

Act was implemented, it was considered superfluous to have it cover land transactions. This created the loophole by which unscrupulous developers were able to operate. The contract in my hand is proof of that. Although at the time the contracts were legally correct, as I said, their actions were certainly not moral.

Mr Rowell: Are you going to table it?

Mr SZCZERBANIK: Yes, I will table that contract. In my time as the member for Albert, I have received several complaints from first home buyers lured to this estate in my electorate by illusions of cheap house and land packages. Many unfortunate people did not seek legal advice and were pressured to put down a holding deposit on property and sign on the dotted line. Many of the people who came to me said that the salesman at the time told them, "You can just put $50 down. Go and see your bank on Monday morning and see if you can get a loan for it." They were caught. Once they had signed on the dotted line, clause (G) of the special conditions came into play and caught them. This was at a time of fairly high interest rates. It is not easy to repay a loan at 21 per cent. Today, if people took out loans at 21 per cent, they would be committing suicide.

As I said, I received a lot of complaints. I brought this to the attention of the then Minister for Justice and Consumer Affairs, Glen Milliner, and we commenced the examination of this Act. Misrepresentations such as that were never covered by the Land (Fair Dealings) Act because the misrepresentation prohibited in the Act related to matters concerned directly with property itself. However, I am glad to say that this Bill will close the lid forever on those sorts of unscrupulous land sales. I encourage my colleagues to show the utmost support for this Bill, which corrects a previous Government's mistake.

The extension of the Fair Trading Act to cover land transactions will mean that these loopholes will be closed forever. Real estate agents will be forced to clean up their act or risk intervention by the Registrar of Auctioneers and Agents. I also warn home buyers to be cautious of their own faults. As I said, in 1991 I sought help and advice from the then Consumer Affairs Minister, Glen Milliner, who told me that people should not believe fast-talking salesmen.

If people are not sure, they should seek legal advice and should not sign on the dotted line, otherwise they will pay the price. We are talking about a whack of one's life. A house is the most important thing that people purchase and they need to be careful when doing so. If it means coming back the next day only to find that a house has been sold, that is just bad luck. As we have seen in this case, people have had their fingers burnt and have lost thousands and thousands of dollars. Whilst these house and land packages look cheap at $90,000 to $100,000, people are looking at repaying loans at 21 per cent. A lot of people could not afford that. As I said, people have to be vigilant and look after their own interests.

If they are unsure, people should take their documents to their solicitor and seek advice. The solicitor's bill might be $100, but it would be $100 well spent. This Government cannot prevent people from making mistakes and signing on the dotted line, but people should bear in mind the old saying "buyer beware". Consumers are becoming better and better educated every day, but they should still be wary of being conned. This Bill means that people who have suffered from misrepresentations relating to land will now have recourse to damages, compensation and injunctions through the courts.

Queensland has been a wonderful place for con men. In the last month or so, another one stuck his head up again. I refer to Peter Foster, the marketer of Bai Lin tea. He and his mother have operated many other scams. The latest one in which they were involved was the cream that people rubbed on their thighs to allegedly remove fat. Con men such as Peter Foster are out there. They prey on people's egos and their vanity. People should consider carefully what people are selling and not be misguided in an attempt to find short cuts. I am sure that, if the cream really worked, we would all be using it!

The Minister should be applauded for sticking up for the battlers who work long and hard to make a dollar. I express my appreciation to Glen Milliner, the previous Minister, for his efforts in trying to solve this problem. This legislation represents natural justice for the people in my electorate. I support the Bill, and I thank the Minister for his help.

Mr T. B. SULLIVAN (Chermside) (3.02 p.m.): The Fair Trading Amendment Bill 1994 is practical, commonsense legislation from a practical, commonsense Minister. I support the four areas being reviewed in this Bill, namely, the interim prohibition orders; the extension of the Act to cover transactions in land; the provision of a statutory basis for enforceable codes of practice; and a number of miscellaneous amendments that will bring the Act into better use.

The land and house package is the major purchase that any person or couple will make in their life. It is important that the legislation has been expanded to include land. This is another

example of the Government, through this Minister and the previous Minister, taking sensible steps to provide better protection to the general public. There was a gap between the Land (Fair Dealing) Act and the Fair Trading Act, but this Minister has taken the attitude that we cannot just say, "Tough luck. We missed out on the drafting. Let us hope not too many people get stung." He has taken practical steps to say, "What needs to be done to cover people so that they are given protection?" Through the simple amendments in this legislation, people will be protected. It might not mean much to us, but there will be individuals whose whole life savings or whose income for a 30-year period will be protected because they will not be ripped off by scams such as those my colleague the member for Albert just outlined. That is real protection for our citizens; that is a real service that this legislation and this Government will provide.

With respect to the interim order provisions—Government is often criticised for not acting when there is a problem. Governments are often caught in a bind where people say, "Just leave us be and do not overgovern us", and yet when there is a problem they want the Government to provide protection. I suggest that there will be some reaction from the business community, because there will be some limit to sales and some limit to the import and manufacture of certain goods. As my colleague the member for Brisbane Central mentioned to the House, there is a balance between the freedom of people to run their business and the necessary protection for purchasers that is required.

I believe that this legislation will throw a greater emphasis on importers and manufacturers taking more responsibility for the quality of manufacture and design of goods before they are released in the marketplace. That is essential. It is impossible to measure the price of the death of a child resulting from a small, movable part of a toy being able to be taken into the mouth to restrict that child's breathing. We cannot allow the marketing of a particular item or toy that with normal use, especially by a child, would lead to injury or death. The fact that this legislation will throw greater emphasis onto manufacturers and importers puts the responsibility more clearly where it should be. As well, if a problem exists in other States, we can learn from others' mistakes.

Sometimes, the Opposition has criticised this Government when it has changed its mind on a certain issue. However, I am proud to be part of a Government that says, "If we can be shown to have made a wrong decision, or if there is something that needs improving, we will admit that it was not perfect, we will admit that change is needed, and we will make that change." This is an example in which the Minister has seen that consumers needed protection in certain areas and is saying, "We will make those simple changes." The criticism has often been that Government is too large. In this particular case, instead of duplicating testing and duplicating an inspection system, we can take the work that is done in another State and use that work to make our decision. That will lead to less costly government; it will lead to smaller government; and, most of all, it will lead to a better service to the general public.

Turning to the enforceable codes of practice—my experience has been that most voluntary codes fall well short of the balance between the freedom of individuals and protection for the public. Self-interest often tends to make a code of conduct more favourably disposed to members of the profession or leads to it being ignored to the detriment of the general public. The provisions of this legislation strike a good balance between the protection of consumers and the rights of individuals to go about their business.

I will spend a couple of minutes on some of the miscellaneous amendments in the Bill. They are small, but they are important to those people whose lives they will affect. The cost of testing for dangerous goods can now be recovered from a supplier in the event that they are established to be dangerous, in much the same way as analysts' costs can be recovered for breaches of the Food Act. It could be properly argued: why should the general consumer or the taxpayer pay for faulty or deficient products when simple industry standards would have made the product saleable? This now puts the onus back on the manufacturer to produce a good item.

As well, if a supplier gives information to the Minister, the Consumer Safety Committee or an inspector, that fact cannot be used to void his or her insurance arrangements. In the past, it has been found that the fear of losing insurance cover has led to people not reporting faults. This now allows the deficiency to be exposed and allows action to be taken. False or misleading representations about the value of goods and services are now prohibited. This clarifies the outcome of some court cases that held that the words "standard" or "quality" may not, in some circumstances, cover value. This amendment has special relevance to such products as jewellery and exotic Persian carpets, where inflated values often appear in advertisements.

Most of the amendments are largely mechanical. For example, the quorum requirements for a meeting of the Consumer Safety Committee are reduced from three-

quarters to a simple majority. In effect, this means a reduction from eight to six. Because of quorum problems, a number of meetings of this committee of 10 have had to be cancelled. This will enable the committee to act in a more sensible way.

The Schedule, titled "Minor amendments", contains a large number of purely drafting or technical matters that involve no elements of substance, but they are simple, practical changes. Unless each Minister and we as a Parliament continue to update legislation on a regular basis, our legislation starts to become outmoded, irrelevant or counterproductive. For 30 years, Liberal and National Party Governments produced some worthwhile and valuable legislation, but in many cases they did not upgrade their legislation to bring it into line with changing standards. In many cases, the legislation simply did not serve the people of Queensland properly.

This Minister is doing the much needed work that all the other Ministers across all departments are doing. There will be no cost involved in implementing this proposed legislation. Also, there has been a great deal of consultation between this Minister, other departments and consumer associations. I especially commend the Business Regulation Review Unit within DBIRD for its support of the changes that have been brought about by this legislation. This is practical, much needed legislation that has been brought in by both this Minister and the previous Minister, both of whom have at heart the needs and concerns of the consumers of Queensland. I support the legislation before the House.

Mr BREDHAUER (Cook) (3.11 p.m.): I wish to make a short contribution to this debate. I just want to start where the previous speaker left off and that is generally speaking about the issue of consumer affairs, because there is no doubt that there are some business people and industry representatives throughout this State who regard the protection of consumer rights as something of a cumbersome and at times costly inhibition to their business practices. However, I make no apology, and neither do I think should any member of this House, for the fact that we as a Government believe very strongly that the protection of consumer rights is of primary importance because in many circumstances it is the consumer who is the less powerful party in the transactions that relate to the purchase and sale of goods and services. Due to the slick marketing operations that some people are able to mount and the resources, financial or otherwise, that are available to people who run some businesses, I believe it behoves us to look after the individual consumer's interests. I have to say that since the Goss Government was elected in 1989, we have been very fortunate to have two very good Ministers for Consumer Affairs. I believe that when he was Minister for Consumer Affairs, Glen Milliner handled the job particularly well, and there is no doubt that the current Minister has a real soft spot in his heart for the battlers who often require the protection of consumer legislation.

There are a couple of aspects of the Bill which I think are important, and most members have focused on them during the debate today. Section 85 of the Act enables permanent prohibition orders to be obtained banning the supply of dangerous or undesirable goods or services. Most members who have spoken about this issue today have talked about the implications of dangerous goods which are available, particularly children's goods. I guess as parents we all have that concern for the safety of those most defenceless people in our society, young children, and so we are all anxious that we take appropriate steps to ensure that we can speedily put in place temporary prohibitions to ensure that products which are unsafe for young children are withdrawn from sale or at least prohibited until some assessment of the safety factors involved can be made. Each member has talked about toys or products such as cradles or rockers or those sorts of things—some of them are off their rockers—that people have had particular problems with or that they have read stories about in the newspapers.

One area that concerns me, I have to say, is that of soft toys. Often, soft toys are not made by recognised commercial manufacturers, they are made at home or in backyard-type situations, sometimes for sale through markets. Having a young daughter as I do, it has concerned me on a couple of occasions that some of those soft toys have items such as buttons used as attachments for the eyes or the nose on the face of the toy. Sometimes there are buttons or sequins attached to the clothes of the toy, and these can easily become detached and become lodged in the throat of a child or an infant and potentially pose a serious safety risk. So, whilst I applaud the initiatives that have been taken in this amendment to try to ensure that such risks are not experienced by children, we need to move in as quickly as we can to have dangerous items banned or withdrawn from the market, or at least temporarily banned until an appropriate assessment can be made.

As responsible parents, we should all be looking at the types of toys that we buy for our children, and to some extent there is a responsibility on us as parents to not just buy the first thing we lay our eyes on or the first thing that

the child lays its hands on. We should actually try to make some assessment ourselves of whether there is a potential risk to our children or other children who might play with those toys. We should not be sucked in by slick marketing campaigns. I think it is important that we have included that provision.

I would like to talk a little bit about the fact that the arrangements in this amendment Bill are now going to apply specifically to transactions in land because I think that is an important initiative. One matter that has received a bit of attention in the newspapers up in the Cairns area lately involving this Minister and real estate agents is in relation to agents who are able to buy properties that have been listed with them. I want to talk about this briefly. The Minister has actually canvassed that he may be making amendments to the Auctioneers and Agents Act to stop a situation arising where agents are purchasing properties that have been listed with them. While that specifically relates to another Act, it also relates to this Act in a respect which I will come to in a minute. Essentially, some unscrupulous agents take advantage of people who may not be aware of the proper value of their real estate.

Honourable members should consider the jump in real estate prices in the past 12 months or so. A survey was just released which shows that in the past 12 months, median house prices in Cairns have risen higher than in any other place in the State and that house prices in Cairns are in fact leading the State. My memory of a newspaper report on that survey is that the average house price in Cairns is $164,000. So, it is quite easy to become out of touch with the current real value of property. However, it is even more of a problem for older people, for example, who may have purchased a property 30 years ago for 100 quid and really have no idea of the current value. They could go to see a real estate agent to list the property for sale and the real estate agent could say, "I will buy that off you; I will give you $80,000", and the real value of the property might be $100,000 or $120,000. That means that the real estate agent either has got a property at a considerable profit to themselves or he or she can on-sell it and make a further profit.

We are attempting to ensure that people who may have a beneficial interest in a property are not able to acquire it themselves or maybe that they would require an independent valuation before they acquired the property. I think that is worthwhile. We have to make sure that the unscrupulous agents do not take advantage of people who may not be fully cognisant of the actual value of properties.

The REIQ has argued in response to the proposal that has been put forward by the Deputy Premier that it should be left to the code of conduct of the real estate industry to deal with that particular issue, and that is where it specifically relates to this Bill, because this Bill talks about voluntary and enforceable codes of conduct.

I want to reinforce something that the member for Chermside said about voluntary codes of conduct. In some respects, voluntary codes of conduct represent the lowest common denominator of what people within the industry are prepared to accept by way of voluntary regulation. But often, those people do not approach it from the perspective of what is reasonable protection for the consumer in relation to their code of conduct, they approach it from the perspective of what regulation in a voluntary code they are prepared to put up with. So industry people formulate those voluntary codes. I do not mean to disparage them all; I believe that a number of industries have entered into the spirit of voluntary codes of conduct.

In his second-reading speech, the Minister said that there are 3 000 codes of practice in existence. I do not doubt that people have genuinely attempted to address consumer issues. However, there is the danger that codes of practice are the lowest common denominator. The problem is that many of them are unenforceable and rely on the goodwill of people within the industry. There is always a problem—and I am sure that it would apply particularly to the real estate industry—of not having the same people in the industry from one day to the next.

In the late 1980s in Cairns, when there was a boom in the real estate industry, every second shop in the central business district was a real estate agent. The existing real estate agents were expanding their numbers and advertising for new sales people. During the quieter years, after the pilots dispute and up until a year or two ago, there was a sudden decline in the number of people involved in the real estate industry as the demand for their services fell. People are now re-entering the industry. As with many other things, people who have made a lifetime career in a profession such as selling real estate tend to be the people who have a long-term commitment to ensuring the integrity of their profession. Sometimes, the people who are there only to make a fast buck are a little unscrupulous in their practices. One must be careful about that.

The other danger that exists in relation to many voluntary codes of practice is that, to the extent that they place a moral obligation on members of a particular commerce or profession, they apply only to members of that profession. For example, it is not compulsory for real estate

agents to join the REIQ. The REIQ might, with the best of intentions, introduce a code of conduct or practice, but it certainly would not apply to real estate sales people who are not members of the REIQ. In many respects, it is those people who are not members of the recognised industry organisation or association who would probably be more likely to abuse the privilege of their position at the expense of consumers. I welcome the decision to have enforceable codes of practice. That is very important. It is another means of protecting the consumer.

Every time a consumer is affected by a malpractice or something like that, there is an outcry in the community, or from that particular person, that the Government should be doing more to protect them. We are constantly being reminded that we should not be creating regulatory burdens on business people and industry. One must strike a balance between the regulation and control of the activities of commercial practices or industries and the desire to protect the consumer. I believe that enforceable codes of conduct are a good step in that direction. They are more flexible than having legislation or regulation, and they can aid all parties concerned. However, as in this particular case, there are times when the strength of legislation is required to apply to ensure that people comply with acceptable principles of practice.

I turn to the amendment that seeks to put beyond doubt the nature of misrepresentations about the value of a particular product or good. This has been mentioned by a few members. I believe that the most interesting case relates to things such as jewellery. The average person in the street really has no idea of the value of jewellery. I am not a trained jeweller. I could not spot the difference between a real diamond and a fake one, a real pearl and a fake one, or even plated gold and nine-carat or 18-carat gold. One relies to a large extent on the integrity of the person from whom one is purchasing the item of jewellery. A little while ago, I purchased an item of jewellery for my spouse.

Mr McElligott: A lot of money?

Mr BREDHAUER: I paid a reasonable amount of money for it. I was surprised that virtually every store I went into was having a 50 per cent off sale. For example, the marked price for an item might be $700. As soon as one walks through the door, they say, "You can have it for $350." If one has a particular store card, one can get another 10 per cent off; and if one pays cash, one might get another five per cent off. So one ends up paying $250 for something that is ostensibly worth $700. The jewellers promise to send a valuation in the mail. In due course, one receives a piece of paper on which someone has scribbled that the value of the particular item of jewellery is $700. I am not saying that it is not worth $700, but who am I to know, unless I take that piece of jewellery somewhere else and pay to get another valuation done? One really is not sure whether one has obtained value for money. That concerns me. As I said, virtually every jewellery store that I went into had a half-price sale, or 40 per cent off this, or 30 per cent off that.

It is important to ensure that, wherever possible, people are advertising accurate values. I am not suggesting that, in this case or in any other particular case, the item was not worth the stated value. However, when people are promising 50 per cent off something, with the prospect of further discounts, one really must question whether the value stated is the real value of the item. Without going to the cost and trouble of getting an independent valuation done, people such as myself would not know that.

I neglected to mention one matter in relation to land matters. New section 40A talks about making false or misleading representations about land. This seems to be a fairly common practice in some sectors of the real estate industry. I refer particularly to the way in which photographs or even film footage of land are used to try to sell a particular parcel of land when, in fact, in some cases the area that is photographed, filmed or videotaped bears little or no resemblance to the land for sale. I am aware of a number of cases in north Queensland in which people have sold land that they claim is rainforest. They might show a photo of the Daintree rainforest, but they are selling a piece of rainforest somewhere else. There is a possibility that people can be misled about the nature or characteristics of the land they are buying. Under those circumstances, it is important to have the capacity to ensure that there is honesty and integrity in the advertising of land, as there should be with other products.

In conclusion, I turn to a pet topic of mine that is not covered in the Bill. Correct labelling of products is an important issue for me. These days, there are many consumers who are actively seeking out Australian-made products. Yet there are still many industries, and many importers, who are incorrectly labelling goods. I think that that is a practice that we have to work to resolve. If people are prepared to take the time and to pay the extra cost to buy an Australian good, then they should not be buying something from Thailand that has been packed into a plastic bag in Melbourne; they should be able to know with confidence that it is a genuine Australian article. I

think that we should all be supporting Australian made and grown products.

Mrs WOODGATE (Kurwongbah) (3.30 p.m.): I am pleased to take part in this debate this afternoon. I have just a small contribution to make. I will say a few words about an important aspect of this Bill, a provision that most speakers this afternoon have referred to, the provision for interim prohibition orders in respect of the supply of dangerous or undesirable goods or services.

I believe that this is an extremely important provision, particularly so where the safety of infants and toddlers is concerned. The member for Cook made reference to the need for soft toys to be safe for babies. We would all agree with that. Toys and accessories that are produced specifically for very young children certainly need to be safe. Small objects can be easily swallowed by babies. They should not be marketed as products or as parts of products that could endanger the lives of these babes.

Prams, cots and other baby products are an area of consumer safety in which we have to be particularly vigilant. Cots are particularly important to a baby's safety because babies probably spend more time in cots than anywhere else. Cot-related injuries account for 20 per cent of all children's injuries involving nursery furniture. When buying a cot, it is important for people to consider a few important things, such as the fact that there is an Australian standard applying to cots. We should be asking the retailer if the cot complies with that standard. Those of us who buy second-hand cots should be checking the critical dimensions of the cot before we buy. The critical dimensions relate to the depth of the cot, the space between the bars, the space between the bars and the mattress, the sides, finger traps, arm and leg traps, head traps and protrusions. The Office of Consumer Affairs produces excellent brochures on cot safety, which detail those critical dimensions.

The Office of Consumer Affairs also has a large range of other brochures on child safety and general safety issues. One that I have been reading is *Consumer's Guide No. 3, Bunk Beds*. For people interested in safety, the guide lists quick facts about bunk beds, such as: never allow children under six to sleep on a top bunk; keep the bunks clear of the ceiling fans; and check for the gaps between the mattress and the sides. Bunk beds have been identified as a significant cause of serious injury in the home, especially for young children. Bunk bed injuries are mainly due to falls and almost half of those result in fractures or concussion.

Prams, cots and other baby products that have components made of brittle plastic can shatter into sharp pieces. They should be banned immediately through the use of an interim prohibition order so that deaths and injuries can be avoided. The present provisions are far too time consuming. The Minister has to give each person who has a substantial interest in the matter written notice asking why a prohibition order should not be made. That takes too much time. Although such notice may have seemed fair to traders when the Act was originally written, it is inappropriate in this day and age and it is over-bureaucratic when it comes to truly dangerous goods. In the weeks that it takes to seek feedback from traders on an imminent prohibition order, hundreds or even thousands of young children could be exposed to danger at the very least, if not injury or death. The new provisions in this Bill allow for the prohibition of dangerous products without undue delay. The Minister needs only a recommendation from his Consumer Safety Committee, which can meet via a telephone hook-up if the situation is urgent enough.

In the past, babies have been injured because the bars in their cots or playpens have trapped their heads. Swinging cots have swung so far that the babies in them have rolled into dangerous positions. Leaking or brutal teething rings can cause babies to choke. Unfortunately, a few years ago I had this experience with a relative who met an untimely, unfortunate death because of a teething ring. I can assure honourable members that that is something that none of us really wants to remember or ever again experience. Flammable clothes that come too close to bar heaters can also seriously harm young children. These are just a few examples of the ways in which the new provisions of this Bill will benefit consumers, especially young children—our most precious product.

Before I close—as I said, it is a short contribution—I will outline a few examples of baby products that have been banned in recent years: the Happy Baby nappy clip; Magic Grobots, which expand in water and could be particularly dangerous if swallowed by young children; the Tommee Tippee Snuggle Sak, which was made with loose granular material and was capable of conforming to the contours of a baby's body, particularly the face. It was intended to be used with children under one year old. It was quite a dangerous sleep product, which I think it was marketed as. In addition, a number of cot restraints have been prohibited under section 85 of the Act: the Baby Safe Cot or the Bed Restraint; the Johnco Safety Sleep and the Sleepsafe Suit. They all have "safe" in their names; none of them is safe. They are quite dangerous and thank goodness that they have

been prohibited. Another product is the Safe n Snug. I have used that product myself. It is not too safe; it is certainly not snug. Products such as those should be prohibited from sale as soon as possible. In many cases, time delays could be fatal. That is a very important aspect and one that is being rectified in this Bill. I urge honourable members on both sides to support the Bill.

Mr BRISKEY (Cleveland) (3.36 p.m.): The Bill before the House today is all about further protecting the interests of consumers. The old adage "buyer beware" is really not enough. It is important that adequate legislation be enacted to ensure that buyers can be protected from the sharks. It is important in the area of consumer protection that uniform legislation is introduced across all States of Australia. Whether we purchase a good or a service in Queensland or in another State should make no difference with respect to the protection that should be ours as consumers when buying that article. Australia is one country and it should have in this important area uniform laws.

Importantly, the Fair Trading Act will now cover the purchase of property. For some time there has been a need for more protection in this area. Unfortunately, there are those shysters out there in the community who give the professional, trustworthy real estate agents a bad name. False and misleading statements in relation to land will be covered by the Act, once this amendment is passed by the House. Professional real estate agents, such as Harry McKenzie, a constituent of mine, have been pushing for greater protection for purchasers for many years. I know that Harry would not have purchasers sign contracts unless those purchasers knew exactly what they were signing. People who purchase land will now have the same protection as people who purchase any other goods or service. There should never have been a difference.

To purchase a property is certainly the most important purchase that most consumers make in their lives. Thus consumers should be provided with the best protection available. This amendment, which brings the purchase of land under the same legislation as the purchase of any other good or service, should be supported by all members of this House. It is good to see that members opposite are giving their support to amendments contained in this Bill.

We are all consumers; however, some need more protection than others. Most of us would need protection when it comes to the concept of value, especially with respect to certain goods and services and, as the member for Cook mentioned, jewellery. This amendment adds the concept of value to the list of matters that is prohibited to make a false or misleading representation about. As I said, most consumers would not know the value of items of jewellery. How could they? When consumers go into a jewellery shop, they must trust the jeweller with regards to the price that is displayed. This is especially so on marked down items, where the so-called original price is marked down to a once-only special price.

There have been many instances when even the special, once-in-a-lifetime, never-to-be-repeated, below cost, marked down price is still much more than the value of the article being sold. Thankfully, this amendment will ensure that the value of the article cannot be misrepresented to the consumer.

Another important change to the Act that this Bill introduces is that the warranty, when offered, will cover the installation of the good as well as the good itself. No longer will slippery con artists be able to walk away and say, "Unfortunately, the warranty does not cover installation", thereby leaving the consumer with a good that is next to useless because of poor-quality installation.

Unfortunately, consumers also need to be protected from dangerous goods which have been sold and which have been found to be dangerous. The Government should not be delayed in ensuring that the general public is protected from these dangerous goods. Important interim orders have been introduced with this amendment to allow for the dangerous good to be withdrawn immediately. That is especially important in relation to children's toys that have been found to be dangerous. All honourable members would remember the recent case of the dangerous BMX bike. Currently, it takes three months for the Consumer Safety Committee to investigate dangerous items but, upon the enactment of this Bill, interim orders will be allowed to be made prohibiting or restricting the supply of the dangerous good and, thus, the safety of more children will be ensured.

At present, with respect to a dangerous good that the committee must investigate, the goods can be flogged off cheaply to consumers in the time that it takes to ban or prohibit the sale of the good. Thankfully, that will no longer be the case because, under the interim order, goods that are dangerous, especially those that are dangerous to children, will immediately be prohibited from sale.

The Bill also provides a code of practice being prescribed to regulate fair dealing between suppliers and consumers. Importantly, consumers will be able to seek compensation in

respect of loss or damage occasioned by a contravention of a code of practice. That will be a further protection for consumers. I am sure that it will also be welcomed by those retailers and salespeople who endeavour to do the right thing by consumers at all times. It will mean that consumers will be able to obtain some remedy against the shysters in our community whom the good quality retail and other salespeople would like to be rid of.

I take great pleasure in congratulating the Minister on the amendments contained within this Bill. They go a long way towards providing further protection for all of us.

Mrs BIRD (Whitsunday) (3.44 p.m.): One thing about being the last speaker is that everyone else has said it before you.

Government members: You are not the last speaker.

Mrs BIRD: That is good. I might get a go, then. It is even more difficult when the Opposition agrees with what one has to say. I want to take the opportunity to raise a couple of points with the members of the House, particularly in connection with children's toys. I know that some members have already referred to children's toys, but it is a very important matter. Of the complaints that I receive about dangerous situations, far and above the most complaints are about toys. This legislation will ensure that dangerous toys, at least, are identified in the marketplace and will be able to be prohibited from sale very quickly. I think that is very important. Previously, after a considerable amount of time, lots of toys that were considered particularly dangerous were still sitting on store shelves.

The member for Kurwongbah referred to teething rattles. I note the recent experience of a rattle that was imported from Italy which was full of fluid. One put it in the freezer and, later, the child would chew on it. That was fine so long as there was not a hole in the packet. In some of the country areas, some dangerous toys remained on store shelves but, under this legislation, we should be able to get rid of them fairly quickly.

Members will appreciate that most of these issues are not black and white; it is not purely one way or the other. Every year, after the show has been, people come in with cuddly toys and show us where the seams have not been stitched up properly, enabling the foam to leak out. Kids can put the foam in their mouths, down their air pipes and up their noses. Another point that is brought to my attention time and time again is that the cuddly toy that kids are looking at is, in fact, quite a dangerous weapon. Underneath the cuddly toy is a wire frame that eventually works its way through and digs into the child's body. It concerns me that some of these toys are still on display in shows, and I hope that this legislation will change that. Soft toys are a real danger, particularly with the foam and the wire base.

There will always be toys and other products that are on the borderline between danger and safety, and it is important for parents and older children to be aware of the guidelines. Parents should be careful to follow the manufacturer's recommended age levels and use their own commonsense in purchasing, particularly when there is more than one child in the family, to ensure that the younger child is not allowed access to something that, although it is okay for an older child, is quite dangerous for a smaller toddler. Parents should choose toys that are appropriate for children's ages. Although toys for older children may be attractive to younger children, they can create hazards for them that they do not understand. I refer to the toys that younger children play with in a bucket of water. For example, a battery-operated frog could be placed in a bucket of water that causes younger children to become excited and fall into the bucket. Time and time again, these incidents have occurred and someone has come around the corner just in time to save the child.

Parents should check the warning instructions on a toy. It is important that a toy is not misused. When choosing a toy, parents should keep in mind that they will not always be in a position to supervise their children at play. The toys that require constant supervision may prove to be unsafe when the attention of parents is distracted. I am referring to guns that shoot replica bullets and particularly guns that use caps, which are still available. I know that at one stage we tried to get them off the market. I refer also to play jewellery that younger children can swallow and, particularly, play make-up that has become a great concern to me. We need to check the safety features of a toy before purchase and also pay attention to the plastic bags that toys come in.

When buying toys for younger children, features such as size can be very important. As a general rule, the Office of Consumer Affairs recommends that, for children under three years of age, the smaller the child, the bigger the toy. Anything that is smaller than a ping-pong ball or can fit inside a 35-metre film canister has the potential to choke a small child if inhaled or swallowed. The Office of Consumer Affairs also points out that most children do not develop a natural coughing reflex. In other words, they do not naturally regurgitate, or get rid of, whatever they have put in their months to clear their blocked airways until about the age of three. So

up to that age people have to be very, very careful with those small items.

Any small parts of toys that could be swallowed accidentally should also be firmly attached to a large object. I refer particularly to those little pram toys that are strung from one side of a pram to the other. People need to ensure that they do not spring loose because the small pieces can be swallowed. In general, toys for young children have to be made to be able to stand up to being bitten, tugged, sucked, chewed, jumped on, thrown about and generally extremely well used.

Also, a number of commonsense aspects of toys would be obvious to most parents such as splinters, rough edges, sharp points, nails and moving mechanical parts. They all have the potential to harm children. Although it is never impossible to give children constant or around-the-clock supervision, a sensible amount of supervision should be provided.

I would like to offer one more point. For some time, I have been concerned about the amount of toys that are now being sold through garage sales. People can go to garage sales, particularly on Saturday mornings, and still see bouncinettes being sold. They are dangerous. I do not know how we control that practice. We need to educate the population that they must be vigilant when they are visiting garage sales to ensure that the recycled toy that they buy—and I am in favour of recycling them—has not been repainted with some sort of dangerous paint.

For a short time, I was the administrator of a number of thrift shops. Through those thrift shops, I found that we seemed to get all of the leftovers from the shows and all of the toys that were slightly damaged. They were quickly taken up by people who could not afford to buy them new. Although we were vigilant as to what we saw as dangerous, very often things did slip through.

Recently, I had an experience of a mother who brought in a child's folding chair that she had bought from a garage sale. The folding chair snapped closed and the child caught its fingers in the chair as it snapped closed. That is the sort of thing that we need to watch. However, it is only happening in garage sales, and I do not think that we are seeing too much of it in the thrift shops now, but we do need to be vigilant. If honourable members pass the provisions of this Bill today, we will help to prohibit unsafe products. If parents heed some of the guidelines that I have outlined, the safety of our children will be greatly enhanced.

Mr PEARCE (Fitzroy) (3.51 p.m.): In joining in this debate today, I realise that much has been said about the Bill that is before the House. I have no doubt that every member in this House has dealt with constituents who have been conned or ripped off by the grubs in society who are only interested in what they can take from innocent victims. I think that we all come in touch with such people at some time in our lives. After a while, we start to wake up to what they are like, what they are about, and the type of people they are. I have always said that the perfect con man would be able to sell sand to the Arabs. Quite often, we see such people in operation.

Mr Davidson interjected.

Mr PEARCE: It is a lot like trying to buy worms from the honourable member, because one never knows how long a worm is. The honourable member should stay out of this. He would be the type of person who would get everything he could out of a worm. As a young fellow, I can remember when I first heard—and I remember how angry this made me—about the exploding cigar, only to find out after a few investigations that it really was not worth a cracker. Those are the types of people with whom we have to deal.

Like I said, I was not going to speak to this Bill, but I wanted to take the opportunity to draw the attention of the House, and in particular the attention of the people of Queensland, to what appears to be a major rip-off by a company operating in New South Wales by the name of Travel Guide. I appreciate that the particular matter will come under the jurisdiction of the Department of Consumer Affairs in New South Wales, but I still believe it is important that I raise this matter in the House. It was brought to my attention in the last couple of days.

The matter concerns four young people who were working and trying to do everything right and who in early March paid a deposit of $100 each to a company called Travel Guide Pty Ltd—and the address is PO Box 6212, Shopping World, North Sydney, New South Wales—for a holiday in Fiji flying Pan Pacific Airlines. The package was for seven nights from 7 to 14 October this year, and it was at the Hideaway Resort on the Coral Coast of Fiji. Honourable members can understand how these young people, who were wanting to get away for their first holiday, saw an attractive package in a place such as Fiji, took the opportunity and contacted this company to take up the offer.

The trip was booked through Travel Guide Pty Ltd trading as Pan Pacific Airlines, Level 2, 56 Berry Street, North Sydney. On 24 June the final payment of $1,496—and there was a variance of a few dollars in the tickets for each of

the individuals—was sent to Travel Guide. They were informed by a Francine Allum that, once the full payment for all tickets was received, they would be sent all details of the package, including receipts. Prior to this, these young people received a telephone call stipulating that they had to pay the full amount by 30 June 1994—and that only gave them a week—or they would have to pay an extra $80. So they were told how much they had to pay, and they were given a week to pay it, or they would have to pay an extra $80.

It is now approximately a month later and those people have received nothing—no receipts, no tickets, and no notification that the money has even been received. Through frustration and anxiety, they have made some inquiries and it appears now that Travel Guide Pty Ltd has gone bankrupt. These kids are very upset and distressed. They worked hard for a number of years to get this money together so that they could go away for a dream holiday. It appears now that they have lost not only their money but their holiday as well. I will have to make further investigations to see what I can do to help these young people.

There is a message in this for us all, in particular for young people who are looking for the types of holidays that these young people who were caught out were after. The message is that it is important to deal with travel agents or people who live locally, travel agents who have a reputable business, and travel agents we can walk in and talk to about what is going on, instead of the ones who have to be contacted by letter, fax or telephone. Young people must take on board and understand that in relation to any offer, whether it be a holiday overseas, a car or a particular electrical item for their home, if there is any significant undercut in the market price or an offer that appears more attractive than others with frills and so on, it has to be treated with caution.

As I said, I was not going to speak in this debate, but I felt that this issue, as it was brought to my attention in the past couple of days, may be affecting other people in Queensland. I thought that it was my responsibility to bring it to the attention of members in the House today, and I hope that by doing so I can save other people from being caught.

Hon. T. J. BURNS (Lytton—Deputy Premier, Minister for Emergency Services and Minister for Rural Communities and Consumer Affairs) (3.58 p.m.), in reply: I thank all honourable members for their contributions to the debate on this Bill. Fair trading legislation is always important, because from time to time every member receives a visit in his or her electorate office from people about this issue. Whilst we can say, "Let the buyer beware", the facts are that in many cases the buyer is in a disadvantaged position compared with the seller, who has had the experience of the marketplace and knows what to do.

For example, I have been having a few words with some members of the real estate industry. Of course, people will try to tell us that everybody in an industry is good. No industry is perfect. Politicians are not perfect, and I do not think that any other industry is perfect.

Mr Davidson: Bait and tackle blokes.

Mr BURNS: The bait and tackle blokes can be some of the worst rip-off merchants in the business. However, I will not mention the shop at Noosa called "Davo's" and try to cause any trouble. I know of fellows in the tackle industry who, at times when there was a lot of fresh water, would dig blood worms and wrap them up in sand to sell them. And honourable members know what happens to blood worms when they have been in fresh water; most of the blood drains out of them and they are not worth two bob, and those blokes knew that full well.

All of the legislation we produce is for the bad people, but it affects some of the good people. So the good real estate agents and the people who work hard in the real estate industry, and who get a bit offended when we talk about the rorts in the industry, have to understand that it is not aimed at them but at the rorters in the industry and the people who misuse their position to look after themselves. This means that we have to legislate to protect their customers.

Firstly, I say thank you to our new Opposition spokesman for Consumer Affairs. I appreciated his contribution today, and his support for the Bill is similarly appreciated. I am happy that he wants to help to protect new home buyers. Buying a house is one of the biggest purchases that most people will ever make. The honourable member's commonsense warning that people should obtain the right advice before they sign contracts to buy real estate, particularly if they do not understand them, is the correct idea and one that I support absolutely. The member's particular warnings about subject to finance contracts are especially noteworthy. Consumers simply should not enter into contracts that have open-ended provisions about interest rates or impose excessive rates for vendor finance. I thank the member for his support to incorporate the provisions of the Land (Fair Dealings) Act in the Fair Trading Act.

As regards the second major proposal in this Bill, that is, interim orders banning dangerous goods and services—the honourable member

for Hinchinbrook is under the misapprehension that I cannot order the withdrawal of dangerous goods by an interim order which is being introduced by this Bill. He said that I could only restrict the supply of these goods. However, the interim order may prohibit the supply of such goods. In this regard, I refer the honourable member to section 85 (1) (a) of the Fair Trading Act, to which this new section 85A refers.

Thirdly, I welcome the member's commitment to scrutineering the effectiveness of the codes of practice, and I assure him that they will not be used to form bureaucratic empires. At present, many codes of practice exist. The Consumers Affairs Ministers are formulating some national guidelines for codes of practice.

The member referred to the potentially enormous cost of implementing codes. However, I would say that the cost of the alternative—that is, black-letter legislation and regulation—is much higher. Industries would like to have codes of practice as against us legislating and restricting them. If we can get a group to cover the whole industry and to prepare a code that will cover everybody, that would be a lot better than us having to enact legislation in this place. Unfortunately, some groups do not represent everybody, as in the real estate industry with the REIQ. When one starts to negotiate with them, one is not negotiating with the whole industry. However, codes are designed to be flexible, particularly as far as their being put in place, and therein lies their potential for cost savings.

The honourable member asked about the purpose of adding the concept of "value" to section 40. Its aim is to stop charlatans. I think the honourable member for Cook and the honourable member for Cleveland mentioned jewellery, and we all had a good laugh about the sort of jewellery that they purchased. There are two cases to which that refers. One was the Federal Court case of Ducret v. Chaudhary's Oriental Carpet Palace (1987) 16 Federal Court Reports at page 562. It was considered by the court in that case that the words in the corresponding provision in the Trade Practices Act, section 53B, "standard or quality", may or may not cover false or misleading representations about the value of an item, depending on the individual situations. That case dealt with the advertised value of certain Persian carpets, which value was significantly inflated. I think two or three members have mentioned it during the debate. We decided to write "value" in there, so that the proposed new section now reads—

> ". . . falsely represent that goods are of a particular standard, quality, value, grade, composition . . ."

All we have done to the previous section is add the word "value". As a result, if someone complains to us that they have been sold a $100,000 carpet and it is worth five bucks, or whatever it happens to be, we can take value into consideration and we can take some action under the Fair Trading Act. I think that is a fair attitude for us to adopt, because it is true that, in the case of both jewellery and carpets, there are some fairly clear examples of people overinflating the value of the good.

As the honourable member for Cleveland said earlier, it is very hard for a person to work out in his or her own mind the value of a piece of jewellery. It may be claimed that a ring is worth so many thousands of dollars, and a person has to spend more money to find out whether that is the case. Under the new provision, if a person discovers that he or she has been ripped off if the good is valued and the value is far different from the advertised value, we might be able to do something about it. It is designed to stop charlatans inflating the value of goods for sale so that grossly inaccurate comparisons are made when the price of those goods is allegedly reduced on sale.

It is important that a bipartisan approach to consumer protection is adopted so that the ordinary people in the community are not exposed to the crooked operators intent on making a quick quid. For this reason, I acknowledge the member's support as the Opposition spokesperson on this Bill.

The member for Everton was the next member to contribute to the debate. I thank him for his endorsement of my appointment as Minister. We are out to protect the consumer as much as possible. I also agree that it is important that uniformity between fair trading legislation throughout Australia be achieved as much as possible. This benefits traders as well as consumers. These days, most traders are asking for national uniformity. At present, 1 000 people a week are coming across the border from New South Wales and Victoria. All of those people should be aware of the legislation in their States. If the legislation across the States is the same, it makes things a lot easier for them.

The member for Everton put forward the view that, by incorporating land transactions into the Fair Trading Act, false or misleading misrepresentations about subject to finance arrangements in a land purchase can be caught by the general offence provisions in the Act about such misrepresentations. I agree with that view. The provisions about misrepresentations

concerning land purchases in the old Land (Fair Dealings) Act were not specific enough to cover this. It was unnecessary to include subject to finance matters under the heading of land transactions, because they would be covered generally and, in any event, subject to finance considerations can apply in other contexts—for example, the purchase of motor vehicles.

As the member for Everton pointed out, consumers will obtain considerable benefit from the amendment to section 77 to stop traders who supply and install products from attempting to avoid responsibility for the quality of installation work done by them. The member commended industries that seek to have their voluntary codes of conduct made enforceable. Over the years, many of us have become aware of the situation involving wall cladding. The wall cladding was all right; it was the installation that was half the problem. Many people who had a warranty on the wall cladding found that there was no warranty covering the shonky operator who put it up. Of course, as a result, their house looked a mess and their money was wasted.

As far as codes of conduct are concerned—I recently met with the chief executive of the Australian Direct Marketing Association, who has been lobbying Consumer Affairs Ministers throughout the country to have mandatory codes of conduct prescribed under all trade practices and fair trading legislation. The support of the REIQ for enforceable codes of conduct is indeed welcome. It is useful to note that mandatory codes of conduct will not be restricted to the members of industry associations such as the REIQ and the Australian Direct Marketing Association but will apply to all members of those industries.

The member for Everton raised a possible discrepancy between the general definition of the expression "consumer" in section 6 of the Fair Trading Act as amended by this Bill and section 57 (1), which is only amended in a technical way in the Schedule of minor amendments in this Bill. The latter definition is only for the purposes of the division of the Act in which it is found, namely, that relating to door-to-door sales. The major difference is that the door-to-door sales definition of "consumer" excludes incorporated persons—companies—completely, whereas in the general definition a company may be a consumer in transactions involving less than $40,000. Further, land transactions are not covered in the door-to-door selling situation, because that is not the way land is generally sold. Finally on this point, the definition in section 57 (1) refers back expressly to the related definition in section 6, therefore indicating that generally the two definitions have a common basis.

I thank the honourable member for Clayfield for his comments. He emphasised the importance of a level playing field where both consumers and traders benefit from fair practices. He spoke about the function and role of the Fair Trading Act. I welcome his comments about the proposals in this Bill strengthening the effectiveness of the Fair Trading Act. The honourable member supported the initiatives concerning land sales. He also raised concerns about the potential for damage to business if an interim prohibition order was unjustly issued, and sought my response about safeguards in this area. In exercising my discretion in relation to interim prohibition orders, I will be bound to act on the recommendations of the Consumer Safety Committee, a body composed at least in part of safety and consumer experts; or, in the event that a similar order has already been made in another State, I can follow their lead. It is not an unfettered discretion which I can exercise unreasonably. I am sure the honourable member will agree that there are sufficient safeguards built into this arrangement, while at the same time ensuring the matters can be handled expeditiously in the interests of consumer safety, which is the purpose of the exercise.

I also thank the member for Clayfield for his support for mandatory codes of conduct. I, too, have noted that there are numerous voluntary codes of conduct around. As I have pointed out previously, those industries that abide by these codes are to be commended. The problem for consumers and for my department is that there are still some traders active in the marketplace who are not prepared to abide by reasonable standards of conduct. The implementation of reasonable codes of conduct for appropriate industry should not only benefit consumers but also clean up some industry by creating a level playing field for all traders. The member's postscript about Australian plastic currency notes is a matter, as he acknowledged, for the Commonwealth.

The honourable member for Bundaberg emphasised the need to stop fraudulent traders from taking advantage of consumers. I thank him for his concerns and his extensive representations in the past seeking the regulation of finance brokers.

The activities of some of the operators exploiting consumers when they promise to arrange certain loans could well be caught by the general misrepresentation provisions in the Fair Trading Act. If they apply, these provisions should be enforced. As to the regulation of finance brokers, I should point out that in these deregulatory times it would be a significantly difficult task to construct a new regulatory regime. Also, depending on the fact of individual

cases, some aspect of finance brokers' activities would be caught by the Credit Act if they act as agents of credit providers. Further, the member's suggestion that finance brokers be covered by a code of conduct certainly has merit and is worthy of consideration.

The member for Brisbane Central gave a down-to-earth justification for interim orders prohibiting dangerous goods and services and referred to a number of illustrations showing the need for these types of orders. I endorse the honourable member's comments about the proper approach to subject to finance clauses in real estate contracts. I was speaking to the member for Hinchinbrook before about interim orders. The reason for this legislation is that we would discover that a product may be unsafe or may be dangerous and, by the time we went through the process of having the Consumer Safety Committee test it and find whether it was unsafe, an unscrupulous marketeer had reduced the price, knowing he was under review, and sold the items out. By the time we got to the stage of banning the product, there may be little or none left on the shelves. With this provision, at least the Consumer Safety Committee will be able to respond to my request and do something about it fairly quickly. Of course, if we test an item and it is found to be good, then we cover the cost of the tests ourselves and everybody out there in the marketplace will know that this product has been tested and found safe and it will probably sell in better volume. When an item is found to be safe by us, that will virtually be an endorsement from us. If it is found to be unsafe and a prohibition order is made, the trader will have to pay for the costs of the test as well as having the product withdrawn from the market.

The member for Brisbane Central made reference to unacceptable practices at auctions and I invite members who become aware of such matters to contact my office so that the Auctioneers and Agents Committee, which comes within my portfolio, can be appropriately advised. I also point out that there have been a number of inquiries, the last one not so very long ago, into the auctioneer and agents area and at this stage my Parliamentary committee and I are looking at some recommendations in relation to changes to that legislation. So, if honourable members have some concerns or if they know that local real estate agents in their electorates are concerned about the Act itself, they should let us know.

John Szczerbanik, the member for Albert, recounted his personal experience, or at least that of close relatives of his, with the Villa World development near Helensvale and the use of subject to finance clauses in their contract. This experience, as I explained earlier, was one of the reasons for land transactions being incorporated in the Fair Trading Act. It addresses the problem he raised and closes the loopholes which disadvantaged some Villa World clients. As the local member for the area, he was very active in this regard. He was concerned about the provisions holding these people virtually to ransom over the signing of subject to finance contracts and I thank him for his support for consumers.

Terry Sullivan, the member for Chermside, explained how this Bill removes the anomalies between the Fair Trading Act and the Land (Fair Dealings) Act. The line he adopted in emphasising the need for responsibility on the part of traders when dealing with dangerous goods is most helpful in arriving at a more perfect marketplace. Dangerous goods, of course, are a major problem of concern to the Consumer Safety Committee and to consumer organisations and consumers. The member also gave a comprehensive outline of the various miscellaneous amendments to the Fair Trading Act in the Bill. I thank him for the amount of time and effort he has put into studying the Bill.

Stephen Bredhauer, the member for Cook, addressed some of the fundamental reasons for having effective consumer protection measures in place; for example, ordinary persons in the community may be disadvantaged in business dealings. The honourable member spoke at length about the need for consumer safety initiatives, particularly in the area of children's toys and, having a beautiful young daughter, Alice, I am sure that he and his wife Jan are concerned about these matters, as are all parents. He also spoke about other items used by children and supported this Bill's proposal in this regard. He referred to the possible ineffectiveness of voluntary codes of practice and supported the need to introduce an element of enforceability.

Margaret Woodgate, who is the secretary of my parliamentary committee and the member for Kurwongbah, spoke in a most concerned manner in respect of safety requirements for baby goods, for example, cots. When she spoke of her own personal experiences, most of us would realise just how important these matters are to her. The Fair Trading Act establishes the Consumer Safety Committee as a watchdog to monitor such matters. Incidentally, the committee is meeting this afternoon within the parliamentary complex. It is fitting that that is the case, given its central role in putting these new interim prohibition orders in place. I was planning to meet with them, but the day has worn on and those things have got past me.

Darryl Briskey, the member for Cleveland, referred to the need for effective protection for purchasers of land and spoke of the ethical standards of a real estate agent in his area, Harry McKenzie. In common with other members, he emphasised the usefulness of the amendments to ensure that misrepresentations about the value of goods are made an offence and that warranties cover the installation of goods as well as the goods themselves. I would hope that the amendments to this Bill will produce the required results for the honourable member for Cleveland.

Lorraine Bird, the member for Whitsunday, also spoke on safety requirements for children's toys and referred to the topical problem associated with toys bought at local shows. She also spoke about garage sales. I share her concern there. One of the problems with garage sales and some of these little fairs is that things that are no longer sold in the big stores are shunted out to the fairs and the garage sales and it is very hard for us to do anything about it. The only real way we can do something about consumer protection in this regard is if people who see this happening draw it to our attention so that we can act on it fairly quickly. I am advised that routinely some items in sample bags at shows prove to be dangerous. My department is aware of this problem and inspectors monitor show bags. The RNA Exhibition will soon be here. I must say that on the weekend I was pleased to see the *Sunday Mail* produce a breakdown on the contents and retail cost of show bags. I have not seen that for some time. I recommend that article to parents contemplating taking their children to the Exhibition.

Finally, the member for Fitzroy showed the need for protecting society from con men and other grubs, as he called them. The Fair Trading Act assists in achieving this. He also referred to problems experienced by some young people who had paid for holidays and lost a large amount of money when the travel company collapsed. This matter may come under the Travel Agents Act and, if the member wishes to give me the relevant details, I will have the case examined further. I must say that last Friday, at the annual meeting for Ministers for Consumer Affairs in Brisbane, it was decided to do something a bit further about the Travel Compensation Fund and travel agents in general. We have made a number of recommendations in relation to that.

Someone asked earlier in the debate today about examples of codes currently in place. Some examples of codes currently in place are: the Australian Pharmaceutical Manufacturers Association Code of Conduct, which covers the promotion and advertising of prescription drugs; the Fruit Juice Industry Code, a centrepiece of which is that the industry is funding random testing of products for adulteration and dilution of fruit juice; the Supermarket Scanning Code, which covers the use of computerised check-out systems in supermarkets; the Oilcode, which deals with the relationship between resellers, distributors and oil companies—I am not too sure that that is as effective as it could be—the Electronic Funds Transfer Code, which deals with terms and conditions of cards used in the transfer of funds and also details procedures for dispute resolution where a dispute occurs between a bank customer and the bank in respect of a card transaction.

While traders adhere to these codes of practice, consumers can feel comfortable knowing that their interests are being protected. However, such codes could give consumers a false sense of security. Unscrupulous traders could claim adherence to a code of practice, while in reality they might be disregarding the code completely, as there is nothing to force them to follow some of these codes. So, these enforceable conditions will help us, when we look at voluntary codes, to see whether we can make those voluntary codes enforceable.

I thank all honourable members for their contribution to the Bill, especially the Opposition for their support for the Bill itself. I believe the Fair Trading Act as introduced by the previous Government and now amended again here is an attempt by all parties in this House to try to protect consumers but, as has been said by many of the speakers today, it really is up to ourselves, and education is probably the way we have to go. We have to educate more and more people to understand their rights and responsibilities and more and more of the traders to understand that consumers have rights. We also have to make certain that consumers understand that traders have rights. It is both sides of the equation in the business world that can make this system work. I commend the Bill to the House.

Motion agreed to.

Committee

Clauses 1 to 3, as read, agreed to.

Clause 4—

Mr ROWELL (4.20 p.m.): I would like to dwell on the meaning of "consumer". The Bill refers to—

> ". . . a person who . . . acquires goods or services or an interest in land as a consumer."

It also states—

> "A person . . . is an individual."

An individual is one single person. What would happen if a block of land was bought by a husband and wife? What about a charity, a sporting organisation or something of that nature? Could the Minister clarify what is really meant there?

Mr BURNS: Under the Acts Interpretation Act, a person includes an individual and a corporation. That is the meaning of the word "person". All we have done in this section of the Bill is add to the previous section, which has existed for a few years, the words "or an interest in land as a consumer." An individual or a family would be covered by the Act.

In relation to a sporting group—if it is incorporated, it is a company and it would be covered under the corporations law or Associations Incorporation Act. Generally, in the case of sporting groups, the secretary, the manager or someone else acts on behalf of that group. I would imagine that that person would be covered as an individual. We would have to look at each specific case. We have had no problems in that regard, otherwise we would have amended the legislation accordingly.

Mr ROWELL: This clause also states—

> ". . . the price of the goods, services or interest is not more than $40,000."

It seems to me that if a person was buying a block of land, a package deal, or something of that nature that exceeds $40,000, this definition might not be broad enough and could disqualify a person who could be termed as a consumer. I spoke about this earlier in my speech, but the Minister did not refer to it in his reply.

Mr BURNS: I am sorry. I missed the honourable member's reference to that. So far as individuals are concerned, there is no limit on the value of particular transactions. The $40,000 limit applies only to transactions involving companies as purchasers. Subclause (2) states—

> "A person acquires goods or services or an interest in land as a consumer under subsection (1) if—
>
> (a) the person—
>
> (i) is an individual; and
>
> (ii) acquires the goods"—

and—

> "(b) the price of the goods, services or interest is not more than $40,000."

We have deleted the reference to "the person". That is referred to only in the first part of this clause. Subclause (2) (b) refers to corporations only, when the $40,000 limit applies. There is no limit at all on individuals. It could be a $1m deal, but that individual would be covered. Only in the case of corporations does the $40,000 limit apply. After that, they have to go outside the consumer protection law and seek their remedies in accordance with the law, as does any other company.

Clause 4, as read, agreed to.

Clause 5, as read, agreed do.

Clause 6—

Mr ROWELL (4.24 p.m.): There is a grey area in relation to valuations. There are charlatans who try to put deals over people. In relation to valuations, there must be a cut-off point at which we decide to pursue a matter when a person is doing the wrong thing by the consumer. At what point do we decide to implement some action?

Mr BURNS: Each case would depend on the representation made to the consumer. Our legislation mirrors the Trade Practices Act as much as possible. We have tried to get a Fair Trading Act that is similar to legislation in other States.

In 1987, a case involving Chaudhary's Oriental Carpet Palace was heard. It was found that, even though inflated values had been placed on their carpets, this may not have been covered by section 53B of the Trade Practices Act relating to standard or quality. We are now including "value" in the legislation. If it is clearly shown that someone has inflated a price substantially so that that person can say that the product has been marked down from a grandiose price, we would then consider prosecuting that person. It would be up to the courts as to whether they supported such a proposal.

In that particular case, the defendant had advertised a carpet for sale with the expression "Usually $4,675. Sale price $1,759. Now only $497." So the price of that carpet had come down pretty substantially from $4,675 to $497. The prosecutor alleged that the usual as well as the fair retail price and the fair retail value of the carpet was between $300 and $520. So the price of the carpet had been inflated from $520 to $4,675.

The defendant was charged with an offence under section 79 (1) of the Trade Practices Act 1974 on the ground that the defendant had made a misleading statement about the price of the carpet in contravention of section 59C of the Act. We believe that, in a case such as that, we should be able to prosecute that fellow. I do not think this would apply to marginal cases involving a few dollars.

Every week there are closing down sales for carpet retailers. Some of them must be the longest-running closing down sales in history, because they have been advertised for about the past five years. The carpets are always

marked down from very big prices to reasonable prices. Maybe we ought to send our inspectors to have a look at those places from time to time.

Mr FitzGerald: You would have a houseful of them by now, wouldn't you?

Mr BURNS: No, I have not bought one yet. However, I do go to China from time to time. I have seen carpets over there for about $150, but here they are marked down to $900. One must be a bit worried about the pricing of them.

Mr Rowell: It is a valuation that you have to arrive at somewhere.

Mr BURNS: We do not go out and look for these things; it is generally a consumer who draws them to our attention. A consumer will come to us and say, "I bought this $5,000 carpet that was marked down to $500. I went down the road, and I saw it for $200 in a shop." We would then check that out. If we felt there was sufficient evidence to prove a case under this legislation in relation to value, we would undertake a prosecution. It would then be up to the court to determine the matter. We would generally only act on the advice or action of consumers who come to us with complaints. It would have to be a fairly blatant case before we would prosecute, but at least we have that opportunity.

Under that decision of the Federal Court, we would have no chance of helping a person in those circumstances unless we include in the legislation a clear provision that value is one of those areas where people cannot make misrepresentations.

Clause 6, as read, agreed to.

Clauses 7 to 10, as read, agreed to.

Clause 11—

Mr ROWELL (4.29 p.m.): The Minister said that I may have been off the track. It is difficult to follow the legislation. Proposed new section 85A (1) states—

> ". . . the Committee, after a reference is made to it under section 32, recommends to the Minister or Commissioner that an order under section 85 (1) be made about the goods or services concerned;"

I am not absolutely clear on the difference between the prohibition of a particular item and its withdrawal. Certainly, an item can be prohibited from being put on the market, but withdrawing it is something slightly different. I think that in his speech the Minister mentioned withdrawal. What I did say is that I am supportive of the fact that a product should be withdrawn more quickly in the event that it is dangerous. I was not trying to misrepresent the legislation. I was simply trying to point out that it was not really clear from the Bill that, in the event of a product being dangerous, there was a mechanism available under which it can be withdrawn from the market at fairly short notice.

While I am on my feet I will mention items that are sometimes given away with a product to enhance its value. In the event of a product say, a bed, being sold and a pillow that is not suitable for consumer use is given away with it, what would the Minister do?

Mr BURNS: In the case of a pillow that was unsafe, we would order its withdrawal.

Mr Rowell: If it was given away?

Mr BURNS: Whether it is given away or not, if it is unsafe, it is unsafe. If it is dangerous, it is dangerous. We would not worry about its value or the cost. We would say that the trader should not be able to do that. A sales gimmick should not be used to put a person's life or a child's life in danger or in some way affect their health. We would take a fairly strong stand in relation to that.

The problem has been, such as in the stink bomb case in which teachers and children were hurt, that the incident is reported in the paper, the Minister announces that he is going to have the Consumer Safety Committee investigate the product and unscrupulous traders flog off the product as fast as they can over the ensuing three months, although K-Mart and reputable stores such as that will remove the product from the shelf. I have just received a note stating that the term "prohibits the supply" includes giving away for nothing, but I have already addressed that point.

I want to be in the position in which the sale of a product can be stopped while it is checked. A few safeguards have to be put in place. The Minister should not do it himself. We are saying that the Minister should check with the Consumer Safety Committee. We have made provision in a later clause for the committee to meet by phone or by video conferencing, using the new technology that is available, to make a decision that allows the Minister to issue a prohibition order that prevents a product from being sold. Stores would then have to remove the product from sale while it is checked. If it is found to be safe, then, as I said, the stores would be in a better position than ever before because they would have our assurance that the product is safe. We would pay the cost of the testing. If the product is found to be unsafe, then the prohibition order becomes compulsory. The interim prohibition order—the withdrawal order, or whatever name you want to use—lasts for only 42 days. If the test has not been completed, we can ask for only another 42 days. After 84 days, the test should be completed, and we believe that it will be completed.

Under that interim order, we stop the sale by unscrupulous people of unsafe items while they are being checked. The current procedure, under which the goods are being checked while stores are selling them, is not a good one. They are selling them faster than we can check them. I accept and appreciate the honourable member's support.

Mr ROWELL: What happens after 84 days of testing of a controversial product—the period of testing could be that long—that is being used in an area for which it was not intended? It depends whether the product was used in the manner it was intended to be used for when it was sold. That can be a grey area. Does the Minister understand what I am saying?

Mr Burns: Yes.

Mr ROWELL: If in that event the retailer who is selling the product or service was denied the opportunity of selling it for 84 days, what sort of compensation could they expect?

Mr BURNS: None whatsoever. As I said, I think that at the end of that first six-week period or the second six-week period when it was declared safe, they would be in a better position to sell it than ever before. They would be able to advertise that this product has been checked and found safe by the State Government's Consumer Safety Committee. It would have the committee's imprimatur, which would be a good selling point. In the event referred to by the honourable member, if we allowed for compensation we would be putting ourselves in a position where retailers could go to the courts if they felt that they had lost a lot of money. We would have to defend ourselves fairly vigorously. We have a right to say that when something has been brought to our attention, and the Consumer Safety Committee has said to the Minister that a product could be dangerous and should be tested, we will do that in the shortest possible time. We have limited it to six weeks, although we can ask for another order if we have to. In that six-week period we ought to be able to make either a permanent prohibition order or release a statement saying that the product is safe. I think that a person with a safe product will end up being better off——

Mr Rowell: But it mightn't necessarily be a safe product—the point I was making was about its intended use at the time of sale.

Mr BURNS: The point is that we can only work on that basis. For example, with some of the little toys that are sold for children we say, "Do not have anything with long strings on it." We have had two or three cases in which children have nearly hung themselves in their cots while playing with such toys. Manufacturers can say that the intent was to use the strings to tie the product to the cot. We continue to warn people not to buy little cot toys that have long strings or rubbers hanging off the bottom, because they are dangerous. I would ban them on the basis that if by banning them we save a kid's life we have done the right thing. Parents should be aware of such problems, and manufacturers are addressing them.

In the case of our investigation of wheel wobble in bikes at high speed, good manufacturers are looking at a way of overcoming that problem. The good manufacturers want to be out in the marketplace selling their goods. Generally, it is the cheap imported junk that causes most of the problems. Most of those importers are not in the marketplace for long. Most of them go away.

In the past, Mistral fans caused a lot of trouble, but people still buy them because the manufacturers cleaned up their act. The switch problem that caused the problems is over and done with in new fans.

Another problem was caused by automatic keys to fuel hoses in self-service garages, where the nozzle was placed in the pipe to the petrol tank and locked so that the fuel continued to flow. If a person locks it on and cannot get it off, the next minute there is fuel everywhere, so they have been banned.

Similar problems with other products can result in similar very dangerous situations, but the products are still sold. The products are sold in other areas or in another way. There are a lot of factors in this area, which, as the honourable member says, is a grey area. Our job, and this Parliament's job, is to try to make products as safe as possible; to try to protect people from existing problems and to make certain that the trader gets a fair go.

Clause 11, as read, agreed to.

Clauses 12 to 20, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

ADJOURNMENT

Hon. T. M. MACKENROTH (Chatsworth—Leader of the House) (4.39 p.m.): I move—

"That the House do now adjourn."

Drought; QIDC Lending Policies

Mr LINGARD (Beaudesert—Deputy Leader of the Opposition) (4.40 p.m.): It is more than the drought that has left Queensland families working on the land high and dry. The Goss ALP Government has tried to wash its hands of the drought. All it wants to do is support projects in south-east Queensland where it knows that its power base is. It has stood by twiddling its thumbs while thousands of Queensland farmers go down the tube. A fortnight ago, when the Goss Government rediscovered the drought, Cabinet promised fresh relief measures for drought stricken producers. What they delivered was more hollow rhetoric. A promise was made that in areas where drought declarations have been lifted freight subsidies would be provided for 12 months. This is a welcome move and I am happy to lend my support to it. However, it must be said that many producers will not make it as far as the breaking of the drought unless the Goss Government offers something more substantial right now.

The Goss Government has not addressed the fundamental problem that the ceiling on freight subsidies is too low. It has set a maximum of $20,000 and limited the rebate to 75 per cent. There are then strict limitations on what stock farmers can actually claim.

At the Mount Isa Cabinet meeting, the other earth-shattering major drought initiative that the Goss Government announced was the reconvening of the standing industry drought working group. That group is to study what extra assistance is needed. First of all, we had the rural communities department; then we had the special Cabinet group. Now we have a standing industry drought working group. I can assure members that this big announcement was met with universal cynicism and condemnation in the bush because people in the bush know that there is nothing that the drought committee will be telling the Government that it has not heard and ignored before.

The lip-service and rhetoric about the drought crisis does not end there. I was not entirely surprised to see the Deputy Premier scale new heights in hypocrisy in his attack on the performance of commercial banks in the bush. This Government has turned the State's primary agricultural lender, the QIDC, into a profit-hungry, number-crunching, bottom-line driven commercial bank. In its first year as a corporatised entity, at the height of the worst drought in living memory, the QIDC made a profit, primarily off the backs of rural lenders, of $18.1m. In 1992-93, it returned a dividend to the State Government of $18.9m, and the figure will be even higher for the 1993-94 financial year. Under the Goss Government's corporatisation charter, the QIDC is obliged to achieve "a commercial rate of return" on everything it does.

This Labor Government is just fiddling around the edges. Finally, Collins and Casey are visiting the Capella area. Their trip is better late than never. The producers I spoke to last week painted a depressing picture of the prolonged drought and the Government's cursory response to the crisis. Debt is the single biggest sword hanging over producers' heads. Debt is increasing and equity is decreasing. It is clear that the drought should be defined as a deep-seated economic problem as well as a natural disaster. But Labor steadfastly refuses to deal with drought on either basis. Instead, it insists that it is an occupational hazard.

Most families are struggling with plummeting or negative incomes, exacerbating the debt and the interest rate spiral. It has been estimated that 88 per cent of all properties have negative cash margins. The debt problem is a hangover from the crippling monetary policies of Keating in the late 1980s when farmers were being charged up to 35 per cent in penalty interest rates. That is the interest on the interest that they could not pay—thanks to Keating, artificially manipulating interest rates into the recession that we had to have. Many farmers had borrowed with the best intentions of improving their properties, ironically, to build dams or silos or sheds to store feed in preparation for drought.

After being hammered by three years of recession and four years of drought, what could possibly be sold to help ease the considerable financial strain of drought and debt was sold long ago. Most grain growers have not seen a cent in income for the last three years. Cattle producers have sold their stock for slaughter up to three years in advance to gain some cash flow to survive. The sell-off means that even if the drought breaks tomorrow, there will be no saleable cattle for slaughter within at least three years. Breeding stocks and herds have been severely depleted—in some instances, up to 50 per cent— and calving rates are down as much as 60 per cent in the worst-hit areas.

Mrs J. Davis

Mr BEATTIE (Brisbane Central) (4.44 p.m.): Today, I pay tribute a dedicated, loyal and hardworking member of the Labor Party, Mrs Jeannie Davis, who died of cancer on Tuesday night, 19 July 1994, and who was buried following a requiem mass at the Holy Cross Church, Wooloowin, on Friday, 22 July 1994, conducted by Reverend Father Pascoe, Bishop John Gerry and Reverend Father Tynan and attended by a large number of family, friends and senior members of the Government and the

party, including the Premier, the Deputy Premier, the party president and secretary and Brisbane's Lord Mayor.

As many members in this House would know, Jeannie Davis was the wife of Brian "Digger" Davis, who was not only my predecessor as the member for Brisbane Central from 1977 to 1989 but also served in this House as the member for Brisbane from 1969 to 1974. Jeannie Davis was more than just a member of the Labor Party, or the wife of a member of this House. Jeannie was very much a party member in her own right. She joined the ALP in 1959 and became the first State Secretary of the Queensland branch of the Young Labor section of the party in 1963 when her husband, Brian, was the first State president. She was also a hardworking vice-president of the Queensland branch of the ALP for a term during the 1980s when I was State secretary of the party. During all her party service, she was not only loyal, dedicated and hardworking but also a person of enormous courage.

Jack Camp, the vice-president of the party, stated in Jeannie's obituary in the *Courier-Mail* on 21 July—

> "Mrs Davis was deeply respected for her courage and fortitude."

That statement of Jack Camp sums up accurately Mrs Davis' commitment not only to the party but also to her family and even to the ceramics business that she ran. However, what stands out clearest in my mind about Jeannie Davis was the fact that in the lead-up to the 1988 local government election campaign in Brisbane, the ALP could not find a lord mayoral candidate. If members think back, they would recall that that was the heyday of former Liberal Lord Mayor Sallyanne Atkinson, whose standing in the electorate was at its highest point. In fact, Labor's research showed that its prospects of winning the lord mayoralty in 1988 or, indeed, a majority of the wards, was positively dismal. To be blunt, it was a hopeless political situation. The research also showed that the Labor Party was going to be wiped out at the 1988 council election and we had a tough uphill battle on our hands. In fact, we were going to lose as many as seven out of 11 wards that the party held, which would have been a landslide victory against us. It was clear that Brisbane's telegenic Lord Mayor of the day, who never missed a photographic opportunity during her term, had enormous public support.

It was no surprise that none of the sitting aldermen of the time wanted to nominate for the lord mayoral position. Under the circumstances, that was understandable— regrettable, but understandable. Nevertheless, the party needed a lord mayoral candidate, and when nominations were called, no-one rushed forward to nominate.

It is always easy to find opportunists when the electoral climate is favourable and a win looks likely. However, when the party has its back against the wall, the opportunists then disappear and the really loyal party members come forward and offer themselves as candidates to help the party. So when Jeannie Davis nominated as the party's lord mayoral candidate in 1987 for the 1988 Brisbane local government election, she knew that there was no chance of her winning the position. In fact, her responsibility was to assist in maintaining the Labor Party's vote and save as many wards as it possibly could.

It is in those circumstances that I talk about not only Jeannie Davis' loyalty to the party but also, in Jack Camp's words, her courage and fortitude. She waged an effective, energetic, courageous and gutsy campaign that, under the circumstances, produced a good result. On 19 March 1988, the same day that Barry Unsworth's Labor Government was defeated in New South Wales, Brisbane went to the polls to elect its new council. Labor lost only two of its 11 wards: Carina, the ward of the party's municipal leader, Brian Walsh, and Coopers Plains, held by John Wheeler. Both wards had experienced demographic changes that were adverse to the party.

It was not a great result for the party but it did immense and eternal personal credit to Jeannie Davis and the campaign that she waged. The ALP's win in nine wards was a vast improvement on earlier research projections which, at one stage, had the party down to winning only four wards, that is, a loss of seven wards.

It is thanks to Jeannie Davis' efforts in 1988 that we had a viable council team who were in a springboard position to regain office in 1991, which it did when Jim Soorley won the lord mayoralty. There should no doubt in anyone's mind that Jim Soorley's victory in 1991 would have been impossible without the campaign waged by Jeannie Davis in 1988. Some times in politics, one has to lose the battle to win the war, and that was what Jeannie Davis did for the ALP in 1988 so that it could win in 1991.

On a personal level, Jeannie Davis was an honest, genuine person who, unlike many people in politics, did not go behind one's back to say what she thought. She always had the honesty and integrity to tell a person right up front. I am sure that I speak on behalf of all members of this House when I express my deepest sympathy to the Davis family.

Albert Shire Council/Gold Coast City Council Amalgamation

Mr CONNOR (Nerang) (4.49 p.m.): I rise to speak on the issue of the proposed council amalgamations on the Gold Coast. It is a particularly important issue for the people of my electorate. My electorate includes much of the hinterland of the Gold Coast and is totally enclosed within the Albert Shire Council boundaries. The people of my electorate, the people of the hinterland of the Gold Coast and the people of Albert Shire overwhelmingly showed their support for the Albert Shire Council at the last council elections. All sitting councillors who stood were returned. A previous councillor became the mayor, even after the most outrageous and totally discredited dump job was done on him in this House. But it failed.

The people of the Albert Shire did not want party politics to enter into local government in their area. And who could blame them after what happened prior to the Ipswich City Council election? But now we find—surprise, surprise—that the agenda for amalgamation of the councils is back on the move again. Three months after the Labor Party was soundly rejected at the local government polls, we see the proposal back on the table. And it is not surprising that three of the five options are for amalgamation of the Albert Shire into a super council. The draft discussion paper that was to be released to the community was blatantly biased towards these options.

What would it mean if there was to be this major change to the council structure on the Gold Coast? It would mean that all bets were off, that all councillors would have their mandates cut short. I remind members that only four months ago, the Albert Shire and the Gold Coast City councillors were elected for a three-year term, not a one-year term, which would occur if they were forced to go to the polls for a new super council early in the new year. That is what the agenda is all about.

The Labor Party was not able to get a foot in the door of either the Albert Shire Council or the Gold Coast City Council in a democratically held election. Because it failed, Labor is now going to change the ground rules and use a ploy—and that is what it is; it is simply a ploy—to allow it to make another attempt by another means to get a foothold in the Gold Coast local government arena. The question I wish to ask again is: why is there so much energy being put into these proposals and these proposed changes? Where is the drive coming from? If members talked to the residents of the area, they would hear a resounding, "No". They do not want it. Even the people on the fringes who are likely to be brought in through minor council boundary changes reject it.

Recently, it was reported in the *Gold Coast Bulletin* that pensioners have banded together to protest the movement of their units into the Gold Coast City Council area. They are not silly. They see the deal for pensioners in the Albert Shire as far more attractive. They also see the debt levels of the Gold Coast as much higher on a per capita basis than the Albert Shire and they see the long-term prospects of the amount of rates that they will pay more attractive in the Albert Shire.

However, there is far more to the credit of the Albert Shire Council than just simply a better deal as far as rates are concerned. Over and over again, we hear positive comments about the way in which the Albert Shire does its job. Like every council, it has the odd problem but, generally speaking, the electorate is very satisfied with that council and the results of the last council election proved that. We have to ask: why would someone want the Albert Shire to lose its identity? That is exactly what would happen if it became part of a super council. We would no longer have a Gold Coast hinterland; it would all be part of a giant Gold Coast super council.

I have found the councillors of the Albert Shire Council reasonable, steady and responsible, and I do not want to see that change. I have always supported the Albert Shire and the Albert Shire Council, and for very good reason, that is, it is responsible, steady, it does its job, it lives within its means and it sticks to the basics.

Camp Quality

Mr BRISKEY (Cleveland) (4.53 p.m.): No-one can add to the quantity of anyone's life but all of us can enhance the quality. In 1983, Vera Enwistle was told this by a doctor and from this she coined the name for a camp for children with cancer, Camp Quality. The first camp was held in Sydney in September 1983. Thirty-eight children attended that camp, and Vera, Camp Quality's founder, remembered that first camp well when she said—

> "Within 24 hours of arriving on camp, the courage and tenacity of the children inspired all of us, giving me the determination to not only continue the Sydney camp but to extend Camp Quality wherever there were children battling cancer."

Camp Quality's tenth birthday was celebrated last year. It has grown from those initial 38 children to over 2 000 children attending camps each year. In that short, 10-year

period, Camp Quality has extended its program into eight other countries and 32 other locations. Worldwide, over 4 000 children are attending Camp Quality each year. In Australia, camps have been established in Adelaide, Brisbane, Canberra, Darwin, Illawarra, Melbourne, Newcastle, northern New South Wales, north Queensland, Perth, Sydney, Tasmania and Wagga Wagga.

In New Zealand, camps have been established in Auckland, Christchurch, Dunedin, Waikato and Wellington. Five camps have been established in England, Scotland and Wales. In South Africa, a camp has been established in Nelspruit. Camps are also operating in north and south Ontario in Canada. In the United States of America camps are operating at Arkansas, west Colorado, Kentucky, north-east Louisiana, north Michigan, central Missouri, Kansas City, Missouri, north-west Missouri, and Ozark, Missouri. Camps are also operating in Fiji, the Czech Republic and Ireland.

Vera founded Camp Quality because she saw a need for some relief for children with cancer and their families. Camp Quality is about fun. The children and teenagers who attend camps throughout the year look forward to their time at camp with much anticipation. Brisbane's week-long camp is held each year at Camp Koonjewarre, Springbrook. I table Camp Quality's 1993 logbook. Within this book, honourable members will be able to see for themselves what Camp Quality is about—the activities, the smiles, the love, the caring, but most of all the fun, the good times being had by children who have had a tough start to life.

Camp Quality is about taking away the stress, and the children love it. For one week out of the year, they are immersed in fun and exciting things to do. They meet new friends and reacquaint themselves with old ones. They have a ball and, hopefully, forget about the pain and suffering that has been their lot in life. Camp Quality is also about respite for the families of children with cancer. Families have a week off when they know that their child is having fun, is well looked after with one-on-one adult supervision and, importantly, medical supervision as well. The families can have this time to have a holiday themselves or simply spend more time with each other.

In families where there is a need to provide constant care for one member of the family, others in the family have had to do without, and this week means a great deal to families of children with cancer. As one of the goals and aims of Camp Quality states, Camp Quality is all about hope for the future. As well as camp Koonjewarre, Brisbane's Camp Quality runs a weekend residential camp in March at Camp Duckadang, family cluster camps and, for the first time this year, a senior camp. From 22 September, Camp Quality Brisbane will hold its eleventh annual camp. I take this opportunity to thank all those involved, especially the camp director, Leonie Ireland; the administrative secretary, Kerry Weightman; the camp program coordinator, Phill Weightman; the companion coordinator, Margie Parry; the camper coordinator, Margaret O'Donnell, and all of the other staff who work so tirelessly at camp to ensure that the children have a great time.

There are also many who give of their time and support through donating their goods and services or their skills and special talents to ensure that the children enjoy their time at camp. On behalf of the children, their families and all involved in Camp Quality, I say thank you; without you, Camp Quality would not exist. To a special group of people, the companions, who give up their time to go to camp, who have a week of fun and laughter and sometimes tears, who go home worn out and in need of a rest, I say thanks.

They would say that they do not want or need a "thank you". They would say that they get much more out of the camp than they give. Camp Quality is about love and support for special families. I join with the many thousands of people throughout the world who thank Vera Enwistle for founding Camp Quality and enhancing the quality of so many lives.

Public Dental Health Services

Mr HORAN (Toowoomba South) (5 p.m.): Tonight, I want to inform the House about the total disarray of public dental health services in Queensland. Never in the history of public dental health services have we seen such extended waiting lists or such a shortage of qualified dental staff, and never has there been such an abysmal lack of proper planning and organisation in order to try to do something about the terrible waiting lists.

We have all heard about the waiting lists in hospitals and about the cutbacks and the surgery services that have been cancelled, but I believe that the problem that is occurring in the dental system is equally as bad. There is a shortage of at least 45 public dentists throughout the system. Every major regional or rural centre or public hospital throughout Queensland is short of dentists. It has become a terrible job for those dentists in the system, because all they do now is emergency work. No longer can they take an interest in their job and look to the care of a patient, because their work is basically restricted to emergency work. There is simply no professional satisfaction.

In fact, the agency magazine *Harts*, which lists the number of vacancies throughout the public and private system in Queensland, indicates that there are perhaps well over 100 vacancies throughout the public dental system in Queensland. It is an absolute disgrace, but nothing at all is being done to try to address this problem and to work out the basic reason why people do not want to work within the public system.

For example, Toowoomba has been short of three public dentists for months and months. Advertisements have been run repeatedly but, despite the advertisements throughout Australia, not one single applicant has responded. It is the same throughout Queensland. Wherever a vacancy is advertised, no-one applies. There is no dentist at Dalby. There is no dentist in north Queensland towns such as Bowen and Ayr, and Townsville is two dentists short.

What is the real problem, and what is the reason for these waiting lists? I think one could describe the waiting lists as virtually hopeless. As I said, emergency work only is being undertaken. If one visits some of the major hospitals such as Logan or the Brisbane Dental Hospital, one can witness the mid-afternoon changeover from emergency work to general dental work. One can see the inhuman and unholy scramble of pensioners and other people pushing for places, trying to get on the seat, sitting there all afternoon hoping they will get in. Public dental units no longer take bookings. They simply cannot take bookings, because they have no idea what they can do and how long the waiting list will be.

A typical waiting list in Queensland is two years. The Minister himself, during the hearings of Budget Estimates Committee C, admitted that the waiting lists were one to two years. Recently, I was advised of a case on the Gold Coast. An elderly lady on a pension waited three years to have six teeth pulled out. Finally, she had them pulled out. Her gums were given five months to repair. She then went in and asked whether she could have her dentures made. She was told that she would have to wait at least another three months before she could even have an appointment. That elderly pensioner from the Gold Coast went eight months without teeth! The story is the same wherever one goes. School waiting lists are one and a half to two years.

What do we see on top of these terrible waiting lists? We see the introduction of the Commonwealth general dental scheme from July this year. This will mean that at least 80 000 additional patients will be eligible for dental work. The Commonwealth provided $11m this financial year and will provide $18m per year for the next two years. But how will we attract the staff to undertake that additional work? As well as those on health care cards who are eligible for free dental service in Queensland, the Commonwealth dental scheme extends to an additional 80 000 people, most of whom are holders of the Commonwealth seniors health card.

There is no plan in Queensland Health to recruit the additional dentists. There is no plan to introduce a decent system of remuneration. A young graduate dentist receives a reasonable salary but, from there on, the increments are virtually non-existent. It is no wonder that dentists are just dropping out of the public system month by month. In fact, a dentist working in the public system would receive at least $20,000 less than some of the private dentists who operate a fairly lowly practice. There is a need for flexibility of contractual arrangements within Queensland Health to make use of private dentists who are working in rural towns and regional cities. There is a need for a flexible system that pays them a reasonable amount on a sessional basis. The Commonwealth rate is now two times that of the State rate. There needs to be a reasonable rate of payment so that some dentists can be recruited to undertake this particular work. This matter must be addressed with some degree of urgency, because we will see a great escalation in the waiting lists.

In conclusion, I think it is fair to say that at present the public dental system in Queensland is absolutely hopeless. There are waiting lists of one to two years, and in some cases three to five years. Pensioners are constantly waiting for dental services. However, no planning is being undertaken to address this problem.

Time expired.

Coopers Plains Overpass

Mr ARDILL (Archerfield) (5.05 p.m.): Coopers Plains urgently needs an overpass. The railway level crossing at Coopers Plains, incorporating three major roads and two minor streets, is in urgent need of replacement. It has long been a source of frustration to motorists and heavy transports, and trains passing through cause huge queues on the major roads. The intersection has four phases of the traffic lights to accommodate the heavy turning movements on the major roads, and all movements along the two major roads crossing the railway are suspended for a minimum of 1 minute 20 seconds by every outbound train. This can often extend to three and four minutes, and

sometimes much longer if trains are delayed, with no movement along the two major traffic flows. Even when movement recommences, traffic on the Orange Grove Road to Beenleigh Road phase is compelled to suffer a further delay while Boundary Road clears.

The introduction of Gold Coast express trains next year will introduce a new dimension to the problem, including the risk of collision with vehicles driven by drivers who will continue to try to beat the trains. They will be faced with fast expresses instead of trains which now stop at the station and therefore take over one minute to reach the crossing after the lights begin to flash. In the morning peak between 7.10 a.m. and 8.20 a.m., 13 trains pass through, with the roads and footpaths closed for a minimum of 12 minutes. In the afternoon peak between 4 p.m. and 5.30 p.m., 14 trains pass through, with the roads and footpaths closed for a minimum of 16 minutes. Three Gold Coast trains in each direction would add five minutes' closure to these times.

Livestock trains also use the line, so it is obvious that the capacity of two major traffic routes—No. 11, which connects the South East Freeway to the Acacia Ridge industrial area, and Boundary Road, which connects the Gateway Arterial to the same area and also the major transport depots of Rocklea and Archerfield—is reduced materially by road closures totalling 12 minutes out of 70 and 16 minutes out of 90 in the two peak hours—approximately one-sixth of each period. When accidents occur, these times extend into total chaos. The introduction of Gold Coast expresses will increase both the risk of accidents and add five minutes to each of the closure times, further adding to already unsatisfactory delays.

The most affected route is Route 11 outbound, which, in addition to heavy transport and a large volume of cars, also carries the 325 bus service to Garden City. There have been some very serious hold-ups at the crossing in recent times, but even a minor hold-up can delay this service, which connects at Garden City with Cityexpress services to the central city of Brisbane, the Great Circle route, many local and Logan City services and also interurban and interstate services. When delays occur, all of these service connections can be rendered null and void. In the reverse direction, the 323 bus service connects at Salisbury with citybound services, if the bus is not delayed at the crossing.

The construction of a road overpass was accepted as necessary and a high priority in 1979 along with Fairfield Road, Yeerongpilly, and Toombul Road, Northgate, and ahead of others that have subsequently been constructed. The limiting factor was the fact that Federal authorities refused to cede land from the Army camp, which is essential to build an overpass. I know, because I wrote letters to them at the time. That obstacle has now been removed and the Army camp has closed, as we knew it eventually would. The land is now available, and I can now restate the claim for this urgently needed facility. I have conferred with the Brisbane City Council and the Transport Minister, and I look forward expectantly to an allocation in the next Budget for the Coopers Plains overpass.

I would like to make mention of the southern bypass, which has long been on the books as part of the absolutely essential ring-road around Brisbane. I would like to offer my thanks to David Hamill for the proposal to construct an environmentally sensitive road at long last, which will not only provide relief to people living along many of the major roads in the area but also protect Karawatha Forest from the depredations of developers. To my knowledge, that bypass has been on the books for 30 years. It is amazing that the lady who is now opposing it followed on from the local Liberal alderman who attended the same meetings as I did to discuss the matter long ago with residents.

Time expired.

Motion agreed to.

The House adjourned at 5.10 p.m.