THURSDAY, 22 JULY 1999

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

PETITIONS

The Clerk announced the receipt of the following petitions—

Meiers Road, Indooroopilly

From **Mr Beanland** (734 petitioners) requesting the House to (a) restrict staff numbers at the DNR/CSIRO site at Meiers Road, Indooroopilly, including students and daily visitors, to no more than 600 persons per day, (b) ensure that the Brisbane City Council continues to designate Meiers Road as a neighbourhood access road and not change its designation to a district access road, (c) take steps to prevent kerbside parking by staff in Handel Street and Meiers Road, (d) abandon the concept of collocating and relocating departments to the Meiers Road site and seriously consider more suitable sites such as Yeerongpilly, Tennyson and Rocklea as these sites would not involve disruption of local residential areas, and (e) lower the speed limit on Meiers Road, Indooroopilly Road and Harts Road to 50 km/h to enhance the safety of pedestrians and motorists, help prevent speeding and to reduce noise.

Sale of Liquor by Major Retail Outlets

From **Mr Black** (77 petitioners) requesting the House to oppose takeaway liquor sales in supermarkets and support the removal of section 87 and changes to section 85(1)(v) of the Liquor Act to protect the interests of the general community and allow for better services in Queensland clubs.

A similar petition was received from **Mr Rowell** (71 petitioners).

Fisheries Regulations

From **Mr Dalgleish** (3,955 petitioners) requesting the House to remove all sections of the Fisheries Amendment Regulation No. 3, Subordinate Legislation 1999 No. 58, relating to the legalisation of trawlers to take and sell finfish, winter whiting and blue swimmer crabs from the legislation.

Similar petitions were received from **Mr Feldman** (116 petitioners), **Mr Reynolds** (470 petitioners) and **Mr Rowell** (110 petitioners).

Driver Testing

From **Mr Feldman** (192 petitioners) requesting the House to ensure that immediate funding be made available to ensure the status quo of driver testing being conducted from Queensland Transport driver testing centres to further the gains already achieved with road safety through Q-Safe.

Sale of Liquor by Major Retail Outlets

From **Mr Purcell** (99 petitioners) requesting the House not to increase the availability of liquor in the community by extending the sale of takeaway liquor to supermarkets and other retail outlets.

Criminal Justice System

From **Mr Rowell** (1,765 petitioners) requesting the House to (a) have the Attorney-General lodge an immediate appeal against the light sentence given to Caroline Babsek for the crime of manslaughter, (b) amend the Criminal Code of Queensland to allow the admissibility of hearsay evidence in capital cases where the conduct of the deceased in relation to the accused is brought into question in a trial, given that the trial judge provide a warning to the jury about the question of what weight ought to be given to such evidence and taking into account that the accused has the choice of giving or not giving evidence at the trial by way of rebuttal, and (c) immediately review the funding and resourcing of the Director of Public Prosecutions with a view to increasing same to a level where advocacy levels and trial preparation are improved commensurate with those of defence counsel in private practice.

Inappropriate Businesses, Community Right of Appeal

From **Mr Santoro** (2,293 petitioners) requesting the House to make any regulatory or legislative amendments necessary to give the community rights to object or to appeal against the establishment or continuation of a business considered inappropriate by the community.

Bundaberg Base Hospital, Outpatient Service

From **Mr Slack** (1,064 petitioners) requesting the House to reject any move to close the general practice outpatients facility, a

much needed and used public service, and retain an adequate general outpatients service at the Bundaberg Base Hospital.

Petitions received.

PAPERS

MINISTERIAL PAPERS

The following papers were tabled—

(a) Minister for Communication and Information and Minister for Local Government, Planning, Regional and Rural Communities (Mr Mackenroth)—

Reference to the Electoral Commissioner of Queensland regarding reviewable local government matters

Determination of the Local Government Boundaries Review Commission 1999—Redivision of Electoral Wards in Brisbane

(b) Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development (Mr McGrady)—

Report on overseas visit to Asia from 15 to 29 June 1999.

MINISTERIAL STATEMENT

Health System

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.36 a.m.), by leave: There is too much Federal bureaucracy, duplication and waste in the Australian health system. Later today and tomorrow I will meet with my fellow State leaders—Premiers—to push for reform of the health system. We will also be dealing with the need to halt the destruction of jobs being inflicted by national competition reform, the High Court decision on cross-vesting, the use of television datacasting for delivery of Government services and the impact of nationally coordinated greenhouse gas abatement measures.

On health reform, it was agreed at the Leaders Forum on 8 April that Queensland, Victoria and New South Wales should develop options to present to this month's meeting. My department has taken the lead role in developing these options, and tomorrow I will lead the discussion on these options. We believe the need for reform is so urgent that it needs the leaders to drive a nationwide debate about the financing and affordability of health care. What kind of health care system do we want as we move into the next century and how much are we prepared to pay for it? I believe that this can be done while staying true to the Medicare principles so that we retain a free hospital service and do not have a means test.

I will be proposing a public education campaign in order to involve the public in an informed debate leading to a national health summit. This national health summit would be charged with providing the solutions we need for a better health system. Reform will only be meaningful if the Commonwealth agrees to collaborate. We must achieve a better balance between acute care, community care and prevention.

At the State level, public hospitals are under extreme demand pressure across Australia. But the more effective the public system becomes, the more likely it is that patients will forgo private health care in favour of the public system. Health insurance needs a major overhaul. People will continue to be driven away from insurance while there is a gap between what their insurance provides for and the bill they receive for treatment. They are paying big bucks for the insurance. And then they find they still have to cough up more money because the insurance leaves that gap.

There also needs to be an incentive to retain health insurance. Young adults join the system when they are planning a family but drift away and only think of rejoining when their health starts to fail. Participants need to be rewarded for the length of membership of private health funds. The Federal bureaucracy in health needs cutting and overlapping needs to be halted. We need to have a reduction and removal of the overlapping. For instance, Queensland was given $13.5m to spend in the 1998-99 year under the Australian Health Care Agreement, but the Commonwealth Government also wanted to control its expenditure. The Commonwealth must stop progressively encroaching on the States' delivery of services and concentrate solely on a role of setting policy and issuing funds. Let me give an example: in Normanton, the Federal Government wanted to directly fund services in direct competition with us with the spending of $250,000. The State was already providing the services. Rather than using the State base, the Commonwealth wanted to establish its own. That led to duplication and, in our view, a waste of money.

A major issue for Queensland is indigenous health. Indigenous people continue to have the worst health status of any population group and significant resources are needed to fix this inequality. Queensland has 25% of Australia's indigenous population but only an estimated 16% of the Commonwealth's indigenous health funding. That is an inequity. It is an injustice. It is unfair. I call on the Commonwealth today to rectify it.

Queensland is seeking to have this underfunding addressed as a matter of urgency with the cashing up of medical benefits scheme payments and pharmaceutical benefit scheme payments, where we are about $60m behind in the payments we receive in per capita payments—payments on a population basis.

In addition, Queensland has a large burden of general practitioner cases in its free public hospital system. Queensland Health is seeking to be funded for all these cases by the Commonwealth. What happens is basically this: in a number of remote communities in the bush and in indigenous communities where there is no access to general practitioners, the burden falls on the public health system. In other words, the Federal Government is cost shifting to the States. We end up with the burden. Under those circumstances, a State like Queensland needs to be properly compensated. Other States have sought in some circumstances to cost shift to the Commonwealth. This State, Queensland, has not done that; but the Commonwealth has cost shifted to us. That burden has been felt in the public hospital system. That is why issues such as overlapping need to be addressed. That is designed to make certain that the system is restructured so that the States actually deliver the health services; the Commonwealth is then involved in policy setting. Of course, the States need to be accountable about where the money is spent. That is fine. Where we have overlapping and a Federal bureaucracy that needs to be trimmed back, that is where the savings are, as well as in incentive changes in the private health sector.

The national summit on health that we are seeking is important. The meeting of the Premiers tomorrow, starting tonight, in relation to health is very important to the future direction of this country.

MINISTERIAL STATEMENT

National Competition Policy

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.42 a.m.), by leave: Tomorrow the Leaders Forum in Sydney will deal with the draft terms of reference for the review of National Competition Policy. We will then need to discuss with the Commonwealth how this review will proceed from there. I am determined—and so is the Government—that job security and economic and social stability are not needlessly squandered in the name of competition.

It was always intended that the Competition Principles Agreement should be reviewed in 2000, five years after the initial signing. The review should reverse the onus of proof so that competition will only be introduced when there is a demonstrable benefit from doing so. The Queensland Cabinet decided there is also a need for a review of the National Competition Council's role. The National Competition Council has recommended the suspension of $15m from payments to Queensland, because we want to build the St George dam. The council also is threatening further payments of up to $98m, unless Queensland deregulates the farm gate price for milk.

These are just the latest examples of the council's high-handed interference in the good government of Queensland. The Queensland Government is determined to get on with the construction of the $15m St George off-stream project. We want to make this happen to provide secure water allocations to a number of cotton producers in the south-west. They are desperate for this water. But the project is on the black list of the National Competition Council. There is no clear rationale behind that recommendation.

In relation to the dairy industry, the council has ignored the clear finding of the public benefit test. That test found that consumers would gain virtually nothing from deregulation of farm gate milk prices and that hundreds of dairy farmers would be under threat. I intend to raise these matters at the Leaders Forum tomorrow.

Queensland has been heading the tripartite working group—also including New South Wales and South Australia—looking at sweeping reform of National Competition Policy. All the States are concerned that the National Competition Council is exceeding its brief. This State in particular certainly is. Queensland will be arguing very strongly that the council be abolished and replaced by a truly representative body—under the Council of Australian Governments. This is about having the elected representatives of the people make those decisions. This is about restoring some democracy to competition in this country.

I want some explanations from the Federal Leader of the National Party. I want some explanations on behalf of the south-west cotton producers, and regional Queenslanders in general. John Anderson, the new Leader of the National Party and Deputy Prime Minister has not been strong enough in opposing National Competition Policy. It is time for him

to drop the hardline ideology. It is time for him to stand up for the bush. The National Competition Council has made these recommendations to the Federal Government. The Federal Government will make the decision as to whether these payment cuts are made. The position is very simple. The Federal Government will determine now whether the State of Queensland loses the $15m in competition payments. The Federal Government, where the Prime Minister is John Howard and John Anderson is the Deputy Prime Minister, will determine whether the farmers in the St George area get their dam or not. That is the bottom line of all this. They are either for the bush or against the bush. They have to make up their minds; they cannot have it both ways. The economic rationalists who want to get out there and argue about these issues need to be able to justify their cause. Mr Anderson cannot get out of this one: in terms of the St George dam he either supports the farmers or he opposes the farmers.

As to dairy farmers—my Labor Government has stood firm to protect farm gate prices for the dairy farmers. The real issue for this industry—and I say this to every dairy farmer in Queensland—is this: is the National Party with dairy farmers or will it destroy them? The real test will be whether Mr Anderson says to Peter Costello that the Queensland Government should not be penalised the $98m that they want to take away from us. This is not a time for rhetoric any more; this is a time for decisions. We have made our stand.

Opposition members interjected.

Mr BEATTIE: They do not like it, because they know this is judgment day. Where are all their mates in Canberra? This is judgment day for the National Party and the Liberal Party.

Mr BORBIDGE: I rise to a point of order. In his ministerial statement, would the Premier please explain to the House why Premier Goss and Prime Minister Keating got us into this mess?

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

Mr BEATTIE: The National Competition Council has an agenda to deregulate as many industries as possible—without regard for job losses and social dislocation.

Mr HOBBS: I rise to a point of order. Can the Premier also explain how we were able to get through some of this NCP stuff and he could not?

Mr BEATTIE: But my Government simply will not accept the negative impact this approach has on regional Queensland and job security.

Mr FELDMAN: I rise to a point of order. The Premier should explain how One Nation is attempting to pull everybody out of this predicament.

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

Mr BEATTIE: Isn't it funny! They are all hot talk. They had two and a half years. We had a coalition Government in Brisbane and a coalition Government in Canberra. Did they change it? No, they did not.

We have been undertaking reform according to the rules by listening to the community and stringently applying the public benefit test. Unfortunately the National Competition Council has been behaving like an umpire who has decided the result of a match before the kick-off, rather than administering the rules of play. It is time for John Anderson to get the message: stick up for the bush and rein in the National Competition Council. In fact, he should go further and support the Queensland Government initiative for the National Competition Council to be scrapped.

MINISTERIAL STATEMENT

Visit by Mayor of Shanghai

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (9.49 a.m.), by leave: As honourable members would be aware, not just this Government but also previous Governments have placed high store by relations with China. We regard the relationship as a long-term one and have been prepared to place resources there to further that relationship.

China is currently Queensland's 12th largest trading partner. Most of that trade between Queensland and China is in commodities such as coal and sugar. However, we see a great deal of potential for further trade with China, especially among our small and medium companies and especially in the high-tech area.

As such, I am delighted to inform the House that next week the Queensland Government shall be hosting a four-day visit to Queensland by the Mayor of Shanghai, Xu Kuangdi. Although Mayor Xu has visited Australia on previous occasions, this is his first visit as mayor and his first visit to Queensland.

Mayor Xu will briefly stop over in Sydney before travelling to Queensland, so the whole

emphasis of this trip is on Queensland. This is a considerable coup for Queensland and is a fitting celebration of the 10th anniversary of the sister-State relationship between Queensland and Shanghai. The position of Mayor of Shanghai is a very important position in Chinese political circles. The fact that the mayor has chosen to visit Queensland rather than other States indicates the importance the Shanghai Government places on this sister-State relationship with Queensland.

Mayor Xu will be spending Friday and Saturday next week in Brisbane and then will travel north to Cairns before leaving Australia. When in Brisbane, Mayor Xu will attend a State reception to which 120 people have been invited, including members of the Queensland business and legal fraternity. The mayor himself is a technologist and holds a PhD in metallurgy. He was a professor in the Shanghai Institute of Technology before entering political life in China.

While Mayor Xu's visit will include some interaction with Queensland's well-known overseas industries such as tourism, we are also keen, in light of the mayor's background and interest, to show him some of Queensland's new technology and industrial practices. As such, he will be seeing the Queensland Institute of Medical Research when in Brisbane and the NQEA shipyards in Cairns—one an excellent example of Queensland technology and the other a good example of Queensland's modern industrial practices.

I think we are all aware that there are many partisan matters discussed in this House, which makes for lively debate, but I hope that all members of the House can see the importance of this visit and the potential it has for cultivating long-term links with Shanghai, one of the most important parts of China and one of the fastest growing parts of the world. This visit is about all improving trade relations so that in the long term we have a good, long-term, sustainable jobs outcome here in Queensland.

MINISTERIAL STATEMENT

Davis Cup; Mr W. Lewis

Hon. R. J. GIBBS (Bundamba—ALP) (Minister for Tourism, Sport and Racing) (9.52 a.m.), by leave: All honourable members will join with me in congratulating Australia's Davis Cup tennis team for its resounding 4-1 victory over the United States at the weekend. Pat Rafter, Lleyton Hewitt, Sandon Stolle and Mark Woodforde did us proud in Boston and showed the world that Australia is still a force to be reckoned with in Davis Cup tennis. We are particularly proud of Queensland's own Pat Rafter, who next Monday will be ranked by the ATP as the world's No. 1 men's tennis player. But we still have Russia to beat to make the Davis Cup final.

It would be great for Rafter to lead Australia's hopes against Russia in front of a Brisbane home crowd. After all, Brisbane is the only State capital yet to see Rafter play. Accordingly, I have instructed the Queensland Events Corporation to join with the major venues division of the Brisbane City Council to lodge a bid for Brisbane to host the 1999 Davis Cup semifinal. Tennis Queensland endorses the bid. If Brisbane is successful, the semifinal against Russia will be staged at ANZ Stadium from 24-26 September. Brisbane has the advantage that weekend over both Sydney and Melbourne, which will be otherwise distracted by Rugby League and Australian Rules grand finals.

It is Brisbane's turn. Townsville hosted a qualifying round of the Davis Cup in 1998, which sold out for all three sessions and was a tremendous success. Brisbane, however, has not hosted a Davis Cup match since Wally Masur led Australia to a 3-2 victory over New Zealand at Milton in 1990. I believe local tennis fans have earned the opportunity to watch Pat Rafter and our other Davis Cup heroes playing in Brisbane.

I take this opportunity also to congratulate Wally Lewis for his induction into the Immortals at Tuesday night's Rugby League presentation in Sydney. It is a great honour for a Queenslander to be recognised as only one of six Immortals now in Rugby League. As I look over at the honourable member for Southport I notice his sleek, trim body—the way he is losing weight. I have no doubt that, should he attempt a comeback, he too could become an Immortal.

MINISTERIAL STATEMENT

Economic Management

Hon. D. J. HAMILL (Ipswich—ALP) (Treasurer) (9.54 a.m.), by leave: I am pleased to report that a combination of stable government and sound economic management has steered Queensland through the worst of recent international economic turmoil. A balanced approach to the economy—a record Capital Works Program combined with a focus on regional development and jobs creation—has seen Queensland post economic growth for the

1998-99 financial year of 4.25%. This is 0.75% ahead of the growth figure we forecast in last year's Budget. It is a growth figure that has been achieved despite the turmoil besetting our Asian trading partners and despite depressed prices for our key export commodities.

This Government has led the way in the past year. We have set the example. We have delivered a record Capital Works Program by investing billions in new infrastructure for the State—infrastructure that in itself will stimulate further private sector investment. Most importantly, we have restored confidence in the Queensland economy.

Business investment in Queensland in the March quarter was some 22% higher than a year earlier. Meanwhile, in the rest of Australia there was actually a fall in business investment over the same period. Access Economics recently estimated the total value of investment projects in Queensland at $40 billion. Investment in new equipment in the March quarter grew by 11.2%, against a rise of 1.2% nationally.

These sorts of investment commitments are not made unless those investing have faith in future direction—faith in leadership and stability. It is not just business that has faith in the strength of the Queensland economy and the direction we are taking; household final consumption expenditure in Queensland has led the nation in the past year, as has public final demand.

All of this translates into jobs. In our first year in office we have created 45,500 new jobs—more than 50% ahead of the target we set ourselves in September last year. Of these, 80% have been full-time positions, bucking a long-term trend towards casual and part-time job creation in Queensland and, indeed, in the rest of Australia. In fact, in the last year Queensland created more than 50% of all the full-time jobs created in Australia. By almost any measurement Queensland is leading the nation in new investment, business confidence, jobs creation, economic growth and fiscal management.

In September I will deliver another pro-growth, pro-jobs Budget—another balanced Budget that delivers security and opportunity for all Queenslanders. It will be a Budget that will further stimulate business investment in this State—the sort of investment that we see in the recent commitment to the $1.4 billion Millmerran power project. With business investment contributing 0.8% to annual growth in Queensland in the past year, against a contribution of 0.1% nationally, and with projects such as that at Millmerran, I am delighted that the private sector is also playing its part in our ongoing infrastructure development.

MINISTERIAL STATEMENT

Superannuation

Hon. D. J. HAMILL (Ipswich—ALP) (Treasurer) (9.58 a.m.), by leave: The Queensland Government provides its employees with a superannuation scheme which is widely regarded as the best available to Australian public sector employees. In accordance with this Government's strong commitment to its employees and to furthering their access to superannuation, I wish to announce wide-ranging reforms which will provide Queensland Government employees with more superannuation options, giving them greater choice.

At present, the majority of permanent Queensland Government employees are members of a defined benefit scheme in which their ultimate superannuation payment is a function of their own superannuation contributions, their period of service and their salary at the time they retire. There are, of course, some permanent wages employees who are members of a QSuper accumulation plan, where only the employer contributes.

By 1 July 2000, all permanent Queensland Government employees will have the option of either staying with their existing scheme or moving to a new, enhanced accumulation scheme where their compulsory contributions and the employer contribution earn interest. Importantly, no-one will be forced to change from their existing superannuation plan. This change will allow Queensland Government employees to decide whether they want to have a guaranteed defined superannuation benefit or whether an interest-earning account would be better, given their investment needs and career choices.

This change represents a major improvement in equity among Queensland Government employees. For the first time, any new permanent Queensland Government employee will have the same super options regardless of whether they are a senior executive, a teacher, a nurse or a road worker.

It is well recognised that defined benefit plans advantage those employees who have long-term uninterrupted service and who experience strong salary growth over their period of employment. The absence of choice has meant that those employees who did not fit into this category—women with broken

employment patterns, teachers and nurses with relatively flat salary structures—have subsidised those who do. We are removing these inequities. We are offering employees a choice—a choice to join the superannuation plan that best suits their needs.

We are also moving with the times. As broken employment patterns become more common, so superannuation schemes which accommodate those trends are vital. Casual employees will also benefit from these reforms. Until now, casual employees, even if they contributed, only received the minimum employer superannuation contributions. This inability to access higher employer contributions has left many casual employees with inadequate superannuation provision.

The Beattie Government has recognised its mutual responsibility, along with employees, to ensure adequate superannuation. As a result of these changes, casual employees will be able to join the new enhanced accumulation plan through which their own contributions will be matched by increases in the level of employer contribution. Again, no casual employee will be forced to change from their current plan, but these reforms will give casual employees far greater capacity to plan and save for their retirement. Whilst all other States and Territories and the Commonwealth have closed their defined benefit superannuation schemes, shutting them off from new members, I want to reaffirm this Government's commitment to keeping our defined benefit scheme open.

I am also pleased to inform the House that the Beattie Government has ensured that the entitlements of employees in the defined benefit scheme are protected from higher benefit taxation. In 1988, the Commonwealth Government imposed a tax on superannuation funds and funds could pass this tax on to members or absorb it. Since 1991, the Queensland Government defined benefit schemes have been able to absorb the tax through the use of tax credits to prevent this taxation affecting our members. However, these arrangements are no longer available to us, and from 30 June this year the members of Queensland Government schemes could have become personally liable for this tax.

I might add that, in other jurisdictions, this tax has been passed on to individual members. Queensland, however, has acted to ensure that the accruing tax liability is paid out of the Government's own contribution, maintaining the value of retirement benefits in the hands of Q Super members. The impact of the Federal Government tax would be considerable. For an employee retiring on an income of $45,000 after 15 years' service, additional taxation of $19,000 would have been payable had the Government not acted in the interests of its employees past and present.

The changes I am announcing today have been undertaken after close consultation with public sector unions, and I would like to take the opportunity to acknowledge the constructive approach taken by union representatives in this process and the widespread support that has been given to the reform package. Current employees and those former employees who are members of State Government super schemes will be informed of the changes in greater detail over the coming weeks in order that they can exercise their rights to choose the scheme that best meets their needs.

In these reforms we have yet another example of an issue which was put into the too-hard basket by the coalition Government being resolved by this Labor Government. These reforms to public sector superannuation arrangements reflect our appreciation of our employees' commitment to public service in this State. The changes are entirely positive. They represent a move to greater choice and greater equity. These reforms are being achieved without anyone having their superannuation benefits reduced and without anyone being forced to move from their current arrangement. And most importantly, the reforms protect the retirement income of those who have given sterling service to this State.

MINISTERIAL STATEMENT

Vision and Constitution for TAFE Queensland

Hon. P. J. BRADDY (Kedron—ALP) (Minister for Employment, Training and Industrial Relations) (10.04 a.m.), by leave: Last Friday I launched a new Vision and Constitution for TAFE Queensland. Together, these documents provide the blueprint to reposition TAFE so that it can better contribute to the skills development of Queensland's work force. The Vision and Constitution for TAFE Queensland acknowledge TAFE as more than just another provider. Through this Vision, the Beattie Government is recognising the need to fund regional services appropriately to ensure equity of access to training for all Queenslanders.

The model allows TAFE institutes the maximum level of flexibility and autonomy

while preserving TAFE's strength as an entity in its own right. It also focuses strongly on the relationship between TAFE institutes and the communities they serve. It demands that TAFE institutes be strong, flexible, publicly accountable and responsive to training needs and innovation at local, regional, State, national and international levels.

As I mentioned, the Vision for TAFE Queensland recognises the immense contribution TAFE Queensland institutes make to regional centres and cities across the State. The Constitution specifies the responsibilities of parties involved in governing TAFE Queensland, giving a stronger role for community councils.

This blueprint for TAFE's future stands in stark contrast with that adopted by the previous Government, which hived off a large proportion of TAFE's funding at a scale not repeated anywhere else in Australia.

Mr Borbidge interjected.

Mr BRADDY: I remind the Leader of the Opposition that, between 1995 and 1998, competitive funding escalated under his Government from around $22m to $125m. The impact on TAFE—presumably not noticed by the Leader of the Opposition—was devastating. In doing so, the previous Government failed to recognise the value TAFE as a public provider makes to regional economic development and to local communities.

The Beattie Government, by comparison, came to Government with a 10-point plan to safeguard TAFE in Queensland. The first point was a firm and unequivocal commitment to the maintenance of TAFE Queensland in public hands. To place TAFE on a firm financial footing, we immediately froze competitive funding at January 1998 levels for three years to allow the institutes to adjust. By this action, the Beattie Government was the first in Australia since the introduction of contestable funding to safeguard TAFE as a public provider.

I want to emphasise that we are not talking about a return to public monopoly. Our objective is to see TAFE able to compete in both the public and private training markets. The new TAFE Vision ensures that, in the midst of a competitive market place, industry sectors that would otherwise be ignored are serviced across the full gamut of their training requirements. And with increased autonomy, institutes will better be able to respond to the needs of individual students, industry and the community.

Today, TAFE Queensland represents an investment in buildings and equipment of more than $855m over 16 institutes, incorporating 85 colleges and campuses across the State. It employs almost 6,000 people, manages an annual budget of around $420m and had export earnings of $10.6m in 1998. Over the next few years, we intend to continue the investment. We will step up our multimillion-dollar investment program in vocational education and training infrastructure, with a strong emphasis on information technology. The Beattie Government needed to step in and make changes to the system to ensure TAFE Queensland prospered in the next millennium.

When I released the report of the TAFE review last year, I was advised that if nothing was done to address the financial distress of TAFE institutes, they would have continued to decline and present a serious constraint to employment growth. I immediately announced a $30.8m package of measures designed to provide immediate financial relief for TAFE institutes. Through the framework and infrastructure provided through the Vision and Constitution, TAFE institutes and TAFE Queensland will have in place the processes and flexibility to take a central role in the future of the State. TAFE institutes will be able to respond to this Government's highest priority of job creation and the development of a highly skilled work force in Queensland.

The fact is that nearly one in 10 Queenslanders pursues training or study through a TAFE Queensland institute every year. Through this new direction, we have safeguarded the future of TAFE Queensland institutes for everybody. Just one year ago, TAFE institutes were left battered and bruised by the former coalition Government's two-year rush into competition. I am pleased to be able to report to the House today that, a year on, TAFE Queensland is well and truly on the mend.

MINISTERIAL STATEMENT

Old Mine Subsidence, Dinmore

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development) (10.10 a.m.), by leave: The Queensland Government and the Ipswich City Council will form a partnership to address problems caused by old mine subsidence in Queen Street, Dinmore. The partnership is in response to a geotechnical engineering report on the mine subsidence.

I initiated structural and geotechnical reports on the area following incidents of subsidence earlier this month. The initial engineering report has stated that some of the houses in that area of Queen Street could be threatened by potential subsidence. On learning this, I immediately met with the Mayor of Ipswich to agree on a course of action. Our main concern is to develop a strategy to ensure that people living in the affected area are aware of the problem and are given a reasonable course of action.

We have decided that, as a matter of public safety, residents should be given the option of relocating as soon as possible. To ensure that this situation does not recur, the council and the Government are prepared to purchase the eight properties involved for demolition or possible relocation.

I have visited the residents to tell them of the situation. We are also contacting the owners because some of the properties are rented. All residents will be offered temporary accommodation, if required, to make the relocation less traumatic.

I wish to place on record my thanks to my colleague the Minister for Housing, the Honourable Rob Schwarten, for his timely assistance with this matter. I also wish to acknowledge the tireless representations on this matter made by the local member, the Honourable Bob Gibbs.

I believe we cannot force people to move, but for reasons of public safety we are strongly recommending that this course of action be adopted. I am pleased to say that this Government and the council have acted very promptly on this issue to ensure the safety of people in that area.

MINISTERIAL STATEMENT

Residential Property; Consumer Protection

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women's Policy and Minister for Fair Trading) (10.12 a.m.), by leave: Today, I announce the completion of the first stage of measures designed to ensure that Queensland does not become a haven for unscrupulous property dealers by paving the way to a higher level of consumer protection for people investing in residential property. Since becoming Minister for Fair Trading, I have been made aware of the practice of two-tier marketing of residential property.

Members in this House will be aware of recent reports involving some property marketeers who have been systematically and cynically exploiting loopholes in existing legislation. This has resulted in a large number of people losing large sums of money through ill-advised investments in what has become known as "marketeering". It is indeed a cruel irony that most victims are lured with the promise that schemes exploiting the negative gearing provisions of the taxation laws are the way to ensure their financial security.

This Government intends to act, and to act effectively, to stop such practices. We intend to act in a way that does not harm the legitimate and ethical property development and real estate industries. Many of the people who have been urging me to take appropriate action are not aggrieved property buyers. They belong to those industries whose reputations have been blackened by the actions of an unscrupulous few.

They now recognise that this Government is taking the national lead in tackling a problem which in recent years has grown and gathered momentum in many centres around the country, and is not solely confined to Queensland. We need to bring about reforms that shield consumers from marketeers who use hard-sell tactics, value properties at tens of thousands of dollars above real market value, exaggerate investment returns, and generally cause a great deal of misery to small-time investors.

The issue is complex, but it can focus on the fact that a small group of people is profiting from the grief of others. In the process, they are also threatening to damage the vitally important residential property industry. Government and industry are both conscious of the need for robust reforms to ward off and dispel this negative image problem. Negative publicity about "marketeering" emerged some years ago, but the previous Government and the previous Minister saw nothing and, of course, did nothing.

In March this year, I convened a forum on fair dealings in real estate on the Gold Coast. It was hosted by my Department of Equity and Fair Trading and was attended by more than 300 people. After that meeting, a working party of industry and consumer representatives was convened. The working group worked efficiently and effectively and I wish to commend members for their time and the serious consideration they gave to a range of difficult and contentious issues. The report, which I now lay on the table, will prove to be a valuable resource in the consideration and formulation of future policies in this area. In

brief, members of the working party support: the removal of loopholes which allow unlicensed individuals and companies to deal in real estate; a greater level of disclosure to apply to property purchasers; mandatory and enforceable codes of conduct; and greater enforcement of laws and codes of conduct.

As an adjunct to the report of the working party, I wanted a thorough examination of legally acceptable solutions to the problem. To this end the department secured the services of a noted expert in property law who examined State and Federal legislation, assessing what steps could be taken to optimise consumer protection. This report, which I also lay on the table, recommends various options for consumer protection, including greater levels of disclosure, stronger licensing of those involved in real estate sales and the introduction of a limited cooling-off period on some real estate transactions.

Finally, I lay on the table a report on an investigation into two-tier property markets in Queensland prepared by a researcher who provides an overview of the property marketing industry, including the broader economic and social implications.

I intend to take a proposal to Cabinet for the regulation of real estate marketeers in the proposed Agents and Motor Dealers Act. However, over the next few weeks I will be evaluating the contents of each of these reports in detail and will be discussing options for regulatory reform with industry, consumers and my colleagues before I proceed to Cabinet.

In August, I will also brief my ministerial colleagues from the Commonwealth and other States and Territories on the property marketing industry and the leading role we are taking in Queensland. I would expect that serious consideration be given to the introduction of similar or complementary legislative reforms in their own jurisdictions.

The problem of "marketeering" is not confined to Queensland; nor is it confined to a particular region of this State. It is a national issue and I am proud that this State is taking the lead in addressing a problem that is threatening to damage an industry that is vitally important to Queensland.

PERSONAL EXPLANATION

Bundaberg Base Hospital Linen Service

Mr SLACK (Burnett—NPA) (10.17 a.m.), by leave: Yesterday in this House, in answer to a question which specifically referred to the linen service, amongst other services, at the Bundaberg Hospital, the Minister for Health took great delight in telling the House how the service had been transferred to Maryborough and that I did not know what I was talking about. The Minister's remarks were not only wrong, but they were offensive, as they reflected on the credibility of my question. I would like to quote from a statement that was made in this morning's Bundaberg News Mail by Damien Green, the Australian Workers Union organiser. Mr Green said he was flabbergasted by the response. The report reads—

> " 'I am absolutely dismayed the minister wasn't aware that there is a linen service in Bundaberg that employs five people,' Mr Green said. 'I am hoping the Minister is told shortly it is there and under review. She should spend more time in the regional hospitals talking to people instead of making statements in Parliament which are incorrect and an insult to the people involved,' he said."

Mrs EDMOND: I rise to a point of order. The member is deliberately misleading the House. He knows that the Wide Bay Linen Service caters for—

Mr SPEAKER: Order! We are not going to have a debate.

Mrs EDMOND: The Wide Bay Linen Service deals with the linen from Bundaberg Hospital. The linen service within the hospital is just a distribution service.

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

Mr SLACK: I will table the article from the newspaper. The Australian Workers Union—

Mr SPEAKER: Order! We do not want a debate.

Mr SLACK: No, I realise that, but the Minister is questioning my credibility in relation to this issue.

Mr SPEAKER: Order! You have made your personal explanation. Table the document.

Mr SLACK: I would also ask that the Minister apologise to me and to this Parliament for misleading the Parliament in relation to this issue.

Mr SPEAKER: Order! I think the member for Burnett is aware of the situation.

Mr SLACK: There is one other point I would like to make. I am perfectly aware of the situation relative to the Maryborough laundry service. That matter is covered by the documents I have tabled. I have been involved in that issue. This is a separate issue.

It is a specific issue mentioned in the question and that the Minister is misrepresenting.

PUBLIC ACCOUNTS COMMITTEE

Reports

Hon. K. W. HAYWARD (Kallangur—ALP) (10.20 a.m.): I lay upon the table of the House two Public Accounts Committee reports, namely, report No. 49 relating to the committee's inquiry into year 2000 compliance and report No. 50 on its inquiry into Queensland Rail travel claims. The Public Accounts Committee has maintained an ongoing interest the in Y2K issue and has received periodic briefings from the Government's Year 2000 Project Office in order to be informed on the overall compliance progress. Report No. 49 details the committee's findings in relation to the rectification strategy and certain compliance aspects.

Report No. 50 deals with issues concerning the management and payment of travel allowances by Queensland Rail. The committee's inquiry identified shortcomings in the application of the prevailing policy, which maximised the travel allowance payable. As a result of the committee's inquiry, Queensland Rail will be implementing a number of improvement strategies.

I take this opportunity to thank all of those who assisted the committee in these inquiries. In particular, I thank my fellow committee members for their support and assistance. On behalf of those members, I also thank the committee staff, particularly Anita Sweet, senior research officer, and Leanne Clare, the research director, for their valued assistance. I commend these reports to the House.

SELECT COMMITTEE ON TRAVELSAFE

Report, Submissions and Transcripts

Mrs NITA CUNNINGHAM (Bundaberg—ALP) (10.21 a.m.): It is my pleasure to table the Travelsafe committee's report No. 27, Unlicensed, Unregistered and on the Road, and the executive summary to that report. This report is from the committee's inquiry into the road safety implications of unlicensed driving and the driving of unregistered vehicles in Queensland. I commend this report to the House.

I also table the public submissions and hearing transcripts from that inquiry and move that the House notes the report at its next sitting.

Motion agreed to.

PRODUCTIVITY COMMISSION

Submission

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (10.21 a.m.): I table for the information of honourable members a report on my submission to the Productivity Commission inquiry into the impact of competition policy reforms on rural and regional Australia. I note that, despite the public rhetoric of both the Premier and the Treasurer, neither of them took the opportunity to present submissions to the current Productivity Commission review of NCP.

NOTICE OF MOTION

University of Queensland; Gatton College

Hon. T. R. COOPER (Crows Nest—NPA) (10.22 a.m.): I give notice that I shall move—

> "That this Parliament condemns the progressive running down of the University of Queensland Gatton college and calls for the Queensland Government to support the establishment of an international centre of excellence in agriculture at Gatton college."

PRIVATE MEMBERS' STATEMENTS

Timber Industry

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (10.22 a.m.): A statement issued overnight by the Federal Minister for Forestry reveals how cynical this Government has been in regard to its treatment of Queensland timberworkers and the timber industry in this State. Overnight, effectively, the Federal Government has said that it will refuse to assist the Queensland Government kill the timber industry in south-east Queensland. This puts the responsibility for the process back where it belongs: in this Parliament with this Government. The article states—

> "The Federal Government has warned that Queensland timberworkers and logging companies could miss out on at least $20 million of Commonwealth support if the Beattie Government introduces a ban on logging in States forests.
>
> ...
>
> 'We won't help the Queensland Government buy out the industry,' Mr Tuckey said.
>
> 'Phasing out the timber industry in south east Queensland is totally inconsistent

with principles laid down in the National Forest Policy Statement.' "

The facts are these: the Deputy Premier wants $50m for the State. He wants that $50m from the Federal Government. I ask: is that the cost that the taxpayers of Queensland and Australia will have to meet to honour Labor's deals with the Greens in exchange for preferences at the last election? The fact is that Dr Keto has issued the ultimatum.

Mr ELDER: I rise to a point of order. No.

Mr BORBIDGE: Does the Deputy Premier want it to be more, because dead cats are falling out of those trees that are left all around Brisbane at the moment.

The reality is that Dr Keto has told this Government, she has told the Labor Party, that if they do not phase out the industry the conservation movement will campaign against them at the next election. The members opposite have been exposed for the cheap cynics that they are.

Time expired.

United Nations Youth Association

Mr SULLIVAN (Chermside—ALP) (10.24 a.m.): In April this year, senior students from Queensland schools gathered at the University of Queensland under the auspices of the United Nations Youth Association—UNYA—to discuss issues affecting various countries from around the world. The young adults had to approach the debates, not from their own perspective, but from the viewpoint of the particular nation that they were representing. From this gathering, and from a human rights conference held last year, 10 students were selected to represent Queensland at the United Nations Youth Conference held in Melbourne three weeks ago.

I refer to a report written by Mr Matthew Rogers, president of UNYA Qld, with a special sense of pride, as members will shortly appreciate. Mr Rogers states—

> "... this year's Queensland delegation was, without a doubt, the most outstanding group of young Australians I have ever seen. Bright, enthusiastic, dedicated to their task and an inspiration to others, the ten delegates that we (Hapreet Kalsi, Matthew Thornburn and I) led to Melbourne represented Queensland, their schools and themselves with pride.
>
> Throughout the week, these fine young adults: Anna Byrne, Ravi Chandra, Danielle Cohen, Tom Cotterill, Kim Hajek, Kenneth Macleod, Sarah Mason, Jon Prikyl, Dominika Soszka and James Sullivan played an active role in the four main parts of the conference. There was another, more formal recognition of the strength of our delegation. That recognition came with the selection of three of our delegation, Danielle, Ravi and James, to join 12 other young Australians at The Hague International Model United Nations. "

At the end of the Melbourne conference, awards were presented for excellence and speaking ability. Queensland's James Sullivan shared the top award, the Wilkinson Award, with Victorian delegate, Hannah Neville. As junior ambassador and deputy ambassador, they have been chosen to speak on behalf of Australia's youth at the international convention in The Hague.

As a member of Parliament and as a grateful parent, I wish to thank the UNYA organisers, together with teachers such as Father John Boyd-Boland and Mr Mark Taylor from Padua College, Kedron, for the encouragement they have given our youth. I am certain that every member of the House will join me in wishing all 15 Australian delegates from all the States every success as they represent the youth of Australia at the international United Nations convention.

Nelly Bay Safe Harbour Project

Dr WATSON (Moggill—LP) (Leader of the Liberal Party) (10.26 a.m.): On 5 May this year, the honourable members for Townsville and Mundingburra jointly wrote to the Premier regarding the Nelly Bay Safe Harbour Project on Magnetic Island. In their letter, they claimed that MICCA—the Magnetic Island Community and Commerce Association—might take legal action and seek compensation from the State Government if the Nelly Bay Harbour proposal went ahead.

I refer the House to this week's edition of the Magnetic Island Community News. Editor Geoff Orpin writes that it is his understanding that MICCA has written to the Premier strongly refuting the claims made by the honourable members for Townsville and Mundingburra. His article states—

> "The MICCA letter goes on to state categorically that no correspondence ever implied MICCA would consider a legal challenge against the government nor did MICCA ever imply any threat for compensation."

Not only has the member for Townsville shown a "now I support it, now I don't support it" attitude to the development but also, along with the member for Mundingburra, he has now been caught out using false allegations to try to stop the project. Despite claiming in this House in the debate on 8 June that they both want a safe harbour at Nelly Bay, clearly Mr Reynolds and Ms Nelson-Carr are willing to resort to false allegations to try to stop or delay the project. On 3 June, the Federal Government gave the go-ahead for this project but, in the 49 days since, the State Government has done nothing.

This is not a can-do Government, this is a can't do Government! This is a won't do Government! This is a Government clearly in the paralysing grip of the loony Left. Townsville deserves better than State members of Parliament who make false allegations to delay projects the majority of their constituents want.

Mapleton State School Centenary

Mr WELLINGTON (Nicklin—IND) (10.28 a.m.): Last Saturday, I had the honour of officially opening the Mapleton State School's centenary celebrations. The school opened on 17 July 1899 with 15 pupils, and the first headmistress, Lizzie Fitzgerald, stayed there until 1903. It is heartening that, although many country schools throughout Queensland have closed their doors, the Mapleton State School celebrated 100 years, and looks like being around for its bicentenary.

The day was a huge success. Hundreds of former pupils of the school and past residents of the town returned for a day that included a street parade and a rollcall at the Mapleton Hall and plenty of nostalgia. A superb commemorative book, Top of the Range, packed full of the school's history was written by the school principal, John Henley, and edited by local Tony Dye.

The Salvation Army band and the school band kept everyone entertained; there was tree planting by former and present residents; we buried a time capsule; and there were plenty of exciting and fun things to do and see, including stalls and amusements, displays of beautiful craft work and a great collection of memorabilia. The coordinator of the centenary celebrations and president of the school's P & C, Cathy Menzel, did a wonderful job. She had fantastic support from the hardworking centenary committee, including Lynne Vernon, Warren Nelson, Sue Roff and Paul O'Donnell. I would like to publicly congratulate all of those people who made the day.

Time expired.

Mr SPEAKER: The time for private members' statements has expired.

QUESTIONS WITHOUT NOTICE

Electricity Industry

Mr BORBIDGE (10.30 a.m.): I ask the Minister for Mines and Energy: why was he forced to direct Energex, the former Far North Queensland Electricity Corporation and the former North Queensland Electricity Corporation to make dividend payments in relation to the 1997-98 financial year of 95% of their after tax profit as late as 25 June for dividends he first sought as long ago as September last year and which should have been paid by 31 December last year?

Mr McGRADY: That is a matter between the two shareholding Ministers, namely the Treasurer and myself. We are running the electricity authorities in the interests of this State. We will take those decisions as we as a Government see fit.

Electricity Industry

Mr BORBIDGE: I refer the Minister for Mines and Energy to his decision, along with the Treasurer, to demand dividends of 95% of after tax profit from all seven former electricity distribution authorities in relation to the 1997-98 financial year.

I further refer the Minister to letters from the then Mackay Electricity Corporation, the then Far North Queensland Electricity Corporation and, particularly, the then North Queensland Electricity Corporation highlighting to him the negative impact of such a high dividend on maintenance and capital works programs and potential breaches of the Corporations Law.

Government members: Ha, ha!

Mr BORBIDGE: The letters are readily available and signed by that particular corporation. In particular, I refer to the request from the board of the North Queensland Electricity Corporation for an indemnity from the Government over what it regarded as a "commercially unrealistic" dividend. I ask: did the Minister provide such an indemnity and why has he threatened the maintenance and capital works programs in the electricity industry in north Queensland against the advice of the boards concerned?

Mr McGRADY: Fancy a question such as this coming from the leader of a coalition that almost destroyed the Queensland electricity industry. I refer the Parliament and the people of this State to what was happening in

Queensland just 12 months ago. First of all, the former Treasurer ripped $850m out of the electricity industry to try to balance her Budget.

Mr BORBIDGE: I rise to a point of order. The former Labor Government took $1.2 billion out. I want to know whether this Minister and this Government provided an indemnity to protect the directors from being charged under the Corporations Law.

Honourable members interjected.

Mr SPEAKER: Order! The House will come to order.

Mr McGRADY: I also refer the Opposition and other members of this House to the perilous situation that the industry was in when we came into office. Blackouts and brownouts were the order of the day. Every night on the television we saw reports of load shedding, blackouts and brownouts.

As a result of the work that this Government has done, we now have an industry that we can be proud of. For the last nine months the lights have been kept on, all because of the work that we have done. Members opposite talk about a lack of maintenance in the industry. We had to set up a task force to go into the industry to see just how they had allowed this once great industry to be destroyed. I have news for the people opposite: some of their mates no longer control the Queensland electricity industry. We now have two corporations that are out there making sure that the lights stay on. Those corporations will be supported by this Government and by this Parliament.

Mr SPEAKER: Order! Before calling the member for Chermside, I recognise in the gallery students and teachers from the Gatton State School.

Health System

Mr SULLIVAN: I refer the Premier to his statement to the House earlier this morning in relation to the need for reform of the Federal health system. As a former Health Minister, can the Premier tell the House how important this reform is for Queensland?

Mr BEATTIE: Yes, I can. I would have thought that both sides of Parliament—

Opposition members interjected.

Mr SPEAKER: Order! We will hear the Premier's answer.

Mr BEATTIE: I make it absolutely clear that my Government is interested in a quality health system for Australia; it is quite obvious that the Opposition is not. All Opposition members want to do is play cheap political tricks.

The bottom line is that there is a growing demand for health services which is being experienced by all OECD countries. Between 1975-76 and 1996-97, real health service expenditure more than doubled—an increase of 2.2% per person per year. The problem we have in Australia is this: of the $29.6 billion spent by the Commonwealth and the States and Territories in 1996-97, only $3.6 billion came from the Medicare levy. The rest came from the Commonwealth and the States. That is the heart of the problem. We now spend 8.4% of GDP, but that is expected to increase in the next 10 to 20 years.

Let us look at some of the cost drivers in health. There is new and costly technology, clinical treatments, rising consumer expectations and the ageing of the population. What we need to address are inefficiencies due to payment systems and fragmentation in responsibility for funding and service delivery. That is code for the fact that we need to reduce the Federal bureaucracy in health. Currently, the overlap is costing Australians. The money is going into the Federal bureaucracy instead of into delivering services.

Some of the weaknesses in the systems are these: there is an inappropriate mix of services and there is inefficient servicing; for example, there are problems with duplicating tests. People with complex and chronic conditions have poor health outcomes. Other weaknesses include the fact that there are no incentives for long-term disease management and cost-conscious practices, all of which are important. Other weaknesses involve financing issues such as the affordability of Medicare, which seems to rely on viable and complementary health insurance systems. However, the private health system is in decline, which increases pressure on the public system. The Medicare levy accounts for only 8% of health costs.

We will fight to reduce the Federal bureaucracy and I would have thought that the Opposition also would have been fighting to reduce the Federal bureaucracy in health. Let the record show that they want to support a Federal bureaucracy that does not deliver services to the people.

Time expired.

Mr BORBIDGE: I rise to a point of order. The Premier is misleading the House. We were quite pleased to negotiate $1.3 billion from the Commonwealth for the health system—

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

Mr BORBIDGE:—but Treasury took it off their Minister.

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat. I certainly note that the Leader of the Opposition is back here today.

Electricity Industry

Mr ROWELL: I refer the Treasurer to his Government's restructuring of Queensland's electricity industry, and I ask: has he held meetings with merchant bankers to discuss ways of minimising the Government's risk and exposure in the electricity industry in a politically sensitive manner with the view to privatising the retail arms of Energex and Ergon?

Mr HAMILL: No.

St George Dam Proposal

Mr PURCELL: I refer the Premier to the National Competition Council's recommendation that money be withheld from the Queensland Government because of its plan to build the St George dam, and I ask: will this vital project go ahead?

Mr BEATTIE: My Government is calling on the Prime Minister, John Howard, to personally intervene to stop the National Competition Council slashing funds via competition payments to Queensland. For the information of the House, I table a copy of a letter that I have written—

Mr Johnson: Why did Labor sign off on it?

Mr BEATTIE: Here we go, "Mr Rude" is at it again and is trying to disrupt question time.

I table a copy of a letter that I have written to the Prime Minister seeking his personal intervention to preserve the $15m payment to Queensland for the St George dam and the $98m that this State should receive in compensation payments in relation to the dairy industry. Let me be absolutely clear about this. We are talking about a system which is discriminating against the people in the bush. As a Government, we want to provide infrastructure—water infrastructure. Not very much can be grown without water. We are trying to construct a dam at St George so that the cotton farmers—

Mr Hobbs interjected.

Mr BEATTIE: This is an industry worth $500m to this State. It is one of our big export industries. We want to construct a dam at St George, and the National Competition Council is saying that we will be penalised $15m for doing so. That is absolutely outrageous. I have not heard so much as a squeak from the local member about this. What has the local member done to get Mr Anderson to do something about it?

Mr HOBBS: Mr Speaker, I rise to a point of order. The Premier has made a mess of the paperwork. He knows that he can get the approval. We had the approval. There is no reason why he cannot build that dam. It is all just a charade.

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

Mr BEATTIE: I can understand why the honourable member is upset; he has done nothing to help the St George farmers—not one thing. Why do members opposite squirm? Because a Labor Government is looking after the bush! We are making sure that there is dam infrastructure and that the people in the bush get a fair go. The real question is: where is the National Party? We know where its members are. They are with the Leader of the Opposition on the Gold Coast. They do not care about the bush or the dairy farmers. What have they been doing to help dairy farmers? They have not mentioned one word about dairy farmers. The Leader of the Opposition had a cosy little cuddle with Mr Anderson. But did he get Mr Anderson to give us the $15m for the St George dam? No! Did he make certain that the $98m would come to us, because we have stood by the dairy farmers? The answer is: no. Let us not have any more nonsense from the National Party. They should stand up for the bush. If they do not do so, Bill Feldman and his mates will get rid of the rest of them, too.

Time expired.

Electricity Industry

Mr SPRINGBORG: I ask the Treasurer: in view of his denial to the question of the member for Hinchinbrook—

Mr Cooper interjected.

Mr SPEAKER: Order! The member for Crows Nest will cease interjecting while one of his party colleagues is asking a question. That is my final warning.

Mr SPRINGBORG: In view of the Treasurer's denial—or answer; however he wants to put it—to the question of the member for Hinchinbrook, I ask: can he explain to the Parliament just what the topic of discussions

was between representatives of a prominent merchant bank, the Premier, the Deputy Premier and himself on a boat on Moreton Bay in the week commencing 3 January? Did these discussions involve the electricity industry and, if so, why was the Minister for Mines and Energy not invited?

Mr HAMILL: Which year?

Mr Springborg: 3 January.

Mr HAMILL: I am more than happy to help. I think I may have actually been on leave. As honourable members would expect, as Treasurer, I talk to a lot of merchant bankers, financiers, business people and even members of the Opposition. I do not recall the cruise in question. However, if the honourable member is prepared to give me some more details—what the tide was doing and whether it was daytime or night-time and which merchant bank it was supposed to be—I might be able to help him with an answer.

Overseas Students

Mrs NITA CUNNINGHAM: I direct a question to the Deputy Premier and Minister for State Development and Minister for Trade.

Honourable members interjected.

Mr SPEAKER: Order! I would like to hear this question.

Mrs NITA CUNNINGHAM: Can the Minister advise of the Government's moves to increase the number of overseas students studying in Queensland?

Mr ELDER: As members would be aware, when we first came to Government one of the problems we faced in the Asian region occurred as a result of the Queensland State election. It was interpreted by many that Queensland was not a safe place for Asian people to visit or study. At the same time we felt that impact the Asian crisis developed, producing a lot of trauma in Asian economies, and we were hit by a double whammy. Their engagement with this part and other parts of the world meant that there were significant impacts on us. Those two factors combined to produce an immediate impact on one of our fastest growing exports, namely, education. Education was a major export earner and each year upwards of 20,000 overseas students were coming to Australia to undertake studies, ranging from six-week language courses at private colleges right through to six and seven-year undergraduate course and postgraduate studies.

Consequently, when we first came to Government we took action. We ran an aggressive advertising campaign in Asia. I recall the Premier's efforts in this area. Some three weeks after we came to office an education fair was held in Hong Kong. We provided a statement at that education fair welcoming students to Queensland. Simon Lee, the head of the Queensland trade office in Hong Kong, said that that statement was very well received by those from the Asian community who had attended that education expo.

In addition, representatives of the Government attended major trade fairs in France, Spain, South America and smaller trade fairs within Europe and Asia. Education agents were in France, Indonesia, China, Taiwan and other countries making sure that we were increasing our emphasis on education and selling Queensland at a time when there was some concern. In particular, we were promoting regional education—Cairns, Townsville, Rockhampton, Mackay, Toowoomba, the Gold Coast and the Sunshine Coast. In other words, we were dealing proactively with this issue.

I mention all of this activity because, yesterday, the member for Burnett said that we were dragging our feet with respect to education. He said that it was no good blaming the Pauline Hanson issue and that other Australian States had to deal with it. Just after the election I was in Taiwan, Korea and Singapore, and the Premier was in Hong Kong. At that time, we heard repeatedly that Victorians and New South Welshman were saying, "We're not Queenslanders"—nudge, nudge. I would have thought that, given the extensive travels of the honourable member for Burnett, the reports coming back to him would have reinforced that view, and that he would have understood what was happening in the marketplace and what the net impact would have been.

Mr Beattie: "Marco" Doug.

Mr ELDER: That is right; "Marco" Doug.

The net result of our work is a 10% increase in student enrolments at universities. Although there has been an impact in the areas of vocational training, primary and secondary education and language courses, the long-term contacts for us as a State in the higher education area have grown. The fact of the matter is that we have not been dragging our feet on this matter.

Nelly Bay Harbour Proposal

Dr WATSON: I refer the Premier to a letter dated 5 May written to him by the honourable

members for Townsville and Mundingburra. In that letter they claim that the Magnetic Island Community and Commerce Association may take legal action against the Government if the Nelly Bay harbour proposal went ahead. I ask: has he received the letter from the Magnetic Island Community and Commerce Association completely refuting that outrageous claim, and what is his personal view of these two MLAs using false allegations to hold up a project that the majority of their constituents want?

Mr BEATTIE: I receive hundreds of letters, as the Leader of the Liberal Party would understand—in fact, thousands of letters—on a regular basis. I have received quite a number in relation to Nelly Bay from a wide cross-section of people. I do not have a personal recollection of all of them now, but I have received quite a number. Indeed, I have received letters from the local representatives in Townsville and Mundingburra. As the member opposite knows, Mike Reynolds is my Parliamentary Secretary in north Queensland.

Having said all that, let me make it absolutely clear that prior to the election we gave a commitment that we would fix Nelly Bay, and we will fix Nelly Bay. There have been some ongoing issues, as the member opposite knows, involving Senator Hill. There were certain approvals in relation to certain core—

Mr Borbidge interjected.

Mr BEATTIE: The Leader of the Opposition should just relax. Just because he turns up here with a yellow tie does not mean he has to be loud all day.

Mr Gibbs interjected.

Mr BEATTIE: He deserved that. He has been disrupting the whole of question time. He really did deserve that. It was not one of my great lines, but that is not one of his great ties, either.

There have been some approvals given by the Federal Government and those approvals are subject to certain issues.

Dr Watson: The Deputy Premier blamed the Federal Government for your delay.

Mr BEATTIE: Hang on.

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

Mr BEATTIE: I am just trying to answer it.

Mr Borbidge: You have to work through those issues.

Mr BEATTIE: Exactly, we have to work through those issues and those conditions and, more to the point, we will. I gave a commitment prior to the election that we would fix Nelly Bay, and we will.

Let me make it clear that, contrary to what the Leader of the Opposition was trying to suggest in Mackay and other places, there will not be an early election. He is going to have the next two years to watch us fix Nelly Bay. Now that I have put it on the record very clearly that, if we should not live up to the high expectations that I have of this can-do Government—

Mr Borbidge: It's going to take two years to fix it.

Mr BEATTIE:—the Leader of the Opposition will have an opportunity to go to the people of Townsville and he will be able to highlight it and so on.

I remind the Leader of the Liberal Party that he was there for two and a half years, and what did he do? Zilch! He did nothing. All he seeks to do is to go out and whinge and moan and groan because we are doing something. We will do it—we will fix it—and we will invite him to the opening.

Gaming Industry

Ms STRUTHERS: I refer the attention of the Treasurer to a report in this morning's Courier-Mail in which a leading gaming consultant refers to methods used to increase club and hotel patrons' poker machine expenditure, and I ask: are these practices consistent with the Government's commitment to a responsible and balanced gaming industry?

Mr HAMILL: The interest of the honourable member for Archerfield in responsible gaming is well known, and I want to congratulate her and, of course, the members for Cleveland and Cairns on their work on the gaming review that we are undertaking here in Queensland. Yes, I saw the remarks in question published in today's Courier-Mail. In fact, I was very disturbed when I saw this article in which a gentleman by the name of Mr John Anthony from International Game Technology, which I understand is a United States company, was offering some advice to the national hotels association about how they presumably could maximise the dollars spent by patrons on gaming machines in hotels.

The article makes some interesting observations. It says—

> "Hotels should provide free food and complimentary alcohol to customers to

> entice them to continue gambling on poker motions ..."

He also suggests that—

> "Bar staff also should comfort patrons when they lose on poker machines and applaud them when they win."

Mr Anthony suggests that staff should be trained to bond with players, venues should offer more frequent but smaller promotions and should foster the perception that customers are getting value for money. He also suggested that free toasted sandwiches were an inexpensive way of keeping patrons from going home to eat. He said that free drinks often led to a reinvestment of winnings.

Mr Anthony might think that that is a responsible way of treating patrons; I do not. I think it is a disgraceful sentiment from this person and I believe that responsible hotel licensees will not adopt that approach. Responsible hotel licensees in Queensland have been well known for programs that they put in place to encourage licensees and, in turn, their patrons into responsible drinking programs. Under the Liquor Act and the Gaming Machine Act, our laws require licensees to adopt responsible policies with respect to patrons who do not recognise that they have a problem with gaming. I believe that those sorts of sentiments from this gentleman are totally at odds with what the community expects of licensees who run sites—whether they are hotels, clubs or any other sort of sites—where machine gaming is offered.

The objective here should be furthering responsible gaming policies, not trying to relieve patrons of every cent they may have in their pockets when they go into a club, pub or casino. I would urge members of the hotels association to treat the sorts of comments that Mr Anthony has made with the contempt that they so richly deserve.

Interruption.

PRIVILEGE

Alleged Discussion, Electricity Industry Privatisation

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (10.55 a.m.), by leave: I rise on a matter of privilege suddenly arising. The Deputy Leader of the National Party made some references to my whereabouts on 3 January this year in relation to some boat or whatever. I have checked with my office, and I am happy to advise the Parliament that, on 3 January this year, I was on leave in Tasmania, and I was not on a boat.

PRIVILEGE

Alleged Discussion, Electricity Industry Privatisation

Hon. D. J. HAMILL (Ipswich—ALP) (Treasurer) (10.55 a.m.): I rise on a matter of privilege suddenly arising. I also was seeking to be as helpful as I could to the honourable Deputy Leader of the National Party in relation to a question that he asked of me as to my whereabouts on 3 January this year when I was allegedly on some cruise.

Mr Springborg: The week commencing.

Mr HAMILL: The week commencing. I have actually gone to some pains to find out exactly where I was at that time. I have contacted my office and I am pleased to inform the honourable member that I went on annual leave from 2 January. I was with my family; I certainly was not with the Premier. By the way, I returned from leave on 14 January.

PRIVILEGE

Alleged Discussion, Electricity Industry Privatisation

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development) (10.56 a.m.): Likewise, I obviously could not accept the invitation to attend the cruise because I was on a plane. I was travelling to meet the French Consul General.

QUESTIONS WITHOUT NOTICE

Directorship of Labor Party

Mr QUINN: I refer the Premier to the letter dated 10 August 1991 that he tabled last night and, in particular, to the first paragraph in which he states that an attachment to the letter details his participation in Labor Party companies, and I ask: did the details include and outline his involvement in Radio City Marina Pty Ltd and Labor Investments Pty Ltd; why did he not table this attachment; when will he do so; and, finally, why was his continued shareholding not declared in the 1992 Register of Members' Interests?

Mr BEATTIE: Here we go, this is the muckrake for the day. The situation is explained—

Mr Quinn: It's a straight question.

Mr BEATTIE: This is the muckrake for the day. The member opposite knows that as well as I do.

Mr Quinn interjected.

Mr BEATTIE: Does the honourable member want me to answer the question? He should give me a chance to answer it.

Mr Mackenroth: You probably hid it on the boat.

Mr BEATTIE: I did! I left it on the boat! I am sorry, I have to confess: I left it on the boat!

Mr Hamill: What boat?

Mr BEATTIE: That is exactly right. What boat? The Treasurer should go and ask the Deputy Leader of the National Party. This is the muckrake for the day.

Mr Quinn: It's a straight question.

Mr BEATTIE: It is not a straight question. When I retired as party secretary on 2 August 1988, later on that year I resigned from all positions that I held in relation to Labor Party directorships. When I came into the Parliament, I completed the appropriate forms to the best of my knowledge. Unbeknown to me—and this is all set out in the letter that I tabled in the Parliament last night—some of the paperwork had not been completed. When it became known to me, of my own accord—no-one drew it to my attention—I immediately wrote to the Clerk and set out exactly what the situation was, and I tabled that in the House last night. I have nothing to hide. I asked for the record to be noted. I asked for the appropriate changes to be made and that is why I wrote the letter.

A small number of the Labor Party companies—and I cannot recall the detail now—were, in fact, inactive to the extent that because of their inactivity and some issues about returns the only way that I could get off one of them was for a meeting to be called. In fact, there was a meeting at the end of 1992. I do not recall details of that meeting, but the minutes indicate that I was there. I vaguely recall that there was a need for a meeting to, in fact, wind that company up so that I could get off it. Let me make it absolutely clear: I did the right thing, as I always do in these matters. I have very high standards about these issues, which is why I wrote to the Clerk immediately.

The bottom line is that these trustee positions are not personally beneficial. They are held on trust for the Labor Party membership. There is no personal benefit from any of them—no rewards, no fees, no shares, no benefits, no dividends. As I indicated, I resigned at the end of 1988. For some procedural reasons those matters were not completed. As the member shows in his own records, a number of those resignations took effect, as I recall, at the end of 1988. In some cases the paperwork was not completed. When I became aware of this—it was not drawn to my attention—I wrote immediately to the Clerk.

Yesterday I got together my old records as quickly as I possibly could. Frankly, that was the only letter I could get on short notice. I am still pursuing archives for it. Under the circumstances, that letter shows my honest, proper and appropriate behaviour in this matter.

Drugs in Correctional Centres

Mr FENLON: Can the Minister for Police and Corrective Services please advise the House of any further measures his Department of Corrective Services has taken in its assault on drugs in Queensland's correctional centres?

Mr BARTON: I thank the member for the question. The Department of Corrective Services has again stepped up its assault on drugs in prisons with the purchase of five new Barringer Ion Scan 400 narcotic and explosive detectors. These new machines, purchased at a cost of $89,000 each, arrived from Canada at the end of June and will be distributed to correctional centres around the State in the near future.

Ion scan devices are capable of detecting even the smallest particle of narcotics or explosive material. It does this by vacuuming the skin or clothing of a person, and it will be used in the centres both on prisoners and visitors. Machines can test for drugs on the person at the time and can identify if the person has been in contact with drugs even a number of days prior to testing.

Use of the machines was an initiative of the general manager's task force summit. This summit provided a forum to raise new initiatives and a platform for the future direction of the task force. The assault on drugs and other contraband and the gathering of intelligence within our prisons has proven very successful since the establishment of this task force just 12 months ago. It has achieved some amazing results. There have been 250 busts since the task force was set up. This means that the number of offenders caught with drugs or drug implements and those supplying drugs to prisons has been rising significantly. Clearly, these figures indicate something which is unprecedented in

Queensland's prison history. There is another spin-off from this drug crackdown. There has also been a very significant drop in the number of positive drug tests of inmates.

I am the first to admit that drugs in prisons will never be completely stamped out—no prison in the world is completely drug free—but fantastic steps have been taken by the task force within Queensland's prisons, and those steps are just beginning to pay off in our major crackdown on drugs in prisons. This is just the beginning of what we are doing. The bottom line is that we are sending a very clear warning to anyone smuggling or thinking about smuggling drugs or contraband into prisons: sooner or later they will be caught and they will join the inmates.

I recognise the ongoing contribution of the task force and the staff across the centres. Their sheer commitment to stamping out the drug trade is to be congratulated by this Parliament. I invite members of the House and the press gallery to volunteer themselves as guinea pigs by examining an ion scan machine at 11.30 a.m., in room A35.

Mr SPEAKER: Order! Before I call the member for Clayfield, I acknowledge the presence in the gallery of the teachers and students of Patricks Road State School.

Mr G. Murphy

Mr SANTORO: I refer the Minister for Employment, Training and Industrial Relations to the appointment by the Labor Government of lawyer Mr Gerry Murphy to the WorkCover Queensland Board. When Mr Murphy was appointed by the Government to the board of WorkCover, was it aware that Mr Murphy, when senior partner in Ebsworth & Ebsworth Solicitors, was removed in 1997 from the panel of solicitors used by WorkCover to defend common law damages actions as his work was not to the standard required? Is the Government aware that Mr Murphy's removal from the WorkCover panel was as a result of an audit by an independent legal firm, which was the process used by WorkCover at that time to assess the competence of legal firms engaged to act on behalf of WorkCover? Is the Government, and the Minister in particular, aware that Mr Murphy derives income from acting on behalf of plaintiffs who are suing WorkCover and motor vehicle third-party insurers? Does the Government not consider Mr Murphy's appointment to the board of WorkCover to be a conflict of interest when he derives income from acting on behalf of plaintiffs who are suing WorkCover? Is Mr Murphy's appointment to the WorkCover board simply a payback for his support and the support of other litigant lawyers for the Government's lawyer-friendly workers compensation legislation—support which was extended to the Government prior to the last State election?

Mr BRADDY: The question contains a disgraceful attack on a Queensland solicitor of great integrity and great ability. Mr Murphy, the subject of the question, is a former president of the Queensland Law Society and a former president of the Law Council of Australia—a man who represented the legal profession at the national tax summit in the early 1980s after the Federal Labor Government was elected. As I understand it, the situation with Mr Murphy not being on the panel was brought about by WorkCover making a decision primarily that people who were doing work for plaintiffs could not also do work for defendants.

Mr Murphy is a person of great integrity and has been appointed to these very important positions by his profession. He knows far better than the member for Clayfield and many of his colleagues when he has a conflict of interest and when he should not take part in debates. He is a person in whom this Queensland community has shown and can continue to show absolute trust.

What is important on these boards is that there is a group of people who have a variety of experience. This is the same Mr Murphy who was recently on television saying that lawyers should not continue to advertise in relation to plaintiffs work. Although he is a plaintiffs lawyer, he has the capacity to say to the profession and to the people of Queensland, "I do not think we should continue to have this business of advertising"—in effect, criticising ambulance chasing by some people in his profession. He shows clearly that he can draw a distinction between what is appropriate on particular occasions for lawyers and what is inappropriate.

As I said, Mr Murphy is a person of great standing within the legal profession—a person who knows more than most lawyers, either barristers or solicitors, about the workings of WorkCover and workers compensation insurance. He has conducted inquiries for Governments and brought in some very good reports. He is a person of great objectivity and great integrity, and this Government has absolute confidence in him. Like other people who are faced with situations where experience may from time to time require them to abstain from participating in debates, I am

quite confident that he will do that. This man has represented the lawyers of not only Queensland but also Australia and he has been impugned by the member for Clayfield.

Public Housing

Mr ROBERTS: I refer the Minister for Public Works and Minister for Housing to the so-called reforms imposed by the former coalition Government on people on the public housing waiting list, and I ask: can the Minister outline why he has removed the need for applicants for public housing to provide references? What effect did this requirement and the former Government's zonal system have on the process for allocating housing?

Mr SCHWARTEN: I thank the honourable member for his question and note his continued support for Housing Department tenants in his electorate. The reason I terminated the requirement to obtain references is very much to do with my commitment to people whose only crime, if we can call it that, is that they cannot afford to buy their own homes. I refer to one of those people, a Mrs Ellen Naylor of Mount Gravatt. I attended at her home last week to launch the garden competition—another thing those opposite stopped. That is how miserable they were.

Dr Watson: That is not true.

Mr SCHWARTEN: Those opposite did so stop it. This dear lady, 86 years of age, is a wonderful soul. Why should this person have to go through the process of getting a reference simply to gain public housing? People do not have to get a reference to get on public transport, to go to a public hospital or to go to a public school, yet somehow they need to have a reference before they are good enough to go into public housing. That is finished.

As to the zonal system—it did not matter where people wanted to live, members opposite told them where they should live. The reality is that that system simply did not work on either count. We saw bigger problems and more bureaucracy in the area offices and less focus on tenancy management. The rules in public housing are very simple: pay your rent, be a good neighbour and look after the house and you can stay there for life. The reality is that that is all we should be asking for, not prejudging people who go into this type of accommodation.

Fancy judging Fay Jordan, for example, who came to my office yesterday! She was so grateful that I provided security in the accommodation—something that members opposite would never do—for seniors in this State, she offered to pay $50 from her pension towards it. Fancy members opposite denigrating somebody of that calibre! Fancy asking that person for a reference! What does that really tell us about members opposite? It tells me a lot. What it says to me is that they will never, ever learn that equality is out there for everybody. We stand for equity and equality. Whether or not a person can afford to buy their own house, they are no less a citizen in this State in the eyes of this Government as a result of that, and they should not have to turn up with a reference. The references were not worth the paper that they were written on, anyway.

While I continue to be the Minister for Housing, the reality is that none of those prejudicial systems that were implemented by the previous Government will stay.

PRIVILEGE

Alleged Discussion, Electricity Industry Privatisation

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (11.11 a.m.): I rise on a matter of privilege suddenly arising. I have had a chance to check my itinerary in relation to the question that was asked this morning by the Opposition. I can say that, yes, I was Acting Premier at that time. No, I was not on a boat in Moreton Bay with a cardboard cut-out of the Premier, the Treasurer or any other Minister. In fact, the last time I was on a boat in Moreton Bay was probably on the Straddie Flyer going over to Stradbroke Island, probably over two years ago. However, I will admit that, on the 10th, I went to the Australia versus England cricket match. And, no, the Premier was not there either.

QUESTIONS WITHOUT NOTICE

Citizenship of Members of Parliament

Mr FELDMAN: I ask the Premier: can he advise how many members of his Government and this Parliament hold dual citizenship? And in light of the clear indication given by sections 83(1)(d), 83(2)(e) and 176(a) of the Electoral Act 1992, leading to section 7(1) of the Legislative Assembly Act 1867, that their continuing membership of this Parliament is invalid, when will he move to have their seats declared vacant?

Mr BEATTIE: I was absolutely intrigued the other day to see that Nostradamus had predicted that the world was going to end two weeks ago. That was of some significance, because a lot of writers in recent times have actually credited Nostradamus with predicting the birth of various people, world wars, the death of Princess Diana and a whole range of things—extraordinary interpretations. So I thought, "Good heavens! With a bit of possibility, we could all have been burnt out and we might not even have been here."

I have to tell the honourable member for Caboolture that I do not claim to be a Nostradamus, nor do I understand everybody's particular rights or understandings in terms of citizenship. That is an individual matter. As members would know, under the Electoral Act there are certain requirements. There are different requirements at a State level, as I understand it, from those at a Federal level. I am not aware of anyone in this Parliament being ineligible to sit here.

I do not know the member's ancestry, but I can see that his colouring is very much like mine. He is probably from Scotland—if he has any decency—or maybe Ireland. Who knows?

Mr Elder: What about himself?

Mr BEATTIE: We have to be fair. With his receding hairline, I have to feel some sort of affinity with him. I ask members to leave him alone.

An honourable member: What about the High Court decision in the matter?

Mr BEATTIE: I did make reference to this. I do not have a legal opinion with me but, as I understand it, there are certain differences between the Commonwealth and the State. The High Court has made a decision in relation to one particular Senate aspirant. They are under different laws. They are under the Federal situation. They are under the Federal nomination requirements.

Mr Hamill: It is in the Commonwealth Constitution.

Mr BEATTIE: Yes, the Constitution and those issues were interpreted by the High Court. There is nothing that I can do about that. That is a decision of the High Court. If the honourable member wishes to conduct a survey of the citizenship and the origins of each member in this Parliament, that is entirely a matter for him.

Coal Industry

Mr PEARCE: I ask the Minister for Transport and Minister for Main Roads: can he advise of any recent initiatives of Queensland Rail to assist the Queensland coal industry?

Mr BREDHAUER: The coal industry is one of Queensland's most important industries and one of our biggest export generators. Queensland Rail is proud to regard itself as a partner in the Queensland coal industry, moving, as it does, rail freight from our mines to our ports for export.

In September last year, the Queensland Rail board took a decision to place a moratorium on any increases in coal freight rates. The benefit of that decision, in September last year, to the Queensland coal industry in the 1998-99 financial year was to the tune of $40m. Over the five years from 1999-2000 to 2003-04, an additional benefit will flow to the coalmining industry of another $150m from that decision to place a moratorium on coal freight rates.

In addition to that, last week the new Queensland Rail board met again to talk about issues in relation to the Queensland coal industry, and they came up with a couple of initiatives—once again in terms of continuing the moratorium on increases in coal freight rates, but also an efficiency incentive in the Gladstone area. I can report to the House that the benefit of those decisions by Queensland Rail to Queensland's coal industry over the five-year period 1999-2000 to 2003-04 will be of the order of $175m. That will be the saving to the Queensland coal industry. So the combined benefit to Queensland's coal industry from those two initiatives by Queensland Rail over the next five years will be $365m. That will be the saving to the Queensland coal industry from the initiatives by Queensland Rail.

That comes in addition to a decision which was made by the Ports Corporation of Queensland about two weeks ago. They have restructured their charges for coal which is exported through Dalrymple Bay as a result of efficiencies that they have achieved there and improvements that they have made to infrastructure there, which will benefit the coal industry by a further $45m a year.

This Government is about trying to make our coal industry internationally competitive. We are playing our part in trying to reduce costs for the Queensland coal industry. Last financial year, Queensland Rail carried over 100 million tonnes of coal—for the first time in a financial year, 104 million tonnes. That makes us Australia's largest rail freight mover. Almost 120 million tonnes is our total freight, including 104 million tonnes of coal freight. I also makes us Australia's largest single

commodity rail freight mover. I pay tribute to the railway workers, as well as the investment that has been made in infrastructure, which was started by the Treasurer when he was Minister for Transport in about 1991 and which has had a significant benefit to the efficiency of Queensland Rail.

Time expired.

Electronic Commerce

Mr CONNOR: I refer the Minister for Communication and Information to the recently released US Department of Commerce comprehensive analysis of electronic commerce called The Emerging Digital Economy II and, in particular, the section dealing with employment. I table a section of that report, and I ask: based on the massive productivity gains associated with the pervasive use of electronic commerce, what impact will it have on employment in the public sector and what is the Minister doing about it?

Mr MACKENROTH: When the member tables the report, I will read it. I have not read it yet.

Mr Connor: It's available on the Internet.

Mr MACKENROTH: The member has just come back from America. He obviously bought it there. I will have a look at it. But in relation to e-commerce and jobs within the public sector—the Beattie Government is, in fact, embarking on e-commerce within the State. We are starting a program called Access Queensland, which will make Government available on line to people. But one of the guarantees that we can give to people in the public sector is that no-one will lose their job.

Agricultural Exports to Middle East

Mr PITT: My question is directed to the Minister for Primary Industries. I refer the Minister to reports of major opportunities for the export of Queensland agricultural produce opening up in the Middle East. I ask the Minister whether the Queensland Government is taking the initiative in exploiting these opportunities.

Mr PALASZCZUK: In answering the question I would like to point out to the House that in the first Beattie Government Budget last year I announced an initiative to target new markets for Queensland's primary industries. As part of that initiative, I was privileged to lead a trade mission to Saudi Arabia and the United Arab Emirates in April. The mission, which included seven Queensland exporters, is expected to generate $10m alone in the next three years.

Since the mission, the department and I have hosted a number of reciprocal visits. Among the visitors was the managing director of the Tamimi Group supermarket chain, Mr Mohammed Tamimi of Saudi Arabia. Following discussions, we were able to secure an offer from the Tamimi Group of supermarkets to provide shelf space in 20 supermarkets for Queensland themed food displays free of charge. The normal charge of more than $2,000 per week per product will not apply. I understand that up to 30 companies have already issued expressions of interest in relation to this proposal. The promotion will run under the banner "Queensland Best; Queensland Fresh" and will be held for two months, starting in October.

This will coincide with Saudi Agriculture 1999 in Riyadh—the Middle East's largest agri-industry exhibition—where the Department of Primary Industries will be represented. Part of this exhibition will be a display from the Queensland Centre for Climate Applications, which is attracting enormous interest across the globe. The potential of the ground-breaking work by the climate centre based in Toowoomba and Brisbane is already generating tens of millions of dollars in extra income for Queensland. I might mention that I opened the centre a couple of weeks ago. By further enhancing its forecasting capacity to up to five years, the centre will give us an even greater and unprecedented understanding of the world's climate, and therefore attract even more international interest.

Another part of the DPI display will be promotional material provided by Beef 2000. The Premier and I were recently appointed as ambassadors to Beef 2000—a project supported by the honourable member for Rockhampton and the honourable member for Fitzroy. Beef 2000 has generated up to $100m in additional revenue since its inception in 1998.

I believe that the recent announcement of direct air routes by Emirates Air to Brisbane will provide a significant boost for our agricultural products. Not only will the direct air link to the United Arab Emirates boost passenger numbers but, importantly, it will also boost capacity to export our products.

The Middle East wants to do business with Queensland and Queensland is doing business with the Middle East.

Eradication of Introduced Noxious Plants

Mr KNUTH: I ask the Minister for Environment and Heritage and Minister for Natural Resources: what plan does the Minister and his Department of Environment propose to put in place to eradicate the massive intrusion and takeover of our precious environmental areas, our coastline and our national parks by introduced noxious plants, particularly in the Burdekin area? Does the Minister know how much damage noxious plants have already caused in the Burdekin electorate?

Mr WELFORD: This is a very important question. Up to $9 billion worth of agricultural productivity throughout the State is threatened. Last week, after the regional forum in Gladstone, I went to Tambo, Barcaldine, Winton, Hughenden, Robin Park Station in the cape, Innisfail, Charters Towers and Bowen. In all those areas we were looking at the issue of the impact of noxious plants and environmental weeds and the effect that those weeds are having on agricultural production. We were also looking at the devastation of good quality agricultural land by those plants, together with the impact they have on natural landscapes, including our national parks. These are very real and important issues which this Government is tackling very seriously.

This Government has a $4.2m program over three years to address the issue of weeds. We have a strategic weed eradication and education program—otherwise known as SWEEP—in which the Department of Natural Resources is working with local landholders, action groups, local government and the broader community.

We have much more work to do. There are threats from many plants. In north Queensland we have problems with hymenachne encroaching upon and choking waterways. We also have problems with thunbergia, which causes a major problem in waterways in the Innisfail area. Inland, we have problems with rubbervine and prickly acacia. All these plants are serious threats to the agricultural productivity of the land and the long-term economic viability of rural industries. This Government takes the matter seriously and is continuing to work with rural industry to address the issue.

Peacebuilders Pilot Program

Mr MICKEL: I ask the Minister for Tourism, Sport and Racing: can he inform the House of any success to date of the Peacebuilders Pilot Youth Program at the Goodna State School? What plans does the Minister's department have to further expand the peacebuilders program into schools?

Mr GIBBS: This is a very important issue which will ultimately have a major effect on schools throughout Queensland. In 1997, the Goodna State School introduced a pilot peacebuilders program to create a supportive school environment to counter youth problems such as drug abuse, poor literacy, racial tension, playground violence and truancy at the school. To date, the pilot program at the Goodna State School has been a resounding success. Playground behaviour has improved dramatically, school detentions have been cut by 43%, reading levels have improved by 30% in some grades, and police call-outs to the school have gone from an average of once a fortnight to just four call-outs in the whole of 1998.

I am delighted to be able to say that other Queensland schools have followed Goodna's lead and introduced peacebuilders programs, namely Kingston State High School, Cairns West State School and Townsville District State School.

State Cabinet met at Ipswich on 24 August and agreed in principle to expand the program at the Goodna State School. Today, I am delighted to be able to announce Government funding for the Goodna State School to implement a pilot sport and recreation program as part of the school's peacebuilders project. My department will provide $18,200 to fund the pilot sport and recreation component from now until December. The sport and recreation pilot program will comprise: in Years 1-3, a skill development program at lunchtime; an after school sport and recreation program for Years 4-7; and an afternoon sport and recreation program for parents. Officers from my department will monitor and evaluate the pilot sport and recreation program and advise me regarding ongoing funding prior to the first school term in the year 2000.

I want to say to honourable members that on many occasions in this place we talk about how large are such things as the mining sector, the tourist industry and the primary sector. The reality is that the biggest industry in this State and this country is the sporting industry. I see our role as a Government as being much more than simply funding facilities throughout the State. I believe that we have a social responsibility, particularly in relation to the money which is now coming into the sporting division as a result of the introduction

of poker machines. We are all aware that poker machines are causing some problems in the community.

We must accept the responsibility of looking at a broader range of programs right throughout the community where the Sport and Recreation Benefit Fund can be utilised. This pilot project is one of such initiatives. The project is already showing early signs of being successful. I hope we can build on this program and initiate many others in the future.

DISTINGUISHED VISITORS

Mr SPEAKER: Order! Before calling the member or Maroochydore, may I welcome and acknowledge the presence in the Speaker's Gallery of His Excellency Mr Simon Murdoch, High Commissioner for New Zealand, and Mrs Pip Murdoch.

Honourable members: Hear, Hear!

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

AUSTRALIA ACTS (REQUEST) BILL

Second Reading

Resumed from 21 July (see p. 2827).

Mr KNUTH (Burdekin—IND) (11.30 a.m.): I rise to speak on this Bill which will assist the changing of the Constitution of Australia. Many members have spoken about Australia's original Constitution and stated that certain aspects of the Bill of Rights persecuted Catholics. I would like to set the record straight. I agree that the 1688 Bill of Rights came into being during a time of conflict between Protestants and Catholics. However, the conflict surrounded not just the Catholics, the Anglicans and the Puritans; at that time King Charles I tried to dissolve the Parliament of Great Britain. He tried to hire a Catholic army from Scotland in an attempt to defeat the combined forces of Oliver Cromwell and the Roundheads. At the time of that conflict—

Mr Reynolds: I didn't realise you were so well read.

Mr KNUTH: I take the interjection from the member for Townsville.

That battle was not necessarily between Catholics and Protestants. Protestants and Catholics had been fighting over the Crown of England for quite some time. The main issue was that the King of England had failed to uphold his oath of coronation. He tried to bring in a Scottish army in an attempt to defeat the Protestant army. That issue was the catalyst for the 1688 Bill of Rights, which came into fruition, I think, under William of Orange and Princess Anne, who eventually swore in the coronation oath to uphold the 1688 Bill of Rights. We have enjoyed freedom ever since. That Bill of Rights gives the common people of our land the rights of freedom to stop a tyrannical Government from being able to overtake our State or nation. It gives the rights back to the people. We have enjoyed those rights for the last 400 or so years.

I remember when I was a young fellow seeing pictures of Bill Hayden, one of the Labor Party's well-known representatives. I can remember seeing pictures of Bill Hayden marching up and down the streets with a red banner and all his pinky mates wanting to get rid of the monarchist system and all the privileges that we enjoy. He fought for that issue for many years. I saw him on the media on many occasions saying, "We have to get rid of the constitutional monarchy. We must get rid of the Australian Constitution. We must get rid of the Queen. We must get rid of anything that comes from that country." As we all know, our old mate Bill never got to be Prime Minister, so he was given another great position, that of Governor-General of Australia. After a couple of years in office, he thought, "This ain't such a bad position after all. We really shouldn't be fighting." He told his mate Paul—

Mr Pearce: Is that Shaun saying this?

Mr KNUTH: No, I do not think Shaun is saying this. I am saying this.

He started to try to tell his own party that we have inherited a very good system. We inherited from the English monarchists the Westminster system and the 1688 Bill of Rights, which is incorporated into our Australian Constitution.

Mr Hamill: Don't forget Magna Carta.

Mr KNUTH: The 1688 Bill of Rights is the revised Magna Carta. We have enjoyed that system.

Mr Gibbs: What about Archimedes' principle?

Mr KNUTH: I am speaking here. It was your mate Bill Hayden who said these very words. You cannot deny that.

Mr DEPUTY SPEAKER (Mr Reeves): Order! I remind the member for Burdekin to speak through the Chair. I am having a bit of difficulty understanding the relevance of the member's speech to the Bill.

Mr KNUTH: There is a lot of relevance. Mr Deputy Speaker, I am sorry that you cannot understand that, but I will continue on.

As I was saying, the attempts to try to get rid of—

Government members interjected.

Mr DEPUTY SPEAKER: Order! I am having great difficulty understanding the application to the Bill. Could members please let the member for Burdekin speak.

Mr KNUTH: If my words are offending the members opposite, I will get on with my contribution to the Bill.

Mr Feldman: There is a lot of sensitivity there.

Mr KNUTH: It is very sensitive.

Mr Hamill: It is not offending us; it is amusing us.

Mr KNUTH: Can I continue then?

Mr Mickel interjected.

Mr DEPUTY SPEAKER: Order! The member for Logan!

Mr KNUTH: It is good to see that the member for Logan has returned to his correct seat to interject.

Will the dissolving of our Australian Constitution do anything for the unemployed in this country? Will it solve any of the problems and the issues that are facing us today? Will it add one hair to a head?

Mr Mickel: That's what you would like it to do.

Mr KNUTH: I would be hoping for that. I can assure the member for Logan that, if it did, I would be pushing for it myself; but it will not. The truth is that it will not change the way we live. It will not help the unemployed. It will not help the disabled. The $1.5 billion that this will cost would help the unemployed and the disabled in this country. It would give people a little more opportunity to seek work. I am not speaking as a member for Parliament now; I am speaking as a normal representative citizen of this country. Honestly, what will this do for our country?

Mr Gibbs: Haven't you heard that part of the plot is also to confiscate the Crown jewels?

Mr KNUTH: I do not know anything about the Crown jewels. I can understand some aspects of the Republican movement's arguments that question having the Queen as our country's head of state. I can understand that. I do not have a problem with that, but I do not think that is the issue. What I do have a problem understanding is the desire to change Australia's terrific system of government, the Westminster system. Why change it? I am a true conservative. If the system works, why change it? Why reinvent the wheel?

Mr Mickel: Why did you want to paint the bridge in that case?

Mr KNUTH: The member for Logan raised an issue. On behalf of my electorate I will act on any idea that will benefit tourism in my electorate.

Mr Mickel interjected.

Mr DEPUTY SPEAKER: Order! I think it would assist the entire House if members allowed the member for Burdekin to continue his speech uninterrupted.

Mr KNUTH: Thank you, Mr Deputy Speaker. You are a man of integrity.

I am not of English descent; I am of German descent. My great-great-grandparents were German Catholics. They were persecuted in the northern part of Germany for their religious beliefs as, at that time, the Lutherans were very strongly pushing their doctrine over the northern parts of Germany and Scandinavia. They were under persecution. They were farmers who were virtually pushed off their land. So I have no allegiance to Great Britain or the Crown. In 1870 my great-great-grandfather came to Australia and landed in Bowen. In 1873 he moved to the Burdekin. In 1876 most of my family moved to Charters Towers. They recognised that this land had a terrific system of government. Federation had not yet occurred, but they recognised that the English parliamentary system was not derogative to different religions and races. They quite happily settled in this country. We have been in the district ever since.

The Westminster system, the constitutional monarchy, is a terrific system. Who has suffered under our system of government? No-one! It is a terrific system. I agree that the American system may be slightly better, but I think that the Westminster system is the best that we can have.

A Government member: In what way?

Mr KNUTH: I think that it offers a bit more in terms of the individual rights and freedoms of citizens. However, I know from talking to many people, especially people who have, wisely, come from other countries and chosen to live in Australia—and members can criticise my past involvement with One Nation, but whether they like it or not, my family is a multicultural family—that they cannot understand why Australia wants to become a republic. Apart from the United States, very few countries that have republics enjoy the freedoms that we have.

The member for Ashgrove raised a few good points. He talked about his Greek ancestry and heritage. I have no problem at all

with that. Most of my constituents are Italians, Sicilians and Spaniards, and I have no problem with that. They are very fine people and they are proud of their heritage. However, they all recognise that the Westminster system that we have is a better system than the system in their own countries. So why would we want to change that system?

Mr Mickel: You have just lost your audience.

Mr KNUTH: I think that they had enough of the interjections from those opposite. They thought that they were disgusting and unparliamentary.

Mr DEPUTY SPEAKER (Mr Reeves): Order! I would appreciate it if the member would return to the contents of the Bill.

Mr KNUTH: Mr Deputy Speaker, I am sorry. The members opposite keep distracting me.

Mr DEPUTY SPEAKER: The member for Burdekin will return to the Bill. He does not have to take interjections.

Mr KNUTH: The point I am making is that I think that this Australia Acts (Request) Bill is a total waste of time. Come September, I think that the Australian people will reject the republican movement. It just does not make sense. The referendum is going to be a waste of money and it is going to be a waste of time. I would rather see that $1.5 billion spent on the needs of the community, such as assisting disabled people by providing ramps and other things.

Mr Mickel interjected.

Mr KNUTH: That is a good point. I agree with that.

Mr Mickel: You just said they were a waste of time.

Mr DEPUTY SPEAKER: Order! The member for Logan!

Mr KNUTH: He is disappointing. He just cannot help himself. I will not support this Bill, on the grounds that I think the referendum is going to be a waste of taxpayers' money and a waste of time. We have a terrific system. Let us stick to it.

Miss SIMPSON (Maroochydore—NPA) (11.43 a.m.): I passionately believe in an independent Australia, not tied to the shirt tails of foreign judges, foreign parliaments or councils, and an Australia where we are proud of our heritage, but even prouder to be one nation speaking one language and governing ourselves. I also believe that we have achieved this already through a system which happens to involve a constitutional monarchy—a system with 700 years of history.

I do not support a republic. Certainly, if we were to stand back from all the emotive debate and consider the model that is currently being proposed, we would see that it is one of the worst models we could have. It delivers no benefits, only uncertainty, to the people of this country, who have enjoyed a very peaceful system of government. We have only to look overseas to see that, where there have been quite dramatic changes in systems of government, there has also been quite a degree of uncertainty and in some cases even violence.

We cannot take for granted the fact that a stable system of government delivers great benefits to the people of Australia. We are most fortunate that we have had that stability. The system that we have had allowed us to reach for and attain real self-determination 100 years ago and, more importantly, it has checks and balances to curb extreme abuses of power by politicians.

The Australia Act 1986 removed the final opportunity for appeal to the Privy Council in London. That Bill was enacted with plenty of rhetoric about Australia being independent, with the last ties cut to a foreign power. One prominent Labor politician said that it was "entirely anomalous and archaic for Australian citizens to litigate their differences in another country before judges appointed by the Government of that other country." In fact, Gough Whitlam said that. Yet, in the short time since the passage of the Australia Bill in 1986, a former Labor Government opened up appeals to three United Nations human rights committees—foreign councils. We should all be screaming bloody murder about this.

This is where the great hypocrisy in this whole debate lies. After all, who are these foreigners who are making laws for Australians? You and I did not select or elect them, so who makes them accountable? Members would be interested to know that, in the past, the government nominee members for the UN Committee for the Elimination of Racial Discrimination came from countries, such as Romania, whose human rights records were far from distinguished. Yet these countries were supposedly going to uphold this new world order of great international democracy.

In the past, there has been ample criticism of the lack of independence from political interference of the members of these bodies. However, that issue does not get much airplay in Australia. If an Australian

politician tried to direct or influence an Australian judge, there is sufficient awareness in the community for people to know that that is wrong. It is equally wrong for this to happen in UN circles. However, the further the decisions are removed from the people, the less accountable the decision makers will be and the less scrutiny they will come under. If anything, we need to be heading not towards foreign rule but towards giving more power to local voters.

I suggest that all United Nations conventions, both past and future, really should be subject to the full ratification of an Australian Parliament. I know that that fact has been raised already in the debate.

Mr Springborg: Hear! Hear!

Miss SIMPSON: I take that interjection from my honourable colleague. I know that the member for Indooroopilly raised this issue as well. If we are fair dinkum about having an Australian system of government and true independence, we should have these laws ratified within the sovereignty of our Parliaments, not signed away overseas and barely scrutinised back home. That is just not on. It is up to the Australian people to say whether they want these things.

An honourable member interjected.

Miss SIMPSON: That is right. This is where the whole hypocrisy in the system lies. On the one hand, we have people who have a hang-up about the fact that we have a British heritage. In order to change the system, they are hell-bent, in many ways, on most racially and intolerantly bagging our British heritage while turning a blind eye to the increasing influence of other foreign jurisdictions in our Australian system of government. I just cannot understand the blind hypocrisy that has been pushed in this whole debate in terms of cutting off and not recognising our heritage while increasingly having foreign rules of law cited within our Parliaments. Furthermore, these UN committees' standards of judicial process are not a patch on those we employ in our courts here. Their proceedings are not public hearings and there is no cross-examination of witnesses.

Although I am of Scottish, Irish, English and Italian descent, I had never even heard of the British term "tugging the forelock" until the former Prime Minister, Paul Keating, dredged it up from what must have been a very twisted childhood. However, it is interesting to note that, as a younger Australian, I had heard of the Chinese term "kowtowing". It seemed that when Paul Keating started off this push for a republic, he did not want us to tug the forelock to Britain; the culturally correct genuflection for his new Asian republic was "kowtowing".

The real threat to our sovereignty is not in the past; it is in the future. I believe in the right of Australians to self-determination. I believe in the right of Australians to choose, and I support a referendum so that people can choose to alter their system of government. However, it is right that we have a rigorous debate. In the debate yesterday it was noted that in this country we have the ability to stand and argue different viewpoints and to come into our parliaments and not end up in the sort of fisticuffs that we see in some overseas parliaments that should know better. Parliamentarians actually put their fists up and knock each other over in the parliament. The fact that we have a stable and more civilised system of government is because of the Westminster constitutional monarchy that we have inherited.

Stability should never be rejected out of hand by those who have other motives for changing our system of government . There is no minimalist change in a move to a republic, and it is most dishonest for anybody to suggest that there is. In fact, it is likely to be the lawyers who will benefit when they say, "Don't you worry. This is simple. It is only a small constitutional change." Anybody who has ever heard a lawyer put forward a small constitutional change should immediately hear warning bells ringing.

Maybe as a nation we have been easygoing in our ways and unused to threats of revolutions and wars. In comparison with other countries, we have been ignorant of the true value of the checks and balances on power that are built into our current system of government. Those checks and balances were utilised when Gough Whitlam's administration undertook illegal acts in 1975 and he was forced to face the people again. What a beaut system. When somebody acts outside of the law, who makes the choice? The people! Despite all of the "maintain your rage" garbage from that old political dinosaur, the reality was that the people wanted to make a choice. Under our constitutional system, they had the ability to make a choice—and it was not for Gough Whitlam.

These rules are there to stop politicians such as Whitlam from grabbing excessive power and using it against the people. That is why the Queen is described as the protector of the people. In reality, she has nothing to do with daily policy decisions, but she represents a system where her reserve powers reside in an Australian Governor-General or Governor

and not a political party or political leader. Megalomaniacs hate this system because it is a curb upon their ultimate excesses. No-one in their right mind would give more power to less and less accountable people unless they had been educated to know no better.

People may think that we have a battle on our hands now, but the battle will be in the hands of future generations who are not being taught to defend the system that has defended us. We need a republic no more than we needed a recession. The choice should be ours, but we must teach our children about the values of the system that we have inherited. As Winston Churchill said, the empires of the future are the empires of the mind.

I quote from an article by Sir Harry Gibbs on the Australian constitutional monarchy. Sir Harry Gibbs was the Chief Justice of Australia until he retired in 1987. He makes some very succinct and learned arguments on this particular point. He states—

> "It is neither un-Australian nor unpatriotic to argue that Australia should remain a Constitutional Monarchy and not become a Republic.
>
> When the Republican campaign began, much nonsense was talked about the possible advantages to Australia of becoming a Republic. It is, I think, now generally understood that we would not benefit in any practical way from becoming a Republic. Australia would not be any more independent, nor democratic, as a Republic. The change would not help to solve the real problems that face the nation, such as unemployment, crime, or the size of the national debt. The argument about whether Australia should become a Republic diverts attention from more pressing questions.
>
> On the other hand, there are real dangers that we would be worse off if Australia became a Republic. That is because the Governor-General in the Commonwealth, and the Governor in each State, has a key role to play in the working of the Constitution, and provides safeguards which a President would be unlikely to provide. By the express words of the Commonwealth Constitution, the Governor-General is given powers that may, without exaggeration, be described as virtually those of a dictator, but by convention most of those powers are exercised on the advice of the Ministers who form the Government.

There are, however, certain powers (called reserve powers) which the Governor-General can exercise for himself or herself, against the advice of the Ministry, for the purpose of ensuring that the basic principles of the Constitution are not flouted by the Government. For example, a Governor-General has power to ensure that a Ministry does not cling to office when it has lost the confidence of the House of Representatives or has been denied supply. The Governors of the States have similar powers.

The fact that a Governor-General or Governor can exercise these reserve powers provides a necessary check on the possible abuse of governmental power. It is impossible to know in advance when it will be necessary to exercise these powers. They have been relied on as recently as 1987 in Queensland by the Governor, Sir Walter Campbell, and 1989 in Tasmania by the Governor, Sir Phillip Bennett. In both cases the Governor acted with complete propriety to resolve a political difficulty.

It is essential to our democracy that the Head of State (the Governor-General or Governor) should exercise the great powers which belong to that office in the way that is required by the conventions. That is, all the powers, except the reserve powers, should be exercised only on ministerial advice, and the reserve powers should be exercised with complete impartiality, free from any political bias. The conventions however, are not rules of law, and since they have developed only in relation to a Constitutional Monarchy, they would not be binding on a President unless the Constitution could be amended to bring that result about.

It is not easy to suggest how the Constitution could be amended to ensure that a President had powers which would be no greater than those of a Governor-General, but at the same time would be able to exercise the reserve powers. None of the suggestions that have so far been made as to the way in which the Constitution might be amended are satisfactory. There is a real risk that the result of changing to a Presidential system would be that the power of the Executive, which has in recent times increased at the expense of the Parliament, would be further increased.

There are other unanswered questions. How should a President be

> chosen? What should take the place of the office of Governor of a State? The point is that the change to a Republic would not merely be a change of name or a matter of form; it would be a major constitutional change with unpredictable consequences.
>
> It is sometimes claimed that it is inevitable that Australia will become a Republic. However, to change the Constitution to a Republican one would require at least the support of the electors in a majority of States, and there is a serious argument that the support of the electors of all States would be necessary. It is far from inevitable that a referendum to bring about a Republic would get the necessary support.
>
> The system of Constitutional Monarchy under which Australia has always been governed works perfectly well. No benefit would result from changing to a Republic, but we might indeed lose by the change. It never pays lightly to cast aside tradition or to abandon old loyalties, but quite apart from those considerations, surely we would be foolish to make this unnecessary change."

I thought it was necessary to quote from that article because the gentleman in question is a distinguished former judge and has a very thorough understanding of the Constitution and the uncertainty that will come with the so-called minimalist changes that people talk about. There is no such thing as a minimal change when one is changing the foundations of a house that has already been built. It is easier to change what is built on the top than it is to change the foundation.

I am concerned that the reasons why the State Government and the Federal Government are asking us to support this particular legislation are not expressly spelt out in the legislation. We have been told that the Crown Law advice is that this legislation in no way removes or overrides the need under section 53 of the Queensland Constitution for a State referendum. We have also been told that the reason for proceeding with this legislation before a referendum is passed or rejected nationally is to protect the rights of the States by involving the States in the process rather than having the Federal Government use the overriding provisions through a referendum.

It concerns me that nowhere in the second-reading speech or the Explanatory Notes, let alone in the legislation before us, the Australia Acts (Request) Bill 1999, is there a thorough explanation for that. I will certainly be listening with interest to the Premier's explanation. I understand that he has given a commitment to summarise the Crown Law advice in this regard. Section 7 of the Australia Act came into being after a hard-fought battle, particularly on Queensland's part, to entrench further the safeguards that give this State its independence and its standing as a constitutional monarchy in its own right. At the time, there was a lot of pressure to undermine the rights of the States.

I have spoken about concerns in respect of the model for the republic that has been put forward. I respect that there are those who wish to move to a republic. However, we should always have a considered debate. Therefore, we should question whether this is a model that delivers any great benefits. The model being put to the people is a bit like a constitutional camel. It has been said that a camel is a horse designed by a committee. The republican model is a camel constitution; it smells strange and it is likely to spit on us. One proposal suggests a nominating committee for the position of president. However, that is not entrenched, as the numbers on that committee can be altered. In many respects, it gives greater power to the Prime Minister and removes many of the conventions.

As referred to in Sir Harry Gibbs' speech, convention would no longer be applicable with respect to the powers of the Prime Minister and the president. We cannot underestimate the benefits of convention in terms of the operation of the system. The powers of the Governor-General would almost be dictatorial if not for the system of convention. The system of convention is necessary.

At a State level, in these very uncertain political times, when we have had Governments ruling without a majority on the floor of the House, the reserve powers of the Governor have been extremely important. It is important to have an independent arbitrator to determine whether in fact the people seeking to form Government have the confidence of the Parliament. What if there is a deadlock within the Parliament whereby important legislation fails to be passed and the Government of the day refuses to step aside and take that matter back to the people? Under our system, the Governor has reserve powers and can prorogue the Parliament so that a decision can be made by the people. That is a fantastic system. How can we underestimate the benefits of a system that has an independent safeguard whereby ultimately the choice is made by the people?

There is no minimalist approach under what has been proposed. As has also been outlined, all proposals for the republic that have been put forward give more power to politicians. As a politician, it may seem strange that I am arguing in this place for a more democratic process—a process that gives more power to the people. I believe people need to be informed fully as to what happens to their rights in the system when constitutional changes are made. They need to know that the proposal being put forward would remove their rights and do nothing about the fact that their sovereignty has been ceded increasingly to overseas jurisdictions that have nothing to do with the sovereignty of Australian Parliaments—and I am not talking about British jurisdictions. That is the great hypocrisy in relation to the so-called self-determination under this referendum. In respect of some of the real issues we have not even scratched the surface.

Mrs PRATT (Barambah—IND) (12.03 p.m.): Today I rise to speak on the Australia Acts (Request) Bill, which has created a wide gamut of feeling not only among honourable members but also others in the community. There is no issue that polarises people's opinions more than the possibility that their rights may be reduced, removed or altered in some way. Although most people do not readily express their views, the possibility or threat of change to the Constitution is the one thing that will bring them forward.

I am sure that members of the House have the best interests of Queensland in mind when they consider this Bill. Already Queensland has lost much of its power to the Federal Government and what power the State retains is negated by the fact that the State has the power but not the money; the Federal Government has the money. As we all know, many things are sacrificed to the almighty dollar. That is why any perceived threat to Queensland has to be scrutinised very carefully.

Among the general public there is little awareness about the fact that Queensland is subject to two Constitutions—the State Constitution and the Federal Constitution. The Queensland Electoral and Administrative Review Committee discovered this lack of knowledge about our Constitutions when it conducted its survey in 1993. Very soon the people of Queensland will be asked to vote on the proposed republic at both a State and Federal level. How can the people have an informed opinion when they are not fully aware of what is contained in our present Constitution and what rights and protections it affords us? How can they compare what was with what is to be when in both cases they have not yet been fully informed? There seems to be a need for education in plain, simple English.

I found this Bill extremely technical and, unlike the member for Toowoomba South, I must confess that I did not understand much of its technical content. This Bill is smoothing the way for the establishment of a republic. The people of Australia are looking for the facts, not the emotional rhetoric that flies around. This is perhaps the most important decision of the century for the Australian people. The closing of the century seems to have brought an urgency to the republican debate, which is very unfortunate. This momentous decision should not be rushed. Time should be taken to educate the people of this State as to what they already have.

To me, the recent decision that England is a foreign power, and the debate that decision has stimulated within constitutional legal circles, is a sign that we should slow this down and analyse the whole concept in finer detail. There is too much confusion, even amongst those who are reportedly experts on these matters. We are told constantly that Australia is socially and economically sound. If this is true, one has to ask why we want to change a formula that is working. What benefits are to be gained?

I am a typical Queenslander and Australian. By nature, I am a fairly cautious person. I have had many discussions on this matter and I am not yet convinced that a republic is what the people really want, nor am I convinced as to what the changes and the benefits to Queensland will be in the long term. Until the people and I understand and fully comprehend the consequences, I cannot support this Bill. If there is a doubt as to the consequences of this action, I believe it is better to err on the side of caution. I have no doubt that Australia will in time come closer and closer to becoming a republic, but only when there is agreement across-the-board—when everyone knows what the outcomes will be. The republic proposal should be put forward by the Australian people and not a small section of the community that perhaps has self-interest in mind. What causes me grave concern is the fact that even the republicans cannot agree on the type of republic they want. Any Bill that assists this rush into something that even those who want a republic disagree on cannot be supported. There is a wise old saying which, although it refers to marriage, should and does apply here: do this in haste and we will repent at leisure.

Mr REEVES (Mansfield—ALP) (12.07 p.m.): I was not going to speak on the Australia Acts (Request) Bill initially. However, the comments of some members opposite motivated me to do so. Thanks to the courage and hard work of Australians, we live in the best country in the world. Members of this Parliament have come from all walks of life. However, we have come here in the full knowledge that we have been elected democratically by the people we are representing.

No Australian, no matter how clever they are or how hard they work, will ever be Australia's head of state. Only the Queen can be the Australian head of state. Why? The only reason is that she comes from the family from which England takes its King or Queen. Why should every single Australian not have a chance to represent Australia at the highest level, that is, as Australia's head of state? The Governor-General is merely the Queen's representative. Queen Elizabeth is not an Australian and does not live here. One of the key roles of a head of state is to represent the nation. We want a head of state who is proud of and committed to us. We want a head of state who is an Australian.

It does not make sense that our head of state lives in another country. It does not make sense that parliamentarians and judges swear allegiance not to Australia or Queensland, but to the Queen—just because she came from a certain family. As is currently the case with the Governor-General, under a republic the main functions of the president would be ceremonial. The president would act only on the advice of the Prime Minister.

On becoming a republic and having a president, the most significant difference would be the symbolic change for Australia to have an Australian as our head of state. Our present systems of justice and government would not change, despite much of what has been said in this debate. In fact, most Commonwealth countries already have their own head of state, and their system of government has not changed.

Having an Australian president would require no additional expense. This is an opportunity to have as our head of state someone who is one of us, a fellow Australian who lives amongst us and whose first allegiance is to Australia and Australians and is not a head of state just because they are a member of a certain family. As proud Australians, we should enter the new century with one of our own citizens as the head of state.

Some of the members opposite portrayed myths in relation to the Constitution. The Constitution of Australia defines the Parliament as the Queen, a Senate and a House of Representatives. The Executive power of the Commonwealth of Australia is vested in the Queen. The Queen has the power to disallow any law within one year of its being made—even after the Governor-General has given assent. Why should she be allowed to do that?

Mr Springborg interjected.

Mr REEVES: The right is still there. Why should she have the power to do that just because she is a member of a certain family—not because she was elected, just because she was a member of a certain family. The Governor-General holds office only "during the Queen's pleasure", which means that he or she can be dismissed at any time by the Queen.

As I said, all parliamentarians are still required to swear an oath or declare an affirmation of allegiance not to Australia, not to Queensland, but to the Queen. The Governor-General is appointed to represent the Queen, not Australia. It is clear that, under the provisions of the Act, such as sections 2 and 59, the Governor-General is subservient to the Queen. No oath of allegiance is required to be sworn to the Governor-General by the people of Australia.

The Queen is intended to be the embodiment of the Commonwealth of Australia. A perfect example of this can be seen from the visit to Australia in November 1996 by Bill Clinton during which reciprocal toasts were given to each nation by giving a loyal toast to the head of state as the embodiment of the nations. To honour the United States of America, a toast was given to the President. To honour Australia, the toast was given not to the Governor-General but to the Queen, a person who is our head of state just because she is a member of a certain family.

If the Queen is not Australia's head of state, why does her portrait appear on all our coins and the $5 note? If the Queen is not the Australian head of state, we should have an Australian symbol on these coins. We have heard a lot of talk opposite about Chief Justices, etc. But what about Chief Justice Sir Anthony Mason? He said—

"Well, those people"—

who support the view that we already have an Australian as head of state—

> "haven't read Section 2 of the Constitution where the Governor-General is clearly described as Her Majesty's representative in Australia. It is nonsense to say that Sir William Deane is the Australian Head of State—much as I would like him to be our Australian Head of State—he just isn't our Head of State."

There is something odd about having as our head of state the head of state of another country—a person who does not reside here and primarily identifies with the goals and aspirations of the other country.

The fact is that some countries have refused to accept the Governor-General's visits as that of a head of state. He has travelled in some countries in Asia, as we have heard, "as if he were the head of state". It is common knowledge among many Australian diplomats that this required considerable arm twisting by Australia. The fact is that we are a grown-up nation and in November we should all vote in favour of a republic. I support this Bill, which will make that process a lot easier.

Mr STEPHAN (Gympie—NPA) (12.14 p.m.): It gives me a great deal of pleasure to take part in this debate. From what I have been hearing, it seems that some members are asking, "If it is not broken, why try to fix it?" I really believe that that is what—

Mr Beattie: You are a better person as a result.

Mr STEPHAN: Yes.

The member for Burdekin referred earlier to his German forebears and how they were castigated by the Lutherans. My forebears were part of the Lutheran establishment. They were very hard working but they, too, had difficulty living in that country. That is why they came here to a new land, to a new beginning. They worked very, very hard and successfully in the 150-odd years that they have been here. They have made contributions to the good of the country in which they live. Most of them are still working on the land. Many of them can be very proud of having moved to Gympie and made a living on the land in dairying or in fruit and vegetables.

Mr Beattie: I'm worried about those dairy farmers. That is why National Competition Policy was rolled back—to protect those dairy farmers.

Mr STEPHAN: Sometimes things do not work out the way that they were designed to. In such circumstances, we have to look forward and not back. If one wants to look back, one finds that problems arose in many areas, whether it was to do with National Competition Policy or something else. If things look good for the future there is no real purpose in looking back.

Mr Palaszczuk: Are you supporting Dick Schroeder in Gympie?

Mr STEPHAN: Ted Schroeder? He is certainly making a name for himself and at the moment is working out what he will do. However, I am not too sure if he will have enough support to be able to remain in this place for 10 or 20 years. That is something that will also have to be looked at.

Mr Palaszczuk interjected.

Mr DEPUTY SPEAKER (Mr Mickel): Order! I am trying to listen to the member for Gympie.

Mr STEPHAN: We also cannot push aside the fact that, as a member of the Commonwealth Parliamentary Association, we are part of a very large organisation. All members of the association can learn from one another and support one another. I believe that, if we are going to throw that sort of background away, we are not going to be very successful at all. Anyone who has taken part in a CPA conference will know the camaraderie that exists and how much members rely on and learn from one another.

I caution the Government to take things fairly slowly, to make sure that it has thought through what it has in mind to do. Listening to the comments that Government members have made, I do not think that they have done that. I do acknowledge that it has not been given an easy decision to make. My first thought is that the Government needs to know precisely where it is going. It has to think everything out before it reaches the stage of making the final decision, but I do not think that it has done that. I reiterate what I said when I began my speech: if it is not broken, why try to fix it?

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (12.20 p.m.), in reply: There have been a number of responses over the last day and a bit and I will endeavour to go through them and respond to the issues that were raised. Firstly, I thank everyone for the excellent contributions they have made, particularly speakers from my side of the House. They were certainly intellectually empowering—there is no doubt about that—and the contributions that were made will become very much a part of the constitutional history of this great country. I will deal very seriously with a number of issues that have been raised by those opposite. These are not necessarily in the order that speakers raised

them; I will deal with the issues as they appear.

The member for Caboolture indicated that he was not supporting the Bill. He raised the issue that recognition of the Bill is recognition of the republic model as presently proposed by the Commonwealth. He has implied that it is a defective model. That is a matter for him. The Bill that was introduced is a response to the Commonwealth referendum. The purpose of the Bill is to ensure that, if amendment to section 7 of the Australia Acts 1986 is to occur, section 15(1), and not section 15(3), of the Australia Acts 1986 is relied upon. That is it. It is very simple. The Commonwealth Constitution Alteration (Establishment of Republic) Bill 1999 already provides a means of changing section 7 of the Australia Acts 1986. That deals with the issues raised by the honourable member for Caboolture.

The member for Toowoomba South said that he needs assurances that we are not exposing States' rights. That is, are we reducing States' rights? The answer is no, no, no, no and no. The use of section 15(1) and not section 15(3) will not affect States' rights. The use of section 15(1) is a promotion of States' rights. That is what this is all about. This is about the States telling the Commonwealth what they want done. It is about this Parliament asserting its right as a Parliament to demand that the States' considerations be taken into account. This is about the States and not the Commonwealth determining how this is done. There is no exposure to a lessening of States' rights.

What happens if the Commonwealth referendum fails? The member for Toowoomba South wants an absolute assurance about the status of the Bill in these circumstances. The answer is really very, very simple. There is an amendment proposed to be moved, and I think this explanation will cover it. If the referendum in November fails, the Bill will then only commence clauses 1 and 2. The operative request clauses will not commence and the shell of the Bill and Act could then be repealed. In other words, the Act does not have any effect.

Another question asked was: does section 53 prevent this Bill receiving assent? The answer is no. I intend to deal with the advice from the Solicitor-General and Crown Solicitor in a moment. If the republic issue gets up in the referendum, then further legislation would be required to sever the links with the Crown. This further Bill would call into play the new section 7(6) of the Australia Acts 1986 and would have to comply with the section 53 mechanism set out in the Constitution Act 1867.

I will deal generally with a number of issues raised. What happens if the Commonwealth Republic Act does not receive royal assent? I think I have probably covered that. What happens to the Bill if it becomes a Queensland Act? The answer is that clauses 1 and 2 of the Bill would commence on assent—clause 1, the title or citation clause, and clause 2, the commencement provision. That relates to section 15C of the Acts Interpretation Act 1954. The other clauses would never commence. I have partly covered this, but I will say it again because a number of speakers raised it. The other clauses would never commence—that is, clauses 3 and 4. They are linked with the Schedule. The Bill, if passed and if given assent, will only bring clauses 1 and 2 into play. The Bill if enacted would, if the Commonwealth Republic Act does not receive assent, have to be repealed by another Act, for example the Statute Law (Miscellaneous Provisions) Act. The Act would be an historic piece of legislation.

An automatic repeal clause is not recommended, as the Act would be inconsistent with the other templates passed in the other States. I know that the honourable member for Bulimba is interested in this, as is the Deputy Leader of the National Party because this deals with his amendment. If we changed it in the way the member opposite wants, the Act would be inconsistent with the other templates passed in the other States. As he was a Minister for 30 seconds, he would understand the need for cooperation between the States and would understand that when there is template legislation then the States agree. There is no detriment in it because the major clauses simply do not come into effect. The use of a future repeal is the appropriate mechanism to deal with this eventuality and it would be in one of those general Bills.

I think my responses to some of the issues have already covered a number of matters raised by the honourable member for Gladstone. Without the Bill, would the Commonwealth be impeded in ensuring that the States can sever their links with the Crown? The Commonwealth Bill has a proposal to enable the States to seek to avoid the effect of section 7 of the Australia Acts 1986. That relates to section 7 of the transitional provisions for the establishment of the republic. If the Bills are not passed, the Commonwealth will rely on the section 15(3) power in the Australia Acts 1986. However, this proposal will increase the constitutional certainty by using section 15(1) of the Australia

Acts 1986 and include the States in the process of revising section 7 of the Australia Acts 1986.

To answer the question of the honourable member for Gladstone, this again is about empowering the States. This is about protecting our position. This is about making sure we have a role. This is about making certain that the Prime Minister and the Federal Government do not ride roughshod over the States. That is what this is all about. That is why all the States agreed to do this. That is why there was a unanimous view amongst the States that we should do it.

Has section 53 of the Constitution Act 1867 been complied with? I will come to the opinion from Keane and Dunphy in a minute. The advice of the Government is that section 53 will not be infringed. This is so as there is no implied effect in terms of the abolition of or alteration in the office of the Governor.

The member for Maroochydore asked why the legislation is necessary. I think that is pretty clear. This is about the States asserting their responsibility. What commitment has been given to the other States to pass this Bill? There was unanimous support by the States to progress the section 15(1) option. This support was from both sides of politics. The States of Australia are evenly divided—three all—between Labor and non-Labor Governments and all State Governments agreed unanimously. The Prime Minister has written to the Premiers, advising that he will accept a section 15(1) approach if he is requested to do so by all the States. It is that simple, and that is why we need to pass this legislation. That is why it needs to go through the Parliament.

Will the passage of the Bill in any way diminish the need or ability of the Queensland Government to hold a referendum to amend its Constitution? The answer to that is no. The passage of this legislation will not in any way amend the Queensland Constitution. The current requirement is that the Queensland Constitution's entrenched provisions need to be changed by a referendum.

I understand that there was some debate this morning on ABC radio in which the National Party was alleging that we were in some way taking away people's rights to a referendum, which is a nonsense. We are not. These issues have to go to a referendum. Had we been given a chance to respond on ABC radio, we would have given the facts and set out the truth of this situation—that is, the people have to decide these things by referendum. If the Federal referendum is carried and if Queensland decides to change to a republic, the State can do so without the current impediment in section 7 of the Australia Acts. It is that simple. That is the heart of it all.

So we really come down to this point: this is a request of the Commonwealth. Which is the best way to proceed? Section 15(1) is there to protect State rights. That is why we are doing it. At the Committee stage, for the reasons I have outlined, we will be opposing the amendment of the Deputy Leader of the National Party that proposes the insertion of a new clause 5. There will be a small amendment that I will move, and that relates to the Preamble. We will be changing the words "proposes to introduce" to "has introduced", because the Commonwealth has, in fact, now introduced the Bill. At the time this was introduced, that had not been done. It is very much a technical amendment. There are no major or dramatic changes to it.

I made reference to a legal opinion. I just want to make it clear that when I refer to this opinion from P. A. Keane, QC, Solicitor-General and B. T. Dunphy, the Crown Solicitor of 21 July 1999, the convention is that Crown Law advice is not tabled in the Parliament. The convention is that, in specific terms, it is not referred to. I have had a brief discussion with Barry Dunphy, the Crown Solicitor, about this. While we understand that there may well be conventions, in circumstances where there is an overwhelming view on both sides of the House—and I think there is on this occasion—that the House would benefit from this opinion, it is appropriate to refer to it. I want to make it absolutely clear that this is not to be taken as a precedent. It is not to be taken as the way in which the Government will behave in relation to these conventions, because we respect them. We believe that they are important. We will not be, as a matter of precedent, tabling such opinions in the House, but I will refer to it.

The legal opinion of the Solicitor-General of Queensland is dated, as I said, 21 July, which was yesterday. It is joint advice. It is in relation to the Australia Acts (Request) Bill 1999. I had a communique referred to me. It was a communique that was being distributed by the Australian Monarchist League, which claimed a number of things from a Phillip Benwell, the national chairman, who sent a fax to the Leader of the Opposition. In it he made certain claims about what the legislation would provide. The opinion from the Solicitor-General does not agree with the assertions made in the Australian Monarchist League document,

which I table for the information of the House for the permanent record. The advice states—

> "We have been asked to advise as a matter of urgency in relation to an issue that has been raised by the Australian Monarchist League ('AML').
>
> The AML have suggested that the Australia Acts (Request) Bill 1999 (Qld)... infringes s. 53 of the Constitution Act 1867 (Qld) ('the Constitution'). Section 53 of the Constitution provides as follows"—

and the opinion obviously sets it out. The Australian Monarchists League—

> "... has suggested that the Bill will impliedly effect an alteration in the office of Governor in Queensland.
>
> In our opinion, this suggestion is quite misconceived. Section 53 of the Constitution does not operate to restrict, in any manner, the giving of assent to the Bill if it is passed by the Parliament."

It is that simple. But since I promised a fulsome report on this, I will do so. The opinion of the Solicitor-General and Crown Solicitor states—

> "We are of this view for the following reasons—
>
> 1. The Bill will become an Act of the Queensland Parliament constituting a request to the Commonwealth under s. 15(1) of the Australia Acts 1986 (Cth.). The Bill will not either on its face or by implication affect any current Queensland law."

That is a matter that I have referred to before. The advice continues—

> "2. The Bill requests the Commonwealth Parliament to amend both the Australia Acts 1986 (Cth.) and the Australia Acts 1986 (Imp.) by inserting new subsections (6) and (7) into s. 7 of those Acts. These amendments, even if proceeded with by the Commonwealth, will not of their own force affect the operation of s. 7(1) of the Australia Act 1986 (Cth.) and the Australia Act 1986 (Imp.) which respectively provide that Her Majesty's representative in each State shall be the Governor. The proposed amendments to s. 7 of the Australia Act 1986 (Cth.) and the Australia Act 1986 (Imp.) would allow a State, at some time in the future, to pass a further law providing that the current provision in s. 7(1) of the Australia Act 1986 (Cth.) and the Australia Act 1986 (Imp.) do not apply to the State.
>
> 3. If a State were, in the future, to invoke the operation of s. 7(6) of the Australia Act 1986 (Cth.) and the Australia Act 1986 (Imp.) then such a law would expressly provide for an alteration in the office of Governor. Such a State Act would, no doubt, be an instrumental part of the suite of legislative changes introduced to sever the State's links with the Crown and would only be able to be pursued upon complying with s. 53 of the Constitution."

So there it is. The advice continues—

> "This point has been recognised by State officials for many years and has been accepted by the various bodies that have reviewed the Queensland Constitution in recent times.
>
> 4. The only Queensland statute relevant to the enactment of the Australia Act regime was the Australia Act (Request) Act 1985 (Qld.). This Act requested the Commonwealth pursuant to s. 51(xxxviii) of the Commonwealth Constitution to pass the Australia Act 1986 (Cth.). The Australia Act (Request) Act 1985 (Qld.) also requested and consented to the Imperial Parliament passing the Australia Act 1986 (Imp.). Copies of the Australia Act legislation were included in the Schedule to the Australia Act (Request) Act 1985.
>
> In our view there is nothing in the Bill that would affect, in any way, any of the provisions contained in the Australia Act (Request) Act 1985. This is because the operative legislative step taken at the time when the Australia Act legislative regime was being put in place simply requested the Commonwealth and Imperial Parliaments to pass the relevant legislation.
>
> In conclusion we reaffirm the view set out above that there is no substance in the contention raised by the AML.
>
> We advise accordingly."

I think that says it all, and I think the matter is therefore resolved. I think that we have dealt with the various issues that have been raised. I do not think there is any matter raised by any member that we have not dealt with in full, agreed with or despatched.

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

AYES, 69—Attwood, Barton, Beanland, Beattie, Bligh, Borbidge, Boyle, Braddy, Bredhauer, Briskey, Clark, Connor, Cooper, J. Cunningham, Davidson, Edmond, Elder, Fenlon, Fouras, Gamin, Gibbs, Goss,

Grice, Hamill, Hayward, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Lucas, Malone, McGrady, Mickel, Mulherin, Musgrove, Nuttall, Palaszczuk, Pearce, Pitt, Purcell, Quinn, Reeves, Reynolds, Roberts, Robertson, Rose, Rowell, Santoro, Schwarten, Seeney, Sheldon, Simpson, Slack, Spence, Springborg, Stephan, Struthers, Turner, Watson, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Baumann

NOES, 9—E. Cunningham, Dalgleish, Feldman, Kingston, Knuth, Pratt, Prenzler. Tellers: Black, Paff

Pairs: Mackenroth, Veivers; D'Arcy, Mitchell; Nelson-Carr, Littleproud

Resolved in the **affirmative**.

Committee

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) in charge of the Bill.

Clauses 1 to 4, as read, agreed to.

Insertion of new clause—

Mr SPRINGBORG (12.46 p.m.): I move the following amendment—

1. After clause 4—

"At page 5, after line 15—

insert—

'Repeal

'5.(1) This section applies if a proposed law to alter the Constitution of the Commonwealth to establish the Commonwealth of Australia as a republic with a President chosen by a two-thirds majority of the members of the Commonwealth Parliament—

(a) is submitted to the Australian people at a constitutional referendum to be held in 1999; and

(b) is not approved in accordance with section 128 of the Constitution of the Commonwealth.

'(2) This Act is repealed on the first anniversary of the day the referendum is held.'."

By way of explanation, I would like to say that some concern has been expressed with regard to the fate of this legislation if the status quo is preserved after the referendum on 6 November 1999. In the Explanatory Notes we find the following statement—

"This ensures that the Act will never commence if the republic question is defeated at the referendum."

I became somewhat concerned when I read the legislation and found that there was no provision which ensured that the legislation would be repealed in the event that Australia was not transformed into a republic after the November referendum. I felt it was necessary to include in the legislation a provision which ensured that the Bill had to be repealed at some future time if the Australian people did not vote for a republic.

I had some discussions on this matter with officers of the Premier's Department. I thank the Premier for that opportunity. There was some concern about whether this eventuality would be covered. There were references to the Acts Interpretation Act. I know that the Premier and his officers had discussions last night to which I was not privy. I do not see any problem in including this amendment because I believe it is complementary to the legislation.

The Premier indicated to the Parliament that if we accept this amendment it would make the legislation inconsistent with the template legislation which is being adopted by the other States of Australia. I am not so sure about that because template legislation basically ensures that the States are moving in the same line. This Parliament is supporting that principle by having now moved to the second-reading stage of this legislation. If the people of Australia vote to head towards a republic, the impediments which are in place will be removed.

I believe there is no problem in ensuring that we have something in our Act which states that 12 months after the 6 November referendum this legislation will be repealed if the people vote to preserve the status quo. We know that in Queensland and other States of Australia legislation has been passed but has never been assented to. That can just lie around on the books. Notwithstanding the best of intentions and what may be covered in the Explanatory Notes, it is not explicit enough in the Australia Acts (Request) Bill 1999.

I say again that this amendment is a complementary amendment. It is not inconsistent with the template legislation, because the body of what the Premier is seeking to do is being preserved. It is just making sure that there is a safeguard there to ensure that this Act would definitely be repealed in the event that the republic referendum question was unsuccessful in the November referendum. As well, I would like to indicate to the Premier that a range of people are concerned about that. One can never blame people for being concerned about the motivation of Government.

I also understand that, under the Acts Interpretation Act—and I stand to be corrected by the Premier if it is not the case—there is a

provision that allows for the continuation of legislation that is not assented to. I am saying today: let us move to remove the uncertainty. It is not inconsistent. It preserves the body of the legislation. The fact that we are in Committee has proved that. We are going to have our referendum on 6 November this year. We have cleared the way, in the event that the Australian people vote for the republic. We just want to make sure that we have this extra check and balance to ensure that this Act will be repealed, in effect, on 6 November 2000 if the people of Australia vote against Australia becoming a republic in the November referendum this year.

Mrs LIZ CUNNINGHAM: I support the comments of the member for Warwick. I acknowledge that the Bill is going to be passed. In some measure, we are pre-empting the referendum in November, which has always been a concern to people. As I said in my short speech, the community relies greatly upon the Constitution to protect their democratic processes. I think that people believe that all changes to the Constitution must be made by a referendum, which is not the reality.

However, as I said, this Bill has the support of this Parliament. I think that it allows a great level of comfort to those people who may be concerned about the pre-emptive nature of this Bill that there is a sunset clause in it. We include sunset clauses in a lot more minor legislation. Although the Premier has given assurances that once this Bill is passed through this Parliament and becomes part of national scheme legislation, it will fail to have effect if the referendum fails. Stating categorically in the document that it ceases to have effect after 12 months if the referendum is unsuccessful may be unnecessary, but it is a level of comfort that people deserve.

Mr BEATTIE: In my reply, I spelt out in detail the reasons why we are opposing the amendment. As I indicated then, if the referendum is defeated in November, then the only sections that will have implication are 1 and 2, which is the title and the commencement. In other words, it will become a matter of historical record and then somewhere along the line, as has happened with such things in the past, an omnibus Bill of some kind amends it. Basically, it would not have any effect if the referendum is lost.

An honourable member interjected.

Mr BEATTIE: For the very simple reason that I want it to be in accordance with the other pieces of legislation. There is absolutely no way that this will have any practical effect if the referendum is lost. This is a request of the Commonwealth. We have a difference of opinion on it. I respect the Opposition's views on it; we have a different view. I do not think that it is of any great moment. As I say, I think that our way is the appropriate way in which to do it.

I stress again that this whole Bill is about protecting the rights of the States. We are doing it as part of a national agreement between the States. We are doing it in a time line as suggested by the Federal Government and in very much a cooperative way. The members opposite have heard my reasons for opposing the amendment, so there is no point in going on about it.

Mr SPRINGBORG: I take on board everything that has been said by the Premier. He is indicating that if the referendum is unsuccessful, I appreciate that, basically, clauses 1 and 2 will be hanging around waiting for a Government at some future time to come along and clean it up in an omnibus Bill. However, I am saying that there is no inconsistency with the template legislation or the commitment that has been given by the other States to seek to pass legislation that would render unnecessary the Commonwealth's need to use section 15(3) to be able to clear the way for this referendum and for the constitutional change. There is no inconsistency there.

We are seeking to provide a degree of assurance for those people who are concerned about it and, basically, to pre-empt our housekeeping up front. I do not see any problem with that whatsoever. Yesterday in this Parliament we debated legislation that sought to validate decisions that had been made invalidly by the Supreme Court in relation to cross-vesting. That legislation was based on template legislation that was prepared by the Victorian Attorney-General, Jan Wade. In relation to template legislation, we have to bring it back to our own jurisdiction to consider the embodiment of it, to consider the core principles and to make sure that they are not inconsistent with what has been agreed to by the other States and, in some cases, the Territories, and in relation to our own Acts Interpretation Act, tweak it to our own circumstances and then introduce legislation accordingly. That is what I am trying to do today through this amendment.

I understand where the Premier is coming from, but I am saying that there is no problem whatsoever in this Parliament voting to put that extra safeguard or check in place and moving to clean up this Act automatically in the event

that the referendum is unsuccessful on 6 November 1999.

Question—That Mr Springborg's amendment be agreed to—put; and the Committee divided—

AYES, 39—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Dalgleish, Davidson, Feldman, Gamin, Goss, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Malone, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Watson, Wellington. Tellers: Baumann, Hegarty

NOES, 39—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. Cunningham, Edmond, Elder, Fenlon, Fouras, Gibbs, Hamill, Hayward, Hollis, Lucas, McGrady, Mickel, Mulherin, Musgrove, Nuttall, Palaszczuk, Pearce, Pitt, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

Pairs: Mackenroth, Veivers; D'Arcy, Mitchell; Nelson-Carr, Littleproud

The numbers being equal, the Temporary Chairman (Mr Reeves) cast his vote with the Noes.

Resolved in the **negative**.

Schedule, as read, agreed to.

Preamble—

Mr BEATTIE (1.03 p.m.): I move—

1. Preamble—

"At page 4, line 3 'proposes to introduce'—

omit, insert—

'has introduced'."

This amendment is necessary because the Bill has now been introduced. It is that simple.

Amendment agreed to.

Preamble, as amended, agreed to.

Bill reported, with an amendment.

Third Reading

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

Sitting suspended from 1.05 p.m. to 2.30 p.m.

MR SPEAKER'S RULING

Motion of Dissent

Mr BEANLAND (Indooroopilly—LP) (2.30 p.m.): I move—

"That Mr Speaker's ruling of 11 June 1999, which ruled out of order the dissent motion appearing on the Notice Paper in the name of Mr Beanland, be dissented from."

Mr Speaker, on 11 June you ruled out of order the motion of dissent from your ruling that I had moved on the previous day on the basis that you had made no ruling. However, the Hansard record of 10 June, page 2408, shows that you indicated quite clearly that you had made a ruling by warning members under Standing Order 124 and that if members were unhappy with the ruling they should move dissent from your ruling. I did so accordingly. Furthermore, you indicated that you had made a ruling and a few moments later indicated the same again. Therefore, Mr Speaker, you indicated twice that you had given a ruling. In fact, you made not one but two rulings.

Furthermore, you were then questioned by the member for Nerang in relation to Standing Order 124, and that appears at page 2408 of Hansard. The honourable member questioned you over this matter and quoted part of Standing Order 124. Mr Speaker replied, "Exactly, and I have given a ruling". According to Hansard, the record of this place, on three occasions, Mr Speaker, you stated that you had made a ruling. I think it is quite clear from the point of view of members of this Chamber and members of the public who might read the Hansard that a ruling was made in relation to certain matters under Standing Order 124.

From time to time this is certainly a House of robust debate, as it should be. That is particularly so during question time when questions are asked of Ministers. In this case, it was the Minister for Fair Trading. Of course, Ministers are put under scrutiny during question time. Probably the most important part of the parliamentary process is when Ministers are questioned about their portfolios and their responsibilities. Under our modern Westminster system, that is normally a robust time. It is a time when it is fair to say that the daily activities of the Parliament are at the forefront. At that particular time the Minister was being questioned on an issue and she was certainly being pressured to answer.

If one reads Hansard of that question time, one will see that members were named under Standing Order 124 for raising points of order. I go back to the Hansard itself. The Leader of the Opposition had, in fact, received no warning previously. He was simply warned under Standing Order 124. There is no indication that the member for Noosa was ever warned under Standing Order 123A, although he had received a specific warning previously

from Mr Speaker. Again, he was not warned under Standing Order 123A, but was given a straight warning.

I contest that members were not persistently and wilfully obstructing the business of the House. Of course, Standing Order 124 quite clearly refers to members wilfully and persistently obstructing the business of the House. In fact, Standing Order 123A talks about the power to order the withdrawal of a disorderly member. I contest that that is the appropriate Standing Order in the first instance in such circumstances. In fact, the notes for Deputy Speakers and Temporary Chairmen when enforcing order in the Chamber highlight the requirements on members of Standing Orders, particularly Standing Order 123A. In many respects, Erskine May backs up what I am saying in relation to this matter, particularly in relation to warnings. Standing Order 123A confers the power to order the withdrawal of a disorderly member, which in this instance I believe was the appropriate Standing Order under which a warning should have been issued. However, before that occurs, it is quite obvious and apparent that members are to be warned only following repeated calls for order to the member by the Speaker. That is set out quite clearly in the Standing Orders. The Speaker has to stipulate that the warning refers to a particular member and is not a general warning. However, in this case Standing Order 123A was not used.

I might say that after the last election we heard a great deal from the Government about Standing Order 123A. Government members told us that new Standing Order 123A was going to raise parliamentary standards. It was the new sin-bin. Members could be asked to leave the Chamber for the day, but they were still able to vote. No doubt that was fine while the Labor Government did not have the numbers. However, I notice that now that the Labor Party has the numbers, that order has not been used. That is strange! Of course, the Government does not have the luxury of the previous Standing Order 123A, and perhaps it might want to revert to it, as it was able to suspend members from the House for a day, which included suspending them from voting. Quite clearly, it spells that out.

Mr SPEAKER: It is still there.

Mr BEANLAND: The old Standing Order 123A is there but, of course, the House has adopted a new Standing Order 123A for the time being.

Mr SPEAKER: It is still there. That same order is still there. It is Standing Order 123A(2).

Mr BEANLAND: Quite clearly that option is there, but it has not been taken. It is quite obvious that Standing Order 123A was the appropriate order to use in this case. That order grants the power to order the withdrawal of a disorderly member. Standing Order 124 relates to order in the House itself.

There has been a longstanding requirement, which I understand dates back some centuries, that there must be repeated calls to a particular member in relation to a matter before that member is warned and then asked to leave the Chamber or, in fact, is removed from the Chamber under Standing Order 124. There is no doubt that, should a member fail to leave the Chamber when requested to do so by the Speaker, the Speaker can invoke Standing Order 124 to ensure that the Speaker's will is enforced. In these cases, that was not done.

When one checks the Hansard of the day, one sees that, when members were rising to raise points of order, this incident occurred. On four occasions the member for Noosa had to rise on a point of order before he was able to gain the Speaker's attention. The Hansard spells out exactly how that situation occurred. On the fourth occasion, when he had finally gained the Speaker's attention, the Speaker warned him under Standing Order 124. After that fourth attempt by the member for Noosa to raise that point of order—and, of course, any member is entitled to raise a point of order in this Chamber at any time—the Leader of the Opposition, who had not been warned, then rose to his feet to take a point of order. He, too, was warned under Standing Order 124.

It is clear, Mr Speaker, that the warnings were not carried out according to the Standing Orders. There cannot be much doubt about that, given that the member was warned under Standing Order 124 when there was not, I contend, persistent and wilful disruption of the House. The Chair always has the ability to rise and to silence members—something that former Speaker Turner used to great effect quite regularly. Of course, Mr Speaker, you may do so at any time. If members do not come immediately to order, Mr Speaker, you have the ability to take further action.

I contend that the appropriate rulings have not been made under the Standing Orders. It is for that reason, Mr Speaker, that I rose in the Chamber to move a motion of dissent against your ruling. The Hansard record shows that you made certain rulings and warned the member without giving appropriate cautions.

Mr LAMING (Mooloolah—LP) (2.40 p.m.): I second the motion of the member for Indooroopilly. One of the great anomalies of our parliamentary system is that our precedents are set as outcomes in the heat of debate. However, that very shortcoming could be one of the strengths of our Westminster system. Be that as it may, we must treat every motion of dissent against a Speaker's or Chairman's ruling with extreme care. It is too easy to take a partisan position and support our Minister, member or, more easily, the Speaker elected from our own side. Similarly, it is predictable that the Government of the day will support the Speaker, win the day, if not the debate, and the Parliament will resume. But a debate on the Speaker's or Chairman's ruling is not part of our Standing Orders merely as an extension of our partisan political debate; it is a mechanism to allow all Parliaments to revisit their procedures and precedents as they have been observed over many years. The outcome of every dissent motion must therefore have as its central purpose to reinforce the huge reservoir of parliamentary correctness that has built up over a number of centuries.

To support my point of view, I quote from page 5 of May which, under the heading "Rulings from the Chair", states—

> "The third source of procedure in the House of Commons is to be found in rulings from the Chair ... If ancient usage corresponds to the common law and the standing orders to the statute law, the rulings of the Speaker in the House, and of the Chairman in Committee of the Whole House, afford an obvious parallel to the decisions of judges in the courts. The House of Commons has its own body of case-law. This consists principally of rulings given by Mr Speaker in answer to questions raising points of order on current business. Such rulings are, as stated above, the principal source of modern practice. They are constantly needed for the purpose of applying the Standing Orders to doubtful or new cases; and for harmonizing the standing orders with older practice and with each other ...
>
> The procedure for obtaining a ruling from the Chair is generally as follows. Notice is given to the Speaker by the member who desires to raise a point of order, so that the ruling, publicly delivered in the House, may take account of any relevant precedents and of all the considerations involved. Such a ruling forms a precedent, often fitting into its place in a series of precedents from which a general rule may be eventually drawn for all future practice in a particular range of procedure ..."

Any resolution of this House of a motion of dissent is much more than an expression of disagreement with or support of the current Speaker. Our resolution will reinforce, or be at stark variance with, not just the intent of our Standing Orders; it will reinforce or be at stark variance with over a century of our own Parliament's precedents in this Chamber and many centuries of precedents in the House of Commons. I direct those who feel uncomfortable with even a passing reference to the British institution to Standing Order 333. One could draw a comparison to a doubtful decision of a football referee becoming a correct decision on future occasions merely because a precedent had been set. This would not be acceptable in football and we should be mindful that it does not occur here.

Mr Speaker, having had the privilege of sometimes sitting in the chair you occupy, I am aware of the difficulties in keeping order and am also aware that quite often the genesis of an incident is not readily apparent. Therefore, I suggest, without any inference or prejudice on the part of the Speaker, that the tone of the day was perhaps set by the Courier-Mail that very morning with its heading No order in the House. The first sign became apparent when the member for Crows Nest was invited to dissent from the Speaker's ruling after an extremely mild exchange of comments.

I now come to the subject matter of the dissent motion against the Speaker's warning of the member for Noosa under Standing Order 124. My grounds are threefold: firstly, I believe that the wrong member was warned; secondly, that no warning of the member for Noosa was warranted; and, thirdly, that the warning, even if it had been warranted, was under the wrong Standing Order.

Government members interjected.

Mr LAMING: If honourable members opposite listen, they might learn something.

Let me now address these points in order. In so doing I am, of course, accepting the written word as it appears in Hansard. The first point was that the wrong member was warned. I direct honourable members to page 2407 of Hansard and acknowledge that the member for Noosa and the Leader of the Opposition were directed to cease interjecting. About half a minute later, the member for Noosa interjected on the Minister for consumer affairs and was warned, yes, but without reference to a particular Standing Order. The Minister continued her speech and the member for Noosa rose to a point of order. At this point, I

refer again to May, page 396, which under the heading "Right of Members to Direct the Attention of the Chair to Supposed Breaches of Order" states—

> "It is the duty of the Speaker to intervene to preserve order ... If he does not intervene, however, whether for the above reason or because he has not perceived that a breach of order has been committed, it is the right of any Member who thinks that such a breach has been committed to rise in his place, interrupting any Member who may be speaking, and direct the attention of the Chair to the matter."

The member for Noosa, in spite of an earlier warning, was exercising his right to call a point of order. Not only did the member for Noosa have the right to do so; the Minister for Consumer Affairs had a clear responsibility also. I refer also to Standing Order 116, which states—

> "Upon a question of order being raised, the Member called to order shall resume his/her seat; and after the question of order has been stated to Mr Speaker by the Member raising the question of order, the Speaker shall give his opinion ..."

Did the member observe this rule? No, she ignored the call and continued her speech, ignoring not one question of order, not two, not three but four points of order. The Minister should have resumed her seat immediately and, by not doing so, was clearly in breach of Standing Order 116, and could well have earned a warning herself.

My second point of dissent is that the warning of the member for Noosa under Standing Order 124 was without foundation. All the member was trying to do was to raise a point of order correctly, which was ignored by the Minister, and instead of receiving the protection of the Chair he was interrupted by the Minister. I now refer to a precedent of this House set by Chairman Lickiss, who on 8 December 1971 stated that "a point of order must be heard ... it must be heard without interruption". Standing Order 116 and the precedent just referred to indicate quite clearly that the member for Noosa did not deserve any sort of warning at that time. The very fact that you invited him to state his point of order immediately after presenting him with a warning under Standing Order 124 indicates clearly to the House that he was not out of order. How could a member who is not out of order deserve any warning let alone a warning under Standing Order 124?

That, of course, brings me to my third and final point of dissent. Had the member for Noosa deserved any sort of warning at all, which I dispute, it certainly would not have been under Standing Order 124. Whilst acknowledging the right and the necessity of the Speaker to have some flexibility in the manner in which he or she maintains order, it is extremely important that such efforts be directed within the spirit of the Standing Orders and the precedent of this House and other Houses from which we draw direction. To this end, the Speaker—and indirectly, of course, the members of the House—are afforded protection of order, mainly under two Standing Orders—123A and 124. Standing Order 123A contains significant penalties against a member—after a warning under the specific Standing Order—whose conduct, in the Speaker's opinion, continues to be grossly disorderly.

Mr Speaker, as stated earlier, the member's behaviour could hardly be described as even crossing over this threshold. As for Standing Order 124, this provision is I believe intended to be kept as a reserve power, with a much greater penalty being exacted on the offender by a vote of the House itself for persistently and wilfully obstructing the business of the House. I understand that our Standing Orders are almost identical to those of the House of Commons in respect of this provision. It is certainly true that both sets of Standing Orders refer to disregarding the authority of the Chair, and this is what the Speaker clearly relies on when warning not only the member for Noosa but also the Leader of the Opposition. But "disregarding the authority of the Chair" needs to be taken in its correct context.

The House of Representatives Practice expands on the powers of the Chair to enforce order on page 493, under "Naming of Members", which is the intention of Standing Order 124. It states—

> "For example, in regard to conduct towards the Chair, Members have been named for imputing motives to, disobedience to, defying, disregarding the authority of, reflecting upon, insolence to, and using expressions insulting or offensive to, the Chair ..."

I believe that this passage clearly indicates the gravity of the offence that should be reserved for Standing Order 124. I fully support the necessity for the Speaker to maintain order but, in the interests of fairness to the member for Noosa and to jealously guard our precedents for the future, this ruling should be

set aside by this House for the three reasons I have stated.

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Minister for Communication and Information and Minister for Local Government, Planning, Regional and Rural Communities) (2.50 p.m.): I oppose the motion of dissent moved by the member for Indooroopilly. The motion of dissent that we are debating is actually a motion dissenting from you, Mr Speaker, ruling out of order the motion that had been given notice of the previous day.

I listened to the member for Indooroopilly talk about the former Speaker and member for Nicklin, Mr Turner, and quote what he had done. What he should have done on 14 May 1998 was to rule the motion out of order. If the member for Indooroopilly wishes to use the former Speaker as his authority for decisions of the Chair, then he should know, Mr Speaker, that when you ruled his motion of dissent out of order you were right.

I think we need to look at what happened on the previous day, and members have raised that. I note that the member for Mooloolah mentioned Mr Lickiss, who was a Chairman of Committees in this Parliament. If the member for Mooloolah had been here in this Parliament back in the days when Lickiss and others were in the chair, he would not have been allowed to say any of those things because he would have been out of order talking about them, Mr Speaker, which in fact was the first notice of motion of dissent which you ruled out of order.

Speakers of those days would never have allowed members to speak on something—and the member for Cunningham would well remember—which was not relevant to the dissent motion, and the first dissent motion no longer is relevant; it is actually the second one which rules out of order the dissent motion. If we were playing the game the way that Speakers in those days played it, both of those speeches would have been ruled out of order.

Mr Beanland interjected.

Mr MACKENROTH: That is what would have happened.

Mr Speaker, I think that in the time that you have been in this Chair you have allowed this Parliament to work very well; you have allowed members the opportunity to have a say and to actually rise and debate issues. One very important thing happened a year ago in this Parliament, and that was that we changed the Sessional Orders relating to question time so that Ministers have only three minutes to answer questions. That did not happen previously. If members are going to continually rise to points of order and stop Ministers from answering their question within those three minutes, I think that the Speaker has to take into account the fact that, for the first time ever, Ministers have a limit on the time in which they can answer questions.

If we look at the Hansard for that day, we will see that the points of order alone took up over three-quarters of a page of Hansard. That is really, I think, abusing the system that we have tried to bring in to this Parliament to make it operate more efficiently. The one thing that members in this Parliament should do is respect the Chair, because if they do not, this Parliament is never going to operate properly. I guess I have a reputation for a being a little bit tough in this place, but one of the things that will probably surprise most members is that, in the 22 years that I have been in this Parliament, I have been warned by Speakers on only two occasions. On one occasion the Speaker was wrong: he mistook me for somebody else, and he acknowledged that. On the other occasion—

Mr Laming: The Speaker is never wrong.

Mr MACKENROTH: No, he admitted it. On the other occasion he was right and I was warned under Standing Order 123A. So once in 22 years I think would show honourable members that I will push it as far as I can, but when the Speaker asks a member to obey the rulings that he makes, all members have to obey them, otherwise this Parliament will just completely disintegrate into something that is not going to operate. I think that members really need to start to understand that.

Mr Beanland, who has been the Leader and the Deputy Leader of the Liberal Party, really should remember the leader prior to him, Angus Innes, who always said in this Parliament, "You should support the Speaker's rulings." Mr Beanland would remember that, and he would remember having voted in the Parliament to support the Speaker's rulings. The one thing that the Liberal Party in this Parliament always did was respect the Chair and support the Speaker. That is something that its members are not doing today.

If members of the Liberal Party stopped and looked at themselves and tried to understand why the Liberal Party in this Parliament is irrelevant, they would find that they have made themselves irrelevant because they stand for nothing. People such as Angus Innes at least stood for something. That is why he got out. He looked at the

people around him and said, "This mob do not stand for anything and I am not going to stand here."

The member for Mooloolah talked about Bill Lickiss. I remember people such as Bill Lickiss, Knox and Hewitt, who actually stood for something in this Parliament. The Liberal Party stands for nothing and, until its members actually start to realise that to represent their constituency they have to stand for something, they are never again going to achieve anything in Queensland. That is one of the very first things I think they need to do: look at the institutions of this Parliament. They need to accept that the Speaker is the person who rules the Parliament and is a person whom we need to respect, but they are not doing that. If they sit here and objectively look at the manner in which they abuse the way that this Parliament works each day, they will know that they are doing the wrong thing.

Obviously, the coalition will stick like one on this and vote against the Speaker. I say to the members of One Nation, the Independents who have come from One Nation and the Independents who were elected as Independents: the one thing that you can do is support not the Government but the Parliament, and you can do that by supporting the Speaker and voting against this motion of dissent.

Hon. J. FOURAS (Ashgrove—ALP) (2.57 p.m.): I am pleased to take part in this debate. Those of us who were in the House at the time of this incident on Tuesday—and most of us were—would have seen the unbelievably poor behaviour of the Opposition—even more so than that of the member for Tablelands. The member for Tablelands showed total disrespect for the authority of the Chair. He was bringing down the dignity of this institution, and what do we get from people opposite? In one case we had the Liberal Leader saying, "We should sin-bin him." He totally misunderstood the purpose of the sin-bin. Secondly, members of the Opposition actually voted against the motion moved by the Acting Leader of the House to suspend that member from the Chamber. What the Leader of the House said today is underlined by that behaviour on Tuesday.

When I became Speaker in 1989 and Angus Innes was the Leader of the Liberal Party, he said to me, "Mr Speaker, unless I think you are making biased decisions, I will support and respect the authority of the Chair." The moment he left that position, I had five dissent motions moved against me as Speaker. I do not want to crow, but I have taken those dissent motions to annual meetings of Speakers—my own peer group—and put them on the table and they have agreed that not one of them had any foundation.

The whole idea was to create dissension. Goss was going well, so perhaps they decided to attack the Chair. Here we are seeing another attempt to bring some relevance to the Opposition. I think members of the Liberal Party should ask themselves whether they support the institution of Parliament as their predecessors did—as people such as Lickiss, Hewitt and Innes did.

I had the privilege of going to the House of Commons. When I was there I asked, "Do you ever have dissent moved from the Speaker's ruling?" They said, "No, we do not." I said, "Even if he is wrong?" They said, "No, even if we think he is wrong, because we believe Mr Speaker must have had some reason for making that ruling."

Let us look at the circumstances that exist in this Parliament. We have had a lot of spurious points of order taken in this House. It is really impossible to stop a spurious point of order. A Speaker has to hear a point of order. By the time the Speaker has heard it, the political game has been played and time for answering the question has been taken away from the Minister. Time given to answer questions is now limited. When I was Speaker, I actually tried to sit Ministers down if they were speaking too long.

Spurious points of order are taken. It is considered smart and good politics to get up and take a point of order that has nothing to do with the Standing Orders. Mr Speaker made a ruling on Tuesday in relation to the matter we are now debating. On 11 June, Mr Speaker ruled the dissent motion out of order because he said that he had not made a ruling but had given a warning. There is no doubt that the Speaker was correct in that instance.

I take members back to 14 May 1998 when then Speaker Turner made a ruling. He did not allow any debate at all on a matter and allowed a closure motion to be moved. He allowed the gag to be moved under Standing Order 142 which, in my book, is very clear. It states that the motion "That the question be now put" can only be put if Mr Speaker or the Chairman feels that the question has been sufficiently debated. It had not been debated at all. What did the Labor Party do in that instance? I will be frank: we were very unhappy with that ruling, but we said that we should not dispute that decision. We accepted the ruling

of Mr Speaker. In this case it is much clearer, in my view, that the ruling of Speaker Hollis is absolutely right.

What are we arguing about? Are we arguing about the right of a Speaker to decide that somebody is disregarding or not respecting the Chair or disobeying his ruling? If Mr Speaker believes that many spurious points of order are being taken and somebody continues to take them, he does not warn those people under Standing Order 123A, because that Standing Order relates to persistent interjection. He can give a warning, but that is a general warning instead of the use of Standing Order 123A. A Speaker cannot warn a person under Standing Order 123A and then send them to the sin-bin. It is a difficult situation. It is not as clear cut as made out by the member for Mooloolah.

When I was Speaker there were two obvious choices. There was Standing Order 123A for persistent interjecting or Standing Order 124 for disobedience of the authority of and respect for the Chair. But now we have the sin-bin. What Mr Speaker was trying to do on Tuesday, and rightly so, was say, "I have had enough of this." If people look at what had been going on, they will see that question time was being made into somewhat of a shambles. The Speaker was basically saying, "Do not try to abuse my goodwill." A warning was given on the basis of Standing Order 124.

Why do we have dissent motions in this Chamber? Maybe they are necessary in the case of a particular ruling that sets a precedent, if we are starting to change the direction of the Standing Orders, as with a judicial ruling. But here we have seen the correct use of Standing Order 124 for disobedience, for disrespect and for taking spurious points of order.

I refer to the situation involving then Speaker Turner in 1994. In my view, under Standing Order 142 the Speaker has to be totally convinced that, in his or her eyes, there has been adequate debate before the gag can be put, before the debate can be closed. In the instance I am speaking about there was no debate at all. The now Premier was told to sit down, the question "That the question be now put" was put and the Opposition voted against the motion. What did the Labor Party do? It said, "That is fine."

When I became Speaker, Angus Innes said to me, "I will respect your authority to run this Chamber. Only if I think you have been unfair will I move dissent motions against you." I had five dissent motions moved against me as Speaker. I do not want to talk about how correct I believe I was, but I know that not one of those dissent motions stood up to any scrutiny by my own peer group. They were an attempt to destabilise the Goss Government.

I think this Parliament has better things to do with its time, but those opposite have the right to move dissent motions, and today members will have an opportunity to vote on this motion. I suggest to members opposite that there is only one way we can get the standing and authority of this Chamber to the level it ought to be, and that is by respecting the authority of the Chair and upholding the dignity that respect brings to the Parliament and to the people of Queensland.

I say to people opposite who suggest that they are independent: let us stop this nonsense early in the term of this Parliament. Let us not have dissent motion after dissent motion, as there was when I was Speaker. Let us stop that, because that does not do anything for any of us.

There are ways of dealing with an issue if members are unhappy with the Speaker's ruling. Members can go around to the rooms of Mr Speaker and say, "What do you mean by that? Can I get an explanation of that? What is happening down the road?" Members should try to satisfy themselves in that way.

I think the motives of Speaker Hollis were honourable. I think we have to be very careful when we think we have a right to take spurious points of order and then get very agitated and pained about "how dreadful it is that the Government is using its numbers in this Chamber to stifle us." There are ample opportunities given for members of this House to represent themselves.

I ask the House to stop early in this term of Parliament this nonsense of dissent motions for political point scoring. Let us get back to believing in the Westminster system and the authority and dignity that a Speaker can bring to a House of Parliament. I oppose this motion of dissent most strenuously.

Mr ELLIOTT (Cunningham—NPA) (3.07 p.m.): I believe that there is nothing we on this side of the House want more than to do just as previous speakers have suggested, that is, support the Speaker's rulings on all occasions. I do not wish to go over the ground traversed by the first two speakers from this side of the House, because I think most of the points they made are correct.

There seems to be a practice in this House of Ministers staying on their feet and continuing to talk when another speaker is on his or her feet, whether that be to take a point

of order or in other circumstances. I recall the Minister for Fair Trading continuing to talk while the Speaker was in fact dealing with the issue. To my way of thinking, that is not the correct procedure.

I have been thrown out of this place only once under Standing Order 123A. That instance related to a particularly difficult circumstance in my electorate. On every other occasion I have respected the Chair pretty readily when I have been told that I am out of order or that I should stop interjecting. If that has happened, I have usually taken heed of that advice. I have been thrown out only once in the 24-odd years I have been a member of this place. I do not think I am a person who has disrespect for the Chair or who thinks it is smart to play games as far as the Speaker is concerned.

I believe we all have to look at the public perception of how we in this Chamber conduct ourselves. That has a very large bearing on the public's confidence—or lack of it—in the Parliament's proceedings. We should think about when the House has run well and when people did not seem to want to play games. We have had a number of Speakers over the past few years. Some Speakers have displayed perhaps more acumen than have others in keeping balance in the House and ensuring that people have not tended to play games with the Speaker.

When the member for Beaudesert, the Honourable Kev Lingard, was Speaker, he seemed to have an ability to stand and members would take notice of him. He did not have to yell and carry on. There have been other Speakers from this side of the House who would stand and roar like a bull, but still nobody would take any notice of them. So it is not just a matter of someone having a big voice or being able to perhaps shout other people down. Basically, all a Speaker should have to do is stand and have the respect of the House and members should listen to him. That is what one would hope would happen. I believe that the previous Speaker, Mr Turner, had the respect of members on both sides of the House and, in the main, members did not really challenge his authority.

In this last instance, we seem to have gone off the rails a bit in terms of where we all ought to be going. Perhaps we should be looking at this objectively and saying to ourselves, "In this instance, the Speaker's ruling was not correct." As such, maybe we should all be asking, "What can we do to ensure that we do not get ourselves into these situations again in the future?" I do not see much point in debating these dissent motions because, quite frankly, we all have better things to do. However, I do believe that it is important that we all think about what makes us feel comfortable with the rulings of the Speaker and be prepared to abide by those rulings without disputing them.

The most important thing that a Speaker can do is make members feel comfortable with his rulings. I have sat up there and presided over the election of Speaker, so at least I have some feeling of what it is like to have members looking at me rather than me looking at the speaker. It can be quite a daunting task. It is not an easy task. The Speaker has my utmost sympathy and, 99.99% of the time, my support. But on this occasion, perhaps on the spur of the moment, the Speaker made a decision and then felt that he had to go with it. That is probably human nature.

It would be better for this Parliament if we ensured that we do not get ourselves into these situations. The Speaker is a bit like Caesar's wife; not only must he be pure, but he must be seen to be pure. So it is terribly important that no-one can point a finger and suggest that any of the Speaker's rulings favour one side of the House over the other. If they do, obviously that makes it more difficult for the Speaker to maintain the necessary confidence to do that very difficult job. All members respect the fact that it is not an easy job. I know just how difficult it is. As I said, several Speakers from this side of the House were not able to do that job very well. They found it exceedingly difficult.

All members must consider this whole situation objectively. In this case, I believe that the Speaker's ruling was incorrect. But that does not mean to say that I will not support him in the future. I will support him wholeheartedly. But I believe that Government members should ensure that they do not put the Speaker under pressure. On a number of occasions, members on both sides of the House—and particularly members of the Executive—have tended to put the Speaker in an invidious position whereby, if he does not rule the way that they want him to, it appears that he is being disloyal to members on his side of the House. A Speaker should never be put in that position. All we should ask of a Speaker is that he rule fairly and objectively. And if he does that, we should all be quite happy with the way he operates and give him the respect that he deserves.

Mr MICKEL (Logan—ALP) (3.14 p.m.): What a load of claptrap we have just heard from the member for Cunningham! He said

that we have to follow the correct procedures; that we have gone off the rails.

Mr Elliott interjected.

Mr MICKEL: Five minutes? That is longer than the member has. I watch him run his business from inside this place all the time. "Get back on the rails", he said. He had an opportunity on Tuesday to get back on the rails, so to speak, when, Mr Speaker, you were placed in a position where you had to call for order 14 times on the member for Tablelands. Here is one of the glowing things that we heard the member for Tablelands say. After you had named him, he said, "You can name me all you like, Mr Speaker." In other words, after calling for order 14 times, it did not matter. It did not matter a damn. He was not going to listen to you. And what support did he get? Almost the unanimous support of that lot opposite, including the previous Speaker, who wants to get it back on the rails!

I remember when the member for Gladstone was first elected; we were all a rabble—the Parliament—and she was going to uplift the standard, like the One Nation members. But when push came to shove on Tuesday, in a most defiant display, what did we see? They all rattled in here behind that offensive behaviour. The member for Tablelands should have gone, and go he did.

The only person who can be excused is the honourable member for Ipswich West, who went out rather than vote on the motion. As for the member for Mooloolah, who has been a Deputy Speaker here, there was no sense of restraint from him after all he said this afternoon. There was nothing like that. Instead, the rest of them filed in here and, in an act of complete defiance of you, Mr Speaker, proceeded to support actions that the member for Cunningham said put us all in disgrace.

Let me revisit 10 June 1999. The member for Noosa is something of a genius around the place. Who else but the member for Noosa could have got permission from the previous Premier to go to no less than South Africa to bring back an endangered species, not capable of being exported, on the off-chance that he would meet Nelson Mandela? And he got permission to do it! It takes rare genius to defy international conventions. And he was going to set it up somewhere near Mount Isa. The member is someone we have to watch. Affable though he is, he is someone with acute genius. Let me revisit his performance that morning.

After he asked a question, the member for Noosa interjected—according to Hansard—twice, and on that occasion, Mr Speaker, you warned him to cease interjecting. The Minister, the member for Mount Gravatt, proceeded to give her answer. And remember, it was a three-minute answer—three minutes—so that Opposition members can ask more questions than they have ever been able to ask in this Parliament; to have true accountability of the Government; and to allow the proper processes to proceed. What happened then? The member for Noosa was interjecting again, and again the Speaker had to warn the member for Noosa. He then rose to a point of order.

Mr Elliott interjected.

Mr MICKEL: The member's brain starts to wander, but his trouble is that he wanders along with it. The Leader of the Opposition was then warned for interjecting.

Mr Elliott interjected.

Mr SPEAKER: Order! The member for Cunningham!

Mr MICKEL: He was warned to stop. Then he was warned under Standing Order 124, which was the correct procedure. He had been defiant up until then and had to be warned under Standing Order 124. But then I come to what was missing from the day. We are looking at this quite dispassionately. But when one reads page 2408 of Hansard, one gets some sort of flavour of the rabble into which members opposite descended.

We had five separate members of the Opposition taking points of order. Such was the lack of decorum in the House that three members of the Opposition were on their feet at the same time. There was no question of allowing Mr Speaker to hear one point of order at a time. The member for Nerang and the member for Maroochydore were on their feet while Mr Speaker was trying to hear a point of order. Those members were acting in complete defiance of Mr Speaker.

At that stage the honourable member for Indooroopilly gave notice of a motion of dissent. The next day you, Mr Speaker, ruled correctly on that motion. It was at that stage that the honourable member for Indooroopilly moved dissent from your ruling.

An Opposition member: See, you are wrong.

Mr MICKEL: You, Mr Speaker, had given the warning under Standing Order 124. There was no suggestion that it was the first warning that the honourable member for Noosa had received. You had been subjected to consistent and utter provocation. You had to warn the member for Noosa many, many

times. The honourable member for Indooroopilly gave notice of a motion of dissent from your ruling, presumably under Standing Order 117. The following day you gave a ruling in relation to the Opposition's complete misunderstanding of Standing Order 124. I believe you acted appropriately and upheld the dignity of the House.

The honourable member for Mooloolah quotes from Erskine May and says a whole series of things about rulings. The member for Mooloolah missed the important part at page 7 of Erskine May. The following appears on page 7—

> "The House of Commons has its own body of case-law. This consists principally of rulings given by the Speaker in answer to questions raising points of order on current business. Such rulings are, as stated above, the principal source of modern practice. They are constantly needed for the purpose of applying the standing orders to doubtful or new cases; and for harmonizing the standing orders with older practice and with each other."

This is longstanding practice and convention. Your ruling on the next day, Mr Speaker, was quite appropriate and was fully in line with Erskine May.

The Government rejects out of hand this attempt by the Opposition this afternoon to quibble with your ruling. During that whole week we saw a pattern of disruption which culminated in some unseemly goings on outside this Chamber. I do not propose to go into that matter now because I prefer to leave these things within this House. It was a pattern of behaviour and a pattern of defiance of the Speaker. My colleague the honourable member for Ashgrove points out that he had the same trouble when he was Speaker.

What is the difference? The difference is that we are in Government and those opposite do not like it. Those opposite do not like the fact that, after they had been in office for 32 years, they found the member for Ashgrove as Speaker and the Labor Party back in office. Those opposite have never liked it and cannot cop it. That is why they wanted to defy you, Mr Speaker.

This afternoon, I urge the House to uphold the dignity of the Parliament and uphold the symbol of authority. Having you in the Chair, Mr Speaker, is the only way that members of this House can receive a fair go and fair rulings. You have never shown any sign of being unfair. This disallowance motion should be rejected because it places a cloud over the fairness of your rulings, Mr Speaker, and that would be unfair.

Interruption.

DISTINGUISHED VISITOR

Mr SPEAKER: Order! Before calling the next speaker, I draw to members' attention the presence in the Speaker's Gallery of 1996 Nobel Peace Prize winner and special representative of the East Timorese National Council, Dr Jose Ramos-Horta.

Honourable members: Hear, hear!

MR SPEAKER'S RULING

Motion of Dissent

Mrs LIZ CUNNINGHAM (Gladstone—IND) (3.25 p.m.): Firstly, I acknowledge that I am lacking in experience in this Chamber. I realise that many people have much more experience than I. However, when I took the opportunity to speak to this motion I decided to read the Hansard of the incident.

Under Standing Order 123A, Mr Speaker has the ability to order the withdrawal of a disorderly member. Standing Order 123A(1) states that Mr Speaker may order the withdrawal of a member after warning such member and if the member continues to be grossly disorderly. A reading of Hansard indicates that there was gross disorderliness in this instance, but after four years in this Parliament I have observed that there is gross disorderliness on both sides of the Chamber at different times.

Standing Order 124 deals with the withdrawal of a member after warning by the Speaker in a case of disrespect for the authority of the Chair. Perhaps we should be debating whether Standing Order 123A or Standing Order 124 should have been used—at least in the initial stages. It could be argued, on a reading of Hansard, that the opportunity was not used in the early stages to apply Standing Order 123A. However, that is not what we are discussing today. Today, we are discussing a motion of dissent from a ruling of the Chair.

I sought some information on what "ruling" meant, because our Standing Orders do not define the word. I also went to page 7 of Erskine May where it is said that a ruling is given by the Speaker in answer to questions raising points of order on current business. So, a ruling is given when a question is raised with the Speaker.

I reiterate that I have seen such instances occur in the previous Parliament. It is no use saying that one side was particularly disorderly as opposed to the other because both sides of the Chamber have been guilty of this at different times and in different situations. Mr Borbidge rose to a point of order and said this—

> "It is the right of any member to raise a point of order at any time. That is all the honourable member did."

Mr Speaker responded to that by warning him under Standing Order 124 for continually disregarding the authority of the Chair.

Mr Speaker, your ruling was that no ruling was given and therefore the foreshadowed motion of dissent was out of order. As I say, I have had only four years' experience in this Chamber, but I concur with your finding: that is, a ruling was not given and therefore there is nothing to dissent from.

However, I would like to express one particular concern. In the use of Standing Order 123A and Standing Order 124—and I have no doubt that 20 people will come and correct me if I am wrong—there appears to be an escalating scale. Those Standing Orders apply to different issues because one applies to disorderly conduct and the other applies to disregard of the authority of the Chair. Rather than debating dissent from the ruling, perhaps we should be debating whether the right Standing Order was used as the disorderliness went up the scale.

In this instance I have to say, Mr Speaker, that I agree with your finding that no ruling was given and therefore the motion for dissent is out of order.

Mr REEVES (Mansfield—ALP) (3.28 p.m.): In the time I have available I would like to speak, through the Chair, to the One Nation members and the Independents. Those members came into this Parliament talking about being a new breed and improving the decorum of Parliament. If those members support this motion they will be supporting rabble-like behaviour—such as they supported on Tuesday.

As a new member of this House, and a member who fills one of the Deputy Speaker positions, I realise how difficult it is for Mr Speaker. It must be extremely difficult to be in the chair at question time and when ministerial statements are being delivered. I do not know how Mr Speaker handles the situation.

In a speech in this House last night the member for Caboolture said this—

> "When one comes from a police background one learns to respect the rules. There is a process that must be followed and the rules must be adhered to."

Here is a perfect example of where the rules must be adhered to. The honourable member should practise what he preaches and vote against this motion.

Time expired.

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

AYES, 28—Beanland, Borbidge, Cooper, Davidson, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Watson. Tellers: Baumann, Hegarty

NOES, 48—Attwood, Barton, Black, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, E. Cunningham, J. Cunningham, Dalgleish, Edmond, Elder, Feldman, Fenlon, Fouras, Gibbs, Hamill, Hayward, Kingston, Lucas, McGrady, Mickel, Mulherin, Musgrove, Nuttall, Paff, Palaszczuk, Pearce, Pitt, Pratt, Prenzler, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Turner, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Purcell

Pairs: Mackenroth, Veivers; Nelson-Carr, Goss; D'Arcy, Mitchell; Beattie, Connor

Resolved in the **negative**.

COAL MINING SAFETY AND HEALTH BILL
MINING AND QUARRYING SAFETY AND HEALTH BILL

Second Reading (Cognate Debate)

Resumed from 26 May (see p. 1989).

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development) (3.37 p.m.), in reply: I understand the Opposition will be moving a number of amendments. I give warning now that the Government is not prepared to accept any of the amendments that the Opposition will be presenting. I place on record my thanks to all of those members who have contributed to this very important debate. This legislation came into this Parliament after many years of dedicated work by a tripartite committee, consisting of members of the Queensland Mining Council, the trade union movement and, of course, the Department of Mines and Energy. To all of those people who have assisted in any way in formulating this legislation, I would like to place on record my personal thanks to them. In particular, I place on record my thanks to my policy adviser, Tim Conroy, and department officers Peter Dent,

Peter Minahan, Roger Billingham and Dave Mackie.

It is a sad day when Opposition members try to use the issue of health and safety in the mining industry to score some petty political points. Some of the Opposition members claimed that, at the change of Government, there was an agreement by the tripartite committee as to how the legislation should, in fact, operate. At the outset, I want to make it perfectly clear that, as an incoming Government, about 95% of all the issues had been agreed to but there were about 5% which had not. I worked long and hard to try to reach a compromise. It was impossible to do so. Therefore, I took to Cabinet legislation that I believed was the best for the mining industry. So this nonsense that has been spoken about in this Chamber regarding the Labor Government coming in and changing what had already been agreed to is simply that: nonsense.

This legislation is about the men and women who work in the Queensland mining industry. The whole object of this Bill is to try to create a safer environment in which those people can work. To hear members opposite refer to the industry and imply that the industry comprises simply mine owners, the chairmen or the chief executive officers or, indeed, the shareholders of the companies, is quite objectionable, because the men and women who work in this industry, together with their industry representatives, are just as much a part of this massive industry as those officials whom I have just mentioned.

I feel passionate about health and safety in the mining industry for two reasons. Firstly, I recall receiving a call at about 2 o'clock in the morning informing me of the disaster at Moura No. 2, where 11 of our fellow Queenslanders were killed. Secondly, I have had friends and, indeed, a next door neighbour, who have been killed or severely injured in the industry. Therefore, I am personally, as is the Government, committed to improving health and safety in the Queensland mining industry.

I am the first to admit that some of the provisions in this legislation are tough. However, they are provisions that I believe will go a long way towards creating an environment in which the men and women who work in this industry can have a safer workplace.

In recent times much has been said about fly in, fly out operations. I am aware that this practice is happening at the present time, and it is escalating. Fly in, fly out operations, particularly among contractors, is a major concern. People are working fourteen 12-hour day shifts that are immediately followed by 14 night shifts, and they do not have any break in between. That should be a worry to all of us in this Chamber. A growing body of evidence indicates that fatigue is a major cause of workplace accidents. Therefore, the practice of an extended number of day shifts being followed without a break by an extended number of night shifts is a cause of grave concern to me. I am pleased to say that under this legislation contractors also have duty of care obligations. The whole issue of work practices leading to dangerous levels of fatigue is something to which I will be paying particular attention.

Another issue that is of growing concern to me is the abuse of drugs and alcohol within the industry. In a number of accidents it is suspected that drugs or alcohol were contributing factors. It is my opinion that this menace is also related to the extended shifts that people are expected to work. I believe that many people are tempted to indulge in drugs and alcohol in order to cope with the unnatural lifestyle that is imposed on them by the extended shifts that I have previously outlined. When this occurs, the worker's ability to work safely, which is already reduced by fatigue, is often further reduced in hazardous situations. Some companies, with union cooperation, have developed drug and alcohol policies and are implementing strategies to cope with this threat. I commend them for their initiative and recommend a similar approach to other mining companies.

I now wish to answer the individual points raised by various members. I will start with the member for Hinchinbrook, the shadow Minister for Mines and Energy. The shadow Minister claimed that the industry has made great strides in recent years towards creating a much safer working environment and that this progress is put at risk by agreeing to all the key demands of the union movement. I mean to establish the true position of safety in the Queensland mining industry. Unfortunately, and I say this with regret and concern, it is not the rosy picture that the Opposition has painted.

As recently as April this year, senior officers of the Department of Mines and Energy gave a presentation to the chief executive officers of the major mining companies. The message was grim. Basically, they said that the list of industry accidents was horrifying and that companies must gain control of their operations. The following list outlines the incidents that occurred over a two-year period up to April 1999: frictional ignitions,

four incidents; serious heating, six incidents; and gas build-up, two incidents. There were problems with mobile equipment and runaway vehicles in coal and metalliferous mines. A number of haul trucks rolled over in open-cut mines. A flat-top car fell down a hoisting shaft. There was a serious incident involving a cage containing 11 men and a shaft sinker fell to his death. A miner lost both legs and a contractor lost half his foot. There were 20 underground mobile equipment fires. In the area of explosives there was an incident of premature detonation while charging face that caused serious injury. On occasions I have had to send letters of concern to mining companies.

I must also address the figures that the honourable member mentioned, which are fundamentally misleading. If we normalise the figures, that is, to take the number of deaths per thousand persons employed over a 10-year period, we see that the fatality numbers for all industries quoted vary from 0.7 to one death per thousand employees over 10 years, except in the underground coal industry. Coal figures are approximately 8.61 deaths per thousand employees over a 10-year period. In mining, a 10-year period has to be used to get statistical significance.

Let us look at the lost time incident frequency rate, which is a measure of how well minor accidents are managed. This measure is not suitable for assessing catastrophic risk and how well it is controlled or even how safely it is managed. An example is Moura No. 2 mine.

Mr Rowell interjected.

Mr McGRADY: The shadow Minister is a pathetic excuse for a parliamentarian. We are talking about the lives of the men and women who work in this industry. I do not need inane interjections from him or any of his colleagues. He is a disgrace to this Parliament. He has no right to claim to represent this industry.

We are talking about accidents that have occurred. I am not a defender of those people in this State who allow this situation to continue. We are talking about the men and women who work in this industry. Let me tell the House this: I will travel the length and breadth of this State and I will expose the shadow Minister for the apologist he is for those who do not do the right thing by working men and women. I will not answer any more of his interjections in this debate. He is a disgrace.

Mr Santoro: You probably can't answer it, that's why. That's a big cop-out.

Mr McGRADY: I will come to the member later. The other allegation made in the debate was that the Coroner's report into the Moura No. 2 disaster inferred that the Goss Government contributed to the disaster. That is what was said in this place. That inference saddens me, because it is simply unworthy point scoring. I remind the honourable members opposite that over the past 23 years there have been four mining disasters, three of which occurred under a different Government. What we are facing is a real and serious problem. This problem will only be solved if mining companies face up to the problems and we as politicians realise that there is a problem. Unfortunately, the complacent attitude reflected in many of the speeches on these Bills will not contribute to this solution. If this attitude reflects the real attitude of people in the mining industry, the problems will be real indeed.

The next point was that criminal charges, particularly imprisonment, should be left to the Coroners Court and, indeed, the Criminal Code 1898. The Coroners Court deals only with fatal accidents. We need to be able to hold people accountable to the full rigour of the law, including imprisonment if necessary, in cases where death does or does not occur.

I wish to address the issue of sections 23 and 24 of the Criminal Code. I am not a lawyer, but I know that these defences are an integral part of the Criminal Code 1898. I have heard them referred to as the ostrich defence—that is, "Please do not tell me, because if I do not know I am not liable." We did not introduce the exclusion of sections 23 and 24 to make life difficult but because they were incompatible with self-regulation, just as applying the Criminal Code to safety breaches under a self-regulatory regime is incompatible. Interestingly, the exclusion of parts of the defences contained in the Criminal Code from the workplace health and safety legislation commenced on 15 May 1989, under the then National Party Government.

Another point raised was that this legislation implies that inspectors' powers are too wide. The inspectors' powers are exactly the same as those developed under my predecessor. I am at a loss to suddenly find that they are now considered to be too wide. Those powers are necessary for the administration of a self-regulated regime. For example, let us look at the issue of documents. If we are to let companies develop their own rules, we must have powers to access those rules and to be able to ascertain that they are the ones they are working to. Without these powers—which were actively supported by all parties, including the Queensland Mining Council—the whole

process would be a farce. Similarly, because of the self-regulatory nature of this legislation, documents seized relating to people's obligations under the legislation must be able to be used against them.

With respect to entering workplaces without warrants, this is no more than any workplace inspector can do under the Workplace Health and Safety Act. There is absolutely nothing new. The other point raised was that the structure of statutory positions somehow created a culture which prevented mining companies from managing mine safety. That contention is false. Mining companies have been free to train and impose just about any structure they have wished to impose. For example, in open-cut coalmines there is a registered manager and a mine superintendent. The mine superintendent runs the mine and the registered manager, with the statutory ticket, is the safety manager. Anyone who knows the mining industry and how it exercises its right to hire and fire would know that it is fanciful to suppose that they are rendered incapable of managing the mines because of statutory positions.

Another point made was that the Queensland Mining Council believes that introducing specific criminal sanctions—namely, imprisonment—will severely undermine disclosures of vital information needed to eliminate fatalities. Again, this concern masks another concern held by senior management, and that is the consequences they may have to face if safety breaches occur. This concern is particularly acute at present, with downsizing, outsourcing and cost cutting and the dislocation such activities leave in their wake. Bearing in mind the major obligations held by senior management, I would be surprised if workers and supervisors would not provide information, particularly when they are aware that answers provided under compulsion are privileged and that other information obtained as a consequence is also privileged.

Another point made in the debate was that the Bills allow the Minister to authorise prosecutions. The question was asked: whom does the Minister intend to authorise? The suggestion was made that enabling the Minister to authorise prosecutions will politicise the whole process. My answer is this: the provision so dramatised by the Opposition is quite normal. The alternative is that anyone can initiate a prosecution if it is not restricted in the Act in question. I refer the Parliament to the Acts Interpretation Act 1954 and the Justice Act 1886. Acts with similar provisions are the Workplace Health and Safety Act, the Radiation Safety Act, the Child Protection Act and the Land and Resources Tribunal Act. I understand that there are others, including the Explosives Acts 1999, recently passed by this House. Another honourable member asked whom I would authorise to initiate a prosecution. This is a hypothetical question, but the answer is: anyone who can convince me that they have been denied justice. The courts will decide. That is what courts are for.

Another point raised was: how can the industry have confidence that the wide penal powers and the intrusive police powers will be used responsibly? The industry actively participated in developing both inspectors' and representatives' powers. Workers' representatives nominated by the dominant union have been working in the coal industry for 60 years without any crises. We might ask: why the fuss now? The only plausible answer is that some Right Wing ideologues see this as an opportunity to further their agenda to deunionise this industry.

Another point raised was that underqualified union-appointed representatives could cost the State and companies millions and not pay one cent if they have acted honestly and without negligence. The answer to that is quite clear: industry safety and health representatives are not underqualified. They have a deputy's certificate of competency and considerable practical experience. In the considerable period of time industry safety and health representatives or their equivalents have operated there has not been one case of arbitrarily shutting down a mine. Why would that change? An inspector can revoke a directive to shut down a mine if one is given. All it takes is a phone call. Inspectors are available 24 hours a day. These officers have proven themselves to be capable, practical mining men and women who have made a considerable contribution to the safety of the industry. Why should they not have protection in the Act if they act honestly and without negligence? The slim chance of the State being sued is insignificant when balanced against the extra protection that these officers provide our multimillion-dollar mining industry.

I turn now to the contribution made by the Leader of the Liberal Party, who demonstrated to me that he knew precious little about the mining industry. However, again, I will address each one of the points he made. Dr Watson stated that the legislation will not improve safety but will improve the CFMEU's ability to disrupt the coalmining industry. That statement is breathtaking in its ignorance. The proposed legislation was developed by a tripartite

committee which included Queensland Mining Council representatives. The discussion paper was prepared under the former Minister, with the participation of the Queensland Mining Council. Although the CFMEU was not named, the formula included to determine who would be selected would have inevitably led to the CFMEU industry safety and health representatives. Why was this done? The answer is: because the industry has been living comfortably with this situation under the current legislation for the past 60 years and has used it to its own advantage. In fact, the protection against the misuse of powers by industry safety and health representatives is greater in the proposed legislation than it currently is in practice.

Dr Watson then went on to quote the black coal industry inquiry as, firstly, recommending that open-cut mines be regulated separately to underground mines, probably under occupational health and safety legislation, and he claimed that as a result there is no need for the statutory position of open-cut examiners in the open-cut coalmining industry. In answering, I refer to the speech that my colleague the member for Lytton, Mr Lucas, gave in this House on 24 March. Mr Lucas explained simply and clearly why having separate legislative regimes for open-cut mines and underground mines is impractical. I will speak more about the issue of open-cut examiners later.

Dr Watson then went on to say that the Opposition did not walk away from statutory positions in underground mines. He also said that not one single person in Queensland, other than the unions, believes that open-cut mine examiners are necessary and that, if statutory positions are so vital, why are they not in other industries? I am glad that the Opposition accepts statutory positions in underground mines. I take it from that that it disagrees with the black coal Industry Commission's recommendations on this matter.

How would the Opposition know that no single person other than unionists thinks that open-cut examiners are not needed in Queensland coalmines? A number of unsubstantiated statements were made in this speech, and this is added to the list. It so happens that I have asked a considerable number of people—a slice across the coal industry—about the need for open-cut examiners. The overwhelming advice I obtained—and not just from unionists—was that under the present circumstances open-cut examiners should be retained, and under this legislation they will be. On safety matters, I err on the side of caution; therefore, I make it clear that they will be retained.

I turn now to his question that, if statutory positions are so vital, why did other industries not have them? I refer honourable members to section 93 of the Workplace Health and Safety Act, which requires every prescribed organisation with over 30 people employ a safety and health officer with certain competencies and duties to be defined by regulation.

Dr Watson also asked if I believed that the inclusion of penal provisions would mean imprisonment? The answer is: yes, I do. I believe it is immoral to have a penalty for contributing to a person losing their life subject to imprisonment in one legislative regime and a simple fine in another regime. If imprisonment is so pointless, why has New South Wales recently increased the maximum period of imprisonment from six months to two years for major safety breaches?

Dr Watson said that the Bill takes the industry backwards and that it should follow the black coal Industry Commission's recommendations in ensuring choice for managers and owners in managing mines. I think Dr Watson is a little confused. He also said that the Opposition supported statutory positions in underground mines. What does he support, or does he support both at once? As far as the statutory position of open-cut examiners is concerned, it is not a management position; it is a position equivalent to a workplace safety and health officer in industry and does not prevent owners from adopting any appropriate management structure. I have spoken about industry safety and health representatives and the CFMEU and, indeed, imprisonment and I do not intend to go over them again.

We come to the contribution made by the member for Charters Towers, the former shadow Minister. Much of what he said has been raised by the current shadow Minister and other speakers. In particular, he started off by saying that he agreed with the Queensland Mining Council that the Minister had caved in to union demands. I would just like to say that a union is only mentioned once in the legislation. I ask the question: how many times is the Queensland Mining Council mentioned?

The speech of the member for Charters Towers appears to be written by an advocate of sectional interests; there is no semblance of balance in it. As Minister for Mines and Energy, the person charged with administering this legislation, I believe that I have taken a balanced approach and I would ask the

Parliament to contrast my approach with the approach of members opposite, as evidenced in their speeches.

The member for Charters Towers went on to refer to the safety records in the industry, but I feel I have already made comment on them. He then said that the Bill places a roadblock on the path to further improvements. As I have already alluded to, the improvement may be in the eyes of the beholder and nowhere else. Anybody may quote from the document, the Australian Black Coal Industry Commission Report—a report that the Opposition wants to keep at arm's length. However, it also wants to keep on quoting it. I will, too. It says—

> "In their previous report, the Commission found that companies may lack financial incentives to invest in safety in the absence of Government requirements to do so. The Commission estimated a cost of workplace injuries of different severity and the distribution of these costs between employers, injured workers and the community. The Commission found that employers bear a large share of the costs of minor workplace disabilities."

The research indicated that the employers had strong incentives to reduce the incidence of mining injuries, but lacked the large investment necessary to curb serious injuries. Whilst these findings were based on costs across all industries, it may explain why the coal industry has made more progress in curbing minor injuries than in reducing the incidence of fatal injuries. The research highlights why there is a need for Government regulations to ensure good safety outcomes. I believe that the questions posed by the member for Charters Towers have been answered.

He then went on to say that the Queensland Mining Council states that including penal provisions in the legislation will stop improvements and lead to a legal and confrontational mining industry. I reject that totally. He also claimed that the industry safety and health representatives and the district workers' representatives are superimposed over inspectors and site safety and health representatives and that the CFMEU is nominated as the organisation supporting them in the coal Bill and that the district workers' representatives are nominated by the Australian Workers Union. Union representatives are not superimposed over inspectors and site safety and health representatives. Inspectors can revoke any directive given by the industry safety and health representative.

The provisions for the CFMEU or its predecessors to remunerate their representatives have been in existence for 60 years. They have done an excellent job and do excellent work in the industry and have almost complete acceptance from that industry. So why this artificial crisis? The only explanation is that persons see an opportunity to further an industrial agenda.

Many other issues were raised, but time obviously does not permit me to answer them. All I would say is that for many years we have been working long and hard on this legislation. Ninety-five per cent of this legislation has universal support. It had universal support from the previous Minister and it certainly has the support of this Government. I would ask this Parliament tonight to support this and make Queensland the State that really cares about the health and safety of those courageous men and women of the Queensland mining industry.

Motion agreed to.

Committee

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development) in charge of the Bills.

Mr TEMPORARY CHAIRMAN (Mr Reeves): Order! The Committee will consider the Coal Mining Safety and Health Bill first.

Clause 1—

Mr ROWELL (4.09 p.m.): Honourable members will note that the short title of this Bill refers to safety and health. The promotion of a safe work environment is obviously the focus of this legislation. Workplace health and safety in our coalmines as well as in our quarries and metalliferous mines is very important to all of us, despite the blast that I received from the Minister when he rose to reply to the second-reading debate.

Any miner being injured or killed unites us, irrespective of our politics, in shared grief and a resolution to get to the bottom of the matter to make sure that it does not occur again. When I read in the Sunday Mail recently about the worker at South Blackwater whose legs were caught in the chain conveyor of a continuous mining machine—he was performing maintenance on it—I was sick to the stomach.

That the coalition does not agree with each and every clause in these Bills does not mean that we are not as committed as any

other party in this Parliament to mine safety. In fact, it was Tom Gilmore who two years ago got legislation ready, whereas Labor sat on its hands for some six years. If anyone was guilty of inactivity, it was not the coalition.

What motivated me to speak to the title of this Bill was the disgraceful radio interview given by the Minister with Carolyn Tucker on Monday, 24 May. The Minister may recall that. The interview was supposed to be about the tragic accident at South Blackwater and the horrific injuries to the worker. Instead, the Minister rubbished the Opposition's refusal to give 100% support to these Bills. The Minister said that we were playing games and that this was sad because health and safety in the mining industry was paramount.

Mr Beanland: That is arrogance for you. That is typical.

Mr ROWELL: It is arrogant. Mining health and safety is paramount. It is a shame that the Labor Party and the Minister have used legislation such as this to shore up their union mates. It is a shame that the legislation takes away essential defences for people charged with offences. It is a shame that union inspectors can close down a mine and the taxpayer has to pick up the bill. It is a shame that the Minister can make industry standards without recourse to Parliament and without any form of review. It is a shame that union inspectors can make formal recommendations to the chief inspector that people be charged. It is a shame that the CFMEU is actually named in the Bill and given closed shop status.

This Bill, despite its title, has a lot to do with non-workplace health and safety matters. I say to the Minister that I have been watching the tactics of the CFMEU, which blames every accident on the fact that there are contractors and that not each and every worker in the industry belongs to its club. I have been listening—

Mr Pearce: That shows how far out of touch you are. That has nothing to do with it.

Mr ROWELL: Is it not a fact that there is only one union, the CFMEU?

Mr Pearce: It is disgraceful.

The TEMPORARY CHAIRMAN (Mr Reeves): Order!

Mr ROWELL: I have been listening to the disgraceful interjections of Labor, such as I have just received—

Mr Santoro: They do not make terribly much sense, do they?

Mr ROWELL: The member for Clayfield is right. I have been listening to the continuous interjections from Labor Party members who claim that anyone in the coalition who raises real concerns about the clauses in these Bills is supposed to be anti-worker.

The TEMPORARY CHAIRMAN: Order! I refer the honourable member to Standing Order 253, which relates to relevance. Would the member ensure that his comments are relevant to the clause before the Committee?

Mr ROWELL: I certainly will. I think this clause is quite important. This is often an opportunity for the person leading the debate for the Opposition to bring forward certain points that are relevant to the Bill.

The TEMPORARY CHAIRMAN: Order! The clause relates to the title, so the member will refer to the title of the Bill.

Mr ROWELL: Certainly. The Coal Mining Safety and Health Bill is a very important Bill. There is little question of that. It is all about safety in coalmining and that is what I am talking about. I say to those Labor members who made those statements that it says a lot about their sensitivity that when the massive flaws in these Bills are exposed they are reduced to such pathetic behaviour. I was very disappointed that the Minister on 13 July chose to use Carolyn Tucker's question about a critically injured worker to try to score cheap political points.

The TEMPORARY CHAIRMAN: Order! The clause before the Chamber is clause 1, which relates to the title, not the whole Bill. I ask the member to talk about the title of the Bill.

Mr ROWELL: I once again refer to the title of the Bill, which is the Coal Mining Safety and Health Bill. I would like to go on with what I was saying. It is that sort of low-level political behaviour that highlights just why we are so concerned about giving unlimited and unaccountable powers to the Minister in this Bill—that is, the Coal Mining Health and Safety Bill 1999—and why these Bills have objectives at times that are more industrially driven than driven by health and safety considerations.

The matter is made much worse by the fact that the mining warden has outed this Minister and his department by pointing out that he has not received for some five years reports by inspectors on serious non-fatal accidents. He had not received a report just two weeks ago from the inspectors on the very accident out of which he tried to get cheap political publicity on the ABC. The warden was not able to exercise his power under section

74 of the Coal Mining Act and have a proper assessment made of the injury. It is no use the Minister saying that he could have at any time. What is he supposed to rely on—reports on the ABC Internet site, the Courier-Mail and radio transcripts? That highlights that this Minister and the Government, despite all the claims about world's toughest legislation—I am talking about the Coal Mining Safety and Health Bill 1999, a very important Bill about safety—are soft on the issue of mine safety.

Deeds speak louder than words, especially self-promotion by the Minister. I will be discussing this matter further when we move to the clauses in the Bill that deal with boards of inquiry.

Mr SANTORO: The Mining and Quarrying Safety and Health Bill is all about safety within the mining industry. It is not about politics; it is all about safety within the mining industry. The problem we have with this debate right from the word go—from the summing-up by the Minister—is that the Minister is not concerned about quarrying safety and mining safety; he is interested in politics. I am not going to traverse political ground, because in other clauses I will have plenty of opportunity to address some of the more specific issues that were mentioned by the honourable the shadow Minister. I listened to the Minister when he talked about safety—

The TEMPORARY CHAIRMAN: Order! I remind the member that the clause before the Committee is clause 1, which is the short title of the Bill. I refer the member for Clayfield to Standing Order 253. I ask him to refer to the title of the Bill.

Mr SANTORO: I will sit down. I will accept your ruling, Mr Temporary Chairman, but I remind you, with respect, that time after time during these debates the Chair undoubtedly gags us on clause 1. I will deliver this speech during discussion on one of the other clauses. You will have to gag us to stop us from going on the record in the way that we wish. You will either keep on going now for a week or you can gag us.

Clause 1, as read, agreed to.

Clauses 2 to 5, as read, agreed to.

Clause 6—

Mr SANTORO (4.20 p.m.): I wish to address, in a very detailed manner, the objects of this proposed Act. The objects are all about safety within the mining and quarrying industry. I listened to the Minister's reply, and when I interjected he said, "You're going to cop a blast. I'll get to you shortly." You can get up on clause 6, and you can get up on clauses 72, 80, 81, 82, 83, 93, 96, Part 8, clause 109 and 119, and you can give me all the blast that you want.

The TEMPORARY CHAIRMAN (Mr Reeves): Order! I refer the member to previous rulings of the Speaker and other Temporary Chairmen that members must refer to other members by their correct titles, such as "the Minister" or "the member for" wherever.

Mr SANTORO: I accept your ruling, of course.

The TEMPORARY CHAIRMAN: I also remind the member to speak through the chair.

Mr SANTORO: Of course, Mr Temporary Chairman. I think your ruling is most sensible.

During a debate like this, for the Honourable the Minister to address this Chamber in such an arrogant and insensitive manner as he did when he replied is absolutely disgraceful. The Opposition did not divide the House on the second reading of the Bill. We support this Bill. And we support it because, as the Minister said, 95% of it is agreed to by all the major stakeholders, and about 95% of it is the result of the hard work that was done by the Minister's predecessor—the sort of work that the Honourable the Minister was unable to accomplish over six years. We agree with the bulk of this Bill, and we have gone on the record as saying that we agree with it. But we do not agree with the politics that the Minister is playing.

The honourable member for Hinchinbrook said that the Minister went on radio and decided to indulge in some form of limited debate with the member for Hinchinbrook. The first thing he did was accuse the Opposition of not caring about injured workers. I have heard other members opposite, whenever we have expressed concern for injured workers, profess a monopoly of concern.

Mr Lucas interjected.

Mr Pearce interjected.

The TEMPORARY CHAIRMAN: Order! The member for Lytton and the member for Fitzroy!

Mr SANTORO: I find offensive the statements and inferences in the Minister's reply that, for some reason, members opposite and their union friends are the sole possessors of emotion and concern for injured workers and for the potential for workers to be injured. I have said previously during debates in this Chamber that if there is one thing that stirs up all members on this side of the Chamber, it is

the sanctimonious, condescending and arrogant attitude displayed by the Minister. If the Minister really wants to stir us, he should continue in that vein.

We all know that mining is a very dangerous industry—particularly somebody like me, who was responsible for the workers compensation system in this State. I got the statistics for two and a half years. Nobody in their right mind who has any heart and any soul in them would want to see anybody injured, irrespective of whether they are unionists, Labor, Liberal or Callithumpian. Nobody wants to see people injured. The Minister cited statistics—a sample of injuries and how many occurred over a certain period. He gave us a brief description of them. That is fair enough. But all he is saying is that the mining industry is a dangerous industry, and all I am saying to you is that this is what this Bill is meant to be addressing.

The TEMPORARY CHAIRMAN: Order! I remind the member to refer to members by their correct titles.

Mr SANTORO: All I am saying to the Minister is that, basically, this Bill is meant to be addressing the safety issues that are of concern to us all. So members opposite should not come into this place and profess to be the only people who are concerned.

The Minister said that he was going to get into me. Obviously, he ran out of time. I am going to speak to a number of clauses that concern me. During debate on those clauses, let us have a bit of a discussion about it. I had a look at the drafts of the Bills that were prepared for Cabinet by the previous Minister, and they did not include CFMEU preference clauses. So the Minister cannot say, "Look, what are you objecting to? Why are you objecting to entrenching the CFMEU in legislation?" If members on this side of the Chamber could be convinced that the CFMEU was a responsible corporate citizen—and even if we were, from an ideological point of view, opposed to unions, particularly irresponsible ones—and if, for the sake of safety considerations, which members are debating here today, the Minister was able to convince us that a union such as the CFMEU was a constructive and responsible corporate citizen within the mining industry which was able to enhance safety in some way, then I dare say that members on this side of the Chamber would give it very serious consideration, putting aside any ideological party-based predisposition against unions. But that is not true.

All we need to do is consider the record of the CFMEU. We do not have to go back 10 or 15 years. All we have to do is go back to what happened after the Government changed in Canberra, when members of the CFMEU marched on Parliament House, destroyed property, threatened lives and put people into hospitals. They were not concerned about safety. Members of the CFMEU were not concerned about the very laudable objects that members are debating in this clause. They were not concerned. You may smile at me, Mr Temporary Chairman, but that is what I am concerned about. I am concerned about the very laudable sentiments in these objects, but I do not believe that members of the CFMEU are. When one considers the way in which they carried on in terms of law-breaking, and their viewpoints on the various picket lines that they have been involved in around this State, the Minister cannot come in here and ask us to have confidence in the CFMEU and give our carte blanche approval to having entrenched in legislation the CFMEU's powers, rights of intervention, rights of decision making and rights to decide who is going to be prosecuted—I was going to say "persecuted"—prosecuted and persecuted.

Mr Temporary Chairman, I know that you will do your best to keep this debate on track, but it should not be conducted in a political way. Opposition members will state their views in this place—that we believe that maybe the CFMEU is not as concerned as it should be with safety, the underlying objects and the sentiments that underlie those objects. The Minister may say, "Well, that is your political point of view. That is your ideological point of view. We disagree." I do not want any member opposite to impugn the motives of the honourable member for Hinchinbrook or anybody else on this side of the Chamber who expresses genuine and serious concerns about safety.

I did not have to speak this long to this clause, because I believe that we can get into very detailed, technical debate during the next week or so while we debate this particular Bill—unless, of course, the Government guillotines debate on it. I believe that, over the next week or so, the mining industry will better understand this legislation, provided that the Minister does not adopt that same arrogant attitude and actually seeks to answer our questions, and provided he does not retreat into his shell—like so many Ministers who are not on top of their briefs—at the Committee stage. So provided that the Minister treats this Parliament and those making contributions with respect, I believe that the lawyers, the

mining industry and the stakeholders who need to interpret this legislation as a result of this debate, which I hope is non-political and constructive, will be better off as a result.

Mr ROWELL: From the time we started on this Bill you immediately started to be provocative and very political—

The TEMPORARY CHAIRMAN (Mr Reeves): Order! I remind the member of previous rulings by the Speaker and Temporary Chairmen in this Chamber that members must be referred to by their appropriate titles.

Mr ROWELL: I am sorry, I thought I referred to "the Minister". The whole point of this debate is to go through the safety issues which are so important to the coalmining industry and the metalliferous mining industry in this State. If the Minister wants to adopt a dogmatic attitude where he is going to blast me at every opportunity—

The TEMPORARY CHAIRMAN: Order! During the earlier debate I allowed the honourable member some leeway. I refer the member to Standing Order 253. He is now speaking about the objects of the Bill, namely clause 6. I refer the member to clause 6.

Mr ROWELL: Very well. I will talk about protecting the safety and health of the people in the coalmining industry and in the metalliferous mining industry. This is an extremely important matter. While I have been shadow Minister—and even earlier—I have been well aware of the implications of operating heavy machinery, whether it be scrapers, graders or even cane harvesters. The former Minister for Training and Industrial Relations had direct responsibility for such things as workers compensation and he spoke about those issues which are so important to people in this State. We do not want to see injuries.

Whenever I have gone to a mining site I have been very impressed with the education process. Visitors are made to sign certain documentation to make sure that they are aware of what happens in the industry. When I went to Century Zinc I noticed that workers who had been away from the site for any period were put through an induction program. Is that right, Mr Minister? I am pleased to see that the Minister is nodding his head.

I want to stress very strongly that the coalition is not here to have a political battle with the Minister. The Minister might have started off firing a few shots at me for some reason—and I do not know what the reason is—but the object of this Bill, which will eventually become an Act, is to ensure that we have the best safety record in mines anywhere in the world. I believe that is what we are all trying to achieve. I can assure the Minister that he is not going to achieve it by having a go at me. I am not going to be a party to that type of confrontation. If the Minister wants to keep it going, fair enough.

The objects of this Bill are extremely important. There will be things in this Bill that we will not agree with, and that is reasonable. Wherever agreements are being struck—

Mr Beanland: That is the democratic process.

Mr ROWELL: That is exactly right. There will never be absolute agreement on everything. However, it is critical that we arrive at a point where everyone agrees to a certain extent on where the issue of safety in mines is going. Mining is a very big industry in this State and it contributes enormously to our economy. People who work in the mining industry earn significant amounts of money for this country.

I am sure the member for Fitzroy would agree with me. He is an old coalminer and he has done a lot of work in mines. He has a major contribution to make to this process. I would not deny him his opportunity to do that. Similarly, I hope the Minister will not deny me my opportunity to mention matters which are extremely important. The Minister might not agree with me, and that is fair enough, but I hope he will not get to the point where he will say, "I am going to blast you around the countryside", because it will not work.

Mr McGRADY: I thank honourable members for their comments. Could I go back some years? Claims have been made that the Goss Government did nothing and that Tom Gilmore did it all. Let us look at the history of this matter.

When I was Minister in 1992 I set up a tripartite committee consisting of people from the trade union movement—and despite what the member for Clayfield says, I have always found that the trade union movement is very anxious to try to improve safety in mining operations—members of the Mining Council who, likewise in my opinion, are committed to improving safety in the industry for obvious reasons, and people from the Department of Mines and Energy. That committee worked long and hard. From time to time I as Minister joined in the discussions.

Then Moura No. 2 happened. I took a decision to hold all further action on reforms to the legislation for one simple reason, and that was that we had set up an open public inquiry

into what happened at Moura. I took the view that that inquiry was going to make numerous recommendations. It would have been a waste of time for this committee to continue working when there were going to be a whole heap of recommendations coming forward. I suspended the work of the tripartite committee until the Moura recommendations came down.

When the recommendations came down I gave a public commitment to accept the recommendations lock, stock and barrel. I appointed a person to make certain that these recommendations were implemented. Then there was a change of Government.

I have never in any way, shape or form criticised the person who followed me as Minister for Mines and Energy because I know what he did. He continued the work of that committee. My understanding was that about 95% of all the recommendations which came forward had the total support of the three levels of the industry. There were three or four issues which were not resolved.

During this debate some members were saying that there was total agreement and that this Government came in and we wanted to reinvent the wheel. That is not true. I had meetings with members of the Queensland Mining Council on a number of occasions. I had meetings with the various unions involved. I tried to get a compromise position so that I could bring in legislation which I could say had the unanimous support of the industry. I have to say that I failed because people at all levels had worked themselves into a lather and they were adamant that their views should prevail.

It is fair to say that just prior to the election Tom Gilmore took his solution to the issue to Cabinet. It is also fair to say that he came down on the side of the Queensland Mining Council's desires. There was nothing wrong with that; Mr Gilmore was entitled to do that. I have never ever said that Tom Gilmore, or the coalition Government, were taken over by the Mining Council. Dr Watson said that I was taken over.

I came in here and sat down and listened. The method I used was that, if I had to go one way or the other, I was going to come down on the side of safety in the mining industry. The legislation that I took to the Labor Cabinet differed from the legislation that Tom Gilmore took to the coalition Cabinet. There is no question of personalities being involved.

It has been said in this Chamber today that I have been captured by the unions. It could be said that Tom Gilmore was captured by the Mining Council. I have never ever said that because I do not believe he was captured by the council. Tom Gilmore and I had our disputes across this Chamber. I believe Tom Gilmore is an honest and sincere man and that he tried to do the best he could. On the three or four matters that were in dispute I came down on the side of safety. This is the matter that should be debated in this Parliament today, because 95% of the Moura recommendations were accepted right across-the-board.

This afternoon, a lot has been said about the CFMEU. The member for Clayfield knows as well as anybody else in this place where I stand within my organisation. He knows that, and he knows that I am not captured by the CFMEU. However, let me say that, whether we like it or not, the CFMEU is the major union representing the coalminers at the coalface—those people whose lives are at risk—and it has been accepted in legislation since 1938. So their involvement is nothing new. If we are going to have a sensible and creative debate about future health and safety in this industry, let us forget the nonsense about the CFMEU. Many people on one side of the industry have not always done the right thing. However, that does not mean to say that all people on that side of the industry are crooks. The same applies to the trade union movement. There have been people in the trade union movement who have not always done the right thing. However, that does not mean to say that the unions should not be involved.

An honourable member: In the issues of safety.

Mr McGRADY: In the issues of health and safety.

The members of the Opposition can appeal to the Minister to be less arrogant, and I will take their point; I will accept that. At the same time, let us not use this opportunity today as an exercise in union bashing, because in my involvement in the mining industry I have always found that the Mining Council is concerned about health and safety, as is the trade union movement. We all want to see a good, healthy industry. So let us make a bargain now that we will not continue our attacks on the trade union movement and that we will talk about the real issues, which are what this legislation is all about.

There is a difference between the Opposition's side and my side. The Opposition says that it is 5%—you name it—but that there are three or four major issues. In my humble opinion, that is what the debate should be about. At the end of the day, when this legislation is assented to, it should be with the

will of this Parliament. The desire is to make the industry better—a better place for our men and women to work in.

I am not being dramatic when I tell members a story about what happened at lunchtime on Christmas Eve. My next door neighbour was killed at Mount Isa Mines. I had to go to the car park at Mount Isa Mines and force the car door open to get the keys to get the money that he had to pay off the lay-bys for the kids' presents for Christmas Day—the next day. I have seen how fatalities in the mining industry affect everybody across-the-board. I have seen how it has affected whole communities. That is why I am probably more determined to try to bring health and safety issues to the fore. I am not being arrogant, I am not being political; all I am saying is that, at the end of the day, the buck rests with me.

I will conclude my remarks by saying that, in the early hours of one morning when I was sitting opposite, a former Cabinet Minister shouted across the room to me that I was responsible for the deaths of 11 people. I do not know whether Hansard picked it up. I was angry and I was hurt. There and then I took a vow that if ever I returned to the Government side of the Chamber and I was given this portfolio again, I would make sure that I would do all in my power to make sure that this industry became safer and healthier. So if I get a bit arrogant from time to time, it is because of my desire to try to improve the health and safety conditions of the people whom, in the main, I represent. My people go down there to the 23rd level every single day of the week. As their member, I believe that they are my responsibility. I am more privileged than most people, because I have the ability to have an impact on the legislation. So if this legislation is tough, so be it, but it is going to save the lies of the men and women whom I represent. That is why I believe I am in this place.

Mr SANTORO: At the outset, let me say that I genuinely appreciate the contribution that the Minister has just made. I think that the tone of the debate is now back to the level where I believe it should be. Nobody is doubting the sincerity of the Minister. I was interested to hear of his experience, and I sympathise with him. It would be one of the most dreadful jobs in the world to have to do what he did on Christmas Eve, or to take phone calls about people for whom he obviously and very sincerely cares.

When the Minister says that we have major differences on three or four issues, he is absolutely right. However, the Opposition has also other issues that have been put to us by other stakeholders. Those issues are not contentious and the Opposition will not be calling for a division on them. The Opposition is not going to kick up a tremendous fuss about them. I think that members will recall that when I was a Minister, most of the debates that I participated in were very lengthy. Whether or not I knew the material, I always took advice—and I took a lot of advice—from the advisers in the lobby for the benefit of those who wanted to understand the laws that we were proposing. That is what we should be doing. The Opposition will not be calling for divisions many times, but when it does so, it is because it believes that it is a matter of principle and it is a fundamental difference between this side and the Government. This debate can be a long debate, but it need not be as long as I thought that it would be because of the way in which we started.

I will explain briefly what the Opposition is on about in relation to the CFMEU. I will try not to be political. If any piece of legislation is going to be successful, the people who are utilising its provisions need to have confidence in it. I heard the Minister say that it has unanimous support. The Minister may say that the CFMEU has not been given extra powers by this Bill, but we believe that it has. The people who talk to us believe that the CFMEU has been given a more privileged role through this legislation. Those people do not want that, and they do not want it not because they do not believe that individual members of the CFMEU are not interested in workplace health and safety. I believe the Minister when he says that, as a whole, the union movement and the individuals who make up the union movement believe in workplace health and safety. They do not want to see the people whom they represent either injured or killed in workplaces. I believe that with all my heart. However, without wanting to be too provocative, from the Opposition's perspective—and I have said this before—I also believe that these days the union movement is less relevant within the workplace. So the union movement is looking at other ways of getting involvement and gaining leverage within workplaces.

There are two ways in which the union movement is going about it and, under Labor Governments, it is being particularly successful. One is by workplace health and safety—and I think that this Bill represents an example of where the union movement is being favoured—and the other is in the area of training. I am not suggesting that the union movement should not be involved in a tripartite fashion. When I was responsible for workplace

health and safety, I welcomed genuine union involvement in a tripartite manner in the workplace health and safety programs in the department for which I had responsibility. However, via a Bill such as this I think that we should be entrenching union involvement in a genuine tripartite fashion on the committees, on the advisory boards and in a genuinely influential fashion.

I believe that this Bill entrenches union power that under some circumstances some unions will abuse, will use to target employers and will use to target specific circumstances that may be relevant at certain mine sites. They will use the clout that, in this particular case, the CFMEU now has—and it does not have many checks and balances—to put pressure on employers. The Opposition genuinely believes that.

I will tell the Minister why. We sent copies of the Bill to people and asked them to tell us what they think is wrong with it. They have come and talked to us about it—they really have. They have said, "We are not as confident about this legislation as we were under Tom Gilmore. We support most of it—and we will support the legislation—but there are areas that we will not." I hope that I have explained why the Opposition has this concern. We believe that the unions are using legislation such as this Bill and circumstances to leverage themselves into workplaces where they could be doing the same job in terms of workplace health and safety or training, as I mentioned, through other genuine tripartite mechanisms. That is all that we mean by the involvement of the CFMEU. We believe that members of the CFMEU—

Time expired.

The TEMPORARY CHAIRMAN (Mr Reeves): Order! I remind members that we are talking about the objects of the Act, clause 6.

Mr ROWELL: I am pleased to see that the Minister's attitude is somewhat tempered compared to when we started this debate. It did concern me. I do not necessarily want to get involved in a confrontation. It is very important that we go through this Bill and sort out the differences that we see. There is no question that there are some differences. The object of the Bill is very important. We do not want to bring about changes by using a big stick, but we should use a carrot as much as possible.

Much of what Tom Gilmore did was very good, and a lot of what is in these Bills is very good, too. Although there are some aspects that we are concerned about, we did not divide on the motion for the second reading of the Bill. I was quite adamant that we would try to sort out our differences rather than pursue the type of confrontation that we started off with. I am pleased that that has been tempered somewhat.

We live in a changing world. The objects of these Bills will go a long way in assisting mining industry practices and maintaining our competitiveness. Indeed, they will go a long way in assisting the industry in general, not just the workers. We do not want to see people harmed. We do not want to see them working such long hours to the point where it is dangerous. We do not want to see people who, with the best will in the world, have tried to do something but have gone over the fence in doing it. That includes management as well as the workers.

Generally, what we see in the Bill is quite good. We will divide on some aspects of it—

The TEMPORARY CHAIRMAN: Order! I have been very patient. I remind honourable members that we are talking about the objects of the Act. The member will refer to what is in clause 6 of the Bill.

Mr ROWELL: I am trying to talk about the Bill and its objects, which are very important.

The TEMPORARY CHAIRMAN: Order! We are not talking about the whole Bill. I remind members under Standing Order 253 that we are discussing clause 6, the objects of the Act.

Mr ROWELL: The most important thing is the safety and health of people working in the coalmines, which is the first object of the Bill. The Bill requires that the risk of injury to workers is at an acceptable level. The risk of injury obviously affects workers. It also affects productivity because losing time due to injury is not a good thing. We are looking at every aspect of reducing the risk of injury, which is extremely important. Illness can occur from time to time as the result of working with too much dust, noise and so on. We are talking about work operations being conducted in an acceptable manner, which is also extremely important. This includes the hours that people work, the way that they go about their work and the procedures that they have to undertake. That is all part and parcel of how people work. It is important that not only the workers but also management are involved in these matters. It cannot involve one side without the other. Achieving acceptable levels of risk, as mentioned in the objects of the Act, are very important to the future direction of mining in this State. There is no question about that.

When the Minister and I were in Indonesia, we witnessed some practices that we certainly could not accept. I think that the Minister would agree with that. In Australia we have a higher wage structure and there is little question that we are more productive. However, we have to continue to ensure that safety and health aspects are considered so that people do not get injured. We can do that by putting in place appropriate procedures. If we do not adhere to a range of practices that are aimed at implementing health and safety measures, we will become less productive and people will not be able to do their work properly, which will affect their families and their lifestyles. I have witnessed the procedures that have been in place in one mine in relation to visitors and I know damn well what they do when workers have been away for an extended period. That is extremely important. In fact, in relation to Century Zinc, I regard the health and safety of the Aboriginal people in that area as very important. The way that that issue is being dealt with is extremely important to the mine itself, as is the issue of people who have not had a high level of training in the industry. They are achieving positive things, and that is very important.

Time expired.

Mr SANTORO: Very briefly, I take the opportunity provided by this particular clause, because one of the objects of the Act—

A Government member: Put the clock on.

Mr SANTORO: As honourable members opposite encourage the Temporary Chairman to sit me down and for me to complete, I say to them that they will do absolutely nothing for the mood of this debate by being offensive.

Clause 6(b) states that the objects of the Act are "to require that the risk of injury or illness to any person resulting from coal mining operations be at an acceptable level". So far during the debate, some reference has been made to what is an acceptable level and the movement towards it. During his concluding remarks in the second-reading debate, the Honourable Minister said that during the debate the Opposition claimed that we had achieved an acceptable level of injury rates. I have never made that claim. As I have said during previous debates, one injury is unacceptable. One injury, one death or one disability is unacceptable. I do not believe that there will ever be an acceptable level of injury unless the figure is nought.

Perhaps in your remarks—

The TEMPORARY CHAIRMAN: The member will say, "the Minister's remarks".

Mr SANTORO: Perhaps the Minister was suggesting that under the coalition Government the safety record within the mining industry had in fact declined. Not having specific expertise in this area—nevertheless, having some expertise through previous workplace health and safety experience—I thought that the best thing that I could do was to go to the report of the Department of Mines and Energy which reported on lost time, fatalities and injuries. In the interests of a bipartisan approach to this issue, I make the point that we came into Government in February 1996, so some of the figures that I will quote relate to the period immediately after we came to Government. I do not want to say to the Minister that we take all the credit for the figures that I am about to quote. For example, employment figures or training figures may start to show vast improvements two or three months after a Government comes to power. I believe that if the news is good, the previous Government deserves some credit, and if the news is bad, the previous Government also deserves some passing mention in terms of fault.

The latest report of the Department of Mines and Energy shows that in terms of lost time as a result of injuries, there was a big improvement in the two years that we were in Government. I quoted those figures in my contribution to the second-reading debate. For the purpose of this debate, it is important that I place them in Hansard again. The lost time injury frequency rate for the mining industry in 1997-98 was 15.5, which was only slightly worse than the overall figure for all industries of 15.25. That was during the time that the coalition was in Government. The fact that in the space of one year the mining industry was able to improve its performance from 20.2 to 15.5 was very encouraging. That improvement had quite a bit to do with the way that the mining industry was run under the Minister.

I regret the fact that somebody said that the Minister was responsible for the death of 11 people. If that interjection was made, I dissociate myself from it. If it is in Hansard, I go on the record as disassociating myself from it now. I think it is regrettable. The point that I want to make is that if you go back to your concluding—thank goodness that we are rising to 6 o'clock; if we were going to go into the evening, you would have a real job, Mr Temporary Chairman, asking us to refer to members by their correct titles. I mean no disrespect to the Minister or the Chair, of course.

In the Minister's reply, it could be construed that there is an insinuation that under our administration injury rates were on the increase. According to the department's latest report, the figures do not bear that out. The loss frequency rate for underground miners in 1997-98 was 39.4 compared with the aboveground figure of 7.8. Obviously, injury rates would be higher in underground mining. Nevertheless, in just one year alone the underground figure improved from 62.1 to 39.4.

Time expired.

Mr McGRADY: Anything can be done with figures. I do not propose to become involved in arguing about who did the right thing and who did not. But I will tell the Chamber what happened. One of the Moura inquiry recommendations identified a need for a more highly trained and skilled inspectorate. In fairness to my predecessor, I point out that the recommendation which came forward—as I mentioned before, I gave a commitment to accept the recommendations lock, stock and barrel—was that more emphasis should be placed on attracting a more sophisticated type of inspector. To a great extent, that is one of the reasons why we have seen a change in the figures.

I am not claiming credit for that, but I will certainly not abdicate the role I played, either. Today the Department of Mines and Energy is blessed, in the main, with people who are dedicated to safety. I recall visiting a mine many years ago in this State the day after a fatality. When I went down there to have a look, I saw that the miner's body had been splattered around the coalface. One of the inspectors from the Department of Mines and Energy proceeded to try to explain to me why it was not the company's fault. The company manager was standing there. I took the inspector to one side and said, "It's not your responsibility to defend the company. The manager is standing here."

In those days, upon going to a mine site, inspectors used to go straight into the manager's office, have their tea and scones and then depart. Those days have gone. I gave an instruction, which I hope is still in operation, that when an inspector visits a site he should by all means see the mine manager—that is vital—but he should also see some of the workers or perhaps the delegates as well. The feedback that I received from the people out there was that that was working extremely well. I do not think that tonight is the time to quote figures. Anything at all can be done with figures. The honourable member himself said that when the unemployment figures are bad somebody else is usually blamed. But we are talking about the lives of men and women.

Mr Rowell: That is what is important.

Mr McGRADY: That is what is important.

I do not clam any credit, but at the same time, as I said, I do not abdicate the role that I and my previous Government played. Tonight I pay tribute to those people who work in the Department of Mines and Energy and their leader, Peter Dent, who is in the gallery tonight listening to the debate. He is a professional who is dedicated to the health and safety of this industry. I believe he will not leave one stone unturned until he brings back the accident level to zero. I took the point of the member Clayfield in relation to determining what an acceptable level is. I agree—there is no acceptable level. We discussed that in detail. However, what do we put down? To me, an acceptable level is zero. We are on the same side.

Clause 6, as read, agreed to.

Clauses 7 to 33, as read, agreed to.

Clause 34—

Mr BLACK (5.04 p.m.): I move the following amendments—

"At page 31, line 2, 'or 2 years imprisonment'—

omit.

At page 31, lines 4 and 5, 'or 1 year's imprisonment'—

omit.

At page 31, line 6 and 7, 'or 1 year's imprisonment'—

omit."

We agree with 97.5% of this Bill, but we think that the inclusion of penal provisions will discourage a full and free flow of information between people after an accident and will, therefore, be detrimental to safety. New South Wales has operated with penal provisions since 1983, yet our industry is safer than is that of New South Wales.

We believe that the effectiveness of this Bill will rely on the ability to get the facts after an accident and learn from those facts. We are concerned that the people who are privy to these facts will find themselves under threat of criminal prosecution. Naturally, these people will be advised to seek legal immunity. The inclusion of the penal provisions will not create a culture of safety. This threat will compromise the ability of investigators to identify the contributing factors to incidents. If it is the

desire of Governments, unions and industry to piece together events and learn from these unfortunate incidents, we believe that the inclusion of penal provisions will have exactly the opposite effect of what was intended.

Mr McGRADY: I welcome the comments from the member for Whitsunday. As I said in my opening remarks, the Government will not be accepting any of the amendments. This is one of the major issues that I referred to before and in respect of which we had approximately 5% disagreement. Tonight I wish to make the point that I believe the penal provisions are an integral part of this legislation. As I understand it, penal provisions exist in the Workplace Health and Safety Act and have been in place for some time. The important point is that it is not the Minister who determines whether or not a person should receive penal sanctions, it is up to the courts.

It is a bit rude when people are maimed or lose their life and the only penalty handed down is a fine. I keep saying that this legislation is tough. I think I am saying that because, at the end of the day, if the court determines that somebody has been responsible for deliberately causing the death or the severe maiming of a person in the industry, that person must suffer the ultimate punishment, and that is penal provisions. Without going into too much detail, I say that I do appreciate the amendment that has been moved, because it brings to a head one of the important parts of this legislation. However, the Government is adamant that penal provisions will remain in this legislation.

Mr ROWELL: The Opposition has outlined its grave concern about the penal provisions in both of these Bills, which are very similar. We believe that the proposal to abolish sections 23 and 24 of the Criminal Code defences is unjustified and aggressive and on top of that the ability of the union safety officer to recommend to the chief inspector the laying of charges has the capacity to render illegitimate certain prosecutions. In spite of this, we have said from the outset that a case can be made out for the penal provisions, and we recognise that there are precedents for this.

Although we understand the reasons for the amendment proposed to clause 34, which are intended to delete penalties of imprisonment, the Opposition believes that this is wrong for two reasons. Firstly, mine safety is critical, and grievous breaches of safety should be subject not only to general penalties under the criminal law but also under the specific provisions of these Bills.

Secondly, there are precedents in the general workplace health and safety legislation, and it would not be sensible to draw artificial distinctions between the various pieces of legislation. Having said that, I point out that the Minister and the Government have done all within their power to render illegitimate the penal provisions of these Bills and to undermine the duty of care culture—and this is what concerns us—which is supposed to be the centrepiece of the legislation.

It is only because the Opposition believes that workplace safety is too important to compromise—even by giving false signals that somehow this Chamber is soft on the issue—that we will not support these amendments. I think we have demonstrated quite clearly that we do not really like penal provisions; we do not want the "stick" attitude to prevail all the time. However, if there is a necessity, if we come to a position where it is absolutely critical as far as imprisonment is concerned, we accept that situation.

Amendments negatived.

Clause 34, as read, agreed to.

Clauses 35 to 47, as read, agreed to.

Clause 48—

Mr ROWELL (5.11 p.m.): I move the following amendment—

"At page 39, lines 20 to 24—

omit."

The insertion of penal provisions—and we were talking about these earlier—in this Bill arouses quite a deal of debate and considerable opposition from the mining industry, of course. The Opposition is not opposed to the insertion of penal provisions in the Bill per se. As the Minister would be aware, there are specific penal provisions in the Coal Mining Act as well as a catch-all provision, section 105, which specifies the penalty where none is provided in specific provisions. However, the Opposition is very concerned about the way in which the penal provisions in this Bill have been drawn and, in the context of clause 48, the proposed removal of the right of a person under clause 34 from relying on the general defences in section 23 and 24 of the Criminal Code.

Section 23 allows the defences of accident or an act occurring independently of the exercise of the defendant's will. Section 24 deals with an honest mistake of fact. Section 36 applies these defences to all persons charged with any criminal offence against the statute law of Queensland. The rationale

behind these defences is that, unless otherwise provided for, either under the Criminal Code or the specific offences in the relevant statute, a person should not be found guilty of an offence if that person did not have the necessary criminal intent.

Certainly under the Criminal Code, the general workplace health and safety legislation and this Bill, offences are created which are essentially negligence based, rather than ones based on the intentional commission of a criminal act. I should point out that offences of criminal negligence under the Code generally require the Crown to show, in effect, a wilful disregard for the consequences of an act or omission. On the other hand, there are other offences in this Bill which are not negligence based. The Scrutiny of Legislation Committee highlighted clause 48(3) as one which is relevant in this regard.

Part 3 of this Bill imposes on a wide range of persons different and very stringent obligations in relation to health and safety at mine sites. Under clause 34, a person on whom such an obligation is imposed must discharge the obligation, with a penalty of up to two years' imprisonment if the obligation is not discharged. Normally, under our law, a person charged under clause 34 could plead either section 23 or 24. Instead, under this clause, these defences are taken away and a defendant will only have a defence if he or she can establish—

(a) that a regulation or recognised standard relating to the avoidance of risk was adopted, or that another method of avoiding risk was adopted which was equal to or better than the recognised standard;

(b) otherwise, where there is no applicable recognised standard, the person took reasonable precautions and exercised proper diligence to prevent the contravention; or

(c) the commission of the offence was due to causes over which the person had no control."

I have pursued legal advice to the effect that these defences are quite different from those provided for by sections 23 and 24. It is clear that a breach of some of these duties imposed by the Bill could occur quite independently of any intention which normally would be categorised as criminal. Breach of an obligation to "ensure" a particular state of affairs could also occur in circumstances in which the defendant had no conscious understanding that he or she was in breach—in short, no criminal intent. I have been advised that the exclusion of the Criminal Code defences therefore exposes defendants to criminal sanctions in circumstances in which the criminal law would ordinarily provide complete defence.

In addition to this, the Bill partially reverses the onus of proof in a criminal proceeding. Normally, while the defendant has to raise a proper foundation for the application of a Code defence, it is up to the Crown to prove beyond a reasonable doubt that the defence is not available, yet under this clause it is up to the defendant to establish the requirements of the enumerated defences.

Many of the obligations imposed on a coalmine operator or senior site executive require specific action. For example, under clause 41, the coalmine operator must appoint a site senior executive. In addition, clause 39 requires individuals, including mineworkers, to discharge obligations which are both specific and general. This means that, in many cases, the Crown could succeed in a charge under clause 34 simply by establishing that one of the specific obligations had not been met. The onus would then pass to the defendant to establish the elements of one of the defences. In short, the whole case would revolve around whether the defendant could establish a defence. Certainly, this reduces access to defences, because at the moment, under the Criminal Code, once a prima facie defence is established by the defendant, the prosecution is required to disprove it beyond a reasonable doubt. This leads me to the so-called justification in the Explanatory Notes that the removal of the Criminal Code defences is necessary because some matters are inherently within the knowledge of the defendant.

As I said during the debate: so what? The Minister's advisers would tell us that in almost every case the establishment of a Code defence would require the defendant to give evidence about the matters which are peculiarly within his or her knowledge. I do not pretend to have a full understanding of the law, but even a layman can see that the intention behind this clause is to reduce the ability of persons to properly defend themselves. If the Minister says that sections 23 and 24 have been excluded under the general workplace health and safety legislation, my response is that two wrongs do not make a right.

As I have said, this Bill is intended to promote the free exchange of information and the true inculcation in the workplace of a duty of care culture. While the Opposition may be

prepared to support penal provisions as a matter of principle, it is almost impossible to support them when key defences are being taken away and people are placed in a potentially disadvantageous position. As I said earlier, if people charged with heinous offences under the Criminal Code potentially can claim a section 23 defence, for example, why should a mineworker be deprived of a like defence? I think that is very important.

I note that the Scrutiny of Legislation Committee does not endorse the removal of these offences, and I agree. The only area I respectfully disagree with the committee about is the potential scope of persons being able to rely on section 23 and 24 defences under this Bill. I suggest that if the committee had obtained expert legal advice it would have discovered that the removal of these defences may have a more significant impact than it first assumed.

In any event, the removal of section 23 and 24 defences should be a matter of last and not first resort. The wording of this clause as it stands will result in the law being applied in a potentially harsh and unjust manner. The Opposition therefore seeks to ensure that the traditional defences under the law of Queensland continue to apply to people charged with a breach of clause 34.

Mr SANTORO: I do not intend to speak for long on this particular clause, because the honourable member for Hinchinbrook has very comprehensively covered the concerns of the Opposition. These are concerns of not just the Opposition because, as I said in earlier comments, this is one of the areas within the Bill about which there is great difference between the industry and the unions. This is one area where, I am sure the Minister would agree, the unions and the employers just cannot get on.

I suppose the question that is asked is: why have this particular provision within this Bill when the general criminal law applies? My learned colleague the member for Hinchinbrook has gone into great detail about that particular point, but that is a question that is asked out there in relation to this clause.

The other point the honourable member for Hinchinbrook made and which I think needs to be stressed is that one of the consequences—perhaps it is one of the unintended consequences of this clause—will be that it will help restrict the flow of information. The people within the industry will feel a lot more reluctant to go out and exchange views about issues relating to workplace health and safety which are very relevant to achieving acceptable levels of workplace health and safety.

The other point that does worry the employers within the industry is that this clause will help enable union representatives to launch prosecutions. We do not want to cause hysteria or any great concern, but the industry is genuinely worried that prosecutions can actually be launched not just by the chief inspector but also by persons nominated by the Attorney-General and the Minister. Because of the way the politics are played and because of the way some industrial relations matters are played in Queensland, we believe that stakeholders on the employer side of the industry have some very genuine reasons to fear the impact of these provisions.

We do not support the One Nation amendment because, as the honourable member for Hinchinbrook said, we do not want to send a signal that suggests a softening of attitude by the Opposition or by this Parliament when it comes to penalties that should be applied to people who wilfully neglect the safety of workers and anybody else involved within a mine site. We believe that the One Nation amendment had the potential of sending a bad signal. I say to the Minister that this clause is one that is of considerable concern to the industry. I do not think this measure will lead to an enhancement of confidence within the industry.

Mr McGRADY: As the Opposition spokespeople have said already, this is one of the fundamental differences between the two sides of politics in this place. The member for Hinchinbrook did say that if I were to come out and say that these defences have been excluded from the Workplace Health and Safety Act since 1989 he would say that two wrongs do not make a right. That is true, but in this case we do not believe it is a wrong. It is a fundamental part of our legislation and, as such, I cannot accept the amendment.

Mr BEANLAND: Because of the seriousness of this clause, I rise to ask the Minister if he could explain more fully why he is doing this. I listened very intently to what he said, but this seems to be about fairness and the right of defence. The people affected by this may not be employees—employers or a whole range of people could get caught up in it. These sections are put into the Criminal Code and carried forward into other areas for very good reason. We seem to be striking at the heart of fairness—at the defence, whoever that might be. The Minister has not explained fully why this is occurring. There must be a

legitimate reason, but I just do not understand what it is.

Mr McGRADY: I understand that from 1899 sections 23 and 24 of the Criminal Code were and are an integral part of the Act of the same year. These defences are not compatible with the type of legislation which is currently before this Parliament. It is legislation which we all know is based on self-regulation and duty of care principles. These defences have been excluded, as I mentioned a few moments ago, from the Workplace Health and Safety Act. My understanding is that since that happened there have been some 300 prosecutions launched. There has not been one controversial case out of those 300. Because our legislation has changed, we simply cannot accept this amendment proposed by the Opposition.

Mr ROWELL: I am really concerned about a person's democratic right. We have entrenched these provisions in the Criminal Code to ensure that people do not get caught up in issues over which they have no real control. As the member for Indooroopilly said, the person who gets caught up by this could be a worker, a mine owner or anybody. I think it is extremely important for us to recognise that there is always a last line of defence for people. I am concerned that the provisions the Minister seeks to introduce will exclude people from that right. An individual person or a group of people could get caught up in a circumstance which could render them liable to prosecution. If that right of defence is taken from them, then we cannot support this. That is one of the differences between us. We are talking about unions. I do not believe that we are particularly labelling any one group of people. It is just a democratic right. It is a right that should be entrenched—and it is entrenched—in legislation. This Bill is excluding that right, and I do not believe that that is just and fair for anybody who may be caught up in a situation such as that.

Question—That Mr Rowell's amendment be agreed to—put; and the Committee divided—

AYES, 35—Beanland, Black, Borbidge, Cooper, Dalgleish, Davidson, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Watson. Tellers: Baumann, Hegarty

NOES, 39—Attwood, Barton, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, E. Cunningham, Edmond, Elder, Fenlon, Fouras, Gibbs, Hamill, Hayward, Hollis, Lucas, McGrady, Mickel, Mulherin, Musgrove, Nuttall, Palaszczuk, Pearce, Pitt, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Purcell

Pairs: Mackenroth, Veivers; Nelson-Carr, Goss; D'Arcy, Mitchell; Beattie, Connor; J. Cunningham, Johnson

Resolved in the **negative**.

Mr BLACK: I believe that amendment No. 4 circulated in my name has been addressed by—

The TEMPORARY CHAIRMAN (Mr Reeves): Order! Is the member moving that amendment?

Mr BLACK: No. This amendment is the same as the previous amendment No. 4.

The TEMPORARY CHAIRMAN: Order! The member has to move the amendment.

Mr BLACK: I move the following amendment—

> "At page 39, lines 23 and 24, 'The criminal Code, sections 23 and 24, do not apply in relation to a contravention of section 34.[1]'—
>
> omit.
>
> [1] Section 34 (Discharge of obligations)"

I believe that this has been addressed by the previous amendment moved by the member for Hinchinbrook. However, we believe that the Criminal Code provides important protection, and we are opposed to the waiving of sections 23 and 24 of the Criminal Code.

Amendment negatived.

Clause 48, as read, agreed to.

Clauses 49 to 58, as read, agreed to.

Clause 59—

Mr SANTORO (5.38 p.m.): Under this clause, a site senior executive is required to appoint a person holding an open-cut examiner's certificate of competency to carry out the responsibilities and duties set out under the regulations in one or more surface coalmines. Mr Temporary Chairman, when you peruse the mirror provisions in the cognate Mining and Quarrying Safety and Health Bill, you discover that there is no equivalent position in surface metalliferous mines.

Just in case the Minister is unaware, I point out that, in the 1995-96 financial year, there were 166 injuries in surface metalliferous mines compared with 312 in surface coalmines. In the following years, the relative injury figures were 151 and 237. In terms of the lost time injury frequency rate, surface coal has improved from 37.44 to 12.99 between 1992 and 1997, whereas surface metalliferous improved from 20.16 to 12.93.

The point that I am seeking to make is that surface coal has only now caught up with the safety record of surface metalliferous. I believe that all members would applaud that particular result. It is important to keep in mind that the better safety record of surface metalliferous was reached and maintained without a statutory position of the type that is mandated by clause 59. This, of course, is at the very heart of our consideration of this clause. I think that, as we are debating a piece of safety and health legislation and not one designed to entrench existing jobs that are in place and which are jealously guarded by the union movement, it is essential to ask why this clause is necessary and what evidence the Minister has to justify its retention.

The Minister, of course, would be aware that, under section 55A of the Coal Mining Act 1925, the position of open-cut examiner is entrenched, and has been so since 1964, when this position was first created by an Act of Parliament. The Opposition is not opposed to any position, whether mandated by legislation or not, that actually advances safety and which is acknowledged by people in the mining industry as achieving this. In this case, the figures clearly show that surface metalliferous mines were able to maintain over the years a safer work environment without a position such as this, and the Minister has not seen fit to impose such a position on the metalliferous mining industry under any equivalent provision in the cognate Bill.

I therefore ask the Minister—perhaps in his reply to these queries—why the Government is seeking to persist with this position some 35 years after it was first imposed by legislation, and what evidence does the Government or the Minister have to justify its insertion in this Bill? I further ask the Minister: in the event that he claims that this position is so critical to workplace health and safety for surface coal mines, why has he not insisted on a similar position in surface metalliferous mines?

Finally, I would like to draw the Minister's attention to the comments of this colleague, the member for Fitzroy, during the second-reading debate on this Bill. As the Minister would know, the member for Fitzroy is an ex-miner and a long-time supporter of the CFMEU. I acknowledge—as did the honourable member for Hinchinbrook—that the member for Fitzroy knows a lot about the industry.

What did he say about these positions? Let me quote him—

> "I thank the Minister for his preparedness to bite the bullet and to take on the chin the criticism for the retention of OCE at open cut mines."

Why would the member for Fitzroy even signal that there could be criticism about retaining these positions? He left us in no doubt because, as he explained—

> "... those positions almost became extinct because, in the past, some—but not all—OCEs have allowed themselves to be sidetracked. They, to put it simply, did not do their job. They became messenger boys and carried out work other than that which they were supposed to be doing."

I believe that in those few words the member for Fitzroy has said it all. These positions are redundant. I do not believe that they have achieved anything.

Surely it is about time when, in legislation designed to improve workplace health and safety, we should focus on that and not on positions designed to give people a job, irrespective of the worth of the job for the safety of the workers. I would be interested to hear what the Minister has to say to justify this unjustifiable retention of positions which even his colleague the member for Fitzroy admits are not achieving significant safety results.

I also think it is less than satisfactory that this clause does not even outline what responsibilities and duties people holding this position will perform. As the Minister will undoubtedly tell me, it all has to be set out in the regulations. Just what is the magic in hiding this in the regulations—unless it is the case that the Minister and the Government realise that these positions have to be tucked away and hidden away so that the full glare of appropriate scrutiny is not directed onto this area? I ask the Minister to explain why it is not possible, as with so many other things in this Bill, to simply set out in the body of the legislation what the duties and responsibilities of this position will be so that we can sensibly debate this clause. Even if the responsibilities were not set out in a comprehensive manner, at least the skeletons of the job descriptions should be within the legislation so that the full scrutiny of the Parliament can be brought to bear on those provisions.

Mr McGRADY: I thank the member for his comments. I suppose to some extent these positions are part of the culture and the tradition of coalmines. I said in my earlier speech tonight that if I had to make a decision I would err on the side of safety.

This is an issue concerning which there was a great deal of discussion. It is one of the 5%. I have had discussions with the relevant unions. The comments made in the speech to the Chamber by my colleague the member for Fitzroy were quite correct. He said that some of these officers are basically used as messenger boys—"Go and get the meat pies", "Go and get the coffee", or "Go and get the newspapers." That is accepted.

The agreement I reached with the Mining Council and with the unions was that we would sit down and work out a protocol for the duties of these people and they would have to be gainfully employed for the full shift. This is on record in Hansard. What I am saying is that the Department of Mines and Energy, the mining company concerned and the union will sit down and work out a protocol whereby the safety aspect of the job will be discussed at the start of the shift and that person must then go across and undertake gainful employment.

As I said, I have discussed this with the unions and I have that agreement. I have also discussed it with the Queensland Mining Council. This is one of the 5% where there has been disagreement. I could not get agreement for the abolition of this position. I took the view that that position should be retained. Obviously, there is going to be almost total disagreement, but the Government has made a conscious decision to retain that position. I can give the Committee an assurance that that position will change. A protocol will be established and that person at each mine will be gainfully employed for the whole shift.

Mr ROWELL: I have heard what the Minister has had to say. Why do we need to entrench anything? It may be a protocol; it may be a tradition. Whenever we do this type of thing in one place we put pressure on another area. The coalmining industry is a very competitive industry. Prices of coal have been very low for some period. There is some inconsistency between coalmines and metalliferous mines. The coalmining industry will have these safety officers at the surface mines. I know that the previous Minister looked at this matter very closely with regard to underground mines.

We will have inconsistency in legislation with regard to open-cut metalliferous mines and open-cut coalmines. One group of people is involved in a surface operation. That operation is not radically different from the extraction of the coal or the metal out of the ground. The mining industry people will say that a lot of pressure is being placed on them in order to maintain a level of employment which the industry does not regard as being absolutely necessary. I believe that is where the philosophical difference lies between the Opposition and the Government. The Government is looking at tradition and what has happened in the past and has come to terms with the unions.

We are looking at a commodity that is tradeable on world markets. Let us face it, the bulk of our coal goes to world markets. The Minister and I went overseas and had a look at the situation in Hong Kong. Coal exports from Australia are competing with exports from countries which are closer to Hong Kong. There is a question of cheaper freight and a faster turnaround of ships. This is all part and parcel of the mining operation. Yes, there is little doubt that they are big operators. There are big dollars involved. However, when there are people—and I am not going to say that they are superfluous—who do certain minor jobs, why do we have to entrench them in legislation?

Mr McGRADY: All I will say is that sometimes when people in the gallery listen to this debate, the impression comes across that these are new positions. They are not new positions; they have been there for a long, long, long time.

Mr Rowell: I said that.

Mr McGRADY: Yes, but I am saying that I do not want people to get the impression that these are new positions that we are bringing into the industry. They are not. The other point that I will make is that member should read the report that I tabled in the Parliament this morning about the future of the mining industry in Queensland and, in particular, the coalmining industry. I often think that we in this State and in this country sell ourselves short. In almost every place one goes, the people there cannot speak too highly of the Queensland coal industry. The type of coal that we mine is the best in the world, our record for getting the coal to the purchaser is second to none and, I am told, our work practices are second to none. Sometimes we have this philosophy that everybody else is better than we are. In the coal industry, our reputation is No. 1 in the world. When we are talking about safety in the industry—and I mentioned the word "tradition" in the industry, and it is a tradition; it has always been there—our safety position is No. 1. That is why I said that this issue is one of the 5% with which we could not come to agreement. I came down on what I believe to be the side of safety.

Obviously, from time to time this situation will be reviewed. However, for the purposes of this legislation, because of the deal that I struck personally with the relevant unions—and I have informed the Queensland Mining Council and they appear, obviously, to be more comfortable because of this protocol which we are going to set in place—I do not think that it is the big issue that it could have been earlier on. This position is not just filled by somebody who comes along at the beginning of the shift and gets paid for 38 hours or 40 hours. This person will have a job description. He or she will have to perform that task and then do work as directed by his or her supervisor.

Mr ROWELL: I have heard what the Minister has had to say. However, there is inconsistency between the metalliferous industry and an open-cut mine. In many respects, they are very similar operations. There is no demand in the legislation for this type of person in the metalliferous mines, yet because of tradition we are entrenching it in this legislation. Yes, it is an old position. However, I think that any industry has to move with the times, particularly when it is an export industry. Such an industry has to maintain its competitiveness. Yes, our mining industry does that very well, but it has to maintain that leading edge, otherwise those mines, as with other export industries, will decline. That is what we are on about in relation to this clause.

Mr SANTORO: I wish to support the comments of the honourable member for Hinchinbrook. I have not yet had the opportunity to peruse the report into the future of the coalmining industry that was tabled this morning by the Minister. However, I bet that when I do so over the next two or three weeks I will read in it that one of its recommendations will be that, for the Queensland and Australian coalmining to survive, it must remain competitive.

Mr Fouras: Your clairvoyance amazes me.

Mr SANTORO: The honourable member for Ashgrove who interjects would know that any sensible report into the coalmining industry would make that conclusion. Through this Bill, we are missing an opportunity to eliminate a cost from the industry. We have heard the honourable member for Fitzroy describe the positions in a not terribly flattering manner. We have also heard that, at the moment, there is no job description and there are no jobs to be done. We have heard from the shadow Minister and from other speakers in this debate that, in fact, there is an inconsistency between related Acts. We are missing a great opportunity, even in a small but nevertheless very symbolic way, to take a cost burden off the industry. If we did that, there would be no detriment to workplace health and safety within the industry.

When the Mining Council said, "Yes, we will cop it", I suppose it knew when it was beaten. There was no way that it could overcome that particular determination, so it went along with it. However, I think that it would have been incredibly well received—

Mr McGRADY: I rise to a point of order. I did not say that the Mining Council was deliriously happy about this. It is opposed to it, but I have tried to point out that, as a result of the negotiations that I had, they are more relaxed.

Mr SANTORO: Yes. Of course they would be, because obviously they want to get on with the Honourable the Minister and they want to get on with the Government. They try to be as relaxed as they possibly can. Nevertheless, the Minister cannot walk away from the major reasons why the Mining Council is not happy. This legislation introduces an inconsistency between related Acts. It entrenches a cost, it will be job creation for the sake of job creation and, in terms of sending out a very clear signal to an industry that is really suffering under so many other burdens—be it native title or environmental protection laws—it is a lost opportunity. In my view, it is an industry that is really crying out for a sign, and this is a missed opportunity for the Minister.

But the other point that I think is even more fundamental than the others that I have made is that we do not have a clue what we are approving. I accept the goodwill that has been expressed by the Minister that there is going to be a protocol put forward and that it will be negotiated. However, I think that at least the clause could have come in here as a draft regulation. I remember when I introduced an industrial relations Bill in this place. People were clamouring for explanations as to how the legislation would work. So I introduced draft regulations. I did that in relation to several Bills, including the Workplace Health and Safety Bill. I remember the honourable member for Gladstone saying that she will support most of the legislation—and I will return to the clause, even though this relates to workplace health and safety—but she wanted to know what the regulations were going to say. Unfortunately, we do not have the benefit of such draft clarity, if I can put it that way. It is for all of those reasons that we in

the Opposition will be calling for a division on this clause.

Progress reported.

UNIVERSITY OF QUEENSLAND; GATTON COLLEGE

Hon. T. R. COOPER (Crows Nest—NPA) (5.58 p.m.): I move—

> "That this Parliament condemns the progressive running down of the University of Queensland Gatton college and calls for the Queensland Government to support the establishment of an international centre of excellence in agriculture at Gatton college."

Gatton college, which is well known to most Queenslanders, if not all, is probably Queensland's oldest tertiary institution. For over 100 years it has been the nation's premier institution for agricultural education and research. Gatton college has a very high reputation not only in Queensland and Australia but also overseas. Over the past century, Gatton college has turned out literally thousands of quality graduates to a whole field of industries. However, despite this proud record, there is now a very real risk that if decisive action is not taken very soon, there is a possibility that Gatton college could well close down.

As most members will be aware, Gatton college is now part of the University of Queensland and has been since 1989-90. There has always been a loose relationship between the University of Queensland and Gatton college, but as a result of the Dawkins' enforced consolidation process, Gatton college formally became part of UQ. Prior to and at the time of consolidation, all manner of assurances were given that Gatton college would retain some autonomy until the eventual amalgamation of the two institutions for their mutual benefit.

A number of reviews have recommended that, in order to capitalise on the strengths of Gatton college and UQ, an international centre of excellence in agriculture be established at Gatton that would incorporate UQ's then faculties of agricultural science and veterinary science. In the years since then, we have seen aspects of the consolidation taking place. However, the vast bulk of this consolidation has been one-sided and to the detriment of Gatton college. The renowned Brahman cattle stud has been dispersed, as has the Arabian horse stud. The egg farm has been closed down and the administrative functions have been relocated to the St Lucia campus, just to name a few. Of most impact is the relocation of the business and hospitality faculties to the Ipswich and Brisbane campuses.

By the end of the year, Gatton could well have lost hundreds of students, further threatening the college's viability. Indeed, the loss of those students is already being felt with student numbers below the critical mass necessary to make the college economically viable and to enable student services to be delivered. While arguments can be made for the relocation of those courses, it is of very considerable concern that many associated with the Gatton college have watched the increasing reluctance to relocate the agricultural science faculty and elements of the veterinary science faculty to Gatton as previously planned.

The centre for international excellence in agriculture looks to be an increasingly unlikely prospect. In the midst of this, representations have been made to the Premier, the Education Minister and the Primary Industries Minister, but to no avail. All three have tried to wash their hands of any involvement in this issue and have avoided using the State Government's not insignificant influence to shore up the future of Gatton college. It seems that the Beattie Government is all too willing to watch the college wither on the vine and close down. One wonders whether we would see the same reaction from this Government if the Conservatorium of Music was at risk of closing.

The Beattie Government should be reminded that this is not just an issue in the electorate of Lockyer and should not dismiss it as politically irrelevant to its re-election chances. This is a public issue of great concern in south-east Queensland and, indeed, throughout Queensland. As such, all people, including politicians, are entitled to a view and to represent their people. All stakeholders, industry staff, current students, past students and potential students have a desire to see Gatton college continue and prosper. The centre of excellence is the means to achieve that.

Further, the Borbidge Government also initiated the establishment of a world-class animal health institute. The first stage of that process involved examining the feasibility of co-locating the veterinary laboratory facilities of the DPI, the university and the CSIRO. Those agencies' existing facilities are ageing and in need of upgrading or replacement. It makes eminent sense that, rather than all three bodies investing money in bricks and mortar, their resources be pooled and invested in one facility so that more money can be directed

into actual research, education and extension. On top of that financial benefit, there is a tremendous benefit in developing much closer relationships between the three bodies, staff researchers, lecturers and students for their mutual benefit. That study was investigating two locations, with Gatton college one of the favoured sites. Queensland has massive potential to become a world leader in animal health and the animal health institute would help achieve that. Regardless of the final location, Gatton college would have played a huge role in the institute, further shoring up the college's pre-eminent place in tertiary education. It has been of considerable dismay to the coalition that this vision has not been carried over by the Beattie Government. Only a few weeks ago on ABC radio in Toowoomba the Primary Industries Minister virtually sounded the death knell for the project.

In discussing the future of Gatton college, it would be remiss of me not to acknowledge that the number of students entering tertiary education in agricultural fields has declined over the years. This has had an effect on most agricultural institutions around Australia. It is not only Gatton college that is suffering a downturn. Two reasons are often offered to explain this. One is that as technology improves there is an overall lesser requirement for employees in the agricultural field, and that is possibly true to some extent. The other is a more serious reflection on the situation in many of our primary industries, that is, that many young people either do not want or cannot see a future for themselves in those industries.

Despite the advance of technology, there will always be a requirement for quality graduates schooled in agricultural and veterinary science in all manner of pursuits. The Premier has often talked about biotechnology as a booming industry. Biotechnology is increasingly significant in the agricultural industries and will require graduates. Biotechnology and the animal health institute would go hand in hand.

There is a future in agriculture for young people. Whether members opposite acknowledge it or not, this country and particularly this State still rely on our primary industries. While commodity prices have not been the best in many industries and the climate has played havoc with the fortunes of many of our farmers, there is a future in agriculture and it is a bright one. Our primary producers are some of the most efficient in the world, and our products are internationally regarded for their quality and their clean, green status. Primary industries are one of our greatest strengths. We would be capitalising on that strength. The Queensland Government does have a role to play in creating that future. All it requires is some vision on the part of the Beattie Government, some commitment to the future of our primary industries and some commitment to encouraging young people to seek careers in agriculture.

The future of Gatton college is paramount to the future of our primary industries. It is extremely disappointing that the uncertainty surrounding the future of Gatton college has been allowed to continue by the Beattie Government. For a Government that claims to be a can-do Government, it has done very little as far as Gatton college is concerned. However, I am not here to dwell on the indifference, to date, of the Beattie Government.

This debate is about sensible and positive ideas and initiatives to put Gatton college back on the road to success in the year 2000 and beyond. It is not a negative and destructive debate, but a positive contribution. This motion calls on the Government to do something constructive. It calls on the Queensland Government to make an investment in the future of agriculture and the future of Queensland.

The Queensland Nationals are deeply concerned about the situation that Gatton college finds itself in. We seek the bipartisan support of all members to ensure that this invaluable institution is not lost through a lack of foresight or a lack of vision. I call on all members to support this motion for the establishment of a centre of excellence in agriculture at Gatton college.

Recently there has been some talk from various quarters that politicians should butt out of the debate, but this is a public issue. Gatton college, which has such a long history, involves all people whatever their political colour and whatever their walk of life. If people have a deep feeling for Gatton college and its future, they should be entitled to express their views and express them constructively and well. That is what we on this side of the House are doing. This is a constructive discussion about the future of Gatton college. It is not a question of people laying blame at the door of the University of Queensland or anywhere else. It is a case of recognising that the college has had a wonderful past and it has given us a lot. Therefore, we need to look after it and re-establish it, utilising modern technology. That is all we are saying. We do not want to see the college go down.

It is when little appears to be happening that people start to get worried—very worried—especially those in the Gatton area. However, this issue affects all of south-east Queensland, and indeed the whole State if not the nation, because of the contribution that that college has made. No-one will lie down on this issue. We want to ensure that we do something constructive. We would rather it do it together than to fight and squabble over it. I hope we get a constructive contribution from the other side of the House. I have great pleasure in moving this motion.

Mr HORAN (Toowoomba South—NPA) (6.09 p.m.): It is with pleasure that I second the motion. As the member for Crows Nest has outlined, this motion is positive and is a proactive attempt to end the uncertainty surrounding the future of Gatton college and to secure its position as an international centre of excellence in agriculture.

It is of considerable concern that Gatton even finds itself in this situation. As an already internationally recognised tertiary institution, Gatton college should be building on its strengths and moving on to even higher levels. Seven professional studies have shown that. Instead, student numbers and facilities have been gradually run down, to the point at which the viability of the college is questionable. The studs have gone, the paddocks have been leased off and the business and hospitality courses will go at the end of this year.

Although it is true that the University of Queensland Senate manages the activities of the campus—that will inevitably be thrown up by Government members tonight as the reason for their inactivity—the Queensland Government and the State of Queensland have a huge investment in the future of Gatton college. We have seen what this college has done for this State in its 100-year history. It is time that the Queensland Government took a leading role in realising the potential of this great educational investment.

As the member for Crows Nest has pointed out, the established plan for Gatton to become an international centre for excellence in agriculture has been around for some years but, in recent times, has met with opposition. That opposition seems to revolve around the reluctance to relocate the agricultural science faculty and the veterinary science faculty from St Lucia to Gatton college. A whole range of diverse reasons has been put forward, from the reluctance of staff to move from St Lucia to Gatton campus or even to commute, to the dependence of these facilities on others at the St Lucia campus—and in the case of the veterinary school, its historic ties with Pinjarra Hills—and to the claim that Gatton does not have sufficient numbers of animals or livestock. Most of these problems are easily surmountable.

Gatton is but a short trip from the western suburbs of Brisbane. It is an hour from the centre of Brisbane and a half hour from Ipswich and Toowoomba. With an investment in improving the facilities at Gatton college through projects such as the animal health institute, it could be up with the best in the world. It has some of the best land in Queensland. For some years, it has been recognised as one of the greatest sites anywhere in this State for an institution of this scale. It is not subject to the increasing urbanisation of Brisbane and it is close to major towns and cities that can provide small-animal, dairy, piggery, horse stud and horticulture facilities. You name it, it is there, virtually within walking distance.

We have heard a lot of rhetoric from the Beattie Government regarding jobs and regional development and its so-called commitment. However, if it cannot give some decent support to this institution, it is clearly a can't do Government. While the Beattie Government maintained the commitment of the former coalition Government to boosting Queensland's biotechnology research and development capacity, we have not seen the same commitment to rolling out some sort of research and development initiatives outside the south-east corner. As a centre of excellence, the Gatton college offers this unique opportunity. Here is the Government's chance. Queensland depends on our primary industries and will always do so.

The vision of the former coalition Government to establish the Queensland Centre for Climate Applications in Toowoomba is putting us on the world map in terms of climate research and extension. Queensland now has an opportunity to put itself on the world map in terms of agriculture and veterinary research development, extension and education, and that opportunity lies on the outskirts of Brisbane halfway between Brisbane and Toowoomba at Gatton college. The Beattie Government should take the issue out of the too-hard basket and show some vision and give a real commitment to rural Queensland.

Primary industries are encountering the same sorts of graduate shortages that we have seen with respect to shortages of doctors in the bush. Veterinary students from the bush and those going back to practise in the bush

after graduating are becoming increasingly scarce. Agricultural scientists are in demand. It is time for the Beattie Government to deliver on its rhetoric and show some real, solid commitment. The State Government has influence over the university. It controls its Act and some of its funding. It is time to urge the University of Queensland Senate to see the potential of this college.

The leadership of Professor Hay is vital. Previously, he has made some strong comments in support of the Gatton campus. With good, strong leadership, a vision for the future and an understanding of this true icon of the Queensland rural community, we will realise this once-in-a-lifetime chance. The staff of that institution, its location and teaching facilities are second to none. Universities around the world would fall over themselves to have a facility and an opportunity such as this. But this initiative needs Government support, and we demand that that support be given.

Time expired.

Hon. D. M. WELLS (Murrumba—ALP) (Minister for Education) (6.14 p.m.): I move the following amendment—

> "Delete all words after 'Parliament' and insert—
>
> 'urges the University of Queensland, which has responsibility for Gatton College, to build upon the College's proud history of achievement.
>
> Parliament notes however the fact that the University of Queensland Senate has not made decisions which would provide a clear direction for the future of Gatton College, thus causing uncertainty in the community.
>
> Parliament notes that the University Senate is considering a Centre of Excellence at Gatton College, and encourages the University to give further consideration to the proposal as a means of ensuring the future viability of the Gatton Campus.
>
> Further, this Parliament calls on the Federal Government to guarantee that the University receives appropriate funding to ensure such a vision for the College can be realised.'."

The honourable members opposite stood up and said that they wanted to be bipartisan with respect to their motion and that they wanted to achieve a consensus. Then they said all sorts of unpleasant things about the Beattie Government. They could not even stop themselves from being sarcastic in exactly the same breath as they said they wanted to be bipartisan. I will not mince words. We are not going to be bipartisan with people who approach this issue in that sort of mean-spirited way. Where do honourable members get off by saying, "I'm going to give you a kick and then you can vote with us"? Honourable members opposite are out of luck. Our amendment is framed in terms different from their motion. I will not be bipartisan; I will criticise them and their side of politics.

In the last year of the National Party Government the Gatton college had 1,850 enrolments. This year it has 2,800. That figure speaks volumes. The problem that has occurred at Gatton college is a problem which is universal in our university system, but which is particularly acute at Gatton college. The problem at Gatton college is that the increases in student numbers were not funded by the Commonwealth Government. Every university in Queensland is overenrolled in the sense that the universities have had to take on students beyond the number for which they are funded by the Commonwealth Government, because that penny-pinching economic rationalist, mean-spirited and myopic Government—

Mr Cooper: You are being nasty.

Mr WELLS: But I did not say that I was not going to be, and the honourable member did. That myopic Government has not funded universities properly. In fact, growth funding for universities in Queensland is not projected to continue far beyond the turn of the century. They have not locked it in. That is at a point when there will be an increase in the number of people in that particular age cohort. The problems for Gatton are really the problems of the entire university system, except that they are particularly acute there. This is part of the familiar pattern of unfunded places. Nevertheless, Gatton is operating well in comparison to other Australian agricultural colleges, some of which I understand are running on less than 40% capacity.

If we say that we would like the Gatton campus of the University of Queensland to flourish further, this is not to underestimate what has been achieved so far at that campus, nor is it to underestimate the possibility of what might be achieved at that campus. There has been a serious decline in demand for agricultural places and courses. The agricultural revolution did not end with the invention of the stump-jump plough. Agricultural technology has advanced enormously and continues to increase exponentially. The consequence of that is that the demand for the types of courses that have

been traditionally taught at Gatton may be going down, but courses related to agriculture, particularly in business and various kinds of technology, may increase. It is essential that we should seek to lock into all of that.

At the time the Gatton college became effectively the Gatton campus of the University of Queensland, the merger itself attracted no additional Commonwealth money, places or capital support from the Commonwealth Government, which is the funding authority. However, in Queensland, despite the responsibility of the Commonwealth Government—

Mr Horan: Under the myopic, mean-spirited Labor Government that happened.

Mr WELLS: I did not say that I was going to be pleasant. Despite the responsibility of the Commonwealth Government, the State Government makes a significant contribution. $780,000 a year is provided in funding by the State Government for the Gatton college.

Time expired.

Hon. H. PALASZCZUK Inala—ALP) (Minister for Primary Industries) (6.19 p.m.): It gives me great pleasure to rise to second the amendment moved by the Minister for Education. The Gatton college, formerly the Queensland Agricultural College, has established an enviable record as an education institution over more than a century. I strongly endorse the amendment moved by the Minister for Education. I do so because I recognise the importance of Gatton college not only to the local communities but also to agriculture.

The local communities want an unequivocal commitment from the university to Gatton college. They deserve that commitment. It must be a clear commitment. The absence of a clear commitment from the university has caused unnecessary uncertainty in Gatton and the surrounding areas. It is a matter about which I have spoken at length with the Mayors of Gatton, Councillor Bernie Sutton; Laidley, Councillor Shirley Pitt; and Esk, Councillor Jean Bray. I have also spoken to the member for Lockyer about this and, of course, with the University of Queensland, in particular the Vice-Chancellor, Professor John Hay.

I make no apologies for the fact that I am a strong advocate of Gatton college. I believe that the University of Queensland must commit itself to developing the college as a centre of excellence for food and fibre production. My department already has developed a number of partnerships with the university in this regard. I will return to these partnerships later. The decision regarding future activities is a matter for the University of Queensland. That is why I am seconding this amendment and that is why I believe all members of this House should support it.

Earlier this year the Department of Primary Industries and the University of Queensland released for public comment a report on a Queensland animal health institute concept. Stakeholders were advised at that time that there was in-principle agreement that the proposed Queensland animal health institute be located across three sites: at Gatton, Toowoomba and St Lucia. The stakeholders were also advised that the proposed joint venture was between the University of Queensland and the Department of Primary Industries, with CSIRO invited to join either as a full partner or on a project by project basis. Submissions received during the public consultation period are being examined. Again, this highlights the need for the University of Queensland to make an unequivocal public commitment to the college.

My Department of Primary Industries has strengthened a number of synergies it has had with Gatton college in recent times. DPI has developed important partnerships with industry and Gatton college, including the Australian Tropical Dairy Institute and the Australasian Pig Institute. The Australasian Pig Institute is a joint venue between the Department of Primary Industries, the University of Queensland and the Queensland Pork Producers Organisation. This partnership positions the institute well to enhance the profitability and sustainability of the pig industry through integrated and focused research, development, education, training and extension.

I would like to briefly refer to the Rangelands Australia proposal, which was unveiled at the international Rangelands conference in Townsville. The Department of Primary Industries has supported this proposal with cash and in-kind support to take the concept to a business plan stage. The concept covers the Northern Territory, South Australia, New South Wales and Queensland, with a central node to be at the Gatton college. The business plan has been recently completed, and I intend to take it and discuss it with the Federal agriculture Minister, Warren Truss, and other State agriculture Ministers at the next ARMCANZ meeting early next month. Therefore, I fully endorse the comments made by the Minister for Education and urge all members in this House to support the amendment.

Hon. K. R. LINGARD (Beaudesert—NPA) (6.23 p.m.): Queensland has the chance to build a world-class animal health institute, but to do so it needs the cooperation of the four groups: the Queensland University Senate, the DPI, the CSIRO and, most importantly, the Queensland Government.

The Queensland Government cannot withdraw from this debate by putting up an amendment which says that it is the responsibility of the university senate. In the structure of any university, people must realise that the State Government provides the land, the Federal Government provides the costs of the building and then the university senate runs the whole complex. But it needs the alliance of those four groups and, most importantly, this particular institute needs a co-location and certainly the university senate believed prior to 1995 that that co-location should be at Gatton.

Let me have a look at the responsibility of the Queensland Government in this particular situation prior to 1995 and that of the then Minister for Education, David Hamill. It was his restructure of the university senate which changed the opinion of the senate, and it was his most disgraceful action to increase the number of places, to be provided by the Queensland Government, that caused that difference, because at that time we were allocated places by the Federal Government. We argued continually, but we were given places. Then in that blatant use of ministerial power, the Minister for Education, David Hamill, wrote and said to the Queensland University Senate, "I will give you places as long as you provide the university at Ipswich." That university at Ipswich was to be at the railway yards, and everyone knows that that was not a suitable site. It was a contaminated site. It was historically significant and the university senate did not want to use it.

Such was the embarrassment that finally the coalition Government had to change the site from the Ipswich railway yards to the Challinor Centre. That was a blatant use of ministerial power to bring the places to the fore against the university senate and say, "I will only give you those places if you put the university at Ipswich." That is what is happening here indirectly, because it is the removal of the business facility and the hospitality facility, which is all coming back to Ipswich, which is clearly affecting Gatton. However, that does not mean to say that an animal health institute could not be built at Gatton; it certainly could.

The other thing that the Queensland University has to look at is the problem of transport—people moving to the university site at St Lucia. This is a reason why we should move towards a centre such as Gatton. All the traffic for the university at St Lucia travels through Toowong and Indooroopilly. There have been many significant decisions, but one of the most significant was that a bridge would not be built across the river to Yeronga. That stopped any exit of the student population in that direction.

It was unfortunate that the university senate and the Queensland Government did not go ahead with the purchase of Boggo Road in order to make it into a university site. When one looks at a plan, one sees that the Boggo Road site is extremely close to the University of Queensland. It would have been very advantageous to use the railway station near that site to transport students to there and then move them via a bridge across to the university.

Mr Fenlon: You have got no idea about Brisbane suburbs—no idea at all.

Mr LINGARD: No idea! I was seven years on the university senate and I discussed this with the university senate, yet the member opposite sits there and says that I have no idea.

That was a very significant decision and it is a decision—

Mrs Edmond interjected.

Mr LINGARD: Many, many times.

It is a decision which would have certainly helped in this situation. Unfortunately, now the university senate has been forced to build car parks—monstrous car parks—and continue this flow of students through Toowong and Indooroopilly to the St Lucia site. As the demand for university places increases, there is no doubt that the university is going to have to make some very hard and significant decisions in regard to the faculties that it keeps at St Lucia. If it is the case that sites such as Gatton can be used, I believe that that is the way that we should go.

However, this Parliament should look at the effect that the then Minister, David Hamill, had on this issue when in 1995-96 he forced the senate to use the site at Ipswich and to build a university there by blatantly saying, "You cannot have your university places unless you build this university in my homeland." That is clearly affecting Gatton and, clearly, moving hospitality and business to Ipswich is affecting Gatton.

Dr CLARK (Barron River—ALP) (6.28 p.m.): I am very pleased to support the amendment to this motion tonight because it puts the responsibility for decision making regarding the future of the Gatton campus fairly and squarely where it belongs, and that is with the Senate of the University of Queensland. It is the decision-making body. It is interesting that the Opposition called on us to actually get behind the senate as if there was a proposal on the table. In fact, as our amendment also points out, there has been no decision. It says—

> "The Parliament notes however the fact that the University of Queensland Senate has not made decisions which would provide a clear direction for the future of Gatton College ..."

The point is that it has not made a decision. As members opposite would know, a review is actually being conducted at the moment by the university to look at the future in relation to the faculties of natural resources, agriculture and veterinary science.

It has to have that review to determine the future, but why is it in that situation of having to conduct that review and why is there this uncertainty? To find out we do not have to go much further than the letter sent by the vice-chancellor to Senator Boswell. The letter, dated 30 June, states—

> "The cuts in the forward estimates for funding of universities introduced in the Government's 1996 budget were linked to cuts in the number of places being supported, resulting in pressure to cut intakes from previously planned levels.
>
> These cuts in funding, and the continuing absence of support for pay increases to match community wage movements, have placed pressure on the University to restructure and rationalise its operations in order to make more effective use of expensive resources, particularly its staff, and to improve productivity."

This is the basis of the problems.

I was amazed to note that the member for Crows Nest never even mentioned the Federal Government in his speech. At least other speakers have acknowledged a role for the Federal Government. It was as if the only level of Government responsible for funding for universities was the State Government, when he knows full well that that is not the case.

The policies of the Federal Government in relation to higher education are causing problems the length and breadth of the country, as those opposite would know. I will give a couple of examples of courses or campuses that have been closed. This is the impact of the Federal Government's cuts to operating grants to universities. It is most clearly observed in cuts to these particular areas. At the Northern Territory University, the English Department has gone. At the Australian National University, the Russian Department has gone. At the University of Tasmania, Launceston and Hobart courses have been moved to other campuses. At La Trobe University, the Music Department has gone. At Monash University, the Department of Classics, Pure Maths and English has gone. At Deakin University, the Rusden Campus has gone. All universities are facing these kinds of pressures. Unfortunately, it is no different in Queensland.

People would know that I have been closely associated with James Cook University. It is in an equally difficult situation because of Federal Government policies. It wants to expand on the Cairns campus. It is using demountable buildings because it does not have the support it needs from the Federal Government.

I think we need to recognise that that is the situation and look to see how we can call on the Opposition to use its influence with the Federal Government. Why is it not out there doing the work with its Federal colleagues? Why is it not out there trying to get the support that everybody knows is necessary if this is to go forward?

Even in light of that, I think it is important to again refer to the letter received by Senator Boswell, because it sets out very clearly the situation with respect to the campus at the moment. The vice-chancellor's letter states—

> "In these circumstances the University has an obligation to subject all its activities to rigorous review. It should be permitted to undertake these reviews in a collegial and objective manner and not be forced to conduct them on the basis of often ill-informed media and other public comment."

I think that is a very telling point. Where is that coming from? I can only imagine that it is coming from the members opposite. What is the effect of that? Again I refer to the vice-chancellor, in a letter to Dean Wells. It states—

> "In recent months a massive program of mischievous mis-information has resulted in unnecessary anxiety about the future of UQG but has almost certainly helped dissuade many students from considering Gatton among their options."

So the very people in this House who are saying that we should be getting behind Gatton are by their own actions dissuading students from going there. They should have been acting a lot more positively. Then we would not have the problems we are experiencing now.

Mr ELLIOTT (Cunningham—NPA) (6.33 p.m.): It gives me much pleasure to rise in support of the motion moved in relation to the establishment of an international centre of excellence in agriculture at Gatton college. I have had a lot to do with Gatton college over the years. Before I came to this place I played in the A-grade Rugby Union competition on the Darling Downs. I had a lot to do with a lot of the students at Gatton college. I am very well aware of their tremendous fears and concerns. Those on the other side of the House are thinking of undermining a wonderful historical campus at Gatton.

Mr Cooper interjected.

Mr ELLIOTT: They are very negative. I am surprised at their negativity because, quite frankly, we all should be working together to ensure that Gatton can be what it should be. I put to members opposite there is no other relevant site anywhere in Queensland that is suitable in the way that Gatton is. Where else could we find 2,000-plus acres of magnificent agricultural soils with the sandstone ridges that it has to build on? It has excellent areas for building. It has wonderful soils. It has all the facilities we could possibly want in order to run a facility such as this.

Quite frankly, a lot of this comes down to jealousy. Gatton college is older than the University of Queensland. It has had its centenary. Obviously there are a lot of people at the university who feel threatened by the Gatton college history. I think we should put all of that aside and just look at what is there and what could be there in the future. Surely we are all here to ensure the continued viability of Gatton as a campus and a potential centre of excellence.

I am amazed that the Minister for Education would get up here and carry on in the way that he has. I know that the Minister for Primary Industries does not share his vindictive attitude. All those people who do have a positive attitude towards this project should be working together to ensure that these facilities are brought to fruition.

We are talking about some $30m to upgrade the facilities at Gatton. Surely it is not beyond us to put pressure on the Federal Government and to work with the State Government and with the campus through its board, college council and so on. That is just a starting point. The college has the potential to be anything anyone could want it to be.

I turn to the suggestion that this site and this college do not have sufficient animals. They have a massive number of their own animals there. They have the ability to run large numbers of animals there for the purposes of veterinary students.

Mr Palaszczuk: The big animals are west of Toowoomba.

Mr ELLIOTT: Yes, but that is no distance away. People only have to go on top of the range. There are a whole lot of studs on either side of the Lockyer Valley. There are studs up on top of the range. There are so many horses. At the top of the downs is probably the largest conglomeration of horse studs and horse numbers just about anywhere in Australia. It is an absolute nonsense to suggest that those numbers are not within reasonable distance of Gatton. I suggest to those people who are concerned and who do not want to go and work at Gatton because they are able to commute easily to the university facilities—

Mr Hayward: You have hit it on the head.

Mr ELLIOTT: I think I have hit it on the head, as the member said. I suggest that it is not too far for people to drive. There are large numbers of people who travel from Toowoomba to Gatton. Quite frankly, if you live within striking distance of the University of Queensland it is not much further to drive back to Gatton. I am sure that in time we will see the advent of the rail extension all the way to Gatton. People will be able to take an electric train to Gatton. Surely it is not much to ask those people to be prepared to go to Gatton and to work there. I urge support from everyone in this Chamber tonight to ensure that Gatton sees the establishment of this centre of excellence.

Time expired.

Hon. K. W. HAYWARD (Kallangur—ALP) (6.38 p.m.): It is a pleasure to speak to the amendment moved by the Minister. I am sure that at the end of the night it will be supported by every member of this Parliament.

The member for Crows Nest said that he wanted to ensure that this was a constructive debate and that people spoke positively. In general, I think this debate has been a positive one because, in the end, it is about an educational institution that has stood the test of time. It is an important part of education and of the community of Queensland.

Everybody in this House would know a number of people who have been educated at the Gatton college. There are probably a number of members who have been educated there. For instance, former Treasurer Keith De Lacy was educated at Gatton college. I think a lot of students who have gone into agriculture but have not been involved in standard fields of study, such as wool and wheat, have been educated at Gatton college. I think they have also gone into some of the emerging industries such as cotton and macadamia nuts.

As the member for Crows Nest said, let us make this a constructive debate. I think it has been. And let us make it positive. I am sure it has been. But it did not get off to a good start with this press release headed "The Queensland Coalition". Obviously they are at pains to distinguish themselves from the Federal coalition.

Mr Cooper interjected.

Mr HAYWARD: The member knows what I am going to say. This is constructive debate via a press release. How constructive is this? It is headed "'Do Nothing' Beattie Government Risks Gatton College Closure". Seriously, what we have heard tonight from members in this Parliament makes one wonder. In the political context, when one sees a press release like that, it becomes harder and harder to talk about it in a positive way.

I believe that it is important to consider the Senate Estimates debate on this involving the Leader of the National Party in the Senate, Queensland Senator Boswell, who has a different view from that expressed by some members opposite. Queensland Senator Boswell said—

> "As I said, I do not completely understand this ..."

We can accept that, because that is him. But then he goes on and says—

> "... but surely if the Commonwealth government pays the money then they must have some input into where that money is spent."

Tonight I have not heard anybody on this side of the House talk about where the money comes from to run that important educational institution at Gatton. But in the end, as Senator Boswell says, that is where it comes from.

I return to this press release. It says—

> "And if Mr Beattie wanted to really assert some influence with the University, he could tie the State Government's multi-million dollar funding support for a range of initiatives to the guaranteed relocation of the vet and agricultural science facilities from St Lucia to Gatton."

The former Health Minister and I were talking about this before, because we do know about this. We cannot stand over them like that because, in the end, we will get no result.

When talking about this issue, Senator Boswell asked Senator Ellison—and I am not sure what Senator Ellison is, but I get the impression that Senator Ellison represents the Education Minister in the Senate—

> "... is it within the responsibility of your department to make a decision whether we are going to have an agricultural college, or are we just going to let it fall over?"

Senator Ellison realises the problem—the issue of dealing with it—and says—

> "Senator Boswell, I will take this up with the minister and we will take on board the concerns you have raised."

Serious concerns have been raised by many members tonight. Then Senator Ellison says—

> "The Commonwealth could perhaps take up with the university the concerns that you have raised as well."

So in the end, it is time for the University of Queensland itself to realise that it has caused uncertainty in the Lockyer Valley and beyond that, and it is time for it to address the uncertainty.

Time expired.

Mr SPRINGBORG (Warwick—NPA) (Deputy Leader of the Opposition) (6.43 p.m.): It is my pleasure to rise to support the motion moved by the honourable member for Crows Nest and Opposition Primary Industries shadow Minister with regard to providing support and recognition to the University of Queensland Gatton campus, and also calling on this Parliament to establish an international centre of excellence in agriculture.

I think it is fair to say that each and every member of this Parliament has a deep appreciation of the wonderful job that has been done by the Gatton college over a long period. It is affectionately emblazoned upon the minds and in the hearts of many people throughout Queensland, particularly many people in rural and regional areas, and, I think it is also fair to say, on the minds of many people in the metropolitan areas of Queensland, because many of them have been through that particular institution and

have studied there or know somebody who has.

I had the very great pleasure, at a young age, of being selected from the Year 7 class at the Yelarbon State School—and there were not many students in the Year 7 class at the Yelarbon State School—to go to the Gatton college for about a week as part of an immersion process for students from small rural schools. I had the opportunity to appreciate the work which was done there. As a young person who grew up on a farm, I probably thought I knew the practical aspects—and I did—but I had an opportunity to see the theoretical aspects of agriculture, such as crop breeding and animal husbandry, and the way in which those theoretical aspects are transformed into practical aspects in a way in which I had not previously seen them. Emblazoned on my mind is a very deep appreciation of the work that they have done there over a long period.

People are coming to members who represent rural constituencies—such as my colleague the honourable member for Toowoomba South, the Opposition spokesman for Primary Industries and the member for Cunningham—all the time expressing concern about the future of the Gatton campus. People who have been through that college are very, very worried about that. They are calling for clarity and for support for the Gatton college from the legislators of this State.

I recognise that some of those issues are beyond our control, but this evening there is an opportunity for this Parliament to state very clearly and concisely, through the motion moved by the honourable member for Crows Nest, the sorts of things that we can do. There is also the opportunity for vision from the Government about the sorts of things that we could do, as well. When we were in Government we were looking very seriously—and it was at a very advanced stage—at establishing an animal health institute at either Toowoomba or Gatton. That involved the consolidation of the vet lab facilities of the University of Queensland, the CSIRO and the Department of Primary Industries. I think that that would have been a good innovation.

There is also an increasing awareness of and drive towards biotechnology. The State Government has an opportunity to work towards establishing greater opportunities at the Gatton college. Biotechnology, as everyone in this Parliament would appreciate, is where a lot of the future in agriculture lies. There is no doubt about that. We have seen some fairly significant changes in that sector over the past few years, and we are going to see a lot more changes. That has enabled our primary producers to keep in front—even though it is very, very tough—of rising costs and falling commodity prices. I believe that there is a great opportunity for further innovation and further investment in that sector well into the future.

When in Government, the coalition very clearly stated its intentions and put its credentials on the line when it established the Queensland Centre for Climate Applications in Toowoomba, which complemented what was being done at Indooroopilly. There is a wonderful building out there, and they have some of the world's leading climatologists. They are at the cutting edge.

That is the sort of vision that we in this State can have. The coalition certainly had it. I believe that it behoves all members of this Parliament, particularly members of the Government, to forget about their amendment and to support this very, very positive motion moved by the Opposition tonight, because it expresses very strong support for the Gatton college. It expresses that we should be doing all we possibly can to develop an international centre for excellence there. That is something that we can do practically and viably, and I believe that it deserves the support of all members of this Parliament.

Time expired.

Mr REEVES (Mansfield—ALP) (6.50 p.m.): It gives me great pleasure to rise to support the amendment moved by the Minister for Education regarding Gatton agricultural college. The Vice-Chancellor of the University of Queensland, Professor John Hay, has publicly reaffirmed the university's commitment to the continued development of Gatton college. In 1989—its last year of operation as an independent college of advanced education—the college had 1,850 students enrolled in its courses. Ten years later, as an integral college of the University of Queensland, the college has 2,800 enrolled students—an increase of more than 50% over the decade. None of these extra students has been funded by the Federal Government. Members opposite should be pushing their Federal counterparts to put their money where their mouths are.

It is the university's desire to enhance the future of Gatton college; it has no intention of closing it down. In these days of declining Commonwealth funding, the university could

not permit its numbers to run down to the extent that it becomes an uneconomic activity.

Agriculture, as we used to know it, has changed and has become a more scientific field of study involving a high level of technology. This is not as attractive as it used to be to students whose family background was on the traditional farm. Nevertheless, Gatton college occupies a unique place in the Queensland education system.

Members opposite who were responsible for producing the Queensland coalition press release need to go back to university and study theology. That media statement reads—

> '"Mr Palaszczuk has joined the Premier and Education Minister Dean Wells in writing off the future of Gatton College and now, just like Judas, is trying to wash his hands of any involvement,' Mr Borbidge said."

I think Mr Borbidge should undertake some theology studies because in fact it was Pontius Pilate who washed his hands of the whole affair. I think those opposite need to study the subject a little further and should check their facts if they are going to make such statements.

Nevertheless, there is a whole range of career options open to those with an interest in the new realm of agriculture. It is the plan of the University of Queensland to focus on the attractiveness and employment prospects of this new emphasis.

The University Senate will consider the options paper on the deployment of university resources to the Gatton campus within the next few months. There is an underlying current of support to make good use of the facilities and resources of the college to produce graduates with the skills to benefit regional and rural Queensland. The college has been doing that for years.

The coalition media statement attacks the Beattie Government for calling summits to support compulsory student union membership. Student union membership is of great benefit to Gatton college. Gatton college has had many good sporting teams over the years. I know that it has quite a good Rugby League side. Without student unionism the college would not have the ability to fund the sporting teams which compete with other universities in south-east Queensland.

Gatton college has a proud history. The college will continue to operate under the Beattie Government as long as the Federal Government gets behind the college and supports it. Instead of sending out these media statements, the Opposition should be attacking the Federal Government over its treatment of the university system. The Opposition should be attacking the people who are causing the downgrading of the university system, namely, the members of the Federal Government.

Question—That Mr Wells' amendment be agreed to—put; and the House divided—

AYES, 44—Attwood, Barton, Black, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, Dalgleish, Edmond, Elder, Feldman, Fenlon, Fouras, Gibbs, Hamill, Hayward, Lucas, McGrady, Mickel, Mulherin, Musgrove, Nuttall, Paff, Palaszczuk, Pearce, Pitt, Prenzler, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Turner, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 29—Beanland, Borbidge, Connor, Cooper, E. Cunningham, Davidson, Gamin, Grice, Healy, Hobbs, Horan, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Pratt, Quinn, Rowell, Santoro, Seeney, Simpson, Slack, Springborg, Stephan. Tellers: Baumann, Hegarty

Pairs: Mackenroth, Veivers; Nelson-Carr, Goss; D'Arcy, Mitchell; Beattie, Sheldon; J. Cunningham, Johnson

Resolved in the **affirmative**.

Motion, as amended, agreed to.

GRIEVANCES

Australian Labor Party State President

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (7 p.m.): I rise to express the gravest possible concern at what would be one of the most obscene acts of political cronyism, if the media reports tonight are correct, and that is the pending appointment by the Beattie Labor Government of the State President of the Australian Labor Party in Queensland to the State Industrial Commission. A number of weeks back, this matter was raised in this place. Of course, at that time the Government fudged the issue. I can imagine the outrage that we would have seen from the Labor Party benches if Joh Bjelke-Petersen had given Bob Sparkes a job or if I had appointed David Russell to a position. The position pays $160,000 a year and, if one is lucky, one stays there until one is 70.

In my 19 years in this Parliament, I cannot recall such a blatant act of political cronyism. It will debase and devalue the institution of the State Industrial Commission in Queensland. It is morally wrong and repugnant. If Mr Brown has a shred of decency, he should refuse to accept the appointment. If he does so, he will

not have used the presidency of the Labor Party to try to give himself a job for life.

This is typical of the arrogance, contempt and the jobs for the boys and the jobs for the girls under the Beattie Labor Government, whether it is appointments to the courts, appointments as magistrates, or, as now, appointments to the State Industrial Commission. But of all the shabby, shonky appointments that Labor has presided over, never before have they appointed their State president to a position of influence in this State.

Time expired.

CFMEU/QMBA Charity Ball

Mr WILSON (Ferny Grove—ALP) (7.02 p.m.): Alfie Langer is still very popular in the construction industry, even if the Leader of the Opposition does not want to listen. Last Saturday night, Ray Klane from Southgate Constructions paid $10,000 for a Brisbane Broncos guernsey signed by Alfie Langer. It was one of four guernseys auctioned at the 4th biannual CFMEU/QMBA Charity Ball. A total of 570 people from across the construction industry attended and it was my privilege to be there along with my colleagues Pat Purcell, the member for Bulimba, as master of ceremonies, and the Honourable Wendy Edmond, Minister for Health, representing the Queensland Government. There were over 43 major sponsors. Everyone's generous support has helped sick kids at the Royal Children's Hospital breathe easier.

Each year throughout Queensland, about 9,000 kids seek respiratory care. That care could not be provided directly or indirectly through the respiratory unit without the magnificent support of the CFMEU and QMBA through the ball and the committed members of the construction division of the Construction, Forestry, Mining and Energy Union, who annually make a $10 voluntary donation. Since 1991, $490,000 has been raised. This year, the second year involving the Queensland Master Builders Association, $100,000 was raised on the night. This financial year, donations from CFMEU members were $28,000.

Clearly, the ball has become the premium charity fundraiser in Queensland. These funds constitute the largest contribution to the Building Workers Industrial Union Respiratory Unit, which is now a centre of excellence at the hospital. Cooperation in the industry was the theme of the night. Congratulations to the CFMEU, the QMBA, the many generous sponsors and supporters and also to those who organised the ball. We all benefit because our kids are better off, and thanks Alfie Langer.

Car Parking for Persons with a Disability

Mr SANTORO (Clayfield—LP) (7.04 p.m.): People who park in specially allocated parking bays for the disabled are acting in a very unfair way towards their fellow Queenslanders who are not as able as others to get around and who, therefore, are provided with special consideration. The Traffic Act provides for local governments to make laws to manage roadside parking in their local government areas. These laws should be toughened to provide a genuine deterrent to motorists who ignore the rules. I am informed by the Minister for Transport and Minister for Main Roads that local governments also have power to control disabled parking in private car parks, for example, at shopping centres, with the agreement of the landowner. A local by-law takes precedence over the provisions of the Traffic Act. Therefore, it is within the province of local authorities to come to the aid of disabled motorists who find themselves disadvantaged by the unthinking and selfish actions of the minority of other motorists, who apparently believe that community rules do not apply to them.

Some local authorities in south-east Queensland have responded appropriately to requests from disabled groups—the Paraplegic and Quadriplegic Association of Queensland among them—but I am sorry to say that the biggest local authority of all, the Brisbane City Council, finds it all too hard, or perhaps too much trouble. Lord Mayor Soorley's livability index apparently does not extend to disabled motorists. I urge the Brisbane City Council to follow the lead of other local authorities and do something positive to overcome its lethargy on this score and act urgently to right a wrong where the disabled are concerned. There is ample material from which the Brisbane City Council can create a by-law regime to meet this local need. Lord Mayor Soorley need look no further than the Gold Coast where in July 1996—three years ago—the city council voted to allow officers from its regulated parking division to enforce the appropriate usage of disabled parking bays on the streets and in public access private car parks.

This evening, I have raised this issue in order to make representations for two dozen or so constituents of mine who have come to me about this issue that is of great concern. It is

now over to the Brisbane City Council, and particularly to Lord Mayor Soorley, who pretends often that he is a very caring and warm person. Let us see how caring and warm he is towards these people with this very special and real need.

Asperger's Syndrome Support Network

Mrs ATTWOOD (Mount Ommaney—ALP) (7.06 p.m.): I rise to bring to the attention of honourable members the efforts of the community in making the public aware of the Asperger's Syndrome Support Network, which was established in March 1995 by a small group of parents. It has now grown to have a membership of more than 250 families from all over Queensland and northern New South Wales. Meetings are open to any interested person and are held at the Corinda State School in my electorate of Mount Ommaney.

The main objectives of the Asperger's Syndrome Support Network are to support research into Asperger's syndrome and autism spectrum disorder, to support families with relevant information about Asperger's syndrome, and conduct community education and awareness programs. This self-funded organisation raises funds to provide services and community awareness.

I first came to identify the problems associated with this particular disorder when I was doorknocking during the State election campaign. A father had just lost his son who, in his early 20s, took his own life unable to cope with the way he was. After many years of struggling with the disorder, he had just landed a great job and was doing well in it. Then for reasons only he knows, he decided to end it all.

It is very difficult for people to understand how sufferers actually feel and how the disorder affects them emotionally. One parent of a sufferer told me that having Asperger's syndrome means that you live in a world of your own, you have no social skills and you take what is said to you literally. If somebody says, "Pull your socks up", you literally do just that.

There are many children in schools who struggle with this disorder but who are not identified as having it. Even when some children are eventually labelled as having this disorder, there is little understanding about how to handle it. The Asperger's Syndrome Support Network organises social outings for sufferers of the disorder. I once went with a group to the planetarium at Mount Coot-tha so that I could meet some of the people involved.

Time expired.

Cattle Dipping Fees

Hon. T. R. COOPER (Crows Nest—NPA) (7.08 p.m.): Under a fee structure announced by the DPI, cattlemen across the State will pay a $30 call-out fee, $1 a head for up to 100 cattle and thereafter 50 cents per head of cattle to have cattle dipped for ticks on the weekend. The introduction of these fees follows a move to restrict weekend cattle dipping to essential stocks, such as live cattle export, which was aimed at limiting the accumulation of time off in lieu by stock inspectors. This was done with little to no consultation.

The maintenance of the tick line is most important to those living in tick-free areas, yet the proposed cost for dipping is to be met solely by those cattlemen who, through no fault of their own, are unfortunate enough to have cattle with ticks. Stock inspectors want overtime for working weekends instead of time off in lieu. The Government wants to levy a charge to pay for weekend work.

The method of payment is something for the department to resolve internally. However, at a place such as Cloncurry where there are four stock inspectors, there should be a roster system. People in industries such as the tourism industry work a five-day week, but any five days, as do all people involved in the livestock world—transport operators, helicopter musterers, contractors and indeed property owners. The DPI must adapt to that.

In the northern areas, the numbers are very light in the summer months, which is the wet season, except for clearing dips for stock destined for live export—a most important and productive side of things. Those dips are located at Cloncurry, Mount Isa and Charters Towers. If all the overtime had to be paid, from a budget of over $300m or more, I believe it could be found.

Surely the primary role of the department should be to maintain animal and plant health in this State and most other activities should come later. We see all sorts of extension services. Lots of farm and financial advisers hold all sorts of conferences and field days, and they seem to have little trouble finding funding for travel and ancillary expenses. Surely stock inspectors should rate more highly. I draw attention to this fact, because a lot of people, who often form a minority, now have to foot an enormous bill for the sake of others, but also stock inspectors should be able to continue—

Time expired.

St Mary's School; 75th Anniversary Celebration

Mr MULHERIN (Mackay—ALP) (7.10 p.m.): I had the honour of attending the 75th anniversary celebration of St Mary's School in South Mackay over the May Day long weekend. In this day and age, it is an achievement for anything, whether it be a business, a school community or a sporting club to be still in existence 75 years after it started. I am very proud to say that not only is it still in existence but it is still flourishing. This, of course, stems from the magnificent foundations of Catholic education enshrined by the Sisters of Mercy in 1924 under the leadership of Sister Mary Dympna O'Reilly and Sister Mary Bernard Daly and carried on in the same traditions since then.

In 1923, when times were not good, Father Mulcahy purchased land for the church and school in Juliet Street, South Mackay. This was a bold venture, but warmly endorsed by the Catholic families of South Mackay who strongly supported and worked hard for this bold initiative. The parish families were spearheaded by Mr and Mrs Jack Casey, the parents of my predecessor, Edmund Casey, a well-known former student, and well supported by early South Mackay residents like the Ryan, McFarlane, Power, Maher, Daley, Curtin, O'Gorman, Smith, Sullivan, Kelly, Griffin, O'Sullivan, Podosky and Kemp families. Fortunately, staunch support given by parents and the religious in the early days never lost momentum. Each succeeding generation of parents and religious carried the baton of responsibility with great pride.

The teachings and values instilled in the pupils of St Mary's by the Sisters of Mercy and lay teachers over the years has had a profound affect throughout the district of Mackay, the State of Queensland and, indeed, throughout Australia. Just as an aside, St Mary's School and parish community have been immortalised in song by a well known St Mary's old boy, Graeme Connors, in his song St Mary's Fair.

As an old boy of the school, I personally owe the Sisters and the parish of St Mary's a great debt of gratitude and I have enormous pleasure in congratulating them on their milestone, which I place on record in this House.

I would also like to congratulate the parish priest, Father Terry Stallard, Mr Brendan Stockall, the current principal, the staff of the school, Mrs Bernice Wright, Rod Manning and Basil Graham who compiled and wrote a book on the history of the school and to the organising committee for organising the celebrations which were enjoyed immensely by past and present students and their families and friends. On Friday, 30 July, I look forward to participating in the placing of a time capsule in the school grounds to commemorate this important event in the life of St Mary's.

Time expired.

South Burnett Health Services

Miss SIMPSON (Maroochydore—NPA) (7.12 p.m.): The future of health services in the South Burnett region is still under threat. It was all steam ahead to implement the recommendations of a secret document, the South Burnett Health Service District Review of Functional Plan for Provision of Health Services, until the issue became public about three weeks ago.

This Government report, which I table, in black and white outlines ways to cut the costs in the area, including selling the Nanango Hospital, removing some 50 district hospital beds that are currently in use, centralising food services to Kingaroy and closing other hospital kitchens. I did not dream these things up. They came out of a Government report and there is absolutely no evidence that the department under this Government was doing anything else but surreptitiously pursuing those options to strip local services until about three weeks ago. I suggest that the Minister produces the ministerial directive supporting—

Mr DEPUTY SPEAKER (Mr Mickel): Order! Is the member seeking leave to table something?

Miss SIMPSON: I table the document. I said that. I did not dream these things up. They are in the document. I call on the Minister to guarantee that these hospitals will not be closed, downgraded or run into the ground by stealthily removing services and resources.

I suggest that the Minister produces the ministerial directive supporting her claims that these options were rejected last year. That the Government does not have cold feet on these unacceptable downgradings is evidenced by the reported comments of the South Burnett Health District manager, Les Stevenson, that the present Nanango Hospital building might be closed if, for instance, it did not meet Federal Government guidelines for a multipurpose hospital service with an aged care facility, as reported in the South Burnett Times of 20 July.

The only person with the power to downgrade or close Nanango Hospital or any

of the other hospitals in the district is Health Minister Wendy Edmond. Multipurpose service funding from the Federal Government should only be agreed to by local communities if it is in addition to existing State funded resources. It is true that some other State Governments have used the conversion of their hospitals to multipurpose services to close hospitals by stealth. That is why I am very worried about this Labor Government trying to lull people into a false sense of security.

Time expired.

Redcliffe

Mr NUTTALL (Sandgate—ALP) (7.14 p.m.): As the honourable member for Redcliffe would no doubt be aware, on Saturday, 12 June the Courier-Mail reported that Redcliffe Mayor Alan Boulton characterised Redcliffe as a place that was overrepresented with Housing Commission accommodation and a hefty proportion of unmarried mothers living totally on child support pensions. This is a disgraceful description of Redcliffe, as it is simply not true. It surprises me that a mayor who is some eight months out from an election would describe his constituents in that way.

I represent an electorate adjacent to the area to which Councillor Bolton refers. It concerns me that the mayor fails to offer any solutions to help less fortunate people, but rather offers solutions to keep them out of his city. His solution is to introduce a quota system, which is outrageous. The mayor should not isolate or denigrate residents of that area because of their economic circumstances.

Although many people find themselves in low socioeconomic circumstances, they actually contribute extensively to the social fabric of their communities. One cannot put a dollar value on that. In fact, it seems that the mayor is concerned primarily about business and about having extensive numbers of elaborate shops in the CBD. The mayor fails to understand that shops cater for the clientele in the area.

The people of Redcliffe offer a vast contrast. Yes, there are rich and, unfortunately, there are poor but, more significantly, the fact of life is that they are people. It appears that the Mayor of Redcliffe fails to recognise that human qualities are truly important. It is obvious that the mayor believes that wealth is the most important factor in one's life. I fail to agree with this.

Time expired.

Guides to Body Corporate and Community Management Act

Mrs GAMIN (Burleigh—NPA) (7.16 p.m.): On 27 May, I spoke about a book called Community Title Schemes published by Mrs Ruth Tarlo, which explains the ins and outs of group titles and the impact of the Body Corporate and Community Management Act 1997 on unit owners. I have now received advice from the Body Corporate Managers Institute Queensland Limited that former Unit Owners Association president Alan Richardson has also published an easy-to-read interpretation of the legislation and the standard regulations, including the December 1997 amendments. Mr Richardson's book is titled A Layman's Guide to the Queensland Body Corporate and Community Management Act 1997. I thank the institute for providing me with a copy for my office use. The book costs $25, plus a postage and handling charge of $5. I seek leave to table a copy of the order form and other information for the interest of members.

Leave granted.

Mrs GAMIN: I am grateful to the Body Corporate Managers Institute for bringing this book to my attention. I congratulate Mr Richardson on his enterprise, and I have previously congratulated Mrs Ruth Tarlo on her efforts. The former Lands Department used to distribute a very handy booklet called Guide to Unit Owners, and the current Department of Natural Resources is dragging its feet in replacing this publication.

There are many high-rise buildings in my electorate, as well as apartment blocks and duplex residences, all of which come within the ambit of the Body Corporate and Community Management Act 1997. Unit owners require a plain English explanation of some of the complexities of the legislation that controls units and bodies corporate, and answers are required to questions commonly asked by unit owners. The Department of Natural Resources has fallen down on the job and has been overtaken by private enterprise, and again I commend both authors on producing these much-needed handbooks.

Violence Against Gay and Lesbian Community

Mr REYNOLDS (Townsville—ALP) (7.18 p.m.): Townsville people have been shocked this week to learn of another repugnant and un-Australian act of violence against a representative of the gay community. When the Queensland AIDS

Council office in Townsville was bombed a few weeks ago, I strongly condemned people who break the law and treat members of a minority group in this way. Now I find myself again condemning an anti-gay attack following the stabbing yesterday of Townsville AIDS Council worker, Mr Darrel Colbert-Whitford, with a syringe. Let me say emphatically that these acts of violence are completely unacceptable to all fair-minded citizens and are seen by the general community as cowardly and irrational.

After the AIDS Council bombing, I moved quickly to help find funding for a public safety campaign in Townsville. The Minister for Families, Youth and Community Care kindly agreed to provide $5,000 for the Safe Place Project, an initiative of the Gay, Lesbian, Bisexual and Transgender Anti-Violence Council, also supported by the Queensland AIDS Council. This project is specifically designed to counter the disturbing increase in homophobic behaviour occurring within Townsville's central business district.

When the project was launched on 5 July, we all hoped that the positive publicity it generated and the enthusiastic support of local business houses would put an end to acts of violence and harassment. Now we have to contend with another cowardly attack based on sexuality—another hate crime, pure and simple. What is really concerning is that it seems to be part of a pattern and part of an irrational, random and brutal campaign with the gay and lesbian community being the target. I find this appalling. It has ramifications for all of us. Whenever someone is attacked because of their sexual or gender identity, it is an attack on the open, inclusive and tolerant aspects of Australian society. Opening the door to such a dark world is a very disturbing prospect indeed and the fact that it is happening in my own community makes it all the more disturbing.

Gay, lesbian, bisexual and transgender individuals are entitled to be treated with dignity and respect. They are valued members of our community who deserve to be treated like anyone else. They certainly do not deserve to be targeted by cowardly bigots promoting their own prejudices at great cost to individuals such as Mr Colbert-Whitford, and at great cost to the community as a whole. We simply cannot tolerate these anti-social and uncivilised behaviours. They are un-Australian because they fall far short of the ethos of a fair go. Everyone deserves a fair go, regardless of sexuality, gender, ethnicity or class. To hurt another person simply because they do not—

Time expired.

Mr G. Nutter

Mrs LIZ CUNNINGHAM (Gladstone—IND) (7.20 p.m.): I rise to highlight the plight of Mr Glen Nutter, a young man in my electorate who is seeking a chance to prove his competence to drive a manual motor vehicle. After several relatively minor work related incidents at the Gunpowder mine, Glen contracted Group A streptococcus organism and is now a bilateral amputee.

After his accident and following rehabilitation, he was assessed under the Occupational Therapy Driving Assessment Program and was reported by his assessor as being eligible to drive an automatic vehicle with left spinner knobs and right-hand controls. However, that report should be qualified by the fact that Glen was not given an opportunity either then or subsequently to be tested on a manual vehicle with standard appointments. Glen has driven a standard four-wheel-drive vehicle off road on a friend's farm for some time, and he has approached my office seeking reasons why he cannot be tested by the local Transport Department on a standard manual vehicle.

The main impediment to his being tested is not the attitude of the local Transport Department people—quite the opposite. The difficulty is the guidelines set out by the Department of Transport which stipulate that medical practitioners have to assess people with disabilities. The assessment guidelines prescribe the type of amputee category, the modification on the vehicle required and the types of vehicles that they can drive. There is no opportunity for those people to show their competence to drive. They are shoved into a type of vehicle according to their amputee category.

I believe Glen is justifiably frustrated, because all he is asking for is to be able to prove his competence in a dual control vehicle. I have written to the executive director of Land Transport and Safety, who said that Glen must get a clearance from the local doctor to be able to show that he is medically competent to be tested. However, the local doctor is guided by the medical guidelines and so it is a vicious circle. He gets a letter from the doctor saying, yes, he can be tested, but only in a modified vehicle.

Time expired.

Netball; Ms V. Wilson

Mr REEVES (Mansfield—ALP) (7.22 p.m.): I wish to inform the house of the sensational sporting event I attended last

Saturday evening. This event was held at a great sporting arena where spectators are so close to the action they feel as though they are going to get hurt. The atmosphere was electric and the quality of play was of the highest order. Of course I am talking about the netball at Chandler, at which I and Minister Judy Spence were privileged to witness the last game for Queensland by Vicky Wilson.

The emotional scenes after the game exemplified the feeling not only that her team-mates but also opposing players, the crowd and the community as a whole have for this great champion Queenslander. Vicky is a living legend. Unfortunately, we still have a long way to go to ensure our women sportspersons receive the recognition they deserve, particularly in the media.

This week we heard saturation coverage of Wally Lewis becoming one of the six immortals of Rugby League—and rightfully so. I am sure that Vicky is definitely one of the immortals of netball. Interestingly, the similarities between Wally Lewis' career and Vicky Wilson's are amazing. Both have captained Queensland and Australia to some memorable achievements.

An amazing fact that I discovered on Saturday evening was that both of these great Queenslanders' first ever junior club was Cannon Hill. I am sure the member for Bulimba is extremely proud of this point. The Vicky Wilsons of the world must be applauded for their great feats for not only putting netball on the map in Queensland but also for being excellent role models to not only netballers and to the women of Queensland but to the entire community.

As a person who comes from a traditional male sports culture, I found amazing the atmosphere and the whole spectacle of the event on Saturday evening, which attracted a sell-out crowd. This was due in no small part to the fact that we were saluting a legend of sport. It is great that the State Netball Centre will soon be opened in the Mount-Gravatt electorate, at which the national championships will be held between 6 and 11 September. This year, more tickets to the netball have been sold than have been sold for the Bullets basketball games. The future for netball is bright. With role models such as Vicky Wilson, it can only get brighter.

Primary Industry Regulations

Mr TURNER (Thuringowa—IND) (7.24 p.m.): I am very concerned about proposed new regulations that may be placed on growers throughout Queensland and the rest of Australia. Some of the suggestions that have been put forward border on the ridiculous and only add further difficulties to the growers' workload and cost. To suggest that watches worn in the paddock and shed be removed in case the glass breaks and shatters on the fruit, also to suggest that all glass on gauges on tractors and fruit handling equipment be taped over while in use, and that no frogs, birds, geckoes or roosting birds be allowed in packing sheds would not be possible. To suggest that the staff—casual or permanent—working for the grower be excluded if they have a communicable disease, coughs, colds, or sneezing on or near produce is also impossible to police. The list goes on and on.

If these regulations are put in place and no changes are made further along the chain, I suggest the regulations will be an absolute waste of time. There is transport from the grower to the wholesaler, auction, delivery to the retailer and then to the consumer. I ask: will the staff members at all these other points of contact be required to remove their watches and other items that may pierce the produce? Will glass displays and fluoro lights be banned? I also point out that the customer can place fresh produce into shopping trolleys, along with household chemicals, ratsack, pet chemicals, kerosene, turps, and the list goes on—all of which, if not handled properly, can puncture, leak, drop, ooze or break. That is highly unlikely, but just as likely as what could happen on the farm. Will the public be warned to comply with the same regulations as the grower?

We then come to the situation where shoppers may have a communicable disease. They poke, squeeze, prod, handle and sneeze over the fresh produce on the retail shelf. We must make sure that our future farming prospects are not eroded by unrealistic compliance regulations and that a sensible, simple and cost-effective position be applied. Areas such as chemicals, fertilisers and water quality can be the main basis for safe food production. The risk of any contamination elsewhere is so small that it does not require addressing. Commonsense must prevail before small business is dealt another blow with unworkable regulations.

Students from Migrant Backgrounds; Greenslopes State School

Mr FENLON (Greenslopes—ALP) (7.26 p.m.): I rise to speak on a matter that is of growing concern in my electorate and other parts of Brisbane. Recently, I was approached by people from the Greenslopes State School community and the Coorparoo community who

wished to assist the growing numbers of students and families from migrant backgrounds. These citizens expressed concern about how we could ensure that these newly arrived Australians were not marginalised or that they did not miss out on the service delivery that most of us expect.

At the Greenslopes State School the student population consists of 210 children. Of these, 70 students, or 30%, are eligible for English as a second language assistance. To qualify for such assistance a student needs to have arrived in Australia within the past three years. Some 30% of students at the school are from families who have arrived in the past three years. A large majority of these are from the former Yugoslavia. The number who have arrived recently but more than three years ago is, of course, significantly higher.

It is a truism that children adapt more rapidly to new social circumstances than adults. Certainly, immersion in a school environment tends to hasten the adoption of a new language. The citizens who have approached me expressed concern about the parents of these children, thus taking a whole of family approach at a truly community level. As is the case with so many migrants, members of the community from the former Yugoslavia arrived in Australia enlivened with considerable optimism and enthusiasm. However, their spirits tend to falter when it becomes clear that employment is difficult to find.

One of the recent arrivals I have met has been selling the excellent magazine the Big Issue, reserved for sale exclusively by the unemployed. Many of these people were well respected professionals in their own land but now have difficulties in finding employment because of their English skills. The result can be incredible isolation and depression. The Greenslopes and Coorparoo communities have sought—

Time expired.

Boultons Multimedia, Maryborough

Dr KINGSTON (Maryborough—IND) (7.28 p.m.): I have repeatedly said to the Minister for State Development and the Premier that I and the citizens of my multiskilled electorate will wholeheartedly support their efforts to make Queensland the smart State. I take this opportunity to tell the House of the outstanding success of one of our multimedia companies. Trevor Boulton and his wife, owners of an internet trading company, combined with a Brisbane company, QSI, have come up with secure software to facilitate legal credit trading on the internet.

After some years of negotiation with the Commonwealth Bank, Boultons Multimedia of Maryborough has been awarded the first licence in Australia to conduct legal credit business on the internet—licence No. 1. It makes screen savers mounted on postcards. These usually promote the attractions of a district and are a great boost to tourism. It is currently scoring 2,000 hits a week on its internet site. Now, licence No. 1 will facilitate its rapidly growing international trade by facilitating credit purchases from its global market. Trevor and his wife deserve congratulations for forward thinking and persistence in this their retirement industry. We, Maryborough and Queensland, need such industry pioneers.

SPECIAL ADJOURNMENT

Hon. W. M. EDMOND (Mount Coot-tha—ALP) (Minister for Health) (7.30 p.m.): I move—

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

Motion agreed to.

The House adjourned at 7.30 p.m.

R. G. GILES, GOVERNMENT PRINTER, QUEENSLAND—1999