

Mr. CLAREY.—I represent the parish of Parkville, and it is in this connexion that I mention the animal research section of the new veterinary school in Storey-street, which is next door to the University High School. I speak subject to correction, but I believe the Premier or one of his Ministers was present at the opening of the veterinary school about two years ago, and we were all told what a lovely building it was. I agree that this is so, but I have received complaints of a horrible stench that comes from the school's incinerators, possibly from the dead monkeys and other carcasses that are dumped there.

I raised this matter in correspondence with the Department of Health last August, and I visited the school on more than one occasion to investigate the nuisance. I have received telephone calls from Parkville to the effect that a horrible stench comes from the school. However, it is like a visit to the dentist—whenever one gets to the surgery, the pain has disappeared. When I have visited the school in response to the complaint, the smell has gone. I do not want to mention names. I could quote certain doctors, but I do not want to involve anyone. I am informed that if an after-burner—I do not know what that is—could be installed, it would solve the problem. Unfortunately, an after-burner would cost \$4,000. One can imagine the unfortunate students at the University High School trying to study amidst the odour from a dead donkey! It is not fair. The Minister of Agriculture is not a member of this Chamber, so I raise the matter with the Treasurer. If he is budgeting for a deficit, I do not mind if it is \$4,000 more next year, so long as an after-burner is installed in the veterinary school at Parkville.

Progress was reported.

ADJOURNMENT.

Mr. BALFOUR (Minister of Lands).
—I move—

That the House, at its rising, adjourn until Tuesday next, at half-past Three o'clock.

The motion was agreed to.

The House adjourned at 9.50 p.m.
until Tuesday, April 26.

Legislative Council.

Tuesday, April 26, 1966.

The PRESIDENT (the Hon. R. W. Mack) took the chair at 4.27 p.m., and read the prayer.

RACING (AMENDMENT) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. V. O. DICKIE (Minister of Health), was read a first time.

EDUCATION DEPARTMENT.

RESIGNATIONS OF SECONDARY TEACHERS.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

(a) Of the 906 secondary teachers who resigned in 1965, how many, whether temporary or permanent, were fully qualified with a university degree and teacher training?

(b) How many such teachers resigned—(i) for reasons of marriage; (ii) by reason of retirement; (iii) to go overseas; (iv) to teach in private schools; and (v) to leave teaching altogether for employment in private industry?

The Hon. G. L. CHANDLER (Minister of Agriculture).—As the answers contain detailed information, I seek leave of the House for their insertion in *Hansard* without being read.

Leave was granted, and the answers were as follows:—

(a) 196.

(b).

RESIGNATIONS, SECONDARY DIVISION, 1965.

	Men.		Women.				Total.
	Perma- nent.	Tem- porary.	Permanent.		Temporary.		
			Single.	Married.	Single.	Married.	
Marriage	..	..	64	..	15	1	80
Overseas and interstate	28	47	57	25	64	31	252
Private schools	4	5	2	2	1	1	15
Other occupations	19	25	5	2	7	4	62
Personal and domestic	7	18	16	53	54	128	276
Further studies	18	39	3	1	5	2	68
Technical school councils and university staff	6	1	..	1	1	..	9
Incompatibility and non-suitability	1	7	1	1	7	4	21
No reasons given	16	25	17	17	33	15	123
Totals	99	167	165	102	187	186	906

One hundred and five secondary school teachers retired (including nine on account of ill health) during 1965 but these were not included in the figure of 906 who resigned.

WERRIBEE HIGH SCHOOL: MATERIALS FOR METAL-WORK CLASSES.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister of Agriculture—

(a) Is it a fact that no supplies of metal materials have been available for the metal-work classes at the Werribee High School this year, other than those "scrounged" from the local tip and other municipal tips as far afield as Bulleen, and scraps of metal brought to the school by pupils?

(b) Is it true that supplies of these metals cannot be expected for approximately two months; if so, what action does the Education Department propose to rectify this most unsatisfactory situation?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(a) and (b) Metal supplies are forwarded to schools on an annual basis. Supplies were received by Werribee High School in May, 1965. Orders have been placed with various contractors for further supplies to be made next month.

STUDENTSHIPS: REJECTIONS THROUGH QUOTA SYSTEMS.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

(a) How many matriculants offered studentships by the Education Department in mathematics and science courses were subsequently rejected by the universities through their quota systems?

(b) What subsequently happened to those students?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(a) and (b) This information is not available, as a number of students offered studentships did not take them up for various reasons, probably including, in some cases, that suggested in the question.

There are no studentships to do courses in mathematics, excepting in the sense that some prospective arts students may have desired to major in mathematics. No information is available about this category.

Of those who finally accepted studentship awards to study science, 34 were not accepted by the science faculties. All these are undertaking a science course for the Trained Secondary Teachers' Certificate.

ALTONA HIGH SCHOOL: GROUND IMPROVEMENTS.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister of Agriculture—

What is the reason for the delay in granting approval to the advisory council of the Altona High School to carry out the ground improvements as agreed upon in the Minister of Education's letter to the council dated 21st January, 1965?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

The ground improvements are to be carried out by the Public Works Department on a subsidy basis. Because of the large

number of similar works on hand, it has taken a few months to prepare plans and specifications. A further delaying factor was the need to obtain approval from the Melbourne and Metropolitan Board of Works for an additional water tapping. It is expected that tenders will be invited shortly.

TEACHERS AND STUDENTS IN TRAINING: NATIONAL SERVICE TRAINING.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

How many students in training and trained teachers employed by the Education Department have been called up by the Commonwealth Government for national service training?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

The Department of Labour and National Service has agreed to defer the call-up of students in training and teachers in their first year as teachers after training. The number of teachers or students in training who actually received call-up notices is unknown. Thirty-two teachers, but no students in training, are undertaking national service training at present.

STATE SUPERANNUATION FUND.

QUINQUENNIAL INVESTIGATION: SURPLUS.

The Hon. J. M. TRIPOVICH (Doutta Galla Province) asked the Minister of Agriculture—

Is the current quinquennial investigation of the State Superannuation Fund now com-

pleted; if so—(i) is the fund in surplus, and by what amount; and (ii) when was the investigation completed?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

The quinquennial investigation of the State Superannuation Fund for the period to June, 1965, is not yet completed.

POLICE DEPARTMENT.

BENDIGO DISTRICT: INFORMATION

BUREAU: STAFF: SALARIES.

The Hon. J. M. TRIPOVICH (Doutta Galla Province) asked the Minister of Agriculture—

(a) What are the respective grades and salaries of the police superintendents in charge of—(i) Bendigo district; and (ii) the Information Bureau (known as "X" district)?

(b) How many police of all ranks and/or special squads are in each such district?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are detailed, and I suggest that they be incorporated in *Hansard* without my reading the information provided.

Leave was granted, and the answers were as follows:—

(a)

<i>Rank.</i>	<i>Salary.</i>
(i) Superintendent, Grade II.	\$5,634 a year.
(ii) Superintendent, Grade II.	\$5,634 a year.

(b)

LODDON DISTRICT, BENDIGO.

	Adminis- tration and General.	Criminal Investi- gation Branch.	Mobile Traffic Section.	Radio Technician.	Police- women.	Totals.
Superintendent Grade II. . .	1	..	..	..	..	1
Inspector Grade I. . .	2	..	..	..	..	2
Inspector Grade II. . .	1	..	..	..	..	1
Sergeants . . .	2	..	..	..	..	2
Senior Constables . . .	17	1	..	..	..	18
First Constables . . .	54	4	2	1	1	62
Constables . . .	11	..	..	..	..	11
Totals . . .	88	5	2	1	1	97

INFORMATION BUREAU ("X" DISTRICT).

	Admini- stration.	No. 1 Division.			No. 2 Div.	No. 3 Division.		Totals.
		Communi- cations.	Finger- print- Records Section.	Police- women.	Victoria Dock and Wharf Patrol.	Wireless Patrol.	Search and Rescue Squad.	
Superintendent Grade II.	1	..	..	..	..	..	..	1
Chief Inspector ..	1	..	..	..	..	..	..	1
Inspector Grade I. ..	..	..	1	..	1	1	..	3
Inspector Grade II. ..	..	1	..	..	..	..	..	1
Station Officer ..	..	..	..	1	..	..	..	1
Sergeants ..	..	5	3	2	1	3	..	14
Senior Constables ..	2	11	6	3	7	31	1	61
First Constables ..	4	10	34	4	22	51	4	129
Constables ..	..	14	11	15	27	12	3	82
Totals	8	41	55	25	58	98	8	293

TOBACCO LEAF MARKETING BOARD.**ELECTION OF GROWER MEMBERS.**

The Hon. D. G. ELLIOT (Melbourne Province) asked the Minister of Agriculture—

What are the objections that have been raised in connexion with the voting for the grower members of the Victorian Tobacco Leaf Marketing Board?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

The objections raised are that the conduct of the poll was allegedly not strictly in accordance with the provisions of the Marketing of Primary Products Act 1958 and the Marketing of Primary Products (Polls and Elections) Regulations 1964, and, therefore, that the appointment to the Tobacco Leaf Marketing Board of the persons elected should not proceed.

GOVERNMENT ADMINISTRATION.

The Hon. J. W. GALBALLY (Melbourne North Province).—I wish to move the adjournment of the House for the purpose of discussing the chaotic indecision, traffic paralysis and wasting of resources caused by the procrastination of the Premier and his Government.

Approval of the proposed discussion was indicated by the required number of members rising in their places, as specified in Standing Order No. 53.

The Hon. J. W. GALBALLY (Melbourne North Province).—Taxation in Victoria has never been higher, and the State's income is running at record levels. But is the subject receiving value for his money, and are we achieving the things that ought to be achieved in a progressive community? It would appear that the only service the motorist is rendered is that he is given the opportunity to be shepherded to the cashiers' windows at the Motor Registration Branch. By no stretching of language can it be said that Victoria is growing and shaping as we all desire. On the contrary, the State is virtually without government and without leadership.

Parliament is in the middle of its autumn sessional period. Without having made any announcement to it, the Premier has left our shores and is now, I read, in Hong Kong, or on the road to Morocco, or somewhere else. Not one word of explanation as to the reason for his trip has been given. Is it private? If it is, why could it not be undertaken at some other time—for example, during the long winter recess? Is his trip of a public nature? If it is, why does the Government not inform Parliament and the people as to the reason for it? This is the Premier's second trip overseas this year, with not yet a third of the year gone.

The Hon. B. D. SNIDER.—On the first occasion, the Premier was away for only one week.

The PRESIDENT (the Hon. R. W. Mack).—Will Mr. Galbally explain how he connects the statement he is now making with the motion he has proposed?

The Hon. J. W. GALBALLY.—Yes. It is suggested that the wasting of resources is associated with the Premier's visit overseas, as I shall now go on to develop.

The PRESIDENT.—Mr. Galbally may proceed.

The Hon. MURRAY BYRNE.—Mr. Stoneham, the Leader of the Opposition in the Assembly, is making arrangements to go overseas.

The Hon. J. W. GALBALLY.—Is he going overseas while Parliament is sitting?

The Hon. MURRAY BYRNE.—Do you know whether he is or not?

The Hon. J. W. GALBALLY.—Yes. I am certain that he will not go away while Parliament is sitting.

The PRESIDENT.—Order! The question whether Mr. Stoneham goes overseas appears to me to have little to do with the motion before the Chair. Every member must realize that the mover of a motion for the adjournment of the House is bound by its terms, and that was why I directed attention to the comment of the honorable member. Interjections that have nothing to do with the motion before the Chair are distinctly out of order.

The Hon. J. W. GALBALLY.—I acknowledge that the leaders of Victoria and of the Commonwealth must from time to time make visits overseas, but as far as possible those visits should not interfere with the duty to Parliament of the head of the State. It is true that from time to time Sir Robert Menzies had to leave Australia while the Commonwealth Parliament was sitting to enable him to attend a Commonwealth conference

that had been arranged in London, but he was always most careful not to let these official overseas visits interfere with his duty as head of the Commonwealth.

The Premier of Victoria offered no explanation why it was necessary to leave Victoria at this time. It is proper for the Premier to go abroad, and I have never suggested otherwise. I have not suggested that he ought not to go overseas at the public's expense. But those who pay the piper should call the tune, and I suggest that his present visit overseas is a contempt of the Victorian Parliament. No doubt the Leader of the House will offer some reason for the visit, but what is it? The Premier cleared out like some about-to-be-deposed leader of a banana republic in South America. Victoria is a proud State, and the Premier is its Leader. It is not right that Parliament should be treated in this fashion. In the absence of an explanation, one might be inclined to think the Premier is determined to sup heartily on the fleshpots of office.

The PRESIDENT (the Hon. R. W. Mack).—Order! Mr. Galbally is not relating his remarks to the motion before the Chair. I ask him to do so.

The Hon. J. W. GALBALLY.—If this overseas visit is official and is part of his programme to sell Victoria, then some undertaking should be given to this House that the Premier is not going to sell Victoria. On a previous similar visit, he sold our resources for nothing, gave them away to British Petroleum, one of the biggest oil companies in the world; he gave Westernport to this company. If Westernport is to be established as a port with public money, tenders should have been called.

A fortnight ago, Mr. Merrifield asked a question on the subject of Government expenditure at Westernport, and he was informed that the expenditure approved by the Public Works Department up to the 22nd

March this year—I presume this will not be the end of it—including payments for docks is \$5,000,000; by the State Rivers and Water Supply Commission, \$300,000; and, up to the 22nd March, 1966, \$168,000 from the Country Roads Board Fund, I shall not deal with the minor items. What benefits have the Victorian taxpayers received? They have not one cent equity capital in BP out of every gallon of petrol or oil sold in Victoria. All the profit goes abroad. Is that right?

Our friends of the Country Party have devoted a good deal of time to this subject, and their Leader in the Federal Parliament has dealt with this question of exploitation by foreign companies. We all know of the problems associated with it. My party believes—I said so at the time—that Victoria should share in this enterprise on a partnership basis. Most overseas countries have insisted that where a profit is made on such a basis the local Government shares in the enterprise. Is the arrangement made by the Premier—under which all the profits go to London or somewhere else—the kind of equity capital we want in Australia? That was the deal that the Premier negotiated for Victoria when he brought BP to this State—a company that shortly before had paid vast millions of pounds for a deep sea port at the mouth of the Thames.

The Hon. R. W. MAY.—Is that company the only establishment to have access to the pier at Westernport?

The Hon. J. W. GALBALLY.—I understand so.

The Hon. ARCHIBALD TODD.—It will not be a general-cargo port.

The Hon. J. W. GALBALLY.—That is so. What does Victoria get from the oil that is brought in? It is said that the Premier has gone on a great mission to negotiate another deal with some American oil companies with regard to a certain large find at Gippsland. I hope that an undertaking will be forthcoming from the

Government that Victoria will not be committed to anything similar to what happened in regard to BP. It is useless talking about equity capital in Australia and at the same time allowing the Premier of Victoria to get loose. Do we want to get into the same situation as Canada, from which country 90 per cent. of the dividend cheques go across the border to the United States of America? No explanation has been given to Parliament as to the purpose of the overseas visit of the Premier, although something was reported in the press about the matter—for which Sir Henry may not have been responsible. It was said that he was going to Buckingham Palace to be invested. No one would want to deprive him of that privilege. It is well known that vanity is one of the characteristics of human beings as they grow older. If he desires that, no one will interfere with it.

The Hon. W. R. GARRETT.—That is a poor comment and is in very bad taste.

The Hon. J. W. GALBALLY.—Mr. Garrett and I differ in relation to these matters.

The Hon. W. R. GARRETT.—We do.

The PRESIDENT (the Hon. R. W. Mack).—Order! The interjection and the reply have nothing to do with the motion before the Chair.

The Hon. J. W. GALBALLY.—The policy of my party with regard to knighthoods is well known. Mr. Garrett invited the comment.

The Hon. G. W. THOM.—You fished for the answer.

The Hon. J. W. GALBALLY.—I did not; I said that the Premier has gone overseas, and if it satisfies his vanity, fair enough! Has the Premier given any explanation to his own party; have the members on the Government side of this Chamber approved of his visit; or has he hoodwinked them also? It is significant that this trip coincides almost to the day twelve months ago when the

Premier said that Melbourne would have its freeways, that traffic congestion must be relieved and that his Government was determined to see that Melbourne got rid of the clogging on the roads. He introduced a measure which Opposition members, according to current opinion, were foolish to oppose because we might well have been the means of depriving Victoria of these magnificent freeways and so on. There were editorials in the press postulating whether it would be worth while raising motor registration fees from 40 per cent. to 50 per cent. in order to get an extension of the South-Eastern Freeway, a widening of the Hume Highway and the construction of the St. Kilda junction over-pass.

The Premier was expanding himself a little, and he said that he would get at least £4,000,000—now \$8,000,000—in this financial year, and that the revenue from this source, which was to be paid into a special fund, would increase as the motor registration fees rose and the number of cars on the road increased. He felt confident that tenders would be let before last July or September for these works. I remember the Age taking us to task, and castigating my party for being pinch penny about these matters. What is being done about the South-Eastern Freeway?

The Hon. R. J. HAMER.—It is now under way.

The Hon. J. W. GALBALLY.—I am interested to hear that.

The Hon. W. M. CAMPBELL.—The St. Kilda junction over-pass is being proceeded with.

The Hon. J. W. GALBALLY.—Is it?

The Hon. R. J. HAMER.—Have you been to St. Kilda junction lately? If so, you will have seen that the work is well on the way.

The Hon. J. W. GALBALLY.—Is it? Where are all the other projects?

The Hon. W. M. CAMPBELL.—In the course of construction.

The Hon. J. W. GALBALLY.—No; indecision is in the air. At the present rate of construction, it will be easier to get to the moon in another ten years than to the centre of Melbourne. Every honorable member is aware that traffic is getting worse in Melbourne. It is like the biblical plague of locusts that descended on the lands of the Pharaohs. Traffic is clogging the highways and causing congestion, death and injury. The cost to the community of this indecision is staggering. The loss involved in the wastage of time in the industrial sphere and in accidents runs into millions of dollars. Have honorable members considered the post-accident cases of injuries at hospitals and so on? It is estimated that one-third of the time the law courts devote to civil actions is occupied by trials arising from motor accidents. Traffic cases in Courts of Petty Sessions continue for hours. No community can afford this extravagance.

The Hon. A. J. HUNT.—Do you want to ban the motor car?

The Hon. J. W. GALBALLY.—This is the twentieth century. Nearly everyone has a motor car. Car thefts can be wiped out by the fitting of safety locks to the steering wheels of all vehicles. That was recommended by a committee some time ago. It reported that in West Germany, where such a provision is now law, car thefts are practically non-existent. I suggested in this House that the Government should introduce legislation to compel car manufacturers to fit this type of lock into cars as they are made. This would not result in car thefts being eliminated overnight, because there are cars without these devices already on the road. But in, perhaps, five years all cars would have this device, and car thieving would be wiped out. What a saving that would be to the community. Car stealing is associated with the problem of juvenile delinquency. We all know that most

juvenile delinquents start by stealing cars, but they do not touch cars which have locks fitted to them. The cost of a steering wheel lock was estimated at the time as something like \$16. It is probably less now.

The provision on motor vehicles of every possible safety device should be enforced by the Government. A good deal of research work on safety is now being undertaken overseas and it is considered that the second collision causes most injury. If a car hits a culvert, the occupants may escape unharmed unless, for instance, the driver's chest is fractured by the steering wheel. The Government should apply its mind to these things because of the terrible carnage on the roads. It is estimated that 1,500,000 Americans are dead as a result of the use of motor cars.

What has the Government done about the underground railway in Melbourne? Mr. Tripovich will deal with this subject at some length. Mr. Hunt asked if I were in favour of banning the motor car. I am not; that cannot be done. But let me say that 1 mile of underground railway will carry twenty times more people than 1 mile of express roadway. The underground railway is a necessity. Without it, this city, choking as it is, will perhaps never reach the twenty-first century. I do not have the list of all the cities which are now building underground railways, but Washington, Rotterdam and Toronto are among them.

A considerable number of modern cities have realized that public transport must not be allowed to decay. However, there is a smell of decay around public transport in Melbourne. Grime, crime, and dilapidation describe the public transport of Melbourne. To-day, Melbourne is a sick city; it has hardening of the arteries. The continued and vigorous existence of public transport would avoid vast expenditures on roads which would otherwise be needed for the transport of the same number of people.

We now have the report of a transport survey to add to the rest of the material on this subject, but everyone knows from his own eyes and from travelling around the city what the position is. I have read the transport survey. It says nothing new. It is couched in the language of the official. Honorable members know how sampling and such things are carried out. The survey was sheer waste of money. We know that our roads are clogged. We know that there is in Melbourne, a pedestrian problem which is probably as great as that of any other city in the world. At 8 a.m. and at 5 p.m., the pedestrian problem in Swanston-street is as bad as that of any other city. There is not just a problem relating to motor cars; there are too many people. Virtually, the roads leading out of Melbourne are those which were set out by Hoddle 100 years ago.

In the greatest expansion in our history—in the past fifteen years—nothing has changed. The South-Eastern Freeway is a joke; it goes nowhere. It starts with a bridge that does not work, and ends in a smaller one. If things go on as they are, the city will perish, as other cities have perished before it. The way to deal with these things is not to impose a tax, pocket the money, and do nothing, but that is what this Government has done. The Minister for Housing sneers at that suggestion, but the reports in *Hansard* of what he said and the press announcements which were made by the Premier last year would have compelled anyone reading them to believe that by April, 1966, there would be no traffic congestion in the area around Melbourne.

The Hon. G. W. THOM.—No one said that these projects would be finished in twelve months, and you know it.

The Hon. J. W. GALBALLY.—The Premier did not say they would be finished, but a firm assurance was given by the Government last year, when the tax was imposed, that

traffic congestion in Melbourne would be relieved. That was the whole reason for the tax.

The Hon. G. W. THOM.—It was a ten-year programme, and you know it.

The Hon. J. W. GALBALLY.—Nothing was said about this tax at the last State election. The real reason for its being introduced is now obvious. The Premier thought he was going to raise \$10,000,000 from a State income tax. When he could not do that and he found himself in desperate straits, he said, "I will have another go at the motorists, they will swallow anything."

The Hon. J. M. WALTON (Melbourne North Province).—I support the adjournment motion which has been submitted by Mr. Galbally. I propose to speak particularly about the Government's proposal to build a freeway through the City of Coburg. That is, of course, something about which Mr. Galbally and I are particularly concerned. Unfortunately, as with most proposals made by this Government, the people in the area—as did members of Parliament—learnt about the proposed freeway only from the newspapers. To this very day, those people have had no official information or correspondence from the Melbourne and Metropolitan Board of Works about the proposal, notwithstanding that some people have negotiated with the Board and sold their properties to it. It is obvious that, at this stage, the Board proposes to continue with the proposal. The Opposition objects, as it has done on a number of occasions, to the way—which is obviously becoming the only way—in which this Government announces its plans in the daily press.

The proposed freeway will divide the City of Coburg into two. There will be access to it in only two places, at Moreland-road and at a place north of Reynard's-road. A large section of the community will be divorced

from the shopping areas and the schools. A large number of people will find themselves living in cul-de-sacs, and it may take them half an hour longer than at present to find their way to Melbourne or wherever else they may be employed. Fortunately, one or two people in the area—I specifically mention Councillor Davis, who is deserving of commendation—drew attention to what was happening, and a protest meeting was arranged. There were subsequent protest meetings to which the Minister for Local Government was invited, but he declined the invitation. All that the people sought was a reasonable explanation as to why a freeway had to be built over the route planned for it.

The PRESIDENT (the Hon. R. W. Mack).—Mr. Walton is now dealing with the Melbourne and Metropolitan Board of Works. The Board is not mentioned either directly or indirectly in the motion before the House. I ask him to read the motion again and return to the question before the Chair.

The Hon. J. M. WALTON.—Mr. President, I relate my remarks to that portion of the motion which includes the words, "traffic paralysis and wasting of resources". Without doubt, the Melbourne and Metropolitan Board of Works should be responsible to this Parliament, particularly to the Minister for Local Government. In an answer to a question I asked recently, the Minister acknowledged that the Board of Works will accept no direction from him. This is a disgraceful state of affairs, and it is time that the position was remedied. If the proposal to put the Tullamarine Freeway through the City of Coburg and surrounding areas is not that of the Government, then whose proposal is it? The Government is paying for it from the very tax of which Mr. Galbally spoke. Therefore, I feel that my remarks come within the scope of the motion and that I have the

right to speak on behalf of the approximately 150 families whose homes will be taken away from them.

The Hon. SAMUEL MERRIFIELD.—The Board must obtain Governor in Council approval.

The Hon. J. M. WALTON.—That is so. Some of the disturbing features about the proposal have been discovered by the Coburg City Council which sought the advice of Mr. Gifford, Q.C., with whom many honorable members have had contact from time to time. It has discovered that the Melbourne and Metropolitan Board of Works does not have the legal right to do what it is doing. Certain Acts of this Parliament make their actions illegal. This has been reinforced by recent information I received that the Board of Works no longer wishes to deal with the people who are seeking compensation. These people do not want the freeway, and I hope it is not constructed because the original proposal, which they were prepared to accept, has been thrown aside.

The proposal to which I refer was the one in vogue ten years ago to construct a roadway through this area. Even new streets were built to comply with that proposal, but now people are being told that a six-lane highway, instead of a four-lane highway, will be constructed. People who have built new homes in the area will lose them. A couple of months ago a man who was contemplating building in the area sought advice from the Board of Works, and he was told there was no reason why he should not build in the area. Now his house is about half completed and it is to be demolished. That indicates that the Government has wasted resources; admittedly, it is not the Government's own money but it is the money of the citizens.

I know that the Board of Works considers that the compensation it will pay will be adequate, but in my opinion it by no means compensates the owners for their losses. People want to live in an area because

of the schools and the shops in the vicinity or because their aged parents live nearby. These facts are not taken into consideration when arriving at compensation.

In addition, large areas of parkland will be erased under this scheme, and members of my party, as the champions of the preservation of parklands, protest strongly about this. Another serious aspect is that the Board of Works has acknowledged that no time will be available for objections to be lodged. In December of last year, Mr. Hepburn, an officer of the Board of Works, advised the Mayor of Coburg in the following terms in this regard:—

The situation on this is there is no statutory time for this nor is there any statutory time for objection. We have not got an approved planning scheme—we have an interim development order which does not provide for objections to be made.

I believe the people are being taken for a ride; they have been told by the Board that their homes will be demolished. Some of them have accepted compensation from the Board, and this creates a serious situation for those who remain. No owner of a property who wishes to sell it can find a buyer, and it is impossible to assess a real market value. The Board relies on this state of affairs and takes a few properties at a time; finally, those who remain have to accept the compensation offered. Why should a person suffer because a semi-Government authority takes his property? The American system should be adopted whereby it is almost like winning a lottery if a freeway goes through a residential area. The owners are paid adequate compensation and are able to re-establish themselves in a decent manner.

There are grave moral problems involved in this issue. The old adage, that an Englishman's home is his castle, no longer applies. Several changes have been made in the proposal as it affects the City of Coburg, and if the present policy is proceeded with Coburg will be cut into four

sections, with the result that it will be impossible to travel from one side of the city to the other.

In addition, the schools in the area will be severely affected, particularly the Strathmore High School, the Pascoe Vale South State School and the kindergarten, which will be on the border. How are the people to cross this six-lane highway when traffic travels along it at 60 miles an hour? It is said that a pedestrian over-pass will be constructed, but I point out that one over-pass in one and a quarter miles of freeway will be most inadequate. People who want to go to the shops on the other side of the freeway will have to walk one and a quarter miles to the pedestrian over-pass and then one and a quarter miles back to the shops. We are most certainly dissatisfied with what is proposed.

The Board of Works has stated that this is a final plan and that the matter is now one for the Government, but the Minister for Local Government refuses to have anything to do with it because he says that the Board has not finally put a plan before him. To whom do we object in order to obtain satisfaction? We protest strongly at the way in which this Government undertakes these projects.

Finally, I congratulate those people who saw fit to fight this issue, particularly the Coburg City Council which, at great cost, went to the trouble of employing a Queen's Counsel. Because of the advice it received, I understand that it proposes to take action against the Board of Works and I believe it is justified in doing so.

The Hon. G. L. CHANDLER (Minister of Agriculture).—Since I have been a member of this House, it has been the practice for the Leader of the Opposition, when he intended to move an adjournment motion, to inform the Government before the House met. It has been the custom to pay the Leader of the House the courtesy of advising him two or three hours before the motion

was to be moved. That was the practice when Sir Arthur Warner was Leader of the House, and it is the practice in the other House.

The PRESIDENT (the Hon. R. W. Mack).—Order! What happens in the other House has nothing to do with this House.

The Hon. G. L. CHANDLER.—I have indicated what happened in the past and if Mr. Galbally wants to break away from the established practices of this House and give no notice at all, that is a matter for him. I think it is grossly discourteous.

The Hon. J. W. GALBALLY (Melbourne North Province).—I object to that statement.

The PRESIDENT.—Is Mr. Galbally raising a point of order?

The Hon. J. W. GALBALLY.—No, but the statement is offensive to me. Surely the Minister cannot say that because the action I have taken complies with the Standing Orders it is grossly discourteous. I suggest that the statement made by the Minister is unfair.

The PRESIDENT.—The honorable member has made his point. I call on the Minister of Agriculture.

The Hon. J. W. GALBALLY.—The Minister should support what he is saying by reference to the Standing Orders.

The PRESIDENT.—At no time did the Minister say that it was not in accordance with Standing Orders. He is entitled to say what he thinks.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I indicated what has been the established practice over the years and I did not refer to the Standing Orders. If Mr. Galbally says that the established practice is not laid down in the Standing Orders, then I presume it is not. I said that a certain course of action had been adopted over the years.

My second point relates to the vicious attack made on the Premier. I can only say that the attack Mr.

Galbally made is what one would expect from a coward who waits until the Premier is outside the country to indicate his feelings.

The Hon. J. W. GALBALLY (Melbourne North Province).—I object to the Minister saying that I am a coward. I have been the subject of many attacks by the Premier over the years when I have introduced Bills into this House. He runs to his press agents and issues a statement through the columns of the newspapers. I am not going to be called a coward by the Minister or anybody else so long as I am in this House. The Minister will not stuff that down my throat. I ask for a complete withdrawal of the statement.

The PRESIDENT.—On what ground does Mr. Galbally ask for a withdrawal?

The Hon. J. W. GALBALLY.—On the ground that it is an unparliamentary expression to say that another honorable member is a coward.

The PRESIDENT.—The honorable member has asked for a withdrawal of the statement that he is a coward, and I ask the Minister to withdraw.

The Hon. G. L. CHANDLER (Minister of Agriculture).—What I said was that anybody who took action of that nature was a coward because the Premier has left and cannot defend himself.

The Hon. J. W. GALBALLY.—He can come back if he wants to. I am asking for a withdrawal, and the Minister has repeated the statement. He said that anybody who says these things is a coward.

The Hon. A. J. HUNT.—He did not say that Mr. Galbally was a coward.

The Hon. J. W. GALBALLY.—Go away, "Mr. Ansett."

The PRESIDENT.—Order! At no stage did the Minister say that Mr. Galbally was a coward. He has said that anybody who makes such a statement is a coward. I am not quite

clear to which statement he referred, but he did not call the honorable member a coward.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—I think the statement to which Mr. Galbally takes exception is the broad sentence by the Minister that this was the act of a coward because the Premier was overseas. Obviously, it connects the fact of the Premier's absence with the statement that the attack is the action of a coward. The two are tied together and make the implication that Mr. Galbally is guilty of the act of cowardice. I do not think there can be any argument on it.

The Hon. J. W. GALBALLY (Melbourne North Province).—I have never hesitated to attack the Premier for his actions either here or abroad. I did not ask him to go abroad, and I am surprised that the Leader of the House should say that, because I object to the Premier leaving the country in the middle of a Parliamentary session, such a statement is a cowardly attack on him. What am I supposed to do? Wait until the Premier comes back in three months' time? He has left us to carry on the business of the State while he is away—I will not say what he is doing.

The PRESIDENT (the Hon. R. W. Mack).—Order! It is regrettable that any member should be called a coward. In my opinion, it is an unparliamentary expression, and I ask the Minister to withdraw it.

The Hon. G. L. CHANDLER (Minister of Agriculture).—If that is the interpretation which is to be put on what I said, I withdraw. I would not have said what I did if the Premier were here and could defend himself.

The Hon. J. W. GALBALLY.—How can he defend himself in this House?

The Hon. G. L. CHANDLER.—Mr. Galbally could have made his statement last week, and the Premier could have replied through the press.

The Hon. J. W. GALBALLY.—I did not know when he was going away. He did not tell us that he was going. I read something about his having port and pheasant. Why does he not get the Minister of Agriculture to announce his movements?

The PRESIDENT.—I call on the Minister of Agriculture to continue.

The Hon. G. L. CHANDLER.—The term Mr. Galbally used was that the Premier's action was a contempt of the Victorian Parliament. I suppose that, if anything can be said to be a contempt of this Parliament, it is the fact that the honorable member, who is the Leader of the Labor Party, at least for the time being—

The Hon. J. W. GALBALLY.—I have been Leader for eleven years, which is longer than the time you have been the Leader of your rump.

The Hon. G. L. CHANDLER.—Mr. Galbally is now doing his utmost to restrict me from replying to the allegations which he has made.

The Hon. G. J. NICOL.—That is an act of cowardice.

The Hon. A. W. KNIGHT (Melbourne West Province).—Mr. President, I rise to a point of order. I ask for a withdrawal of Mr. Nicol's statement.

The PRESIDENT (the Hon. R. W. Mack).—I have already ruled that the allegation of cowardice should not be applied to a member of Parliament. I think the expression is unparliamentary, and I ask Mr. Nicol to withdraw it. I did not hear the honorable member use the expression, but I accept Mr. Knight's assurance that it was used.

The Hon. G. J. NICOL (Monash Province).—I confirm Mr. Knight's impression concerning the expression I used. I believe it to be justified, but, in deference to your ruling, Mr. President, I withdraw it.

The Hon. G. L. CHANDLER (Minister of Agriculture).—There is no other interpretation that can be

placed on the situation, because Mr. Galbally did not indicate in advance that he intended to move this motion. A copy of the motion was first handed to me after question time. It is time that the observance of the traditional standards of this House, whereby ample notice is given of motions of this type in order that Ministers will have an opportunity of preparing the necessary replies, was reverted to. Mr. Galbally's argument is so weak that he was not prepared to give the Government time to prepare a reply.

The Hon. SAMUEL MERRIFIELD.—The Government consists of such a bunch of know-alls that it should not need time to prepare a reply.

The Hon. G. L. CHANDLER.—If ever there was a know-all in this place, it is Mr. Merrifield. No Premier in the history of Victoria could rival the present Premier so far as responsibility for the development of this State is concerned. Furthermore, there is no doubt that the honorable gentleman who is Acting Premier during the absence overseas of the Premier is one of the most brilliant minds in Australian politics. I say that advisedly. It is a pity that Mr. Galbally is not in another place, where he would be dealt with.

I appeal to Mr. Galbally to revert to the practice which has been observed over the years—it has proved to be sound, sensible and fair—whereby, when a motion of this type is contemplated, a reasonable period of notice is allowed to enable the Government to prepare its case. I have appealed to Mr. Galbally along these lines before in this Chamber, but he has refused to take notice of my appeals. Consequently, I propose to treat his motion on this occasion with silent contempt.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—If it were not for the seriousness of the situation which is responsible for the motion before the Chair, members of the Labor Party would be highly

amused at the Minister's reply. I do not propose to discuss the tactics of this resolution, other than to emphasize that the Labor Party has done what every party, including the Government party, has done on many occasions in the past.

The Hon. L. H. S. THOMPSON.—That is not correct.

The Hon. SAMUEL MERRIFIELD.—I shall not enumerate the tricks that the Government party has played on us in the past. To do so would reflect on people who are no longer with us, and I do not wish to do that.

The Hon. J. W. GALBALLY.—What about bringing dying men here night after night? I refer to the late Bill Slater, who was one of the greatest men ever to sit in this House. I was too soft with members of the Government party when they were in opposition; that was my trouble.

The Hon. SAMUEL MERRIFIELD.—There is no doubt about my Leader's geniality and soft heartedness. I propose now, Mr. President, to revert to the resolution before the Chair.

The Hon. W. R. GARRETT.—It is about time you did so.

The Hon. SAMUEL MERRIFIELD.—I am grateful for the interjection.

The PRESIDENT (the Hon. R. W. Mack).—Order! There is too much verbal crossfire in the Chamber. I ask honorable members to cease interjecting.

The Hon. SAMUEL MERRIFIELD.—Recently, members were given a document which was called, *A Summary of the Metropolitan Transport Study*. I protest vigorously at a document of this type being presented to members of Parliament as representing the result of the work of the group which made a study of the transport problems of the metropolitan area. I do not know what was in the original report on the subject. Certainly, the abridged version which was circulated to honorable members was so nebulous

that it was not worth printing. When a major transport survey is made, Parliament is entitled to have a proper report on it. After all, public money was expended on the survey in question, which took something like five years to complete. Of course, the Government always keeps matters of this type secret so that members of Parliament are kept in complete ignorance of what is taking place.

The Metropolitan Street Services Study of 1961 revealed that the north-western sector of the city had only approximately 34,000 vehicles proceeding to the north-west, as compared with a total of 436,000 vehicles for the whole of the inner metropolitan area proceeding in an outward direction. This represents only 8 per cent. of the total number of vehicles. The study also indicated that in 1970 the number of vehicles in the north-western sector would increase to 79,000, representing only 12 per cent. of the total for the whole inner metropolitan area of 957,000. Notwithstanding this situation, the Government has, for some reason which is not yet clear, attached first priority to a special project for the north-west sector. Parliament is entitled to know the reason for this priority.

In 1960, the Melbourne and Metropolitan Board of Works made representations to the Government concerning finance for various projects. These recommendations were pushed around for some time until last year when the Roads (Special Projects) Act was passed by Parliament. This legislation, of course, imposed an additional tax on motorists for the purpose of financing special road projects. It was a tax on the metropolitan people. It was designed to provide finance for projects for which no other sources of finance were available. I understand from an announcement that there is to be some duplication of the Hume Highway. This work may be adjacent to the metropolitan area—I do not know at this stage—but under the Country Roads Board Act, the Hume Highway

is the responsibility of the Country Roads Board and construction work on the highway is a liability on the Country Roads Board Fund.

I cannot envisage why a project, which can be financed from a well-established source, should be taken out of its perspective and included in the special projects programme. Obviously, it is intended to relieve the Country Roads Board of some of its responsibility and to place an extra burden on the metropolitan people. Apparently, at a special meeting of the Liberal Party, a programme of priorities for major projects in the metropolitan area was drawn up. The expenditure of something like \$40,000,000 was envisaged for the first part of this project.

The Tullamarine Freeway project has suddenly been elevated from the lowly place it previously occupied to almost the first priority. Members are entitled to know why this action has been taken. Is it to be purely an Ansett highway? Have we not already had enough Ansett projects throughout the State, without having any more? Why is the Tullamarine Freeway being given priority over the other freeways and ring roads which are proposed? An examination of the traffic studies indicates that there is no real reason why the Tullamarine project should be elevated to first priority.

The original conception of the Melbourne and Metropolitan Board of Works being a permanent planning authority for the metropolitan area was introduced in 1954, and it was not until 1956 that this Government brought down a Bill which gave power over metropolitan roads to the Board of Works. The Government's actions in this regard have meant that the one authority is now responsible for both construction and planning, which could lead to unfortunate results. So far as this project is concerned, it rests on a variation of the interim development order. If there had been no variation of the interim development order, I suppose the Board, as a

constructing authority, would have had to secure a permit from itself to construct the road contrary to the existing planning scheme or interim development order which more or less incorporated the scheme up to that stage. However, statutory rights of appeal against the issue of that permit existed. As soon as the device is employed of amending an interim development order, which is purely the prerogative of the Minister or the Governor in Council, to accord with the project, there is no appeal against the unnecessary issue of a permit. This stops a statutory right of appeal straightway.

It is obvious that the Government proposes to alter the interim development order to fit in with the project. There are planning schemes in Coburg and Brunswick, which do not provide for this project. The Board could not construct the freeway across those municipalities under the plan in its present form. This means that the Minister will have to intervene to delete the portions of those planning schemes over which the road is to run. The Minister will have to revoke two other planning schemes to permit this scheme to be carried out.

The Government sponsored the passage of legislation affecting cultural and recreational lands which provides that no authority, acting under its general powers, can compulsorily acquire, without the consent of the owner or user, lands used for recreational and cultural purposes. In the City of Essendon, the Ormond park, which is used for soccer and Australian rules football, will be adversely affected by severance for this roadway and diversion of the creek. Holbrook park, on the other side of the creek, will be almost obliterated by the freeway and creek diversion. There is also in Essendon the Norris reserve from which a substantial triangle is to be taken. It contains a scout hall and an Australian rules football ground—I am interested in a club there—and I do not know whether sufficient land will

The Hon. Samuel Merrifield.

be left to retain a football ground there. The Board will have to obtain the consent of the three councils to the alienation by compulsory acquisition of their park areas. Further, consent will have to be obtained from the Moonee Valley Racing Club before the racecourse area can be traversed. The racecourse was given consideration in the design of the freeway which it is obvious that people farther north, particularly in Pascoe Vale South, did not receive. The racecourse received consideration ahead of business premises and other recreational areas. Of course, this Government puts racehorses ahead of everything else.

The Roads (Special Projects) Act, which was passed last year, provides for approval of the project only by the Governor in Council. No other criteria are required. Our party opposed this legislation, so our conscience is clear. It is because of the other two parties in Parliament that it became law. There is no appeal in regard to the construction of these roads, other than to the Governor in Council, so on all occasions we shall have to submit objections to the Minister for determination. That has quite a lot of bearing on this matter. The Melbourne and Metropolitan Board of Works, which is the constructing authority, has a highways planning committee which formerly had a statutory power to hear and resolve objections, for submission to the Board for final approval. Of course, that is no longer a statutory body. That transitory provision disappeared in the 1958 consolidation. So the highways planning committee of the Board has no statutory power to initiate and consider these matters.

I have the plans of the project in my Leader's room, and it is obvious that whoever drew them up was concerned only with perfectly straight alignments and radius curves so that traffic could move at its own convenience. The convenience of people in the locality does not mean

a thing in the design of that road. Two straight lines run through Pascoe Vale South, obliterating all the community features and dividing and interrupting every form of service that they have, without any regard to the interests of the people concerned. This is the most devastating road proposal that I have seen in my life. I think it is a crying shame that it should have been initiated like this and thrust on the people.

In regard to the Minister's hearing of objections, with all due deference to the honorable gentleman, who I know tries to be fair, it is a farce, as I think he will admit. As I have pointed out, all of these matters flow back to the Minister or the Governor in Council. As the final recommendation will be the Minister's—the rest will be a formal procedure—the whole thing will devolve on the honorable gentleman. In the *Age* or the *Sun News-Pictorial* of about the 8th March, an announcement was made of the Minister's decision on the South-Eastern Freeway. This is the same type of project as the one to which I have referred. The decision was not made in any judicial sense under the Town and Country Planning Act. Under that legislation, the Minister is supposed to hear appeals and determine them fairly and judicially. The decision on the South-Eastern Freeway was certainly not made with the advice of independent people, whom another Minister appointed some years ago to advise him on appeals against permits. In the present instance, all that the Minister had to consider in making his final decision were his own views, which were agreed to by Cabinet. So, in essence, the decision was made not in a judicial sense but as the result of political decision. It will be the same in the case of the freeway to the north-west. It will not be a decision made after fair consideration of the objections because the only solution which could satisfy the objectors would be the abandonment of the freeway. It is obvious that

this is a Government enterprise. I do not think the Minister will deny that he had consultations with the Melbourne and Metropolitan Board of Works prior to making his public announcement.

The Hon. R. J. HAMER.—It was put on the plan when Mr. Merrifield was Minister.

The Hon. SAMUEL MERRIFIELD.—That is not so. The Minister is thinking of the 1959 amendment of the interim development order. The one with which I was concerned was purely a minor matter. The order was amended long after my day. I do not think I could be held responsible even for initiating what might be regarded as the “infant” of this proposal. Certainly, I could not be held responsible for this abomination which is being foisted on the people. If this is to be a political decision, the Government has cast the die already, and nothing that the people concerned can do will stop this being purely a matter for Government decision. The numbers in Parliament are the only factor which could stop it.

It is doubtful whether even Parliament could upset the plan, in view of the fact that these days it is all a matter of Governor in Council decision on the project under the amendment inserted in the Melbourne and Metropolitan Board of Works Act in 1956, which requires the Board only to submit a project and the Minister and Governor in Council to approve it. At least Parliament would be able to have a say if my party had the numbers, but it is obvious that this will not be the case, and that the Government will proceed with the project regardless of any other consideration. The Government has boasted about the entrance to the airport, and this is to be a glamour freeway regardless of consequences.

A pre-school centre, a State school, a Catholic school, a church, shopping facilities and many other amenities

are situated in the area. In addition, roads will be cut off and turned into cul-de-sacs. All of this is to be foisted on this community whose people thought they would be in a backwater of Melbourne around the Moonee Ponds creek. About 154 people will be driven from their homes to find a nest somewhere else. The Government purports to be greatly concerned with providing the people with homes, but while one Minister is said to be giving them homes, another Minister, on what will be his own decision, is taking away 154 homes in one fell swoop. There will also be a fair dose of this for people farther out, whose homes will disappear later on.

The other point about the project is the lack of foresight on the matter. For the time being, a certain number of traffic lanes have been indicated in the freeway plan. The Government will neither deny nor confirm that this is a first instalment. In considering the projects under the Melbourne and Metropolitan Board of Works Act and the Roads (Special Projects) Act, a mature Government should balance all the factors, both adverse and favourable, in deciding whether this large roadway should be constructed. The second instalment ought to be considered before a start is made on the first stage. More than 154 people will be affected. The Minister should ask the Board for its plan of the final stage before he looks at the first stage. This should be examined before the policy of dividing and conquering is undertaken.

I should like to know whether the Minister can answer the following questions: Can the honorable gentleman say that a consideration of any weight of objections might stop the project? Can the Minister say that he is impartial as implied in determining appeals under the Town and Country Planning Act, knowing that these projects do not come under that Act? If the Minister was working under those provisions, he would

have to consider all the adverse planning effects that might be involved. Unfortunately, the scheme is not being determined on that basis. At the Melbourne and Metropolitan Board of Works, the town planner would be only a cypher in this matter, which is being run by the highways department of the Board. The town planner will have to agree to the proposals because the matter is being presented by another department of the Board. Can the Minister deny a Government policy and decision on the effect of these proposals? Can Government opinion be anything but political, certainly not unbiased, taking into account the Tullamarine railway project, which this House decided should be referred to the Public Works Committee before it was allowed to proceed?

Has the Government referred the project to the Public Works Committee? Does it seek any outside opinions on such projects, or does it reach decisions without reference to outside persons? No doubt the Government will force through Parliament Bills approving projects that it desires to undertake, as it did in regard to the railway to Tullamarine. I could discuss other relevant matters, but my colleagues will deal with certain additional aspects of the motion. The Government is sadly lacking in planning priorities in relation to railways versus roads and public transport versus private transport, and also in regard to the economics and the true planning aspects of some road projects. Therefore, I have pleasure in supporting the remarks of my Leader in relation to the Government's failure to do the right thing by the people of this State.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—I regret the fact that members of the Government party intend to treat this motion with silent contempt. As I have said a number of times previously in this House, to obtain information one has to wait for a statement to be delivered by a Minister at a social function in a remote corner of the State.

The Hon. ARCHIBALD TODD.—Or at a cocktail party.

The Hon. J. M. TRIPOVICH.—That is so. I do not wish to recapitulate what Mr. Merrifield has said in relation to the Tullamarine Freeway, but I remind the Minister for Local Government that when he assumed that office I said to him, "For God's sake make up your mind; examine the proposals fully and get some progress". I give the Minister full credit for his co-operation in relation to submissions that I have made to him on behalf of persons affected by the proposed freeway, but a final decision in relation to the Tullamarine Freeway will be a political decision.

Honorable members will recall that I made a comparison between the progress made in relation to freeways in New South Wales and the progress made in Victoria; I sought an answer from the Government, but none has been forthcoming because the Government has no answer. I was a member of a committee which visited New South Wales and made arrangements with the Labor Government which was then in office in that State to examine its freeways. The committee was driven over the freeways for two and a half hours. One could drive over Melbourne's freeway in two and a half minutes. While we were in New South Wales, I pointed out to the committee that the railway stations were painted and the trains modern. I contend that 70 per cent. of the rolling-stock in the Melbourne metropolitan area is over 35 years of age and has reached a dangerous stage.

The Government cannot be congratulated on the summary which has been published on the report of the metropolitan transportation study. I believe this summary has been based on figures provided by the Melbourne and Metropolitan Board of Works rather than on the data accumulated by Wilbur Smith and Associates. I agree with the newspaper statement that the report cost \$835,000, but the \$64 question

remains: What are we going to do about it now? The Minister of Transport appears to be firmly convinced that transport must be based on an underground railway or fixed rail and tram system. Apparently, the Premier does not share that view because for some years past the honorable gentleman has hedged in regard to this matter and he continues to do so. When the former Minister of Transport, Sir Arthur Warner, introduced the legislation to authorize the construction of an underground railway in Melbourne, he said, "There is no problem in relation to planning or construction; the whole problem is related to finance." Sir Arthur Warner informed the House how finance could be obtained for this project by the imposition of a tax on persons who, according to Sir Arthur, would enjoy the benefit of a £50,000,000 appreciation in the value of their properties. Sir Arthur said that it would not hurt these people to contribute £12,000,000 towards the cost of the underground. The Premier and the Government listened to Sir Arthur's financial proposals, but the only action it has taken was in 1963 when a Bill was introduced to delay the declaring of the date for the collection of the proposed tax. Since then, no concrete action has been taken to construct the underground railway.

The development of Flinders-street station hinges on the question of the underground railway; no developer can undertake any task in relation to Flinders-street until the Government decides what it intends to do about the underground. I remind Sir Percy Byrnes that on a previous occasion he said, "I will believe the underground when I see it." I pay a tribute to the Minister of Transport for his enthusiasm in regard to the development of transport based on an underground fixed rail system, but, if members of our party are going to be treated with contempt so far as this motion is concerned, the Government stands condemned in

relation to its failure to do anything about financing the underground railway.

I point out that the Lower Yarra Crossing is being undertaken by means of a financial scheme which permits repayments to be made over a period of years. As I have said previously, I believe the Government could implement a similar scheme in relation to the construction of the underground railway. Commissioner Rogan mentioned that utilization of £6,000,000 of loan moneys per year for five years would finance the underground railway, but the Government is not prepared to make this finance available.

I wish to read what Mr. S. M. Gilmour, the secretary of the Victorian Employers' Federation, said on his return from overseas recently. His remarks are published on page 5 of the *Industry and Trade Review* of March of this year, and I believe they are a challenge to the Government. The article states—

Speaking of Melbourne's transport problems, Mr. Gilmour said that money for an underground railway in Melbourne would be available if a satisfactory form of long-term repayments could be proposed by the Premier.

The "brains trust" to whom the Leader of this House referred—the honorable gentleman spoke the greatest hogwash that I have heard from him for a long time—has not been able to produce one idea in relation to financing the underground railway since he has occupied the office of Premier. When Sir Arthur Warner proposed his scheme, the Premier laughed at it, and still does so, because he has not the financial ability to understand the proposal. The article in *Industry and Trade Review* continues—

Melbourne badly needs additional transport facilities and a determination should be made forthwith as to when the underground is to be built and, if so, then the ways and means for its construction can be worked out, he said.

Already industry has made it clear that a programme of this type can be financed. It could be handled on similar lines to the development of the Princes Gate area and would meet the increasing demands for transport facilities to meet Melbourne's growing population.

The only requirement is that the Government meet the challenge of the long-term method of finance. It has been customary in Melbourne to talk about proposals of this nature and to delay action.

Major cities in all parts of the world have introduced underground transport and indeed could not function without it.

I stress Mr. Gilmour's statement that the underground could be financed on a basis similar to that adopted for the development of the Princes Gate area. I suppose the Leader of the House will claim some credit for the Premier so far as the Princes Gate project is concerned. If Mr. Gilmour had not fought the Government for nearly nine months, that development would not have been proceeded with. Yet, the Government now claims some credit for the progress that has been made. I further point out that Mr. Gilmour said, "It has been customary in Melbourne to talk about proposals of this nature and to delay action." That is the basis of my complaint, and why I take pleasure in attempting to prod the Government into taking action instead of merely talking about it. Let us have some action in relation to the underground railway; otherwise, in about ten years' time, the roads will be jammed with traffic.

The House divided on the motion (the Hon. R. W. Mack in the chair) —

Ayes ..	..	..	9
Noes ..	..	..	23
Majority	against	the	
motion	..	..	14

AYES.

Mr. Cathie	Mr. Todd
Mr. Galbally	Mr. Tripovich
Mr. Knight	<i>Tellers:</i>
Mr. Merrifield	Mr. Elliot
Mr. O'Connell	Mr. Walton.

NOES.

Mr. Byrne	Mr. Hamer
Sir Percy Byrnes	Mr. Hewson
Mr. Campbell	Mr. Hunt
Mr. Chandler	Mr. Mansell
Mr. Clarke	Mr. May
Mr. Dickie	Mr. Nicol
Mr. Feltham	Mr. Swinburne
Mr. Garrett	Mr. Thom
Mr. Gleeson	Mr. Thompson.
Mr. Granter	<i>Tellers:</i>
Mr. Grigg	Mr. Bradbury
Mr. Gross	Mr. Snider.

BARLEY MARKETING (AMENDMENT) BILL.

The Hon. G. L. CHANDLER (Minister of Agriculture), by leave, moved for leave to bring in a Bill to provide for the furnishing of certain information under the Barley Marketing Act 1958, to increase penalties under and extend the duration of that Act, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

FRIENDLY SOCIETIES (AMENDMENT) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. V. O. DICKIE (Minister of Health), was read a first time.

GRAIN ELEVATORS (AMENDMENT) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. G. L. CHANDLER (Minister of Agriculture), was read a first time.

THE CONSTITUTION ACT AMENDMENT BILL.

This Bill was received from the Assembly and, on the motion of the Hon. R. J. HAMER (Minister for Local Government), was read a first time.

SEYMOUR RACECOURSE LAND BILL.

This Bill was received from the Assembly and, on the motion of the Hon. V. O. DICKIE (Minister of Health), was read a first time.

The sitting was suspended from 6.26 p.m. until 7.49 p.m.

CARLTON (RECREATION GROUND) LAND BILL.

This Bill was received from the Assembly.

The PRESIDENT (the Hon. R. W. Mack).—I have examined this measure, and in my view it is a private Bill.

The Hon. L. H. S. THOMPSON (Minister of Housing).—In another place, this Bill was also ruled to be a private Bill, but was treated as a public Bill, and I propose that the same procedure be followed in this House. Therefore, I move—

That this Bill be dealt with as a public Bill.

The motion was agreed to.

On the motion of the Hon. L. H. S. THOMPSON (Minister of Housing), the Bill was read a first time.

SHEEP DIPPING (REPEAL) BILL.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I move—

That this Bill be now read a second time.

During recent years, it has become evident that the work of inspectors of stock in the Department of Agriculture in administering the Sheep Dipping Act has not been effective in reducing the amount of lice and ked in Victorian sheep flocks. Further, it has been evident that husbandry trends, such as autumn shearing, have made certain sections of the Act, which require dipping within 60 days of shearing, unworkable.

The whole question of the administration of the Sheep Dipping Act was discussed, in considerable detail, at a meeting called by the Department of Agriculture in September, 1964. This meeting was attended by representatives of the Graziers' Association, the Victorian Wheat and Wool Growers' Association, the Australian Primary Producers' Union, and the Chamber of Agriculture, Victoria; an apology was received from the Municipal Association.

At this conference, the representatives of organizations present agreed to consult their members and to inform the Department whether, in their view, the Sheep Dipping Act should be repealed, and lice and ked infestation in sheep dealt with under the Stock Diseases Act and regulations. Subsequent to this meeting, advice was received from each organization represented that the matter had been discussed fully at annual general meetings and that each organization was in favour of repeal of the Sheep Dipping Act and of dealing with lice and ked in sheep under the Stock Diseases Act and regulations.

Lice and ked in sheep are already scheduled as diseases under the regulations to the Stock Diseases Act. The repeal of the Sheep Dipping Act will enable inspectors to deal with these conditions as diseases, and the restrictions imposed by the Sheep Dipping Act on inspectors in certain months of the year, in relation to requiring sheep to be mustered for inspection, and on the Chief Inspector, in relation to ordering the dipping, will now be removed.

Under the Sheep Dipping Act, every owner, whether his sheep were infested with lice or ked or not, was compelled to dip his sheep annually within 60 days of shearing. There is no evidence that this compulsory annual dipping has had any significant effect in reducing the level of lice and ked infestation in this State.

In other States, such as New South Wales, lice and ked are dealt with as diseases and the inspector is empowered to take action whenever these conditions are found in flocks. It is now proposed that this should be the basis of administrative action in Victoria. This will enable inspectors to concentrate on those flocks which are infested and will relieve the owners of clean flocks of the requirement to dip their sheep annually.

Under the Sheep Dipping Act, the penalties provided for exposure of infested sheep in sale-yards were relatively low. In particular, section 10 of the Act provided a penalty of not more than \$10 for a first offence where an inspector found sheep or lambs carrying ticks or lice in a sale-yard. This has resulted, through the years, in nominal fines only being imposed on the very large number of offenders who have been proceeded against and the insignificant nature of the fines imposed has had very little deterrent effect on sheep owners exposing infested sheep in sale-yards.

With the repeal of the Sheep Dipping Act, such offences will be dealt with under the regulations to the Stock Diseases Act, where the maximum fine is \$200, and it is expected that the penalties imposed by magistrates under these regulations will be much more realistic and likely to have a considerable deterrent effect on offenders. I think all primary producers organizations agree with this move, and I commend the Bill to the House.

On the motion of the Hon. A. W. KNIGHT (Melbourne West Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

LAND (PLANTATION AREAS) BILL.

The Hon. L. H. S. THOMPSON
(Minister of Forests).—I move—

That this Bill be now read a second time.

The purpose of the Bill is to amend that section of the Land Act which deals with plantation leases. Members will recall that in 1959 legislation was passed to make available areas of Crown land on a purchase-lease basis to organizations or companies which wished to use them for the purpose of pine planting.

In recent years, reafforestation has become a subject of great national importance. It has always been of great national importance, but per-

haps this fact has been recognized to a greater degree as a result of careful analyses that have been made in recent years. It was considered that the subject should be tackled by the State Governments on a national basis and it was necessary to assess the needs of the Commonwealth of Australia not only for the present time but for some 30 to 35 years hence, when the softwoods now being planted will be maturing and making a real contribution towards forest revenue. Perhaps the most striking factor is that the cost of imports of forest products at present is second only to the cost of petroleum imports.

It is also true to say that at this stage the imports of various forest products are costing this country \$200,000,000 per annum and that if nothing is done to rectify the situation, by the turn of the century the cost to Australia will be \$600,000,000 per annum, based on current money values. Obviously it is essential for the States collectively to embark upon an elaborate reafforestation programme with the emphasis on softwood planting, but also paying due regard to the desirability of regenerating our hardwood forests on a scientific basis.

It may be asked: What softwood plantations have been established? In Victoria there are 150,000 acres of softwood plantations, approximately 65 per cent. of which belong to the Forests Commission. The other States vary in their acreages; for example, in 1964 it was revealed that South Australia had 170,000 acres under planting and the other States ranged from 115,000 acres to 170,000 acres, the only two States well behind being Western Australia with 40,000 acres and Tasmania with 25,000 acres. These figures make a total of 640,000 acres for the whole of Australia. By comparison, the relatively small sister Dominion of New Zealand has 1,000,000 acres under plantations and is embarking on a planting programme which will double that acreage in the next few decades.

It was felt that the Commonwealth—the States collectively—should do something to rectify this position. Two years ago it was decided to form a Forest Ministers' Council consisting of the various State Forest Ministers, the Minister for Territories of the Commonwealth, and presided over by the Minister for National Development. As the result of a survey carried out under the general supervision of this council it was ascertained that in order to achieve some degree of self-sufficiency by the year 2000, Australia should be planting 75,000 acres per annum instead of the present target of 42,000 acres per annum. In other words there should be an increase of 33,000 acres per annum, and this target should be maintained annually until the turn of the century. Originally it was estimated that something like 10,000 acres would be sufficient to supply Victorian needs. Some of the other States are becoming short of good planting land, notably South Australia, which has the greatest acreage under cultivation at the present time. Therefore, the responsibility for increasing the acreage has rested in particular upon Victoria and New South Wales. Of the Australian target of 75,000 acres, 21,000 acres has been specified as the Victorian share. The Forests Commission would plant 15,000 acres per annum, and private enterprise 6,000 acres. It may be asked: What target has been reached at the present time? Last year Victoria planted 15,000 acres, of which, the Forests Commission contributed 6,000 acres. Approximately twelve or thirteen years ago the Commission was planting annually 320 acres, so there has been a substantial increase. In short, the total of 15,000 acres planted last year requires to be augmented to 21,000 acres if Victoria is to attain the target set by the Forest Ministers' Council.

I direct the attention of honorable members to the significant point that last year the private enterprise contribution of Victoria reached a total of 10,000 acres, and the future target is

The Hon. L. H. S. Thompson.

to be 5,800 acres. However, it is highly doubtful whether private enterprise would be able to consistently maintain such a high figure, and even with the target of 5,800 acres, it was felt necessary to revise the Victorian system of making Crown lands available to private organizations.

The Hon. R. W. MAY.—Is the necessity to plant 10 per cent. of the area each year brought about by financial reasons?

The Hon. L. H. S. THOMPSON.—The section of the principal Act, under which it is now obligatory to plant 10 per cent. of the area in the first year, is to be changed to provide for the planting of 50 per cent. of the area in the first five years, the remainder to be planted by the tenth year. The major reason for the proposed change is that much work has to be done in the initial stages, and it may be impossible for the company concerned or the individual to plant so much in the first year. The actual physical work may entail locating drainage lines, constructing internal roads and fire breaks, shallow borings to test the soil and the water table, the clearing of land of trees and shrubs, windrowing of the debris for burning, heavy ploughing and harrowing and wide ploughing if necessary and finally the application of superphosphate. They are the tasks that may be necessary to perform in the initial year. As the result of representations that have been made, it has been decided to amend the planting requirement to 50 per cent. of the area by the fifth year instead of specifying a mandatory contribution in the first year. The provision in the principal Act concerning the performance of 10 per cent. of this work in the first year will disappear.

The Hon. R. W. MAY.—Are the difficulties physical or financial?

The Hon. L. H. S. THOMPSON.—Usually they are the physical difficulties that I have quoted. After consultation with the Forests Commission, it has been decided that, in the light of the administration of the

Act, it is an unrealistic provision, and therefore it is to be changed. A number of other changes are necessary.

As the result of the application of science to farming, it is extremely difficult for anybody to say that land at some time will be unsuitable for agriculture. The responsibility was placed on the Land Utilization Advisory Council to say that the particular section of land that might be made available for forestry would not be suitable for agriculture. The responsibility for doing that will no longer devolve upon that council, because it is believed that it is an unreasonable task. It will be noted that sub-section (3) of proposed new section 151b, as contained in clause 2, provides that the Minister may if he thinks fit request the Land Utilization Advisory Council to furnish him a report in writing with respect to the suitability of any land for the planting of forest trees. In other words, it is an optional responsibility, and not mandatory.

The Hon. SAMUEL MERRIFIELD.—Will this provision relate to plantations of cork trees?

The Hon. L. H. S. THOMPSON.—It could do so under the definition of "forest tree", which means any species of tree of value in commerce for its sap, bark or timber. I have had lengthy discussions with Mr. Vogt, who is interested in this subject, and experiments in the plantation of cork trees are taking place in a number of places in Victoria.

I might mention that the Soil Conservation Authority has carried out surveys of 45 per cent. of the areas of Victoria so that a lot of information is already available on the aspect of soil testing. As the result of scientific research, we are far less in the dark on this aspect than we were ten or fifteen years ago. It is interesting to note that some of the major plantation companies rely heavily on the advice from the Commonwealth Scientific and Industrial Research Organization to enable them to convert what may

be regarded as useless land into productive areas. I had occasion to visit such an area recently which is just over the South Australia border. A company—Sapfor—which was an applicant under the old scheme is in the course of planting some thousands of acres. Actually, some 16,000 acres has been granted to six applicants under that scheme. Land in Western Victoria which a few years ago was considered to be unsatisfactory for pine plantations is now being utilized for this purpose. This has become possible through advice by the Commonwealth Scientific and Industrial Research Organization, under the general supervision of Dr. Stephens, who is an expert in this field. Nobody can say that land of that type will be waste land in the future. By the application of such chemicals as trace elements and superphosphate in a systematic way, trees may be grown under conditions which were not previously thought to be possible.

The Hon. D. G. ELLIOT.—Is this in the Keith area?

The Hon. L. H. S. THOMPSON.—No, the Keith area is devoted largely to agriculture. These are areas close to the South Australian border. In fact, on my tour of inspection, I crossed the South Australian border several times. It would be an area over 100 miles up the border from the coast. Under the Land (Plantation Areas) Act, it was necessary for the Minister to refer the application of any company or organization to a committee consisting of the Auditor-General and the Crown Solicitor. This could properly be described as a procedure involving a sledge hammer to crack a nut. This has been changed to give the Minister the option to refer the application to that committee if he thinks fit.

Secondly, land will only be leased to the applicant, so that large areas of Crown lands will not pass out of the hands of the State. Thirdly, where there is a second application from a company, it will be unnecessary to go through the whole procedure again. Fourthly, in the case of some companies of financial

standing, which are so well known, it seems a case of red tape to force an inquiry and report.

As I explained, in reply to the interjection by Mr. May, proposed new section 151F will make it possible for 50 per cent. of the area to be planted in the first five years, and the remainder within ten years. Fifthly, it is possible for the Minister to grant an exemption to that provision where such is justified as a result of drought, flood or other misfortune.

Finally, the other provisions are similar to those already included in the Land (Plantation Areas) Act. They relate to the power of the lessee to erect buildings and to remove those buildings and trees in the event of the cancellation of the lease. We believe that a new concept has been developed in recent years in relation to the type of land that can be used for forestry purposes, and as the result of the experience of my colleague, the Minister of Lands, in the administration of the Act, it has been found necessary to introduce these changes in the interests of efficiency and the long-range planning of Victorian forests. I commend the Bill to the House.

On the motion of the Hon. J. W. Galbally (Melbourne North Province), for the Hon ARCHIBALD TODD (Melbourne West Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

MARKETABLE SECURITIES BILL.

The Hon. R. J. HAMER (Minister for Local Government).—I move—

That this Bill be now read a second time.

This Bill deals with what are known as marketable securities. Broadly, the term covers shares, debentures, stocks, and other items of a like nature. It has become apparent over recent years that, because of the volume of trading in these marketable securities, the present system is cumbersome and, perhaps, outmoded.

There has been a good deal of activity here, in England, and in America, aimed at devising a simpler, speedier, and cheaper method of transferring them. This Bill is the result of a consensus of opinion on this matter in Australia.

With a simpler method of transferring marketable securities goes a simpler method of assessing and paying stamp duty on the transfer. Some time ago, the central organization of the various Stock Exchanges in Australia requested the State Governments to bring in a uniform system for a new and simplified method of transferring these securities, based on experience overseas. This Bill does that.

At the same time, the Bill deals with a problem which has been exercising the minds of the Treasuries of the various States, namely, the extent to which Canberra is being used to avoid the payment of stamp duties. Up to date, the Australian Capital Territory, and, I think, the other Territories, have not seen fit to levy stamp duties on documents. It became quite profitable at least to have a share register in Canberra, and sometimes to conduct whole transactions there, and so avoid the incidence of stamp duty on transfers.

At present, both transferor and transferee are required to sign transfer documents. This often requires one or both parties to sign many documents to complete one transaction. Under the new system, only the transferor will have to sign the transfer document, and he will never have to sign more than one document. Further, he can sign it in advance. The transferee will not have to sign at all. It is essential that this plan be controlled through brokers who can themselves be supervised. They will stamp and certify the necessary form which can then go forward for immediate registration by the company concerned.

Apart from the form of transfer, a major change brought about by the Bill relates to the method of paying duty on transactions effected

through brokers. At present, each document of transfer has to carry either adhesive or embossed stamps. Under the new system, stamp duty will be collected on weekly statements lodged by the brokers, who will pay in cash. I need not point out that this will save a tremendous amount of work in the Stamps Office and, I think, in the offices of the brokers as well.

The Hon. P. V. FELTHAM.—Will directors of companies be relieved of the responsibility of ascertaining that duty has been paid?

The Hon. R. J. HAMER.—Provisions in the Bill deal with that point. It is not possible to apply this new system to non-broker transactions, and they will remain subject to the present rules. There will be two systems running concurrently. This is not unusual in Stamps Office procedure. Mr. Feltham will be aware of other circumstances in which some person makes a declaration for stamp duty purposes each week or each month in order to simplify the procedure.

In a sense, the Bill is largely a machinery measure. It provides the background necessary for the operation of the new transfer system and the calculation of revenue. In addition, there have been some modifications of stamp duty itself which have been introduced because of the need for reconciling different systems of the States. In other words, they will bring about a uniform system throughout Australia.

A third major change made by the Bill relates to the obligation of the parties to pay duty. At present, the purchaser is required to pay the prescribed rate of duty. The vendor pays nothing. Under the new system, the duty will be split equally between the vendor and the purchaser. In that way, the State where the transaction occurs will reap the benefit of the tax on the transaction whereas, under the existing system, the location of the share register is the important factor and the State

where that register is located receives all of the duty. If, as frequently is the case, that register happens to be located in Canberra, no Government receives any duty.

I shall now explain the Bill in a little more detail. The first Part deals with the type of instrument which is acceptable for registration in company registers. The forms, which have been studied and approved by the various Stock Exchanges, are contained in a schedule to the Bill. The Bill provides that they will be valid notwithstanding anything to the contrary in any memorandum or articles of association of a company. The need for the transferee to sign a transfer is abolished, provided the document is stamped and certified by the broker.

Mr. Feltham raised the question of protection for companies. It will be seen that the Bill provides that certification by the broker carries certain warranties and indemnities necessary for the protection of the company, the company officers, and the parties to the transfer. The provisions of the first Part apply only to sales or purchases for full marketable value—that is to say, not to gifts and transfers for inadequate value—made by a broker in the ordinary course of his business. All other transactions remain within the existing system.

The second Part of the Bill deals chiefly with amendments to the Stamps Act. First, there are provisions concerned with deleting the existing provisions which fall within the new stockbroker scheme. Secondly, there are new provisions which embody the new broker scheme. Thirdly, there are those which relate to the registration of transfers and company registers. Fourthly, there are those concerned with exemptions. As to the first of these, the only real amendment to the present law is contained in paragraph (g) of clause 10, which repeals the proviso to section 59 of the Act. That proviso grants a special concession to stockbrokers which, I

understand, was never available in New South Wales. It allows stock-brokers to conduct their own personal transactions in shares duty free, provided they resell within five working days and that no transfer into their name is registered. This concession has been in operation since 1938 and, in order to bring the legislation into line with that of other States, it has now been abolished. It does not seem to be warranted.

The second set of provisions of this Part of the Act deal with the new system for processing transactions for full value made through brokers. Sub-section (2) of proposed new section 60A, as set out in paragraph (1) of clause 10, defines the exact area of application of the succeeding provisions. They apply to sales or purchases for full value where the shares are listed on a recognized stock exchange. The first step is for the Victorian dealer to make a record in respect of sales or purchases made or deemed to be made by him pursuant to an order lodged with him in Victoria or on his behalf. The details to be recorded are set out in the proposed new section. Sub-section (2) of proposed new section 60B, as set out in paragraph (1) of clause 10, is a deeming provision to ensure that the transaction of sale and purchase bears its full duty even though no specific order, in the strict sense, is lodged with the Victorian dealer who carries out the transaction. It would, for example, cover the case where the broker received a buying order and approached a seller who agreed to sell but who lodged no order.

Sub-section (3) exempts from duty what are known as broker-to-broker transactions which are entered into for the purpose of completing a purchase by one of the brokers. This is not in any sense a separate transaction and the theory is in line with certain other exemptions in the Act.

Sub-section (5) of the new section 60B makes provision for the special case of the odd lots broker. The odd lots broker is a firm especially ap-

pointed by the Stock Exchange to deal in small, broken parcels of shares. There is only one such broker and all dealings in such parcels have to be effected through him. When he buys, he buys as a principal, and the security becomes his own property. When he sells, he is often left with balances of broken parcels. The margins on which he works are closely controlled by a scale laid down by the Stock Exchange.

The real purpose of the odd lots broker is to assist the market to deal in full, marketable parcels, by making them up for purposes of transfer. It is thought, and accepted by all stock exchanges and representatives of all Governments in Australia, that the dealings of an odd lots broker ought to be exempt from stamp duty. In effect, they are not really transfers as between vendor and purchaser, they are the working of machinery to enable that sort of transfer to be made more readily. In arriving at this decision, the Government also had in mind that the odd lots broker will suffer somewhat from the proposed abolition of the five days duty-free period at present allowed. The proposed new section 60C is the operative provision so far as payment of duty is concerned. It requires all Victorian dealers to lodge a return of transactions and pay the duty according to the scale laid down. There are, of course, penalties provided for failure to lodge a return or to pay the duty.

I should point out to the House that there are two respects in which the scale of duty included in this Bill differs from that now in force. At present, there is a minimum duty of 8 cents on considerations not exceeding \$20, and a duty of three-eighths per cent. where it exceeds \$20. The new, uniform rates now proposed are 5 cents per \$25 or part of \$25 on considerations of less than \$100, and, when the consideration is \$100 or more, it is 20 cents per \$100 or part thereof. These rates are payable for both sales and purchases. Overall, they represent a small increase. The

present three-eighths per cent. is 75 cents per \$200 and the new equivalent is 80 cents per \$200.

The Hon. ARCHIBALD TODD.—That is consistent—this is the “up and up” Government.

The Hon. R. J. HAMER.—This has nothing to do with any increases. I would point out to Mr. Todd that in some States, in addition to the transfer duty, there was an extra charge on a contract note issued by the broker. Victoria did not have this charge which, in some other States, made the total duty higher than in Victoria. Those other States are to abandon the contract charge and increase their base duty to 80 cents. So, in the process of achieving uniformity with the other States, Victoria will gain slightly in revenue in this regard to the extent of 5 cents in \$200.

Section 60D requires the dealer, on recording the details of a sale or purchase, to make an endorsement on the appropriate transfer form including a statement that duty has been or will be paid by him. The transfer is then deemed to be duly stamped and becomes just as valid from a stamp duty point of view as if it had been separately stamped.

The dealer is by section 60E given the right to recover from his client any moneys he pays to the Comp-troller under this scheme on behalf of that client.

The Hon. M. A. CLARKE.—What happens when there is a transfer to a broker’s nominee company?

The Hon. R. J. HAMER.—The broker will still have to pay the duty, and he will have to recover it from the nominee company. If he owns the company, he will have to pay it out of his own pocket. The Consolidated Revenue will not suffer, but the broker will.

The Hon. M. A. CLARKE.—So long as nominee companies are not being encouraged, it will be all right.

The Hon. R. J. HAMER.—They are neither encouraged nor discouraged. The transfer procedure is simplified, as is the collection of revenue.

In the third Division of the Bill there are certain machinery measures to which I shall not refer in detail. The Bill represents a tremendous advance in the commercial community. The best thing about it is that it has resulted from complete agreement amongst the interested parties, and it will make the collection of duty by the Stamps Office a great deal easier. To that extent it ought to be welcomed. For those reasons I commend the Bill to the House.

On the motion of the Hon. Archibald Todd, for the Hon. J. W. GALBALLY (Melbourne North Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

PROTECTION OF ANIMALS BILL.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I move—

That this Bill be now read a second time.

This Bill proposes to re-enact in a self-contained measure and in more modern form the provisions of the Police Offences Act 1958 which relate to the protection of animals. A similar measure was introduced into this Parliament in October, 1965, and, as honorable members will recall, was referred to the Statute Law Revision Committee for consideration and report.

The committee furnished its report in November, 1965. The report made a number of recommendations as to how the Bill could be amended. The Government has given careful consideration to those recommendations. The recommendations of the committee that the exceptions to the provisions of the Act referred to in paragraph (c) of sub-clause (1) of clause 11 of the Bill be extended to include registered dentists and diagnostic procedures are now included in the Bill.

On the question of the extension of the provisions of this paragraph to embrace persons such as the officer in charge of the pharmacology department, or medical students engaged in experiments upon animals and acting under the direction or supervision of a registered legally qualified practitioner, the Government feels that an amendment of this nature would have such reaching effects that it should be thoroughly investigated before being adopted.

The Statute Law Revision Committee also suggested that the Bill, rather than the regulations to be made under it, should provide specifically that practitioners desirous of engaging in experiments upon animals shall be registered.

The Government has considered this aspect closely, but considers that the present provisions of the Bill are satisfactory. The exceptions referred to in paragraph (c) of sub-clause (1) of clause 11 extend only to those practitioners who are registered. The method of obtaining the registration will be contained in regulations which will be made pursuant to sub-clause (3).

The Bill also provides that where a legally qualified medical, dental or veterinary practitioner who is registered to perform experiments on animals is convicted of any offence under the Act, the court by which he is convicted may, in addition to or in substitution of any other penalty, order the cancellation of the registration of that practitioner and may disqualify the person convicted from obtaining registration for such time as the court thinks fit. As recommended by the committee, paragraph (d) to clause 17 of the original has been omitted.

This measure has been closely scrutinized by all parties, and the recommendations of the Statute Law Revision Committee have been accepted by the Government almost in their entirety.

The Hon. G. L. Chandler.

On the motion of the Hon. J. M. TRIPOVICH (Doutta Galla Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

COUNTRY FIRE AUTHORITY (BORROWING POWERS) BILL.

The debate (adjourned from April 19) on the motion of the Hon. V. O. Dickie (Minister of Health) for the second reading of this Bill was resumed.

The Hon. A. W. KNIGHT (Melbourne West Province).—When this Bill becomes an Act the borrowing powers of the Country Fire Authority will be increased from \$2,000,000 to \$4,000,000. First, I want to be critical of the Government for the lack of information contained in the explanatory notes circulated by the Minister. It is incumbent upon a Government to tell members of this House what the Authority proposes to do with this money, but the sketchy notes supplied do not give this information. It is all very well for the Minister to say that the Authority is doing a wonderful job, but honorable members are entitled to full details to supplement the information that can be obtained from the annual reports of the Authority. So, I hope the Government will heed my remarks and in the future will supply more detail.

It was stated that the Authority intends to introduce better radio equipment. This is commendable because the Country Fire Authority, and also the Metropolitan Fire Brigades Board have encountered trouble because the Post Master-General's Department has altered the wave bands. Jamming occurs because of the closeness of the radio bands, and this will have to be rectified if the Authority and the Board are to function properly. There should be three open bands for these essential services. However, the Federal Government has introduced

close bands in order that private enterprise may use short-wave radios.

In addition, difficulties are being encountered with V.H.F. radio particularly in the high hills of the Gippsland area. Problems are also being met at repeater stations and messages become jammed when two are received at the one time. I hope these difficulties can be overcome by advanced techniques.

I refer now to the maintenance of buildings by the Authority. Mr. Galbally referred recently to the new headquarters of the Authority at Tooronga. The Government asserts that it is most interested in decentralization, yet it has allowed the Country Fire Authority to erect a large building in the metropolitan area. This is causing concern to members of my party, and I am sure members of the Country Party are not happy with the arrangement.

On a recent tour of Gippsland I noticed that a building owned by the Authority was in a shocking state of repair. A door and louvre windows were missing from the building. In my opinion, greater attention should be paid to the maintenance of these buildings, and I am sure that Mr. Grigg will be vocal on this point.

The Hon. T. H. GRIGG.—Which station was that?

The Hon. A. W. KNIGHT.—It was at Bass. It is an old Nissen hut and is a disgrace to the Authority. I pay a tribute to the men who voluntarily man Country Fire Authority units. Over the Christmas period when I was visiting South Gippsland, the alarm was given on three occasions within two hours, and the men turned out in their units without hesitation. However, some of the units remind me of old Army tankers. In my opinion a better method of transport is needed and it has been proved that the squatter vehicle can be used to carry a greater quantity of water, is more stable on the road, and there-

fore provides better facilities for fire fighting. The Labor Party does not oppose the Bill.

The Hon. I. A. SWINBURNE (North-Eastern Province). — The Country Party supports this Bill. I should like to compliment the Government on its decision to increase the borrowing powers of the Country Fire Authority to enable the Authority to work within the ambit of its estimated expenditure for the next few years. I know that the Authority submitted its proposal to double the amount of its loan funds with some fear and trepidation, probably expecting that the increased borrowing authority which it sought would be reduced by 50 per cent. Honorable members who are associated with the work of the Authority throughout the State will be pleased that the Government has seen fit to meet the Authority's request in full.

This year, the Authority has made rapid strides. Much of this progress can be attributed to the reconstitution of the Authority, which has brought within the ambit of the organization, not only the Authority and its officers, but also the volunteer fire fighters throughout the State. There is now a feeling of comradeship and co-operation which has not existed for some time. This was brought about largely by means of good personal relations, which are evident in the working of the various brigades throughout the State. I pay a tribute to the new chairman of the Authority for the manner in which he approached this task. He has not gone about his work with a blare of trumpets, but quietly in accordance with the principle that he should obtain the co-operation of everybody if the Authority is to work satisfactorily.

The work of the Country Fire Authority is of great importance. I do not suppose that everybody will ever be satisfied so far as the supply of equipment is concerned throughout the various areas of the State because

there are always differing views concerning mobile units and other equipment. If members were to stand on the steps of Parliament House and watch motor traffic passing, they would probably see 30 or 40 vehicles of different models, because people purchase the cars which they consider will be the most suitable for their needs. It is only natural that those associated with country fire fighting will have preferences concerning the best types of vehicles for their districts.

In the north-east of the State and in certain parts of Gippsland, the standard type of vehicle—the Austin tanker—used by the Authority was of very little value, hence the Authority provided a four-wheeled drive vehicle for those areas. These vehicles have proved of great advantage. It is a matter of testing various units to determine which types, having regard to local conditions, are the most suitable for particular areas and conditions. I believe that in the future, with the co-operation of all concerned, the stage will be reached when the Authority will have at its disposal a fleet of tankers throughout the State which will greatly assist in fire-fighting activity.

One of the problems which are encountered in certain areas when fire fighting is necessary is that of providing a supply of water to the units and to the men who are using knapsacks. Under the new set-up of regional councils, the councils are co-ordinating the work of providing water tankers, which will not be provided from the funds of the Authority but from other departments and municipal councils which already have tankers in their areas. When the survey which is being undertaken has been completed, there will be available full knowledge of all the equipment that would be available in the event of a major fire outbreak.

The tankers which are operated by the Country Roads Board would be made available throughout the State whenever necessary. By the wise

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use of vehicles owned by the Country Roads Board, the Forests Commission and municipal councils, supplies of water could be greatly improved whenever fires occurred. By greater co-ordination, there will be no costly duplication of equipment as has occurred in the past. During the last Gippsland fires, I understand that some metropolitan councils sent tankers to country districts where fires were raging.

The Hon. G. J. O'CONNELL.—The Richmond council sent one to Bruthen.

The Hon. I. A. SWINBURNE.—By this means, full use is made of the field equipment which is available. During the last fire seasons, the Authority transferred equipment from one part of the State to another. Certain equipment is standing by and, when a call for assistance is received, it is diverted from one area to another. This has assisted in suppressing the fires that have broken out. It enables equipment to be brought into distant areas with a minimum of delay. The Authority is moving fairly rapidly in regard to equipment.

I agree with Mr. Knight that one of the greatest problems associated with fire fighting is that of communication. I do not intend to speak on radio communication, as it is a subject with which I am not very familiar. However, I know that radio communication is one of the most revolutionary assets in fire suppression and control in country areas, because it provides rapid contact. For example, in the Myrtleford area, it is possible for fire fighters to know within minutes when the wind changes or when there is a variation in other climatic conditions. I remember being at a fire last year when the Forests Commission officer came along and told the men to re-align themselves, because within ten minutes the wind would change its direction. The re-grouping of the fire fighters concerned enabled the fire in question to be held. This was

possible only because of the advance information obtained from the tower at Benalla which had been informed of the changing weather conditions from farther west in the State.

I believe more could be done to improve communications, and I trust that now that the Postmaster-General's Department has been brought in on the co-ordinating committees, there will be greater co-operation and an improvement in radio communication facilities. There has been a good deal of discussion concerning the types of radio sets which should be used. I do not know who is right and who is wrong concerning this matter. By the co-ordinating committees, it should be possible to obtain the best sets for the various areas. A set which was useful in the western part of Victoria might not be of much value in the north-east of the State. This matter should be left to those who are expert in this field.

The Country Party is satisfied with the money that is being made available under the Co-ordinator of Works. It is pleasing that some steps are proposed to provide accommodation for certain regional and zone officers. Because of the decentralization of the control, officers are located in various areas throughout the State. These officers must have their homes and an office in which to work, so that work can be co-ordinated for 24 hours of the day. Recently, I had occasion to contact a regional officer but, because of a change from the manual to the automatic telephone system in his district, I could not ascertain where he was living, and I had to make a special request of the telephone staff in Melbourne before I could contact him on a matter that was important. These things should be established on a permanent basis so that there will be no lapse in communication between brigades and regional officers. With those remarks, I support the Bill.

The motion was agreed to.

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The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (*Borrowing by Country Fire Authority*).

The Hon. V. O. DICKIE (Minister of Health).—It is apparent from the comments of honorable members that all parties are in complete agreement with the proposition to increase the borrowing powers of the Country Fire Authority from \$2,000,000 to \$4,000,000. I have taken a note of Mr. Knight's reference to the skim-piness of the information supplied in the second-reading notes. I appreciate his point of view, although an examination of the notes reveals that they referred specifically to the essential need to improve the mobility and radio communications of brigades and to provide accommodation for some regional and zone officers. Undoubtedly, money will be required for other purposes, and I appreciate that Mr. Knight would like to have information concerning such expenditure. I shall pass his request on to the relevant authority.

Radio communications have improved tremendously in a relatively short period of time. I recall that early in 1956, during an electioneering campaign, there was a get-together of all brigades in the Lake Bolac area. At this time radio communication was being developed, and I was impressed with the degree to which it could be helpful. In the intervening ten years, great progress has been made. The matter referred to by Mr. Knight concerning overlapping of wave lengths in radio communication will be noted, and I hope appropriate action can be taken.

Mr. Knight also referred to the maintenance of properties, and again I have taken a note of his comments. Apart from these matters, there seems to be complete agreement concerning the provisions of the Bill, and there is no need for me to delay its passage further.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

PAISLEY-GALVIN RAILWAY LAND EXCHANGE BILL.

This Bill was received from the Assembly and, on the motion of the Hon. L. H. S. THOMPSON (Minister of Housing), was read a first time.

LABOUR AND INDUSTRY (SHELTERED WORKSHOPS) BILL.

The debate (adjourned from April 6) on the motion of the Hon. V. O. Dickie (Minister of Health) for the second reading of this Bill was resumed.

The Hon. J. M. WALTON (Melbourne North Province).—This Bill proposes to exclude sheltered workshops from the operation of wages board determinations. I suppose the first question that arises amongst those who do not know is: What is a sheltered workshop? In a pamphlet entitled *Planning a Workshop*, published by the National Association of Sheltered Workshops and Homebound Programmes Incorporated, in Washington, D.C., a sheltered workshop is defined as—

A non-profit organization or institution conducted for the purpose of carrying out a recognized programme of rehabilitation for physically, mentally and socially handicapped individuals by providing such individuals with remunerative employment, and one or more rehabilitating activities of an educational, psycho-social therapeutic, vocational, or spiritual nature.

No doubt at some time or other, most honorable members have inspected a sheltered workshop. Indeed, it is exciting, tragic, enlightening and sometimes the source of a good deal of satisfaction to see people doing something useful who, prior to the advent of sheltered workshops, might have whiled away their time sitting in a wheelchair locked away in some home. This was the unhappy fate of some people prior to the advent of special schools and sheltered work-

shops. Many people, having nowhere to send mentally retarded children, locked them away in their homes, and even their closest friends or neighbours did not know that they had a spastic or a mentally retarded child there.

One of the problems has been that once the children left primary school there was nothing for them to do. As a result, the sheltered workshop programme grew up in our midst. I have already outlined what is done at these places, and it is wonderful to see the sense of achievement of a child who does in perhaps a period of many minutes what it takes a normal child only seconds to perform. Under the scheme proposed in the measure, such persons will be able to receive some remuneration for their work. It is pleasing to know that there are industries in the community which are prepared to accept these people at work and thereby encourage them. It necessarily follows that in some small way the parents or an organization are relieved of some financial burden.

Governments everywhere are beginning to recognize the need for sheltered workshops. At present, the Commonwealth Government is carrying out an extensive survey. All organizations throughout the Commonwealth have been circularized with the object of obtaining a better appreciation of what has been done and what remains to be done. In the House of Commons earlier this year, a resolution on this subject was moved, as recorded in *Hansard*—

Mr. William Hamling (Woolwich West): I beg to move,

That this House is of the opinion that responsibility for the education and training of all mentally handicapped children should be transferred from the Ministry of Health to the Department of Education and Science; that improved educational opportunities are the key to the proper development of these children; that their subsequent training and employment under sheltered conditions, or where possible in open industry, should be the responsibility of the Ministry of Labour; and that the Government should take powers to ensure that facilities for them should conform to a minimum standard not lower than that obtaining in the best authorities.

As I have said, these problems are not before this Parliament only; both the House of Commons and the Commonwealth Parliament have them under consideration. It is unfortunate that, as yet, a system has not been developed for the cure of these people after they have left a sheltered workshop. I understand that in New South Wales a scheme is in operation whereby the profits from these workshops over the years will be devoted towards the building of a home in which these people can be looked after in their later years. Of course, during this time their parents care for them, at least in their spare time, and are able to ensure that they are not completely on their own, but after the parents have passed on there is nobody to look after them when they have finished their useful life in a sheltered workshop. I hope that in the near future a programme similar to the one in operation in New South Wales will be instituted here.

In all, the Bill is one which the Labor Party accepts. Of course, it is of vital interest to us in that it takes something away from wages board determinations. However, we accept this as being a necessary evil to provide for people who are less fortunate than ourselves. One of the other problems that sheltered workshops face is that the participants are not all mentally retarded or spastic children. They can be elderly people, who may be receiving an invalid or even an age pension. Of course, once their earnings reach the amount of \$7 a week that they are permitted to earn, there is little or no incentive for them to go any further. Indeed, they have to reach a wage of something like \$18 a week before they can be relieved of their pensions and enter the open field of employment. So I hope the Department of Health and the Commonwealth will recognize this need and allow these people gradually to become independent. This would be to the advantage of the community because, after all, it would not then

be necessary to pay them a pension, and they would be doing something that they are happy to do. They should be encouraged in their efforts. The Opposition wishes the legislation a speedy passage.

The Hon. A. K. BRADBURY (North-Eastern Province). — The Country Party supports this small but important measure to give some relief and encouragement to members of a section of the community who, as Mr. Walton said, are frequently not heard of. Because of the unfortunate handicaps inflicted on some of these people, many of them since birth, they are secluded and kept away from the eye of the general public. I discovered comparatively recently that a friend of mine in my home town, whom I had known for a number of years had an intellectually handicapped boy in one of our institutions in Melbourne. I doubt whether anyone outside a few very close relatives and friends knew about this.

These people feel that they are excluded from society because of an unfortunate infliction on their children. I hope the Bill will provide some encouragement to institutions to establish sheltered workshops in this State, because they are badly needed to assist these people. In another case that I know of, fortunately, the employers have availed themselves of section 135 of the Labour and Industry Act to employ an intellectually handicapped boy under exemption from the relevant wages board determination. This lad is making a real contribution towards making a place for himself in society, and although he is retarded mentally and probably slow in his movements and in the work he performs, he feels a pride in the fact that he is making some contribution to society and being independent to some degree by being able to support himself.

Mr. Walton cited the definition of a sheltered workshop from an American source, but I am somewhat concerned as to the definition

of this type of institution in Victoria, which is being related to the Labour and Industry Act. Is there a proper interpretation of what a sheltered workshop is in this State? I understand that it is a place where work is carried out without profit or gain, but is this clearly laid down? I should like the Minister to provide an answer to this question.

I should also like to know whether the sheltered workshops will be under the supervision of inspectors of the Department of Labour and Industry. If they are not, there may be ways and means of some employers dodging the responsibilities associated with employing these people without paying them the full rates provided in a wages board determination.

This measure will contribute greatly to the needs of these unfortunate people. In the area represented by Mr. Swinburne and myself, a number of citizens do wonderful work on behalf of intellectually handicapped persons. This opportunity of doing useful work is providing unfortunate young people with a good deal of self respect and confidence. These activities are going a long way towards lifting these young people out of the rut and giving them something to live for. In addition, their parents are assisted to a great degree by having them taken off their hands for a certain period during the day during which they are given something to occupy their minds. The young people themselves gain a certain amount of confidence in knowing that they are able to play some useful part in the community. It is astounding how much these young people are capable of learning. At first sight, one might think the future holds no hope for them, but it is amazing how they are able to learn to do a worth-while job.

This Bill is a step in the right direction; it is an extension of section 135 of the Labour and Industry Act under which the Secretary for Labour and Industry may grant an

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exemption to employers in relation to handicapped persons for a period of twelve months, after which time the exemption must be renewed. So far as sheltered workshops are concerned, they will have the right to employ handicapped people who will not be subject to determinations of a wages board. For those reasons, members of the Country Party support the Bill and hope that it will bring beneficial results to the persons whom it is intended to assist.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, relating to determinations not to apply to certain persons.

The Hon. V. O. DICKIE (Minister of Health).—I appreciate all that has been said in relation to this Bill. No doubt every member of this House, from personal experience of what is being done in sheltered workshops throughout the State, could speak at great length on this measure. Since being appointed as Minister of Health, I have had the opportunity of visiting many Victorian institutions, particularly those which cater for mentally retarded people. I appreciate the magnificent work that is done at these establishments.

Years ago, we tended to refer to these people as "unfortunates", but we are trying to get away from that outlook. The fact remains that they are unfortunate people. To see the tutors teaching these people the rudiments of packaging, and so forth, indicates the magnificent service that is being done in this field not only as Mr. Walton said, in relation to persons who are mentally retarded or deficient but also in relation to the aged and even frail elderly people.

I am not aware of the proposition advanced by Mr. Walton, but I shall certainly make inquiries about it. It has not been brought to my notice that in New South Wales the profits made within sheltered workshops are

put aside and used to provide accommodation for these people in later years. This proposal interests me greatly, and I shall examine it.

So far as Mr. Bradbury's remarks are concerned, I point out that this Bill amends the Labour and Industry Act and that sheltered workshops will come under the direct supervision of inspectors of the Department of Labour and Industry.

The Hon. A. K. BRADBURY.—Will the institutions have to be registered?

The Hon. V. O. DICKIE.—No. Under section 135 of the principal Act, industry can employ mentally retarded persons. I think the number of registrations does not exceed 70.

The Hon. A. K. BRADBURY.—That is done by a direct application to the Department?

The Hon. V. O. DICKIE.—That is so, but under the provisions of this Bill the organization itself will be inspected to ensure that it is not in competition with outside organizations or is using this labour at reduced rates of pay to produce products in competition with someone else.

Sir PERCY BYRNES.—Does the Commonwealth Government assist in these cases?

The Hon. V. O. DICKIE.—One of the State's problems in this field is that the Commonwealth Government makes a contribution on a \$2 for \$1 basis to house these people, but the cost of maintenance is substantial and has to be met by the State. I do not think any other matters were specifically raised by honorable members. The Government deeply appreciates the manner in which this measure has been received. Undoubtedly, it will go a long way towards the rehabilitation of the people concerned who, unfortunately, do not have their full faculties.

The Hon. A. K. BRADBURY (North-Eastern Province).—I am rather concerned about the non-

registration of these institutions. Unfortunate repercussions ensued as a result of child-minding institutions not being registered and under proper supervision. Although we applaud the establishment of sheltered workshops, I think they should be registered to ensure that the people concerned work under proper conditions and that the buildings in which they work meet certain requirements. If they are not registered, the position could get out of hand, and some unfortunate events may result. I believe these workshops should be registered so that they may be supervised in an appropriate manner.

The Hon. J. M. WALTON.—They will be registered with the Hospitals and Charities Commission.

The Hon. A. K. BRADBURY.—That is not so, according to the Minister.

The Hon. V. O. DICKIE (Minister of Health).—When I answered Mr. Bradbury's question in regard to registration, I believed he was asking whether these workshops would be registered as factories under the Labour and Industry Act. They would not be. Sheltered workshops are under the surveillance of the Hospitals and Charities Commission as to standards, and so on. No one would be permitted to establish a sheltered workshop purely for the purpose of employing cheap labour. Every institution that includes a sheltered workshop is registered under the Department of Health.

The Hon. A. K. BRADBURY.—The intellectually handicapped section comes under the Mental Health Authority.

The Hon. V. O. DICKIE.—I shall examine this aspect. Every sheltered workshop is completely supervised by the Department of Health, whether it comes under the control of the Mental Health Authority or the Hospitals and Charities Commission. I shall examine the situation, but I can assure Mr. Bradbury that the Department of Health supervises all such institutions.

The clause was agreed to.

The Bill was reported to the House without amendment, and passed through its remaining stages.

BUSINESS OF THE HOUSE.

POSTPONEMENT OF ORDER OF THE DAY.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I move—

That Order of the Day No. 8 be postponed until later this day.

The Hon. J. W. GALBALLY.—I understood from the Leader of the House that it was intended to proceed straight down the Notice Paper. What is the reason for the proposed change?

The Hon. L. H. S. THOMPSON.—Similar action has been taken on previous occasions to meet the convenience of the other parties.

The Hon. J. W. GALBALLY.—I thought it was desired to pass Order of the Day No. 8 to-night.

The Hon. L. H. S. THOMPSON.—It would suit the Government's convenience if Order of the Day No. 8 were postponed until later. I cannot go into details, but certain representations have been made which the Government is anxious to consider before it proceeds with the debate on the County Court (Common Law Jurisdiction) Bill.

The Hon. J. W. GALBALLY (Melbourne North Province).—I am not prepared to agree to this proposal. Members of our party were taken to task earlier to-night because we did not take the Government into our confidence in connexion with an adjournment motion. I would agree to the course proposed if the Government had a genuine reason for postponing the debate, but is it taking this action because it fears that the Bill may be defeated?

The Hon. L. H. S. THOMPSON.—We do not know what you propose to do.

The Hon. J. W. GALBALLY.—The Leader of the House informed me that it was intended to deal with the Bills

in the order listed on the Notice Paper. We intend to vote against any postponement.

The House divided on the motion (the Hon. R. W. Mack in the chair)—

Ayes	..	..	23
Noes	..	..	9

Majority for the motion 14

AYES.

Mr. Bradbury	Mr. Hamer
Mr. Byrne	Mr. Hewson
Sir Percy Byrnes	Mr. Mansell
Mr. Chandler	Mr. May
Mr. Clarke	Mr. Nicol
Mr. Dickie	Mr. Snider
Mr. Feltham	Mr. Swinburne
Mr. Garrett	Mr. Thom
Mr. Gleeson	Mr. Thompson.
Mr. Granter	Tellers:
Mr. Grigg	Mr. Campbell
Mr. Gross	Mr. Hunt.

NOES.

Mr. Elliot	Mr. Todd
Mr. Galbally	Mr. Walton.
Mr. Knight	Tellers:
Mr. Merrifield	Mr. Cathie
Mr. O'Connell	Mr. Tripovich.

SUMMARY OFFENCES BILL.

The debate (adjourned from April 6) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. ARCHIBALD TODD (Melbourne West Province).—This measure is before the House as a result of an exercise by the Statute Law Revision Committee in an inquiry into the Police Offences Act. In its original form, the Police Offences Act contained 231 sections and was regarded as a very cumbersome piece of legislation which encompassed all kinds of offences against the law. The Statute Law Revision Committee recommended that an effort should be made to break up the Police Offences Act into several smaller enactments in order that they might be more expeditiously handled by those who had recourse to the provisions contained therein.

As a result of this recommendation, various measures have been prepared, some of which have not yet received the benediction of this House. A Firearms Bill, a Vagrancy Bill and a Protection of Animals Bill, all of which contain provisions which were originally parts of the Police Offences Act have been prepared, and it was inevitable that ultimately a group of offences would be left. These have been lumped together in a form that can be regarded as more or less acceptable under the title of Summary Offences Bill.

This Bill covers a varied field, and most of the offences covered bear no relationship one with the other. Provisions relating to special localities, homing pigeons, juvenile smoking, tattooing of juveniles, contraceptives, illegal taking or using of vehicles, general matters, and public order are covered. All these offences can be dealt with summarily at the first appearance of the defendant before a Court of Petty Sessions.

Although there has been some modernizing of the provisions in the old Police Offences Act, I do not think there has been a great deal of change in effect. However, what changes have been made will make the provisions more understandable perhaps by laymen. All in all, the Bill represents a rather sensible contribution to the laws of the State. This measure more or less lends itself to discussion in Committee, and the other remarks I have to offer on it will be made at that stage. Members of the Labor Party do not oppose its passage, although we have reservations about some of the language employed in certain clauses.

The Hon. M. A. CLARKE (Northern Province).—This Bill has been examined fairly carefully by the Statute Law Revision Committee, and after that committee has examined a Bill one can normally say that it is virtually ready for this House to pass into law. However, in this case we have a real *mélange* of matters incorporated in the one Bill. The old Police

Offences Act has been broken up and vagrancy, protection of animals, gaming, obscene publications, and firearms provisions have been incorporated in separate legislation. That has left a variety of matters to be covered by this measure.

This Bill has been marked by the fact that the Minister for Local Government, who introduced it in this House, made an extremely short explanatory speech. I appreciate that it is not his Bill, but it is remarkable to observe the contrast between the way he explained the Local Government Bill, in which he gave detailed reasons for the proposed changes, and the manner in which he has dealt with a Bill that has come from another House. In this case, the notes supplied are not so adequate.

I propose at this stage to refer to some matters contained in this Bill in the hope that the Minister will comment on those points when he speaks in the Committee stage and that he will, perhaps, consider some amendments. As Mr. Todd said, this can be regarded mainly as a Committee Bill, and the Country Party will reserve most of its comments for that stage.

In clause 4, there is an example of rather careless work on the part of the Government. It was recommended by the Statute Law Revision Committee that offences relating to the good order of towns, and so forth, should be taken out of the Police Offences Act and inserted in this measure. However, I notice that the heading for clause 4 is "Offences relating to the good order," which is a good French mode of expression but poor English. I direct the attention of the Government to the need to remove the word "the" from that heading.

In relation to paragraph (d) of clause 4, there has been some ribald reference to the flying of kites. I think I should explain to the House that evidence was given to the Statute Law Revision Committee that students of architecture at the university are called upon to construct and

fly a kite as part of their course. If their kites do not fly, I presume they fail that part of the course. Also, State Electricity Commission regulations relate to the flying of kites, a practice which can be dangerous to power lines, and there is also reference to kites in the Air Navigation Act. So the reference to kites in this Bill is, perhaps, not as humorous as it would appear to be from the remarks of some members. The Statute Law Revision Committee recommended alteration of the draft wording to "flies a kite to the annoyance of any person."

Clause 6, which deals with the question of exposing articles for sale in public streets, is important. The Bill which originally went to the committee did not include the words "without the permission of the local authority." If this provision were not included, people who conducted stalls for charity would incur the wrath of the local policeman because their action would offend against the law. In future, they will be protected if the local municipal council agrees that they may conduct a street stall, which is usually in a suitable place in the centre of the town.

Clause 7 provides that any person who leaves a hole, excavation or dangerous formation in or near a public place unguarded or without having a warning light burning nearby between sunset and sunrise shall be guilty of an offence. There may be need for an additional provision. After discussing the matter with one or two people, I am not quite satisfied with the wording of the paragraph as drafted. I should like to ask the Minister what will happen if someone extinguishes the warning light. It seems to me that that should be an offence. It will be an offence not to light a warning light, but what would be the position when a youthful larrikin extinguished the light, or a motor car knocked it over and extinguished it, leaving the excavation in a dangerous state and making it a hazard to a following motorist?

The Hon. M. A. Clarke.

Under paragraph (f) of clause 7, any person who in a public place rolls a drum, barrel or cask or breaks in a horse to the injury of or danger to any person or damage to any property shall be guilty of an offence. I do not think the words "breaks in a horse" should be included because the Road Traffic Act contains a provision which covers furious riding, and I think that adequately covers the matter of breaking in a horse. The words seem superfluous, but if they remain I do not suppose they will cause much harm. At the same time, I point out that we are doing our best to bring the Act up to date. In paragraph (g), which provides that it is an offence for any person to throw or discharge a stone, arrow or other missile to the injury of or danger to any person or damage to any property, the word "bow" was removed and only the word "arrow" in the phrase remains. Carpet beating has been removed from the list of offences, and I suppose that is some improvement.

Paragraph (a) of clause 8 provides that any person who—

being the driver of a horse-drawn vehicle on a road goes away from the animal so as not to have control over it without securely fastening one of the wheels of the vehicle by a chain or strap so as to effectually prevent the wheel rotating—

shall be guilty of an offence. The Country Party intends to ask the Minister to consider an amendment that all the words after "not to have control over it" be omitted. It is considered that it is adequate for the provision to state—

being the driver of a horse-drawn vehicle on a road goes away from the animal so as not to have control over it;

The amendment will be proposed for the reason that some milk or bread carts, which are particularly affected by this clause, are now fitted with brakes which are effective in preventing the wheel from rotating. The words "chain or strap" are of ancient usage. If the Minister is not prepared to accept the amendment, the Country Party will ask him

to accept one so that the provision will read "chain, strap or brake so as to effectually prevent the wheel rotating." This is a more modern expression. Now that pneumatic tires are used on horse-drawn vehicles, a brake can be applied.

Paragraph (b) of clause 8 makes it an offence for any person to drive—a cart, wagon or dray in or through a public place without the name and residence of the owner thereof being painted in a legible and permanent manner on the right or off side in letters of at least one inch in length.

It seems to me that something has gone amiss in the drafting. Perhaps I read the paragraph in a peculiar way, but the view can be taken that a letter one inch in length has no height. In any event, lettering of 1 inch in size seems to be much too small. Perhaps the provision should read "one inch in height." However, I leave this to the Minister to work out. I think the provision could be omitted altogether so far as private drays and wagons are concerned.

Clause 9 is of particular interest. It is a new provision which is headed "Destroying, Damaging or Injuring Property—Trespass." Paragraph (a) of sub-clause (1) states that any person who—

destroys, damages, pollutes or obstructs any aqueduct, dam, sluice, pipe, pump, water-course, pond, pool or fountain;

shall be guilty of an offence. The words "pond, pool or fountain" are included so that the authorities can deal with bright young characters who pour detergent into fountains and swimming pools and make a wonderful bubble bath. I think the Government may have been led astray in the matter of ponds and pools, because it has taken out the words "toll gates." It may be thought that the words "toll gates" are redundant and that it is a forward move to omit them, but soon a bridge will be constructed over the Yarra river near Williamstown; it will have toll gates, and I consider that the words "toll gates" should be included in the Bill.

The Hon. A. W. KNIGHT.—The matter can be covered by regulation, as applies in the case of the ferry.

The Hon. M. A. CLARKE.—That may be so, but I do not know why the words "toll gates" have been taken out of this Bill. I direct the attention of the House to that matter.

Sub-clause (2) of clause 11 deals with the giving of notice when burning-off operations are to take place, whether straw, stubble, grass, herbage or other inflammable material, and it is provided that notice must be given in writing at least 24 hours before the burning-off takes place. Anybody who has burnt off in the country will know that suitable weather is essential, and one cannot predict 24 hours in advance whether, on the following day, it will be safe to burn off. Moreover, it is not always possible to write to one's neighbour in a day. I am in the peculiar situation that one of my neighbours is served by a post office other than that which serves me, and it takes quite a while for a letter to reach him. I ask the Government whether it would be possible to insert the words "or by telephone." I shall await the reaction of the Minister to that suggestion.

Clause 12 relates to false alarms of fire, and it is interesting to note that the Bill covers children under seventeen. Up to now, the extraordinary position has applied that a child under seventeen has been able to ring a fire alarm with impunity whereas grown-ups have been penalized for so doing without cause.

I also wish to discuss clause 11, sub-clause (4) of which states—

A person who gives notice in accordance with sub-section (2) of this section and who otherwise complies with the requirements thereof before doing any of the acts recited therein shall not in respect of any such act be liable to any penalty under section 56 of the Act intituled "An Act for regulating Buildings and Party Walls, and for preventing mischiefs by fire in the City of Melbourne" passed in the thirteenth year of the reign of Queen Victoria.

I think the thirteenth year of the reign of Queen Victoria was the year 1850. At that time, there was no Parliament in Victoria capable of passing such an Act, and I should like the Minister to check whether the Act referred to is an Act of the Imperial Parliament which still applies to Victoria—if so, it impresses me as being a curious historical fact—or whether it was an Act passed in New South Wales which applied to the Port Phillip District, as it was in 1850. The words “the thirteenth year of the reign of Queen Victoria” may be wrong.

Clauses 13, 14 and 15 contain offences relating to drunkenness. For the first offence, under clause 13, a penalty of \$1 is provided, and for a second offence, the penalty is \$2. Under clause 14, the penalty for a first offence is \$5. Clause 15 provides that any person who has been thrice convicted of drunkenness within the preceding twelve months and who is again convicted of this offence shall be liable to imprisonment for a period of twelve months. That is a severe penalty. For vagrancy, the maximum penalty is three years in gaol. In this day and age, this does not seem a very forward step on the part of the Government. I think it is generally acknowledged, particularly by medical authorities, that the cure for drunkenness—and a person convicted three times within twelve months probably is an alcoholic—is not imprisonment for twelve months.

In another place, the Opposition rightly referred to this matter. A person so convicted is more in need of treatment than imprisonment, which merely means punishment. An answer supplied to a question on notice stated that there were three positions in the prison service for psychiatrists and a short while ago only one of them was filled. A man imprisoned for drunkenness has little chance of being cured, because there is only one psychiatrist available in the service to treat him. An institution has been opened in Dhurringile,

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in northern Victoria, and I consider that that is the place to send an alcoholic so that he can be cured.

I do not believe the provision as drafted reflects any forward thinking on the part of the Government. If the answer is that the Inebriates Act can be applied, I point out that there is no power in it to commit a person to an institution without his consent.

The Hon. J. W. GALBALLY.—What do you suggest should be done with regard to clause 15?

The Hon. M. A. CLARKE.—I should like it to contain an alternative that a convicted person may be committed to an appropriate institution. I think Dhurringile has now reached the stage where persons of the type to whom I refer can be treated, and I consider that other similar institutions should be available. There are in prison for various drug practices people who are probably more in need of treatment than punishment, and I think the same is true of alcoholics.

Clause 18 refers to common prostitutes and homosexuals. I do not know why the Government did not take the opportunity to transfer these provisions to the Vagrancy Bill where they would obviously be in much better company. This clause needs examining because it reveals lazy drafting. The Government refers to common prostitutes and homosexuals in this clause, and clause 19 deals with sections 13, 14, 16 and 17. If there are to be provisions relating to common prostitutes in the Bill, they should have been made in clause 19, and clause 19 moved close to the provisions to which it referred. There is no sense in skipping clauses 17 to 19 and interpolating something which has nothing to do with the subject-matter of the Bill. Probably the only reason why this clause comes into consideration is because it is a summary offence to be dealt with in Petty Sessions.

I refer to clause 35 dealing with the subject of Sunday observance, upon which there has been considerable

comment. There is to be a substantial change in the wording of the law, if not in the actual effect of it. It states—

Any person who publishes a newspaper on Sunday shall be guilty of an offence.

It is notable that the clause does not contain the word "prints"; the expression "publishes" is used, and the words "selling, distributing and circulating" have been omitted. I refer honorable members to the report of the Statute Law Revision Committee of 1963 in this connexion. This means that no Victorian newspapers will be published in Victoria on Sundays with the exception of the possibility of three special Sundays in the year when there is news of great national or public importance. However, there will be an "open go" for newspapers from New South Wales and other States. This seems to be a curious way to run a State.

Clause 36 relates to false advertisements. It is unfortunate that this Bill proposes to re-enact the provisions relating to false advertisements at this stage, because the Statute Law Revision Committee has made a comprehensive report on this subject, dealing particularly with matters contained in paragraph (b) of sub-clause (1), which states that any person who publishes any statement which is to his knowledge false in any particular material shall be guilty of an offence.

The Government has not acted on the report of the Statute Law Revision Committee. That committee discovered that there were many questionable practices on which the Government has not taken corrective action. The only addition proposed to the law relates to paragraph (b) of sub-clause (3) of this clause which concerns broadcasting, television or cinematographs. I hope the Government will act on the report of the Statute Law Revision Committee in the near future.

Division 3 bears the title "Illegal Taking or Using of Vehicles", and the provisions are contained in clause 38. This is most peculiar wording because the ordinary citizen would think

it referred to the illegal use of motor cars, whereas in actual fact it has nothing to do with it. I hope the Government will change that wording.

The Hon. A. J. HUNT.—The clause is perfectly clear.

The Hon. M. A. CLARKE.—The clause may be clear, but the heading is not. Clause 42 relates to the tattooing of juveniles. This is a difficult problem. There have been cases of unfortunate girls in institutions in Victoria who have either been tattooed or tattooed other girls. The penalty proposed is \$100, but I believe it will have no effect at all because these girls will have no hope of paying this sum. I do not know what punishment could be provided, but in a recent article published in a newspaper, photographs were shown of two girls who were disfigured for life on their arms and legs. These disfigurements could be removed only by skin grafting and then only small sections at a time.

In Hobart in the early 1830's, the female convicts were difficult to handle. The authorities tried putting wooden collars with spikes in them, around their necks. That did not have the desired effect. The Reverend Bennett conceived the idea of shaving off their hair, and that proved to be an effective punishment. I do not know whether that could be done to people in these institutions.

The Hon. W. R. GARRETT.—Perhaps they could be put in stocks and their disfigured limbs could be exhibited.

The Hon. J. W. GALBALLY.—The Country Party recently carried a resolution relating to flogging. I commend that to Mr. Clarke.

The Hon. M. A. CLARKE.—Mr. Galbally is out of order. Clause 50 concerns the sale of a certain type of matches and prohibits their use in specific localities during certain months. I do not know why there is only a limited prohibition on these matches; I believe they

should be banned for the full twelve months of the year because, from the country man's point of view, they are thoroughly dangerous and have started grass or stubble fires.

The Hon. R. J. HAMER.—Any matches?

The Hon. M. A. CLARKE.—These are wax matches of the kind that can be seen on television, where people strike them on mantelpieces or on the seat of their pants. The Bill is important. There has been a genuine attempt by the Statute Law Revision Committee to bring the provisions up to date; the committee has done an excellent job and, subject to the remarks I have made, by and large the Country Party supports the measure.

The Hon. J. W. GALBALLY (Melbourne North Province).—I hope the House will not be inclined to accept the views put forward by Mr. Clarke, even in jocular strain, about shaving young girls' hair. I am opposed to all forms of corporal punishment, particularly where young girls are concerned, because those punishments tend only to degrade the human personality. I sympathize with the lot of young girls who, for some reason or another, not always through their own fault, find themselves confined to State institutions.

I should like to see tattooing forbidden by law, whether on juveniles or on adults. I have never met a person who did not regret the fact that he had been tattooed. It is a form of degradation of the human body. I commend to the Government that this Bill should be returned to the Statute Law Revision Committee to alter the provisions concerning tattooing. The words "under the age of eighteen years" should be omitted. The Country Party are in favour of flogging, but whether its members would ever succeed in having that provision effectively brought in or not, I would not know. Although this question of corporal punishment has been raised, I trust that this House will never be a party to that kind of thinking.

The PRESIDENT (the Hon. R. W. Mack).—Order! Mr. Galbally may be anticipating something. There is no reference to that subject in the Bill.

The Hon. J. W. GALBALLY.—Mr. Clarke suggested that some measures by way of corporal punishment might be taken against young girls in State institutions.

The Hon. M. A. CLARKE (Northern Province).—I rise to a point of order. I made no reference to corporal punishment.

The Hon. J. W. GALBALLY.—What is shaving the head?

The Hon. M. A. CLARKE.—I made an historical reference to what took place in the 1830's. I do not think shaving hair would be a corporal punishment, in any case.

The PRESIDENT (the Hon. R. W. Mack).—There is no point of order involved.

The Hon. J. W. GALBALLY (Melbourne North Province).—I regard it as a form of corporal punishment, and as one which we ought to reject. I hope that any suggestion about reviving such punishment would be very quickly rejected. I do not know whether Mr. Clarke took part in the debate at Bendigo.

The PRESIDENT.—Those things have nothing to do with the Bill.

The Hon. J. W. GALBALLY.—I just want to serve warning that that kind of thinking is not in conformity with a more sympathetic attitude to people who find themselves in State institutions.

Sir PERCY BYRNES (North-Western Province).—I do not want to become involved in an argument, but Mr. Galbally referred to a Country Party decision. I point out that the Country Party is the one political organization which has a very active women's organization. It is usually women who suffer from sex offences, and it was the women of the Country Party who said that

any male person who indulged in these terrible sex offences should be stopped in some way and, if it were necessary, offenders should be flogged. This was said by women who live in the country, not by male members of the Country Party. After all, it is the women who are subjected to the evils of sex attacks, not Mr. Galbally.

The PRESIDENT (the Hon. R. W. Mack).—Apparently Sir Percy Byrnes is making a personal explanation, but it has nothing to do with the Bill. The Bill does not deal with sexual offences. I think the matter has been sufficiently aired.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, relating to the repeal of portion of the Police Offences Act 1958.

The Hon. R. J. HAMER (Minister for Local Government).—There is some difficulty in dealing with this Bill in Committee for two reasons. One is that a number of remarks were made during the second-reading debate which might more appropriately have been made in the Committee stage. The second and more overriding reason is that the Bill comes before Parliament as a result of two separate deliberations by the Statute Law Revision Committee. The Government usually accepts the recommendations of that committee. The Statute Law Revision Committee performs its task conscientiously and has full access to experts and other persons in the community who can come before it and give evidence. It has not made its recommendations lightly or without consideration. Therefore, honorable members should be wary of making changes, on the spur of the moment, which they might think would improve the Bill but which the Statute Law Revision Committee has not recommended.

The Bill does not propose substantial changes in the law. What the Government has set out to do is take from the old Police Offences Act four or five separate portions in order to make it easier to handle and to bring them up to date in language, without making substantive changes. If the House wants to make substantial changes the fair thing to do is to refer them to the Statute Law Revision Committee as a group, not to make them by way of amendments to the Bill. I propose that that course should be followed, although, of course, the House should debate what is put forward.

In order to avoid members having to repeat what they said during the second-reading debate, I shall deal with some points, but I shall leave others until the relevant clause is under discussion. I ought to say that, although I gave only a brief second-reading speech, I explained, first, that there were no changes of substance in the Bill and, secondly, that the Bill had attached to it a memorandum setting out how the old Police Offences Act read and what changes were made. To explain the Bill in full would have involved a long and detailed second-reading speech, and I spared the House that ordeal in the hope that honorable members would be sufficiently informed by the memorandum.

Those matters with which I shall deal now are those which related to changes to the Bill. Mr. Clarke referred to paragraph (b) of clause 7, concerning the lighting of obstructions, holes and excavations, and suggested that extinguishing warning lights should be made an offence. I do not imagine that anyone extinguishing a warning light would find himself facing such a charge. At least, he could be charged with disorderly conduct or offensive behaviour. This is something of the nature of the military charge: "To the prejudice of good order and military discipline," which covered almost any military offence.

Mr. Clarke suggested that the offence relating to breaking in a horse which is referred to in paragraph (f) of clause 7 would be covered by the offence, already in the Act, of furious riding. I can only say that breaking in a horse might result in furious riding, inadvertent or otherwise, but I do not know that they are quite the same thing. There is an element wider than and separate from furious riding.

The Hon. M. A. CLARKE.—Why include it with rolling a drum, barrel or cask?

The Hon. R. J. HAMER.—That is in the present Act. I suggest that trouble has arisen in the past with drums, barrels and casks. I agree that there is an old world sound about it. However, if it were not required, I would have expected the Statute Law Revision Committee to say so.

The Hon. ARCHIBALD TODD.—It relates to injury or damage to property.

The Hon. R. J. HAMER.—This is the crux of the thing. It is not just the "rolling of any cask," it is causing damage which is the offence. I leave paragraph (a) of section 8, to which Mr. Clarke has foreshadowed an amendment. Paragraph (a) of sub-clause (2) of clause 11 relates to notice in writing being required before burning off is carried out. This, again, is in the existing Act. I am not aware that it has caused any particular trouble, and I think it is a reasonable precaution. As Mr. Swinburne pointed out, at least 24 hours' notice is required. I think it is reasonable that people on adjacent properties should have notice, if only to prevent their being alarmed. Mr. Clarke also mentioned sub-clause (4) of clause 11. He asked whether the reference to an Act passed in the thirteenth year of the reign of Queen Victoria was correct. I am assured that it is correct, that the Act was passed by the New South Wales Parliament in connexion with the City of Melbourne.

The Hon. M. A. CLARKE.—In that case, surely it should have been re-enacted.

The Hon. R. J. HAMER.—I will look into that. Apparently some such Acts apply in Victoria. Clause 15 relates to the penalty for a fourth offence of drunkenness. This is also copied from the existing Act. What Mr. Clarke invited the House to consider was some other means of dealing with alcoholics. I am glad to tell him that the Government is of the same mind and, in the spring session, proposes to make some quite sweeping changes in the law relating to the treatment of alcoholics. The property Dhurringile is intended to be used in the scheme to provide some place sufficiently remote where alcoholics or people addicted to alcohol could be given prolonged treatment. At the moment, the Victorian law does not—as the West Australian law does—provide for the committal of a confirmed alcoholic for a sufficiently long period for treatment to take effect. We have to make up our minds to accept that if treatment is to be effective.

Clause 35 relates to the publishing of a newspaper on a Sunday. As was pointed out, the prohibitions against the printing or selling of a newspaper on a Sunday have been dropped. They were in the old Act, but the only prohibition left is against publication. At the moment, the Government does not believe there should be a total relaxation of prohibitions, and apparently the Statute Law Revision Committee agrees.

The Hon. J. M. TRIPOVICH.—Neither do the newspaper proprietors nor the printing employees.

The Hon. R. J. HAMER.—I do not think there have been any solid representations for the publishing of papers in Victoria on Sundays. Certainly, the Government is not in favour of it at present.

The Hon. ARCHIBALD TODD.—Daily newspaper workers commence their work before midnight on Sunday.

The Hon. R. J. HAMER.—There was a prohibition against printing on Sundays which was broken every week. No doubt that fact influenced the Statute Law Revision Committee. We cannot prevent the sale of different State newspapers here on a Sunday because they cannot be stopped from coming here. I believe that interstate Sunday newspapers are printed on Saturday, and, except for the latest news, they do not contain anything not in our Saturday papers.

Clause 44, which relates to tattooing, is of some importance. I have taken notice of Mr. Galbally's suggestion that it should be abolished as something which should be considered. I cannot see much advantage these days in people tattooing themselves or allowing others to tattoo them. However, it is their own body, and, so long as they are of age, the position is covered.

In regard to the girls at Winlaton, this is largely a matter of discipline for the institution itself. From my knowledge of it, I do not think the authorities work on a penalty system. They try to encourage the inmates to get better classifications and to some extent better conditions if they behave well. Some of the girls who go there have had such a poor life and began life under such dreadful conditions—not through their own fault—that this is probably the best treatment for them. It is easy for a person to be tattooed if he wants to. All that is needed is a pen nib and a biro. It is difficult to stop, even with constant supervision.

I have adopted a "scatter-shot" approach to the Bill at this stage, but I believe that from now on honorable members will concern themselves with the clauses as they arise.

The Hon. J. W. GALBALLY (Melbourne North Province).—The Minister has indicated that he will give consideration to tattooing. Do I understand that that will be to-night, or at some future time? The question

of lifting the age from 18 to 21 years of age might be a happy solution. What people do after attaining 21 years of age is their own affair. It might be said that a total prohibition is going too far. I am not certain that it does, but lifting the age to 21 years would be a happy compromise. Mr. Merrifield is horrified at the suggestion that we should prohibit all tattooing. He has told me that a considerable number of young women pluck their eyebrows and that is a form of personal adornment and we would be treading on dangerous ground by imposing a total prohibition. The Government might consider a simple amendment to lift the age from 18 to 21 years.

The Hon. R. J. HAMER (Minister for Local Government).—I had in mind that the Government might like to have a good look at this problem. It is only a year or two since a Bill was passed fixing the age at eighteen years, and doubtless there were some recommendations in regard to that which should be examined. I will undertake to refer the matter to the Chief Secretary and ask that it be fully examined. I should not like the passage of this Bill to be delayed, because it contains other important matters. The whole idea of tattooing may involve some treatment of defects which may give a different definition to tattooing.

The Hon. J. W. GALBALLY.—There is a proviso about the medical practitioner.

The Hon. R. J. HAMER.—I was thinking of cosmetic treatment for warts.

The Hon. J. W. GALBALLY.—That is in the second part.

The Hon. R. J. HAMER.—I am sure this matter was given some consideration when the previous Bill fixed the age at eighteen years. I could not accept an amendment at this stage without knowing its effect on cosmeticians and other people who may

be carrying out perfectly legitimate activities for the benefit of female appearance.

The clause was agreed to, as were clauses 3 to 7.

Clause 8, providing, *inter alia*—

Any person who—

- (a) being the driver of a horse-drawn vehicle on a road goes away from the animal so as not to have control over it without securely fastening one of the wheels of the vehicle by a chain or strap so as to efficiently prevent the wheel rotating.

The Hon. M. A. CLARKE (Northern Province).—I move—

That, in paragraph (a), all the words following the words "over it" be omitted.

The Hon. R. J. HAMER (Minister for Local Government).—The Government cannot accept the amendment, and I suggest that it makes nonsense of the clause. The clause would then read—

Any person who—

- (a) being the driver of a horse-drawn vehicle on a road goes away from the animal so as not to have control over it.

I suggest that every milkman who leaves his vehicle has not control over it in this sense. It is the latter part of the paragraph that makes sense. He cannot leave it without control or in effect fastening it in some way so that it will not move in his absence.

The Hon. M. A. CLARKE (Northern Province).—I entirely disagree with the Minister's interpretation of control over a horse. If he adopts that attitude, it means a man has no control over his sheep dog, which is one of the most controlled animals in the world. In the same way, a man can have control over a horse because it is trained to obey a word of command. If the Minister is not prepared to accept the amendment, I ask him to consider that the words "or brake" be inserted after the word "strap".

The Hon. P. V. FELTHAM.—It would be simpler to put the word "brake" before the word "chain".

The Hon. M. A. CLARKE.—I agree. I am informed that at one stage in our law motor cars had to be secured by a chain or strap. Let us bring the milk cart up to date by recognizing the fact that it could have an effective brake on it.

The Hon. R. J. HAMER (Minister for Local Government).—The Government would accept such a proposal because it seems quite sensible having regard to the purpose of the paragraph, which is to ensure that a vehicle remains stationary while the driver is elsewhere.

The Hon. D. G. ELLIOT.—Many milk carts may not be closely attended by the drivers. While the driver goes from house to house the horse moves the cart along the street and it is under no control. This applies to the vast majority of milk vehicles. How is the milkman to deliver the milk and comply with the law?

The Hon. R. J. HAMER.—Whatever the position is at the moment it will not be altered by the insertion of the word "brake". It would merely provide an alternative. I can see no objection to adopting the suggestion. Mr. Elliot has asked whether the ordinary milk cart would comply with the provision, and the only answer I can give is that presumably the milkman is deemed to have control over his horse and cart if the horse draws the cart slowly forward while he is delivering his milk.

The Hon. M. A. CLARKE.—You are now agreeing with my definition of control.

The Hon. R. J. HAMER.—I would like time to examine what is proposed and, therefore, suggest that the clause be postponed.

The Hon. D. G. ELLIOT.—I do not disagree with this measure, but why should we embarrass the milkman by passing this law?

The Hon. R. J. HAMER.—That is the point I am making, and that is why I want time to consider it.

The CHAIRMAN (the Hon. W. R. Garrett).—I suggest that Mr. Clarke might withdraw his amendment in order that the Committee may proceed as suggested.

The Hon. M. A. CLARKE (Northern Province).—Provided that my position is protected, I am prepared to act accordingly.

The Hon. ARCHIBALD TODD (Melbourne West Province).—The Government would get into deep water by what is proposed. Every day of the week in the early hours of the morning, the milkman goes along the street in the manner referred to, and if ways and means are devised to try to get him out of his dilemma, it will be found that this provision, which has been in the Act for a long time and caused no trouble will begin to cause trouble. If a horse becomes recalcitrant and damage is caused to property, there has to be some provision whereby the aggrieved person is able to obtain redress. Only recently in Williamstown, a driver was charged over a matter of this nature. I doubt whether the Minister will be able to find an effective means of getting around this.

The Hon. P. V. FELTHAM (Northern Province).—Before the Minister seeks to alter the provision, I hope he will think very carefully because I had a personal experience a few weeks ago of being awakened from my sleep early in the morning by a loud crash followed by lurid language. I investigated, and found that my neighbour had been backing his car out of his garage after observing that no vehicles were in the vicinity, but by the time he reached the roadway one of these milk carts drawn by a well-trained horse made a mess of the back of his car. I think the law should remain as it is now stated in the Bill, whereby a milkman would have to take the responsibility, irrespective of whether his horse was well trained or otherwise, if it proceeds past a drive at night when cars are likely to emerge therefrom.

The Hon. J. W. GALBALLY (Melbourne North Province).—It is seldom that I disagree with Mr. Feltham, particularly on a subject of this type. It is a question of whether a well-trained horse that is drawing a vehicle should be allowed at large in the crowded conditions of modern thoroughfares, particularly at night, and I am supported in my concern by the story told by Mr. Feltham. The practice could be dangerous to people on the roads, as well as to the horse.

The Government might have to examine this more closely. A provision of this type was all right when there were very few people about in the early hours of the morning, but times have changed and this situation no longer exists. The Government should consider whether it is safe to allow an unattended, horse-drawn vehicle on the roads. When the milkman leaves the cart, it is possible that the horse knows what to do, but this provision is included on the assumption that the horse is under the milkman's control. I do not think this assumption can rightly be made.

The Hon. D. G. ELLIOT (Melbourne Province).—I seem to have stirred up a hornet's nest concerning this clause, but I make no apologies for doing so. There still appears to be a problem to be overcome in so far as a time-honoured practice of the milkman is concerned.

The Hon. R. J. HAMER (Minister for Local Government).—I was hoping to hear what solution was suggested by the Statute Law Revision Committee, because I did not think this provision would escape its vigilant eye. Possibly, Mr. Todd's solution may be all right. However, in view of the questions that have been raised, I should like time to consider what is the best way of tackling the problem, instead of in the manner as proposed by the Bill.

The Hon. G. J. NICOL.—Is not this designed to minimize the dangers in the event of an unattended horse bolting?

The Hon. R. J. HAMER.—A number of fascinating suggestions have been made concerning this provision. There is something to be said for having a law which is clear and is not one which of necessity is broken every day. Consequently, I suggest that this clause be postponed.

By leave, the amendment was withdrawn, and the clause was postponed.

Clause 9 was agreed to.

Clause 10 (Posting bills, &c., and defacing property).

The Hon. ARCHIBALD TODD (Melbourne West Province).—Honorable members may be inclined to pass somewhat lightly over this clause, which relates to bill posting, particularly, from the point of view of the penalty, namely, a fine of \$250 or imprisonment for three months. Honorable members know what happens at election time when small bills are frequently posted in various places advocating that the public at large should vote for certain candidates. Persons caught acting in this manner could be fined \$250 or imprisoned for three months.

The Hon. G. L. CHANDLER.—Does not that mean a fine of up to \$250?

The Hon. ARCHIBALD TODD.—There is a big difference between putting a small bill on a post and defacing property with paint. All honorable members have seen hideous signs all over Melbourne informing us what we should do with "Bob." Persons who offend in this manner should be subject to the provisions of this Bill. However, bill posting at election time is somewhat different.

The Hon. R. J. HAMER (Minister for Local Government).—On this clause, I think we should rest on the recommendation of the Statute Law Revision Committee. All offences involving bill posting are not trivial; some could be serious. It should be appreciated that the penalty subscribed is the maximum. If Mr. Todd is right and a trivial case occurs, I

have no doubt that the court would impose an appropriate penalty. Sub-clause (2) of this clause is new. It provides for compensation for the cost of removing or obliterating anything posted, written or painted in contravention of this section. It is a valuable provision, which reinforces my statement to the effect that all offences involving bill posting and defacing property are not trivial. I urge honorable members to retain the clause in its present form.

The clause was agreed to.

Clause 11, providing, *inter alia*—

(1) Any person (except as hereafter in this section mentioned) who ignites or uses or carries when ignited any inflammable material and thereby damages, destroys or endangers the property of any other person, and any person who leaves a fire which he has lighted or used in the open air before the fire is thoroughly extinguished shall be guilty of an offence.

Penalty: \$500 or imprisonment for six months.

(2) The provisions of the last preceding sub-section shall not apply—

(a) to the occupier of land who burns straw, stubble, grass or herbage or ignites wood or other inflammable material on the land after he has cleared of inflammable substance a space of land around the straw, stubble, grass or herbage intended to be burnt, or wood or other inflammable material intended to be ignited not less than fifteen feet in breadth and after he has given to the occupiers of all land contiguous to the land from or on which the straw, stubble, grass or herbage is intended to be burnt or inflammable material to be ignited notice, in writing, at least twenty-four hours before burning or igniting as aforesaid of the time at which it is his intention so to burn or ignite; or

(b) to the occupier of any grass lands who, between the hours of two o'clock in the afternoon and nine o'clock in the evening, burns off any grass or herbage from land in his occupation after giving the like notice in writing as hereinbefore directed of his intention so to do to the occupiers of all land contiguous to the land from which the grass or herbage is intended to be burnt and after having drawn plough furrows for a width of not less than three feet on either side of such grass or herbage.

The Hon. R. J. HAMER (Minister for Local Government).—Two amendments have been circulated concerning this clause. Both amendments, which relate to burning off, result from recommendations submitted by the Country Fire Authority. The first amendment, if adopted, would reduce the area to be cleared by an occupier, who desires to burn straw, stubble, grass or herbage, or ignite wood, from 15 feet to 10 feet. Accordingly, I move—

That, in paragraph (a) of sub-clause (2), the word "fifteen" be omitted with the view of inserting the word "ten."

The Hon. M. A. CLARKE (Northern Province).—Can the Minister for Local Government supply a reason for this amendment?

The Hon. R. J. HAMER (Minister for Local Government).—I understand that the Country Fire Authority recommended this amendment to bring the provision into line with the Forests Act. Experience has taught that a break of 10 feet around the area in question is sufficient. It would be undesirable that someone could be guilty of an offence for failing to clear an area of a little more than 10 feet under the Summary Offences Act when, under other Acts, the area would be legal. It is a matter of uniformity, and I presume the Country Fire Authority would not recommend it unless it was satisfied that a reduction in the area concerned would not be likely to cause a conflagration.

The Hon. M. A. CLARKE (Northern Province).—I should like to ask the Minister whether there has been a request for this amendment from the Wheat and Woolgrowers' Association. I should think an area of 15 feet represents an adequate break only if there is not a strong wind blowing. Fires get away on many occasions when they are lit in the open. I think the Committee should examine this clause carefully and consider what the Wheat and Woolgrowers' Association thinks about it.

The Hon. T. H. GRIGG (Bendigo Province).—The Country Fire Authority considered this matter for some time. I point out that the break of 10 feet, as proposed by the amendment, fits in with the normal equipment that a farmer uses. If he were required to make a break of 15 feet in width, it would necessitate two journeys around the area in question. Furthermore, I point out that burning off is not permissible on a day of total fire ban, irrespective of the width of any firebreaks that may be provided.

The amendment was agreed to.

The Hon. R. J. HAMER (Minister for Local Government).—I am sure that Mr. Clarke will welcome the second amendment, which increases rather than decreases the protection that is provided. This amendment relates to an occupier of grass land or herbage, who intends to burn off after having drawn plough furrows to a width of not less than 3 feet on either side of the grass or herbage. The effect of the amendment would be to increase the breadth of the furrows from 3 feet to 10 feet. Again, the amendment is desired for the sake of uniformity.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 12 to 41.

Clause 42 (Tattooing of juveniles).

The Hon. J. W. GALBALLY (Melbourne North Province).—My colleague, Mr. Knight, has examined the debate on the Tattooing Bill in 1962, which was introduced in this Chamber by the President, Mr. Mack, who was then Minister of Health. At the time, there was a good deal of discussion as to whether the age of 18 or 21 years was the appropriate age to which the legislation should apply, and Mr. Mack stated that the Government would prefer eighteen years. He said that an arbitrary age had been fixed and he thought the age of eighteen years would suit the Bill,

but that was four years ago. The legislation appears to have worked satisfactorily.

I should not think we would be running any great risk, and possibly we would be doing a great deal of good, by increasing the relevant age from 18 to 21 years. I do not think there is any policy involved in this. In view of the fact that an earlier clause has been postponed, the Minister might be prepared to postpone the further consideration of this clause until he has examined what was said when the Tattooing Bill was under consideration. I have the debate handy if the Minister for Local Government would like to peruse it. We could then dispose of this matter once and for all.

The Hon. R. J. HAMER (Minister for Local Government).—I have already assured Mr. Galbally that I shall ask that this matter be examined. In view of the decision that the Council made previously, I think it is only right that it should be properly examined. Perhaps the Minister of Health will consider the matter also. I assure Mr. Galbally that if progress is reported, as I assume it will be, we shall look at this matter before discussion on the measure is resumed.

The clause was postponed.

Clauses 43 to 49 were agreed to.

Clause 50 (Prohibition of use of certain kinds of matches in specified localities in certain months).

The Hon. M. A. CLARKE (Northern Province).—At the second-reading stage, I raised the question of wax matches. I should like to direct the attention of the Minister to the fact that merely prohibiting their sale from November until the following April will not mean that people will not be walking around the countryside of Victoria with wax matches in their pockets during those months. I think everyone agrees that they are highly dangerous, and I suggest that the Government should examine the matter further, but not during the

passage of this Bill. I think it has been stated that recently some bad fires have been caused by wax matches. Merely to prohibit their sale during part of the year does not get over the difficulty.

The clause was agreed to, as was clause 51.

Clause 52 (Assaulting or resisting constables, &c.).

The Hon. B. D. SNIDER (Higinbotham Province).—I do not wish to delay the passage of the Bill, but I find some difficulty in reconciling the penalty provisions contained in its clauses. For example, clause 52, which covers a serious type of offence, namely, assaulting, resisting, obstructing, hindering or delaying a member of the Police Force, attracts a penalty of \$250. I think an honorable member on the Opposition side of the Chamber referred earlier to the penalty of a fine of \$250 or imprisonment for three months in respect of bill posting. In comparing the two clauses, it appears that the Bill treats bill posting as a more serious offence than assaulting or resisting a constable.

The Hon. R. J. HAMER (Minister for Local Government).—One of the matters which I understand the Statute Law Revision Committee dealt with specifically was the question of penalties. I understand from the committee's report that a real attempt was made to bring the penalties into some sort of order. I do not know whether we agree with the solution, but it seems to me that there is some slight discrepancy between the two matters pointed out. On the other hand, clause 53 refers to the making of false reports to the police, for which the penalty is \$250 or imprisonment for three months. So apparently one is better off assaulting a constable than making a false report to him. Again, I think this is a matter which ought to be considered separately. I do not feel that in this sort of Bill we should be

making changes in this manner. On the other hand, it seems a little strange, and I shall certainly direct the attention of the Chief Secretary to this matter, to see whether it should be referred to the Statute Law Revision Committee, or whether perhaps some amendments should be made. Perhaps a member of the committee could inform me whether this matter was considered by the committee, and if so why it allowed the penalty to stand in this form.

The Hon. G. J. NICOL (Monash Province).—The Statute Law Revision Committee did give considerable attention to this question of assaulting a constable. It was very firmly of the opinion that any constable, particularly in plain clothes, before taking action against any individual in the way of arrest or anything of that nature, should produce some identification that he was a member of the Police Force. It was felt that unless such identification was made prior to the constable taking action against an individual, the person concerned might have some justification possibly for assaulting the constable not knowing that he was one. I think that was largely the reason why the Statute Law Revision Committee left the penalty as it is expressed in the Bill.

The Hon. J. W. GALBALLY (Melbourne North Province).—Naturally, I accept the explanation given by Mr. Nicol, but I think there has been some error made. The present section of the Police Offences Act, section 189, from which the clause the Committee is considering was plucked, provides, *inter alia*—

Every person who assaults resists obstructs hinders or delays or incites or encourages any other person to assault resist obstruct hinder or delay any member of the police force in the execution of his duty under this Act or otherwise, or any person lawfully assisting any such member in the execution of his duty under this Act, or any officer of the local authority in the execution of his duty under this Act shall unless otherwise specially provided be liable to a penalty of not more than Fifty pounds or to imprisonment for a term of not more than three months.

In this instance, the monetary penalty has been raised to \$250—two-and-a-half times the penalty as it stands—but the imprisonment provisions have been omitted. No doubt what Mr. Nicol has said applies to the question of an officer of the Police Force identifying himself, but Mr. Nicol did not give the Committee any assistance on why the monetary penalty should be increased and the provision for imprisonment deleted.

The Hon. M. A. CLARKE (Northern Province).—I think it might assist the Minister to know that there is a heavier penalty under the Crimes Act in relation to this matter, and that it would be possible to proceed either under this Bill when it is enacted or the Crimes Act in respect of assaulting or resisting a policeman. I think that is why the Statute Law Revision Committee left the penalty as it was. If he intends to postpone the clause, the Minister could examine this aspect.

The Hon. R. J. HAMER (Minister for Local Government).—It is strange that clause 23 provides a penalty of \$250 or imprisonment for three months for common assault, while a lesser penalty is provided for assaulting a policeman. As the Committee has already agreed to postpone two clauses, I ask that this clause also be postponed so that I can further examine it.

The clause was postponed.

The remaining clauses were agreed to.

Progress was reported.

The House adjourned at 11.11 p.m.

Legislative Assembly.

Tuesday, April 26, 1966.

The **SPEAKER** (Sir William McDonald) took the chair at 4.6 p.m., and read the prayer.

LAND TAX.**VALUATIONS.**

Sir HERBERT HYLAND (Gippsland South) asked the Acting Treasurer—

Whether the State Land Tax Commissioner is seeking unimproved capital value valuations for all municipalities; if so, whether, when assessments are made on these figures, it will mean a greatly increased revenue from this source?

Mr. RYLAH (Acting Premier and Treasurer).—The answer is—

Each municipality within the State has been advised that when the next notice of resolution to cause a general valuation to be made is received, it is intended to request that the valuation show unimproved capital value, and to date 53 requests have been made.

As the majority of general valuations is not due to be returned until 1968, the effect upon the revenue cannot be determined at this stage.

NATURAL GAS.**INVESTIGATIONS BY**

DR. HETHERINGTON: EXPENDITURE.

Mr. HOLDING (Richmond) asked the Acting Premier—

1. What are the details of the monetary terms under which Dr. Hetherington was hired to report to the Government on natural gas?

2. Whether he was able, without reference to the Premier or the responsible Government officer, to spend whatever money he thought advisable in pursuing his inquiries under the Premier's terms of reference?

3. Whether there was any upper limit on the over-all amount Dr. Hetherington could spend, or on the amount he could spend on any particular aspect of his inquiry?

4. What Government facilities Dr. Hetherington was informed he might use freely and whether any estimate was made of those facilities so used?

5. Whether, on tendering his account for payment, Dr. Hetherington was required to provide any breakdown of expenditure; if so, what are the details?

Mr. RYLAH (Acting Premier and Treasurer).—The answer is—

Dr. Hetherington was employed by the Government on a professional basis in the same way as any other consultant would be engaged to undertake inquiries of a professional nature. The fees payable to him are normal professional consulting fees plus

out-of-pocket expenses. The arrangement with Dr. Hetherington provides for submission of full supporting details with his account. Dr. Hetherington was provided with an office for his use while in Melbourne and with secretarial assistance.

DR. HETHERINGTON'S QUALIFICATIONS AND EXPERIENCE: ADVICE.

Mr. HOLDING (Richmond) asked the Acting Premier—

1. What are Dr. Hetherington's technical qualifications and from what institutions he holds degrees?

2. What articles he has published in professional journals and whether he is the author of any thesis published or unpublished; if so, what thesis?

3. Whether he has been employed by any oil companies; if so, what companies and when?

4. What Government authorities, semi-Government authorities, and private organizations, respectively, he advised in respect of problems relating to the development of natural gas or oil, prior to his appointment by the State of Victoria?

5. Whether, prior to or subsequent to the release of his report to the Government of Victoria, he was separately retained to advise any—(a) Government or semi-government instrumentality; or (b) private company or organization, on any aspect of Victorian natural gas deposits; if so, what aspects?

Mr. RYLAH (Acting Premier and Treasurer).—The answers are—

1. Dr. Hetherington's academic qualifications are—

University of Oklahoma—Bach.Science, 1940; Master of Science, 1941;

Massachusetts Institute of Technology—Doctor of Science, 1943.

2. A necessarily brief survey has revealed that Dr. Hetherington has had the following articles published:

Michigan-Wisconsin Automatic Dehydration Plant (Gas, May 1950, vol. 26, page 131).

Canada's First Big-inch Gas Pipeline—C. R. Hetherington and D. R. Pslug (*Oil Gas Journal*, 20th August, 1956, vol. 54, page 205).

Oakford (Gas Storage) Project Dehydration Plant Uses Single Bed Split-flow Power Design (*Oil Gas Journal*, 10th November, 1952, vol. 51, page 96).

Five Trillion Cubic Feet Gas Ready for West Coast; West Coasts Big-inch Gas Line—First in Canada. (*Oil Gas Journal*, 19th August, 1957, vol. 55, page 122).

Pacific Petroleum Ltd.'s Field Processing Plant Complex (*Oil Gas Journal*, 7th July, 1958, vol. 56, page 93).

Part of his thesis for his Master of Science Degree—"Unsteady Flow of Gas through Porous Media" was published in *Transactions of A.I.M.E.*, 1942, volume 146, page 166.

His thesis for his Doctorate was :

"Special Engineering Systems Utilising Chelate Chemicals Absorbents for Oxygen Production."

I cannot say whether this has ever been published.

3. He is consultant to Trans-Canada Pipelines Limited, a major natural gas pipeline in Canada; Home Oil Company, the major independent oil and gas company in Canada, and has consulted on natural gas and oil matters in England, various countries in South America, and in Australia.

4. He reported to the Government of Queensland on the "Energy Resource of Queensland and Their Use".

5. Dr. Hetherington was engaged as a consultant by the Australian Natural Gas Development Association, of which the Gas and Fuel Corporation is a member, to report on a "Survey of the Market for Natural Gas in New South Wales and Victoria", and on the "Economic Feasibility of Pipe-lining Natural Gas from Victoria or Queensland to the Melbourne and/or Sydney Areas".

As the Leader of the Opposition said in this House on the 29th March, when congratulating the Government on obtaining Dr. Hetherington's services, "there is no doubt that he is an international authority on the technical problems associated with the development and use of natural gas".

REPORTS BY GAS AND FUEL CORPORATION AND STATE ELECTRICITY COMMISSION.

Sir HERBERT HYLAND (Gippsland South) asked the Minister for Fuel and Power—

Whether he will ask the Gas and Fuel Corporation and the State Electricity Commission to submit reports on the findings of Dr. Hetherington's report on the Orderly Development of Petroleum in Victoria; if so, whether he will make such reports available to members of the Victorian Parliament?

Mr. G. O. REID (Minister for Fuel and Power).—The answer is—

I have already made such requests to the Gas and Fuel Corporation and the State Electricity Commission. As regards dis-

closure of such reports, I refer the honorable member to remarks I made on the adjournment of the debate on the Gas and Fuel Corporation (Borrowing) Bill in the *Hansard* report of the present session, page 3298, and to my remarks in answer to the Leader of the Opposition on the adjournment of the House on Tuesday, 5th April, reported on page 3244 of *Hansard*.

CO-OPERATIVE HOUSING SOCIETIES.

PROVISION OF FUNDS BY STATE SAVINGS BANK: ALLOCATION TO SOCIETIES.

Sir HERBERT HYLAND (Gippsland South) asked the Minister of State Development, for the Minister of Housing—

1. What amount was made available by the State Savings Bank to co-operative housing societies in the financial year 1964-65?

2. What societies participated in this distribution in—(a) the metropolitan area; (b) country areas other than Gippsland; and (c) Gippsland?

Mr. MANSON (Minister of State Development).—The answers supplied by the Minister of Housing are—

1. \$600,000.

2. (a) Minerva Co-operative Housing Society Limited, Netherlands Australian No. 18 Co-operative Housing Society Limited.

(b) Ocean Grove and District (No. 3) Co-operative Housing Society Limited.

(c) Nil.

GAS AND FUEL CORPORATION.

MEMBERS: REMUNERATION: RESERVE FUNDS: PROFITS: METROPOLITAN AND BRIGHTON COMPANIES.

Sir HERBERT HYLAND (Gippsland South) asked the Minister for Fuel and Power—

1. In each of the five years prior to being incorporated in the Gas and Fuel Corporation, what was the profit of—(a) the Metropolitan Gas Company; and (b) the Brighton Gas Company?

2. What are the names of the members of the Gas and Fuel Corporation and the amounts received by each last year in salary and expenses, respectively?

3. What amounts are at credit in the different reserve funds of the corporation?

4. What gross and net profit, respectively, was made by the Corporation in each year since its inception?

Mr. G. O. REID (Minister for Fuel and Power).—The answers contain a great deal of detailed and statistical matter, and I seek leave of the House for their incorporation in *Hand-sard*, without my reading them.

Leave was granted, and the answers were as follows:—

1. In each of the five years prior to being incorporated in the Gas and Fuel Corporation, the profits of the Metropolitan Gas Company and the Brighton Gas Company were:—

	Metropolitan Gas Company.	Brighton Gas Company.
	£	£
1947 ..	Profit .. 104,984	Profit .. 8,697
1948 ..	Profit .. 134,098	Profit .. 17,529
1949 ..	Profit .. 76,894	Profit .. 16,086
1950 ..	Loss .. 42,874	Loss .. 23,298
1951 ..	Loss .. 184,711	Loss .. 25,774

2. The members of the Gas and Fuel Corporation and the amounts received by each last year in salary and expenses, respectively, are:—

Directors.	Year Ended June, 1965.	
	Fees.	Expenses.
	£	£
Albert Edward Chadwick, Esq., M.S.M., chairman ..	1,500	246
Sir Walter Eric Bassett, K.B.E., M.C., M.Mech.E., B.E.E., M.I.E. Aust. ..	825	..
Sir Robert Wilson Knox ..	825	..
Sir Francis Palmer Selleck, K.B.E., M.C., F.C.A. ..	825	..
Federick George Bruce May, Esq., Dip.Com., A.A.S.A., A.C.I.S. (Appointed 12th December, 1965) ..	Nil	..
Ian Francis McLaren, Esq., O.B.E., Dip.Com., F.C.A. (Appointed 24th November, 1964, resigned 16th August, 1965) ..	498	..
Raymond Carl Schafer, Esq., (Appointment terminated 12th December, 1965) ..	825	..
Neil Andrew Smith, Esq., (Resigned 6th November, 1964) ..	291	..
Roy Edwin Perry Stafford, Esq., I.S.O. ..	825	..
Francis Joseph Sweeney, Esq., F.C.A. (Appointed 19th October, 1965) ..	Nil	..
	6,414	246

3. The amounts at credit in the different reserve funds of the Corporation are:—

Reserves, as at 30th June, 1965.

	£	£
Land revaluation ..	883,158	
National Debt Sinking Fund ..	196,053	
Increased cost of re- placement of fixed assets ..	50,000	
Contingencies ..	103,668	
Dividend equalization	50,000	
Natural gas conver- sion ..	150,000	
Profit and loss appro- priation ..	8,786	
		1,441,665

Additional funds employed in the business—

PROVISIONS.		£	£
Depreciation of plant, buildings, &c. ..	12,247,074		
Interest accrued on consumers' deposits ..	34,995		
Retiring allow- ances ..	127,989		
Deferred repairs	135,200		
Doubtful debts ..	126,841		
Long service leave ..	409,232		
		13,081,331	
			14,522,996

4. The net profit made by the Corporation in each year since its inception is:—

Net Profits—		£
1951 ..	..	11,819
1952 ..	..	179,666
1953 ..	..	146,026
1954 ..	..	173,277
1955 ..	..	158,134
1956 ..	..	157,920
1957 ..	..	158,174
1958 ..	..	7,273
1959 ..	..	220,008
1960 ..	..	336,381
1961 ..	..	69,435
1962 ..	..	208,742
1963 ..	..	373,386
1964 ..	..	183,761
1965 ..	..	412,640

In the presentation of the Corporation's accounts, gross profit is not determined.

STATE ELECTRICITY COMMISSION.

HAWTHORN CONSUMERS: NEW ELECTRICAL CONNEXIONS: TARIFF CONCESSIONS.

Mr. JONA (Hawthorn) asked the Minister for Fuel and Power—

1. How many consumers within the municipality of Hawthorn are supplied with electricity for residential, commercial, and industrial purposes, respectively?

2. How many new electrical connexions were effected in each of the years 1962-63, 1963-64 and 1964-65 within the municipality for each of the above-mentioned categories?

3. Whether the residential electricity tariff policy of the State Electricity Commission provides for any form of concession or reduced minimum charges to approved small users; if so, how these concessions compare with the normal industrial tariffs?

Mr. G. O. REID (Minister for Fuel and Power).—The answers contain a good deal of statistical and detailed matter, and I seek leave for their incorporation in *Hansard*, without my reading them.

Leave was granted, and the answers were as follows:—

1. As at 28th February, 1966, the number of consumers supplied by the State Electricity Commission in the City of Hawthorn were—

Residential	..	..	12,918
Commercial	..	..	1,147
Industrial	..	..	292
			14,357

2. The annual increases for the years ended 28th February, 1964, 1965 and 1966 were:—

—	1964.	1965.	1966.
Residential	123	135	160
Commercial	30	25	30
Industrial	3	10	3
	158	170	193

3. The Commission has framed its residential electricity tariff so that, subject to a minimum charge of \$1.05 a quarter, small users pay for both service and energy charges at a maximum over-all rate of 5.8c a kilowatt-hour. This is the maximum rate, and it decreases as the consumption of electricity increases. This maximum rate

has remained unchanged for many years despite several general increases in electricity tariffs in the meantime.

Charges under the residential tariff compare favourably with tariffs applicable to industrial consumers having regard to relative amounts of electricity consumed. The maximum kilowatt-hour rate to any residential consumer is 5.8c per kilowatt-hour and the energy charge is 2.1c. Industrial consumers pay maximum rates of 7.6c a kilowatt-hour for light and 4.6c a kilowatt-hour for power and heating. An industrial power and heating consumer must use more than 25,000 kilowatt-hours a month before he can purchase any electricity at a rate lower than the domestic energy charge of 2.1c per kilowatt-hour. Off-peak rates are basically similar for both residential and industrial consumers.

ROADS (SPECIAL PROJECTS) ACT.

REVENUE AND EXPENDITURE.

Sir HERBERT HYLAND (Gippsland South) asked the Minister of Public Works—

1. How much money was received up to 1st April instant, under the Roads (Special Projects) Act 1965?

2. How much has been expended to date and how much is committed?

Mr. PORTER (Minister of Public Works).—The answers are—

1. \$5,721,111.03.

2. The amount expended is \$1,980,947; the amount committed is \$5,330,249.

SOLDIER SETTLEMENT.

ABANDONMENT OF BLOCKS.

Mr. MUTTON (Coburg) asked the Minister of Soldier Settlement—

During each of the years 1963 to 1965, how many returned servicemen abandoned blocks held under the provisions of (a) the Soldier Settlement Act 1958; and (b) the Closer Settlement Act 1938?

Mr. BALFOUR (Minister of Soldier Settlement).—The answer is—

(a) 1963—six; 1964—one; 1965—four; total—eleven.

The above numbers include the surrender of a holding by the estate of a deceased settler and the forfeiture of the lease of another holding due to non-compliance with the conditions of such lease.

(b) 1963—nil; 1964—nil; 1965—nil.

I might explain that the Soldier Settlement Act 1958 is administered by the Rural Finance and Settlement Commission and the Closer Settlement Act 1938 by the Department of Crown Lands and Survey.

WATER SUPPLY.

UNDERGROUND SEARCH: EXPENDITURE: COMMONWEALTH GRANT.

Sir HERBERT HYLAND (Gippsland South) asked the Minister of Water Supply—

In connexion with the investigation of underground water—(a) how much money was made available by the Commonwealth Government to the Victorian Government; (b) how much has been expended; and (c) in what areas it has been expended and with what result?

Mr. DARCY (Minister of Water Supply).—The answer is—

(a) Under the Commonwealth States Grants (Water Resources) Act 1964, the State of Victoria qualified for and received in respect of the financial year 1964-65 the maximum amount of subsidy—£37,920—provided for investigation and measurement of underground water resources.

(b) Expenditure on such investigations in that period was:—

	£	s.	d.
Mines Department . . .	226,253	2	1
State Rivers and Water Supply Commission . .	30,017	10	5
	£256,270	12	6

(c) The Mines Department investigations have centred on the Murray basin, the Western District basin and volcanic areas, the Port Phillip and Western Port Bay areas and the Gippsland basin. The purpose is assessment of underground water resources, the appraisal of conditions for artificial recharge of aquifers, and the determination of the availability of underground water for town supply, industry, irrigation, and rural requirements.

Investigations by the State Rivers and Water Supply Commission have been carried out in the Central Gippsland irrigation districts for the utilization of available underground waters to supplement irrigation channel supplies and to find means for determination of water tables in connexion with drainage and reclamation of irrigated lands.

The investigations outlined are of a continuing nature, and the subsidy payment has assisted in accelerating the achievement of programme objectives.

EGG AND EGG PULP MARKETING BOARD.

COURT ACTIONS: COSTS: FINES.

Mr. SCANLAN (Oakleigh) asked the Minister of Water Supply, for the Minister of Agriculture—

1. To how many court cases the Victorian Egg Board has been a party during the last

two years in—(a) Courts of Petty Sessions; (b) the Supreme Court of Victoria; and (c) the High Court of Australia?

2. How many of the cases in each of the above categories were heard during the past three months?

3. In how many of the cases the Board was responsible for launching a prosecution?

4. During the past two years, what were—(a) the total legal costs incurred by the Board; (b) the total fines imposed on producers as a result of successful court actions by the Board; and (c) the total costs recovered by the Board from successful actions?

5. How many court actions involving the Board are awaiting determination at the present time?

Mr. DARCY (Minister of Water Supply).—The answers supplied by the Minister of Agriculture are somewhat detailed, and I therefore seek leave to have them incorporated in *Hansard* without my reading them.

Leave was granted, and the answers were as follows:—

1. (a) Fifty-five Courts of Petty Sessions cases (treating any matter in which several informations have been heard and determined together against the one defendant as one case).

(b) Nine Supreme Court of Victoria cases (including an appeal from one of the above Petty Sessions cases).

(c) Three High Court of Australia cases (including one appeal from one of the above Petty Sessions cases, and one appeal from one of the above Supreme Court cases).

2. One Court of Petty Sessions case.

3. Forty.

4. (a) and (c).

	\$	\$
Total legal costs paid		22,250.00
Total damages recovered	7,715.00	
Total costs awarded to the Board	10,320.00	18,035.00
Net costs		4,215.00

These costs include over \$6,000.00 in actions which are still current (portion of which will be recovered if the Board wins the cases concerned) and costs incurred in obtaining advice on claims later not proceeded with.

(b) The total fines imposed on producers were \$366.00.

5. Twenty-eight.

PRODUCTION AND MARKETING OF EGGS.

Mr. SCANLAN (Oakleigh) asked the Minister of Water Supply, for the Minister of Agriculture—

1. How many registered egg producers market eggs through the Victorian Egg Board?

2. What is the approximate number of Victorian egg producers marketing outside the Board?

3. How many laying hens are under the control of producers marketing through the Board and outside the Board, respectively?

4. How many producers have flocks of from 200 to 2,000; 2,001 to 5,000; 5,001 to 10,000; 10,001 to 20,000; 20,001 to 30,000; and 30,001 to 100,000, respectively?

5. What is considered to be the minimum number of birds necessary for a producer to earn his living from egg production alone?

6. What proportion of the total number of producers is considered to be solely dependent on egg production for their incomes?

Mr. DARCY (Minister of Water Supply).—The answers supplied by the Minister of Agriculture contain statistical information, and I seek leave for their incorporation in *Hansard* without my reading them.

Leave was granted, and the answers were as follows:—

1. At the last period of registration on 1st

November, 1965, 4,178 producers registered their flocks. Very few registered producers do not market eggs through the Board.

2. It is known that there are about 30 producers, who own or control flocks of significant size, and market most or all of their eggs outside the Board. On occasions, some of these producers deliver eggs to the Board.

Details relating to small flocks are not available, but a number of producers in this category would not deliver to the Board the whole year round. Producers with 40 or less birds—exempt from the Marketing of Primary Products Act 1958—market eggs through the Board only at times when surplus to their needs occur, principally during the spring period. Such persons are not recorded as producers, even though they use the Board's facilities.

3. The total number of birds of all ages registered on 1st November, 1965, was 4,064,123. Of this total, 1,982,654 were over six months old.

The number of birds over six months of age controlled by the 30 producers referred to above, is estimated to represent about 5 per cent. of the total number of birds over six months of age. This estimate is based on figures provided for the November, 1965, registration and is confirmed by figures submitted by these producers under the Commonwealth Poultry Industry Levy Collection Act 1965.

4. The following is the dissection into groups of birds registered:

BIRD AGE GROUPS.

Flock Size.	Number of Producers.	Under Three Months.	Three-Six Months.	Over Six Months.	Total.
200—2,000	3,983	797,701	631,647	1,203,772	2,633,120
2,001—5,000	162	235,543	194,757	481,334	911,634
5,001—10,000	25	57,580	56,546	165,176	279,302
10,001—20,000	2	..	4,000	24,829	28,829
20,001—30,000	3	20,900	16,800	40,682	78,382
30,001 and over	3	50,320	15,675	66,861	132,856

5. It is considered that 2,000 adult female fowls are necessary for a producer to earn a reasonable living from egg production alone. However, it is known that there are some producers earning their living from egg production alone with flocks of between 1,500 and 2,000 birds.

6. It is estimated that 7 per cent. of producers is solely dependent on egg production for their incomes.

The information to questions 1 to 4 has been supplied by the Egg and Egg Pulp Marketing Board and the answers to questions 5 and 6 have been derived from departmental sources.

OFF-SHORE PETROLEUM EXPLORATION.

PERMITS TO COMPANIES: CONDITIONS: EXPENDITURE.

Mr. HOLDING (Richmond) asked the Minister of Mines—

1. What amount the Government required Haematite Explorations Proprietary Limited to spend in exploration in the Gippsland shelf area in respect of permits numbered 38 and 39 and over what periods of time?

2. Whether he approved the agreement between Esso Exploration (Australia) Limited and Haematite Exploration Prop-

rietary Limited for exploration in the Gippsland shelf area in respect of permits numbered 38 and 39; if so, whether he required any additional amounts to be spent on exploration; and, in that event, how much?

3. Whether he will inform the House what amounts have been spent to date by Esso Exploration (Australia) Limited and Haematite Exploration Proprietary Limited in the exploration of oil and natural gas in Bass Strait?

Mr. DARCY (Minister of Mines).—
The answers are—

1. Petroleum exploration permits Nos. 38 and 39 were issued to Haematite Exploration Proprietary Limited for initial terms of two years, commencing 1st April, 1960. These permits have been renewed for successive periods of twelve months since the expiration of the first term.

No expenditure covenants are written into the permits, but satisfactory work performance is a condition of renewal.

Actual expenditure on the part of Haematite Exploration Proprietary Limited prior to the farm-in by Esso Exploration Australia Incorporated was \$307,000.

2. Yes. The agreement between Esso Exploration Australia Incorporated and Haematite Exploration Proprietary Limited dated 12th May, 1964, was approved by the Minister of Mines. This agreement provided, amongst other things, that Esso Exploration Australia Incorporated would conduct a marine seismic survey of portion of the subject areas and would drill five exploratory wells at selected locations with drilling to be commenced in December 1964, and to be as continuous as is technically feasible until the completion of the five-well programme.

3. Up to date, Haematite Exploration Proprietary Limited and Esso Exploration Australia Incorporated have spent the sum of \$7,704,000 in exploration for oil and gas in the Victorian waters of Bass Strait.

IRON ORE.

GIPPSLAND DEPOSITS.

Sir HERBERT HYLAND (Gippsland South) asked the Minister of Mines—

Whether, now that natural gas has been found in the area, he will have inquiries made as to whether there is a sufficient quantity of iron ore available in Gippsland to maintain an industry?

Mr. DARCY (Minister of Mines).—
The answer is—

The quantity of iron ore in the deposits at Nowa Nowa in Gippsland proved by an investigation by the Department of Mines

amounted to approximately 7,000,000 tons. This quantity is insufficient on which to base an iron and steel industry regardless of the type of fuel available. Some investigations carried out at the University of Melbourne indicated the possibility of basing a small sponge iron industry on these deposits, but this has not so far been proved practicable.

DIETITIANS.

APPROVED HOSPITALS: STUDENTS: COURSES OF TRAINING.

For **Mr. GAINEY (Elsternwick)**,
Mr. Loxton asked the Minister of Immigration, for the Minister of Health—

Further to the answer furnished to Question No. 34, asked in this House on 16th March last—

1. What hospitals are approved for the purpose of the final year of the prescribed course of training to enable a person to apply for registration as a dietitian?

2. In each of the years 1963, 1964, 1965, and this year, what was—(a) the respective number of vacancies for students at each such hospital; (b) the number of students seeking positions at such hospitals for the purpose of completing their training; and (c) the respective numbers of final-year students who had previously failed and sought to repeat the final year?

3. How many of the students desiring to repeat the final year were accepted in any of the approved hospitals in the following year or years?

4. Whether the Government or the Dietitians Registration Board is considering any enlargement of the area in which practical training may be had to enable a student who has passed the prescribed examinations, to become entitled to be registered by the Board and, in particular, whether the Government or the Board is considering any alteration of the prescribed course or courses of training in dietetics to permit a person, who has passed the prescribed examinations and served a period of time in training under a registered dietitian in private practice, to become registered under the Act as a dietitian?

Mr. ROSSITER (Minister of Immigration).—The answers supplied by the Minister of Health contain detailed information, and I seek leave of the House to have them incorporated in *Hansard* without my reading them.

Leave was granted, and the answers were as follows:—

1. The hospitals approved by the Dietitians Registration Board of Victoria for the purpose of conducting the dietetic internship year are the Alfred Hospital, the Queen Victoria Hospital and the Royal Melbourne Hospital.

2. (a) At the commencement of each of the years 1963, 1964, 1965 and 1966, the number of vacancies for students for practical training at each of these hospitals was as follows:—

Alfred Hospital, seven;
Queen Victoria Hospital, six; and
Royal Melbourne Hospital, seven.

(b) The number of students seeking positions at the above-mentioned hospitals was as follows:—

Sixteen in 1963;
Nineteen in 1964;
Fifteen in 1965;
Thirteen in 1966.

(c) The number of final year students who failed was three in 1963; seven in 1964; nil in 1965.

3. The students who failed in 1963 were not acceptable in the following year or years. Five of the students who failed in 1964 were accepted in the following year.

4. The Dietitians Registration Board of Victoria is not considering any extension of the facilities for practical training for student dietitians. Practical training is carried out in the dietary department of the public hospitals and if any public hospital, in addition to the three mentioned above, were to seek the approval of the Board to conduct such training, the request would be considered.

The Dietitians Registration Board of Victoria is not considering any alteration of the prescribed course to allow registration to be granted to a person who has passed the prescribed examinations in the first three years of the course and who has then served a period of time in training under a registered dietitian in private practice.

CLEAN AIR COMMITTEE.

STAFF: POLLUTION TESTS IN GEELONG.

For Mr. TREZISE (Geelong West), Mr. Wilkes asked the Minister of Immigration, for the Minister of Health—

1. What were the dates of the most recent air pollution "fall out" tests in the Geelong area?

2. What were the individual findings in each case?

3. How many persons comprise the present permanent staff of the Clean Air Committee?

4. How many persons comprise the regular staff of the committee in 1964 and 1965 respectively?

5. Whether the Minister of Health is aware of a public statement by a member of the Clean Air Committee that the staff is insufficient to check air pollution; if so, what comments has he to make concerning such statement?

Mr. ROSSITER (Minister of Immigration).—The answers supplied by the Minister of Health are—

1. Six stations were established in the Geelong area in 1962 as part of the continuing deposit gauge survey conducted by the Department of Health. These stations are still in operation. Results are obtained on a monthly basis and averaged over each calendar year.

2. The latest available results are those for the calendar year 1965. They are expressed as in yearly mean values of deposited matter in long tons per square mile per month and are as follows:—

Site number :	133
Municipality :	Barrabool
Location :	Waurin Ponds
Insoluble (water) :	4.4
Combustible matter :	1.2
Ash :	3.2
Soluble (Water) :	3.0
pH :	5.7
Site number :	201
Municipality :	Newtown and Chilwell
Location :	Newtown West
Insoluble (water) :	6.9
Combustible matter :	2.1
Ash :	4.8
Soluble (water) :	4.7
pH :	5.9
Site number :	202
Municipality :	Newtown and Chilwell
Location :	Newtown North
Insoluble (water) :	36.0
Combustible matter :	7.8
Ash :	28.2
Soluble (water) :	12.9
pH :	6.8
Site number :	211
Municipality :	Geelong West
Location :	Geelong West
Insoluble (water) :	4.2
Combustible matter :	1.3
Ash :	2.9
Soluble (water) :	2.9
pH :	5.9
Site number :	221
Municipality :	Geelong City
Location :	Town Hall
Insoluble (water) :	8.8
Combustible matter :	2.5
Ash :	6.3
Soluble (water) :	3.1
pH :	5.9
Site number :	231
Municipality :	Corio
Location :	Shire Offices

Insoluble (water) :	11.6
Combustible matter :	2.5
Ash :	9.1
Soluble (water) :	2.4
pH :	5.7

3. The Clean Air Committee is an advisory committee and, as such, has no staff of its own. The functions of air pollution control are being carried out by permanent officers in the Clean Air Division of the Department of Health. The Division has an establishment of four. At present one position is vacant.

4. The staff of the Clean Air Division in 1964 and 1965 comprised four officers.

5. The Clean Air Committee, at its meeting on 30th November, 1965, resolved; That in view of the introduction of the Clean Air Regulations 1965 and the consequential need for extra staff and equipment, the committee is of the opinion that extra positions should be created and additional finance provided in order that the work of the Clean Air Section may be carried out more effectively.

This resolution was in fact a reiteration of a recommendation made by the Commission of Public Health and which has already been approved by the Minister for appointment of additional professional staff to the Clean Air Section. On account of the shortage of staff in other branches of the Department, this recommendation could not be given the highest priority in this year's Budget, and the question of additional appointments has accordingly been deferred until the next financial year.

BOILERS INSPECTION ACT.

AIR AND GAS RECEIVERS: COMPULSORY INSPECTIONS.

Mr. WILTON (Broadmeadows).—The following question of the Minister of Labour and Industry stands in my name on the Notice Paper—

Whether he will make available a copy of the report submitted by the board of reference which recommended the extension from one year to four years of the periods between compulsory inspection of air and gas receivers?

I have already received a copy of the report referred to for which I thank the Minister. In the circumstances, I do not propose to proceed with my question.

STEAM GENERATORS.

EXEMPTION FROM PROVISIONS OF ACT.

Mr. WILTON (Broadmeadows) asked the Minister of Labour and Industry—

On what grounds the Alliance Mark VIIA steam generator of up to 150 horse-power capacity and the Trevor H.C.C. steam generator respectively, were exempted from the operation of Division 2 of Part IX. of the Labour and Industry Act 1958?

Mr. WILCOX (Minister of Labour and Industry).—The answer is—

The general basis of exemption is that the boiler should be so designed that it can be operated safely without the attention of a certified attendant.

It is considered that the two steam generators qualify for exemption on this basis in that they are so designed that any inherent danger of steam explosion has been eliminated—the "Alliance" because it has no steam drum as such in the fire zone, and the "Trevor" because it has no steam header vessel or separator in the fire zone of more than 6 inches internal diameter or equivalent cross-sectional area.

LATROBE VALLEY.

EXTENSION OF AREA.

Sir HERBERT HYLAND (Gippsland South) asked the Minister of State Development—

Whether he has arrived at a decision regarding the extension of the Latrobe Valley area: if not, when a decision will be made?

Mr. MANSON (Minister of State Development).—The answer is—

No decision has yet been reached. However, the matter is still under consideration and a decision is expected shortly.

NOTICE OF MOTION.

GRIEVANCE DAY.

Mr. RYLAH (Acting Premier and Treasurer).—I desire to give notice that on the next day of meeting I shall move—

That Standing Order No. 273c be suspended for to-morrow so far as it requires that the first Order of the Day on every third Thursday shall be either Supply or Ways and Means.

This is purely a precautionary notice. It is intended that the House shall meet at 11 a.m. to-morrow and thereby avoid sitting on Thursday.

LEAVE OF ABSENCE.

Mr. RYLAH (Acting Premier and Treasurer).—By leave, I move—

That leave of absence on account of ill health be granted to Richard John Gainey, Esquire, M.B.E., the honorable member for Elsternwick.

The motion was agreed to.

SHEPPARTON ABATTOIRS BILL.

Mr. BALFOUR (Minister of Lands), by leave, moved for leave to bring in a Bill to make temporary provision with respect to the powers of the council of the Shire of Shepparton to obtain allowances by overdraft of current account, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

WATER (RATING BY AREA) BILL.

Mr. DARCY (Minister of Water Supply), by leave, moved for leave, to bring in a Bill to amend section 76 of the Water Act 1958 to permit the levying of general rates on the basis of area in certain districts, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL.

Mr. BALFOUR (Minister of Lands).—I move—

That this Bill be now read a second time.

This Bill comprises a number of unrelated proposals for amendments to the Melbourne and Metropolitan Board of Works Act. Clause 2 provides for members of the Board, including the chairman, to be insured against accidents arising out of or in the course of the performance of their duties as members. The Board is empowered to pay the necessary premiums and, by an amendment of

the Municipal Association Act, the Association is authorized to issue policies for this purpose. Insurance may be effected with any insurer, provided that the policy is approved or is of a kind approved by the Minister. As honorable members are aware, similar provision was made for municipal councillors, by the Local Government Act 1963, and for members of water trusts and sewerage authorities, by the Water Authorities Accident Insurance Act 1965. Members of the Board are municipal councillors, but policies insuring them against accidents arising in the course of their duties as councillors would not cover them while they acted as members of the Board. The present proposal is a logical extension of the existing legislation on the subject.

Clause 3 contains four separate amendments. Paragraph (a), which amends section 76 of the principal Act, deals with charges for water supplied by measure; its purpose is to make it plain that in every instance the charge is that in force at the commencement of the period for which the water is supplied. The charge is fixed by by-law, and can be varied from time to time. Reading of the large number of meters in the metropolitan area commences in September and continues until May of the following year. If the charge does not remain constant during a particular year, there may be some doubt as to which of two differing charges applies. As I have indicated, it is now proposed to provide specifically that the charge in force at the commencement of the period for which water is supplied will be the effective charge in every case.

Paragraph (c), which substitutes a new section for section 99, deals with the minimum amount to be paid for water supplied by measure. Its purpose is also to clarify the existing legislation. Where water is supplied by measure to rateable properties, the minimum amount payable is the amount of the water rate. This entitles the consumer to a quantity of

water which is determined by allowing 1,000 gallons for every 20 cents payable under the rate. As I mentioned in describing paragraph (a), the charge is fixed by by-law. If the consumer uses no more water than the quantity to which the rate entitles him, he pays only the rate. If he uses more than that quantity, he pays for the excess at 20 cents per 1,000 gallons. The proposed amendment does not alter the intent of the present provision, but makes it clearer that the minimum in any instance is the water rate for the year in which the water was consumed.

The purpose of paragraphs (b) and (d) prescribe minimum amounts to be paid for water and sewerage rates, respectively. This will ensure that the owners of vacant allotments, which have water or sewerage, or both, available, make a reasonable contribution towards the cost of providing and maintaining these services. There is at present a minimum rate of \$1 where water is available, but no minimum rate for availability of sewerage. The average annual cost to the Board per allotment for interest and payments to a sinking fund and renewals fund has been estimated at \$10.45 for water and \$8.79 for sewerage. As the Board's rates are levied on the net annual value of rateable property, vacant allotments would, on the average, return much less in rates than these amounts. The owners of vacant lots are not, of course, making use of the services, but the availability of the services enhances the value of the properties. In all the circumstances, it is felt that a minimum rate of \$4 each for water and sewerage would represent a reasonable contribution from the owners of vacant lots. The imposition of such minimum rates will tend to encourage the use of a large number of vacant allotments throughout the metropolitan area which have water or sewerage, or both, available.

Clause 4 amends sub-section (5) of section 160 of the principal Act, which requires that notices that

sewers have been laid shall be published in the *Government Gazette* and at least four times within four successive weeks in one or more local newspapers. It is proposed that notice shall be published in the *Government Gazette* and once in a local newspaper. Individual notices are served on property owners, and the repetition of the advertisements in a local newspaper serves no useful purpose.

Clause 5 substitutes a new section for section 241 of the principal Act. By-laws and regulations made under the Melbourne and Metropolitan Board of Works Act were, in January, 1964, declared by the Attorney-General to be Statutory Rules pursuant to the Subordinate Legislation Act 1962. A specific provision to this effect is to be inserted in the Board's Act in lieu of the present provision which requires publication of by-laws in the *Government Gazette* in full. A further requirement for copies of by-laws to be posted in each municipal office in the metropolis is also being repealed, and, in lieu of this, the Board will be required to send a copy of every by-law which it makes to the municipal clerk of each municipality, who will keep the by-laws available for public inspection without charge.

The maximum penalty for a breach of the Board's by-laws is at present \$40. This was fixed in the Melbourne and Metropolitan Board of Works Act when it was first enacted in 1890. It is now proposed, by clause 6, which amends sections 32, 112, 214 and 285 of the principal Act, to increase the maximum penalty to \$100.

Clause 7 substitutes a new section for the present section 277, which vested in the Board the responsibility for the Dight's Falls pumping station. This supply system was started by the Public Works Department in 1893, primarily for supplying the Botanic Gardens and the Albert Park lake. It also provided supplies to the Melbourne Hydraulic Power Company for hydraulic power at the Australian

Paper Mills at Princes Bridge. Supplies were granted to these bodies following an interference with their previous practice of pumping fresh water from the river caused by the removal from the river of a reef which previously held back salt water. The Board assumed control in 1924.

Section 277 vested in the Board the assets forming the system, together with certain Crown land, and required the Board to continue a free supply to the public gardens and also to continue to supply the private users. The pumping station has not operated since 1956. The plant and the delivery main from Kew to the city were considered to be at the end of their useful life. Supplies to the consumers are now made from the Board's normal supply mains. The removable assets—partly taken over from the Public Works Department and partly installed by the Board—have been sold. The proceeds, \$800, were shared equally by the Board and the Government. It is now proposed that the land vested in the Board be revested in the Crown and that express provision be made for the Board to continue the free supply of water for public purposes. Clause 7 provides accordingly. I commend the Bill to the House.

On the motion of Mr. HOLLAND (Flemington), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

FRIENDLY SOCIETIES (AMENDMENT) BILL.

The debate (adjourned from April 19) on the motion of Mr. Rylah (Chief Secretary) for the second reading of this Bill was resumed.

Mr. CLAREY (Melbourne).—This is a simple Bill with which, I believe, all honorable members will agree. It proposes an amendment to the Friendly Societies Act 1958, to permit any body registered under the Act to increase certain of its benefits. Sec-

tion 5 of the principal Act sets out the objects for which societies may be registered under this Act. Amongst the objects mentioned therein are—

(1) For the relief or maintenance of members their husbands wives children or kindred in infancy old age widowhood sickness or other infirmity bodily or mental or any natural state of which the probability may be calculated by way of average.

In other words, societies provide sickness benefits for their members. Another object for which a society may be registered is—

(4) For the maintenance of members when on travel, in search of employment, or when in distressed circumstances, or in case of shipwreck or loss or damage of or to boats or nets.

I do not know that any friendly society actually provides benefits of that nature, although the provision exists for such benefits to be given. Basically, of course, with the depreciating value of money and the necessity, particularly in cases of sickness, to offer members a better benefit than the old rate of £1 per week, many of the societies have altered their rules to enable members to contribute for higher benefits, providing, of course, that they pay a higher contribution. The rate of the benefits which may be granted and the rates of contributions which members pay, must be approved by the Government Statist.

This Bill increases the minimum in the case of sickness benefits from the permissible maximum at the moment of \$20 or £10 a week—I still think in the old currency—to a maximum of \$30 or £15 a week. The friendly societies association and the individual societies have, from time to time, advocated many other amendments to the Act, and I understand that the Government has, in the past, given sympathetic consideration to these suggested amendments. However, we are dealing with one simple proposition to increase the maximum sickness benefits from \$20 to \$30 a week. The Opposition not only offers no objection to the measure, but actually supports it.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, relating to maximum sickness benefits.

Mr. CLAREY (Melbourne).—This clause, of course, contains the substance of the Bill. For the benefit of honorable members who may be interested, I should like to mention that the increase of the maximum benefit payable to \$30 a week applies only to sickness benefits. It does not in any way touch upon the maximum benefits which may be provided by the various societies for medical services, and hospital and ancillary benefits. The maximum that the societies can give for these purposes is limited not by the Act, but by the Federal health authorities, who say, "This is the maximum benefit which the societies are permitted to give."

The clause was agreed to.

The Bill was reported to the House without amendment, and passed through its remaining stages.

GRAIN ELEVATORS (AMENDMENT) BILL.

The debate (adjourned from April 19) on the motion of Mr. Balfour (Minister of Lands) for the second reading of this Bill was resumed.

Mr. SCHINTLER (Yarraville).—I was pleased when my Leader asked me to handle this Bill on behalf of the Opposition, because I desire to make some comments on two organizations for which I hold a good deal of regard, namely, the Grain Elevators Board and the Railway Department, to which the Bill relates. One purpose of the Bill is to provide for an annual remuneration to be paid to the railways' representative on the Grain Elevators Board in lieu of the payment of fees for attendance at meetings of the Board. It also enables the Governor in Council to increase the annual remuneration paid to the growers' representative. I think the first intention of the Bill is reason-

able, because sometimes the railways' representative has to attend deputations at which railway matters are discussed and therefore his presence is desirable, but at the moment such attendance is not regarded as a meeting of the Board, and he is not paid a fee. The annual remuneration to be paid in future will cover all of the activities of the railways' representative.

The growers' representative on the Board does a tremendous amount of work on behalf of wheat growers, by interviewing prospective clients and preparing all sorts of arrangements to meet with the requirements of growers throughout the State when this very important commodity, wheat, has to be handled in bulk and delivered to the bulkhead. The Opposition feels that the small increase in recompense to both of the members I have mentioned is fully justified, because one of the problems to-day is to catch up with the value of money. I believe that, because of the work performed by these representatives, these remunerations could have been quite reasonably increased to an even greater extent.

On the general subject of grain elevators, it is interesting to note that the Board has a huge investment totalling approximately \$24,000,000. Of course, in view of the importance of the wheat and barley industry to the State, it is understandable that such an outlay is necessary and a proper investment for the welfare of the State. In his second-reading speech, the Minister of Lands stated that the Grain Elevators Board has a yearly turnover of about \$2,000,000, and that approximately the same amount is expended annually on capital works. I have no doubt that, as time goes on and larger areas of land throughout the State come into wheat production, this amount will be found to be inadequate. During the six years I was privileged to serve on the State Development Committee, with other members, I had ample opportunity to

travel extensively throughout the State and to see most of these bulkheads in operation. Honorable members who have not a first-hand knowledge of what is going on might be interested in some figures concerning the wheat storage capacity of the various installations.

The DEPUTY SPEAKER (Mr. Christie).—Order! I think the honorable member is going beyond the scope of the Bill, which relates to the remuneration payable to members of the Grain Elevators Board, and does not deal with the activities of the Board. I invite the honorable member to speak specifically to the Bill.

Mr. SCHINTLER.—I bow to your ruling, Mr. Deputy Speaker. I was trying to convey to members in general the importance of the Grain Elevators Board and the reason for the proposed increase in the remuneration paid to its members.

The DEPUTY SPEAKER.—The honorable member may do that briefly, but to cite in detail where storages are located and their capacities would be to discuss the business of the Board in detail and not the general problems of the Board, which have already been mentioned.

Mr. SCHINTLER.—If that is your view, Mr. Deputy Speaker, I shall round off my remarks, limiting them considerably, by saying that the Opposition offers no objection to the Bill. Its members agree with the principle embodied in it.

Mr. TREWIN (Benalla).—On behalf of the Country Party, I should like to indicate that it supports the Bill before the House and the general comments that have already been made. The question of fees paid to members of the Board, especially the growers' representative, has been in our minds for some time. We are pleased that assistance is being given to the growers' representative to enable him to carry out the rather arduous and exacting duties that he is called upon to perform.

In passing, may I comment that the member of the Board who represents the Railway Department is an officer of that Department and is paid a salary. Over the years, this gentleman has been paid an attendance fee or allowance for attending meetings of the Board, which might be regarded as an additional salary from another source. Whilst the annual amount now proposed is not very large, it will no doubt enable the railways' representative to make additional time available to the Board and to attend more often in the country centres than he has done previously. Over the years, Mr. Rewell, the representative of the Railway Department, has travelled around the countryside with the Railways Commissioners, and no doubt he has kept a watchful eye on many features of the development of the Grain Elevators Board. At meetings of the Board, he submits the case of the Railway Department before the other members and has thereby earned the fees that have been paid to him. I do not know whether this creates a precedent, or whether it is normal for a member of one Government Department to receive a salary from another source. While the work Mr. Rewell has done over the years on behalf of the Railway Department and also for the Board has not at all times been appreciated, it must be acknowledged that his services as a whole have been appreciated and that his long experience as a member of the Board in grain handling is worthy of greater remuneration than heretofore.

The growers' representative, Mr. Bourke from the Wimmera, took over his duties not very long ago from the late Mr. George Evans, who for many years served the industry in an almost honorary capacity as a member of the Grain Elevators Board.

Mr. Moss.—He did a wonderful job.

Mr. TREWIN.—That is so; he served the growers of this State in a magnificent manner, and I believe

his services to the industry could have been recognized many years ago in an appropriate manner.

Mr. Bourke is a young man who is well known throughout the Wimmera. He is a strong advocate of bulk handling and has an interest in the industry himself. He has accepted the responsibility of placing the growers' representations before the Board. As an instance of the amount of work Mr. Bourke carries out as growers' representative, I point out that he attended a huge meeting of growers at Yarrawonga during the last harvest season. It must be remembered that the Grain Elevators Board is a growers' Board; the finance made available to the Board is contributed by the growers; any money borrowed by the Board for capital expenditure is eventually repaid by the growers. Mr. Bourke is serving the industry well as growers' representative on the Board, and he makes his time available throughout the year to visit any part of the State in order to ascertain the growers' wishes. He spares no effort in his attempts to improve the system of which we are so justly proud.

Mr. Moss.—His work has won State-wide approval.

Mr. TREWIN.—That is so. He is already recognized as an outstanding administrator. Prior to his election as growers' representative, Mr. Bourke won admiration for his interest in farming in the Wimmera district. Whatever task he undertakes, he will be an ambassador not only of the wheat industry but also of the Wimmera district. The Country Party supports the Bill, and considers that it will enable the Grain Elevators Board to ensure that the growers' representative, particularly, will receive fitting remuneration for the work he carries out in the interests of the industry.

Mr. McCABE (Lowan).—As has been said, one of the purposes of this Bill is to make provision for the representative of the Victorian Railways Commissioners to receive pay-

ment on a yearly basis instead of by means of fees. In 1960, a similar provision was made to enable the growers' representative to receive a yearly remuneration instead of the fees to which he was previously entitled. The opportunity has also been taken to remove the requirement for the Governor in Council to fix the remuneration payable to Board members before or at the time of their appointment. This is a forward step, which will enable the Governor in Council to keep Board members' fees more in line with rising costs.

The Victorian Wheat and Wool Growers' Association has recommended that the remuneration of the growers' representative on the Grain Elevators Board should be similar to that of a grower member of the Australian Wheat Board, who receives \$3,000 a year. I ask the Government to have another look at the proposal to increase the yearly remuneration of the growers' representatives to \$1,400. I believe this amount is not sufficient for the work entailed or the responsibility involved. A considerable amount of State finance depends on the successful management of the Grain Elevators Board, and I wonder whether this fact is fully appreciated by people with little knowledge of the work done by the members of the Grain Elevators Board.

Two members represent Victoria on the Australian Wheat Board, whereas on the Grain Elevators Board there is only one growers' representative for the whole of the State of Victoria and southern New South Wales. This member represents some 13,000 wheat and barley growers, and in this huge territory wheat and barley is received at 240 locations.

In his explanatory second-reading speech, the Minister mentioned that the Grain Elevators Board has an annual turnover of approximately \$2,000,000 and an annual capital expenditure of about the same amount. The Board's borrowing powers are now \$26,000,000, and it employs and

controls 550 employees. I believe the position occupied by the growers' representative on the Board is similar to that of a politician.

Mr. Moss.—I would not swap him salaries!

Mr. McCABE.—That is the point I wish to make. During the wheat season, his telephone rings at all hours of the day and night, and he has to listen to real or imagined grievances of the people he represents. I have received the following information not from the growers' representative but from other persons who also are doubtful whether the proposed increase in salary is sufficient. Last year, the growers' representative spent 66 days on official business for the Grain Elevators Board and attended in the vicinity of 40 meetings of grower organizations; this involved travelling some 20,000 miles, with a consequent disruption of his own farm work. The growers' representative also attended 34 Board meetings, which entailed the travelling of a considerable distance to and from Melbourne. The attendance at Board meetings is only a fraction of his work. As I said previously, I believe his position is in much the same category as that of a member of Parliament who finds that he has more to do when the House is not in session. The time that the growers' representative spends away from home disrupts his farm work and entails him in extra cost for labour. I do not know how it is calculated that \$1,400 a year would employ a man to take his place on the farm. I am pleased that the Government has seen fit to increase the remuneration of the growers' representative, but I ask that the position be re-examined so that his remuneration may be raised to a figure comparable with that of a growers' representative on the Australian Wheat Board—in the vicinity of \$3,000 a year.

Mr. PHELAN (Kara Kara).—I support the remarks of the honorable member for Lowan. The representative of the Victorian Railways Com-

missioners receives about \$273 a year in attendance fees, and it is proposed to increase this sum to \$600 a year, a 120 per cent increase. The growers' representative on the Board receives a remuneration of \$1,000 a year, and it is proposed to increase this sum to \$1,400, or an increase of 40 per cent. As the honorable member for Lowan pointed out, the growers' representative does a considerable amount of work apart from the attendance of meetings for which he is reimbursed. Even assuming that the amounts were equitable when originally fixed by the Governor in Council, I believe the proposal to increase the remuneration of one member by 120 per cent and that of the other by 40 per cent is somewhat out of proportion. There is some danger, also, in placing a full-time salaried Government employee on the pay-roll of a semi-governmental authority. If sufficient consideration had been given to the implications contained in this measure, it would have been appreciated that it would be a sounder principle to retain the payment of attendance fees on the present basis than to create an anomalous situation where a salaried officer of one Department is also employed on a salaried basis by a semi-governmental authority. There is a definite principle involved, and I ask that some consideration be given to this point before the Bill is passed.

The increases proposed to be granted to the two members of the Board, other than the chairman, should be given more consideration. Recently, the honorable members for St. Kilda asked for a list of salaries payable to officers mentioned in Schedule 11 of the Public Officers Salaries and Allowances Act who were granted increases for no other reason than to bring them into line with general Public Service salaries. I believe the chairman of the Grain Elevators Board received an increase of about \$1,200 on a flat salary. In view of these facts, I believe further consideration should be given to the proposals contained in this Bill so that the two members of the Board, other

than the chairman, may be placed on a more equitable basis. If more opportunity had been given to honorable members to consider this Bill, I believe other members in this House, who are aware of the work undertaken by the growers' representative on the Grain Elevators Board, would have been prepared to support an amendment designed to bring remuneration of the growers' representative more into line with current salaries.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, relating to remuneration, &c. of chairman and other members.

Mr. SCHINTLER (Yarraville).—During the second-reading debate, I attempted to indicate the importance of the Grain Elevators Board to the general economic position of the State, but the Deputy Speaker ruled my remarks out of order. During the debate, several members referred in glowing terms to the work performed by the two members of the Board representing the growers and the Railway Department. It is rarely that members of the Opposition can compliment the Government, but I should like to applaud its decision to appoint Mr. Keith Turnbull as chairman of the Grain Elevators Board. Those of us who were fortunate enough to be associated with Mr. Turnbull when he was a member of this House know his ability and integrity and realize what a charming personality he has. As a practical farmer, he is the right type of person to induce the farmers of this State to continue their confidence in the Grain Elevators Board.

It will be recalled by those who are aware of its early tribulations that the Grain Elevators Board was created under the chairmanship of Mr. Glowrey some years ago when a great percentage of the wheat farmers

of the State were opposed to the introduction of bulk handling of wheat.

Mr. Moss.—No. The Labor Party was opposed to it. You should check up on the records.

Mr. SCHINTLER.—Many wheat farmers were opposed to the establishment of the Grain Elevators Board and were very perturbed about the Government's action. However, over the years, the management of Mr. Glowrey, and now of Mr. Keith Turnbull, has brought about a position where 98 per cent. of the wheat and barley growers of the State are satisfied with the magnificent job being carried out by the Grain Elevators Board.

I have inspected most of the bulk terminals operated by the Board throughout the State, and I realize what an important part the bulk handling of grain plays in our economy. I am also familiar with the expert assistance that the Board has received from the Railway Department. Under Mr. Turnbull's leadership, this great industry will, I believe, play a much more important part in the general economic set-up of Victoria as time goes on. I repeat that the Government should be congratulated on its decision to appoint Mr. Turnbull as chairman of the Grain Elevators Board.

Mr. MOSS (Leader of the Country Party).—I wish to raise two points in relation to clause 2. First, it is most encouraging to members of the Country Party to find that the members of the Labor Party and of the Liberal Party now seem to be unanimous in their support of bulk handling of grain in Victoria. An examination of the history of the establishment of the Grain Elevators Board and of bulk handling will reveal that the Country Party alone was responsible for the introduction of bulk handling.

Mr. FENNESSY.—Who was the Minister at the time the Board was established?

Mr. MOSS.—If the honorable member for Brunswick East checks the record of the vote taken in the House on that occasion, he will see that every Labor Party member voted against the legislation.

The ACTING CHAIRMAN (Mr. Wiltshire).—Order! I ask the Leader of the Country Party to confine his remarks to clause 2, which has no relevance to the history of the establishment of the Board.

Mr. MOSS.—We will be making history.

The ACTING CHAIRMAN.—Order! That may be so, but it has no relevance to the clause now under discussion. It is concerned with the remuneration of the chairman and other members of the Board.

Mr. MOSS.—History will certainly be made if we approve of the provision of an increase of \$400 odd a year for the growers' representative on the Grain Elevators Board. I hope the Government has second thoughts about this proposal. I will be somewhat critical of it if it adheres to the small increase that is proposed. There is reason for members of the Country Party to feel happy about all the ramifications of bulk handling because, as I stated previously, we pioneered it, and we now see the stage reached to-day where it is supported unanimously by all parties represented in this Chamber. I am pleased to know that bulk handling has proved its worth.

Mr. FENNESSY.—We only followed Western Australia.

Mr. MOSS.—What they call bulk handling in Western Australia was pulling up a few bundles of hay, putting them into a pit, and then tipping wheat on top.

Mr. FENNESSY.—That was 36 years ago.

Mr. MOSS.—After studying the Victorian system, Western Australia made improvements to its system. However, I wish to deal with the proposed alteration to the salary of

the growers' representative on the Board. The honorable member for Benalla referred to a meeting he chaired at Yarrawonga and which Mr. Bourke, the growers' representative, attended. Those present at the meeting felt that they were being hardly done by. As a result of the meeting and the activities of the Grain Elevators Board, particularly the representations of Mr. Bourke, although I must admit that the Australian Wheat Board also played a part, our wheat was declared to be f.a.q. without dockage. This is a very big question, and it will not be settled overnight. It will be found that tremendous pressure will be put on the Australian Wheat Board and the Grain Elevators Board for the establishment throughout Australia of a uniform evaluation of quality for wheat. That is an added reason why I considered that the Government is proposing a miserable increase for the growers' representative. I suggest that at the very minimum a salary of \$2,000 should be paid to the growers' representative on the Grain Elevators Board.

When Mr. Bourke retires as the growers' representative, which I hope will not be for some considerable time, the wheat growers of Victoria can be relied upon to make a wise nomination. I am sure that all wheat growers in Victoria would be happy to see this Parliament increase the amount payable to at least \$2,000, and I ask the Minister to give serious consideration to the representations that have been made on this point. Both the honorable member for Yarraville and the honorable member for Lowan referred to this subject.

The clause was agreed to.

The Bill was reported to the House without amendment, and passed through its remaining stages.

THE CONSTITUTION ACT AMENDMENT BILL.

The debate (adjourned from April 19) on the motion of Mr. Rylah (Chief Secretary) for the second reading of this Bill was resumed.

Mr. STONEHAM (Leader of the Opposition).—A Bill which seeks to amend The Constitution Act Amendment Act is normally of considerable significance, but I feel that we must have some reservations about this measure. It seeks merely to increase the amounts specially appropriated for the Clerk and expenses of the Executive Council from \$6,000 to \$8,000, and for the Clerk and expenses of the Legislative Council from \$60,000 to \$80,000. Section 66 of The Constitution Act Amendment Act, which in itself constitutes Division 11 of Part II. of that Act, is one of those absurd anachronisms which preserve the differentiation between the Legislative Council and the Legislative Assembly. Sub-section (2) of the section provides—

The said sums shall be issued by the Treasurer in discharge of such warrants as shall from time to time be directed to him by the Governor.

The salary and the expenses of the Clerk and members of the staff of the Legislative Assembly are subject to the provisions of the Appropriation Act. I feel that the vast majority of members of this Chamber would be in favour of the abolition of the Legislative Council, but as this Bill seeks merely to amend section 66 of The Constitution Act Amendment Act, this is not the appropriate occasion to put forward that proposition, although I hope that such a proposal will be introduced and carried in the not distant future.

The purpose of the Bill is merely to meet the demands of rising costs, and I do not think a great deal can be said about it. The Chief Secretary was rather provocative when he referred to the findings of a Select Committee of the Legislative Council which sat in 1857, but it would be foolish for us to be drawn into that field. Until such time as the Legislative Council is abolished, it will be necessary for measures of this type to be agreed to from time to time, although I feel that the amount provided on this occasion should be sufficient to see out the life of the

Legislative Council. I sincerely hope that that prediction will prove to be true.

The motion for the second reading of the Bill having been carried by an absolute majority of the whole number of members of the House, as required by The Constitution Act, the Bill was read a second time, and passed through its remaining stages.

SEYMOUR RACECOURSE LAND BILL.

The debate (adjourned from April 6) on the motion of Mr. Balfour (Minister of Lands) for the second reading of this Bill was resumed.

Mr. STONEHAM (Leader of the Opposition).—The purpose of this Bill is to authorize the leasing of portion of certain land in the parish of Tallarook permanently reserved as a site for a racecourse and other purposes of public recreation. The reservation of this land dates back to 1864, a fact which indicates the unbroken record of the people in the Seymour district in their love of horse-racing.

In his second-reading speech, the Minister of Lands referred to the fact that for a long period the president of the committee of management of the reserve was the late Mr. A. G. Hunter, who achieved remarkable fame in the racing activities of the State. It is notable that his son Robert is now the president of the Seymour Racing Club. I am sure honorable members generally will warmly commend the club on the initiative that it has shown in its current efforts to bring into being at the racecourse up to date and completely adequate facilities for the public.

However, I must say that the proposal embodied in the Bill has met with a mixed reception by the public of Seymour. While they realize that the efforts of the racing club to improve facilities at the course are highly laudable, the fact remains that if the purpose of the Bill is

carried to fruition it could mean—and probably will mean—the closing of a motion picture undertaking that has functioned in the local town hall for a long time.

Mr. Douglas Burns, who has operated there for the past 26 years, has not only established a fine reputation in respect of the show that he provides for his patrons but has raised a total sum of more than \$80,000 for charitable and patriotic purposes. During the war period, he regularly allocated the entire takings of shows to the comforts fund. I should say that there is no citizen in the community of higher standing than Mr. Burns.

The monopoly of a drive-in theatre in any centre means that people without motor cars are very largely precluded from attending picture shows, and that is not a good thing. Experienced operators in the motion picture business have expressed to me the opinion that it is by no means likely that, with the passing of this Bill, a suitable company with the necessary resources will be forthcoming to enter into a lease; and that even if that does take place, it is extremely doubtful whether the venture will be successful. In any case, Mr. Burns has indicated that if a drive-in theatre is built, he intends to keep operating, and undoubtedly there will be considerable public support for him.

This Bill merely authorizes the trustees of the reserve, who consist of three representatives of the Seymour Shire Council, three representatives of the Seymour Racing Club and two other representatives of the general public to lease a maximum of 14 acres situated between the race track and the western boundary of the reservation. It provides that the rental received from a lease must be applied to the maintenance and improvement of facilities in the reserve. The maximum period of any lease is set down at 21 years. Of course, a drive-in theatre in that location would in no way interfere

with the conduct of race-meetings; in fact, if a venture of this nature were successful, the additional funds that would be provided would undoubtedly lead to further improvements in the facilities generally in the reservation.

Opposition members do not offer any objection to the Bill. The Minister stated that a precedent was established in Kerang in 1962, and that the position there was quite satisfactory. I do not know that a proper comparison can be made between the two places, and in my reflection of public opinion at Seymour I am doubtful whether this proposal will actually be proceeded with in the near future. It is quite likely that, with the development of the town in years to come, that status symbol of the provincial centre—a drive-in theatre—will be quite in order, but it would be most unfortunate if Mr. Burns, who has such a splendid record, were forced out of activity and if, after a period of years, the proposed drive-in theatre were not a financial success. The over-all result in those circumstances would not be good.

I can understand the desire of the racing club to obtain additional revenue for the purpose of improving facilities, a task to which it has already applied itself successfully, and, as I said earlier, I and my colleagues do not oppose the Bill.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

CARLTON (RECREATION GROUND) LAND BILL.

The debate (adjourned from April 19) on the motion of Mr. Balfour (Minister of Lands) for the second reading of this Bill was resumed.

Mr. FLOYD (Williamstown).—This Bill concerns one of the most famous recreation areas in Australia. It also relates to two famous clubs, the Carlton Football Club and the Carlton

Cricket Club. Many famous people have been associated with those two clubs, either as players or as administrators. The Bill proposes that the Melbourne City Council shall be given legislative authority to enter into long-term leases with the new club to be formed at Princes Oval so that some security will be given to the ground management, and that in turn, the council will be enabled to make loans to the club.

Over the years, many Bills have been introduced into Parliament to remove flaws that have been discovered in legislation and to enable certain practices to be put on a proper basis. I do not object to that procedure, but it would appear that the communities of the past have managed well, even though some of their actions have had to be validated. Perhaps in our present age, we have become more critical or demanding.

The purpose of this measure is to remove doubts that the Melbourne City Council can grant loans to the new organization, known as the Carlton Cricket and Football Social Club, to be formed at Carlton, and to enable that club to carry out extensive improvements at the ground at Princes Park. Several Bills relating to similar matters have been introduced into Parliament in recent years, mainly on the initiative of recreation grounds committees and football clubs and in an endeavour to alter the archaic set-up under which ground managements have operated for many years. This is due to the great popularity of our two major sports—Australian rules football and cricket.

Australian rules football continues to draw record crowds. I noticed from the press of Saturday last that more than 10,000 people attended the opening round this year than was the case last year. The popularity of our great Australian game is now such that the hit or miss methods of improvements to grounds cannot be allowed to continue, and I hope this

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Bill is a forerunner to many more. The public have been demanding better facilities at football grounds and cricket grounds ever since the Olympic Games were held in Melbourne. Since those games, the attendances at the Melbourne Cricket Ground have increased to a large extent, not so much as a following to the Melbourne Football Club but because of the better facilities which enable people and their families to enjoy their sport in comfort. It has inculcated the spirit that no longer will people stand on muddy outer banks and put up with unhygienic conditions. I applaud the Olympic Games for bringing this enthusiasm into being, and I commend the administrators of the Melbourne Cricket Ground for their actions in furthering this spirit.

The honorable member for Prahran will not castigate me when I say that it is time that something was done to eliminate dual control of football grounds and place ground management control on a better basis than has been the case in the past. As honorable members are aware, cricket was imported into Australia early in our history; it was easy for the cricket clubs to take charge of Crown land and develop such areas for their own game. Football was not imported into Australia because it had not been codified in any part of the world. It was not until 1863 that soccer was codified in England, and consequently it could not be imported into Australia. We would have had to import some game from Sheffield, Manchester or Liverpool. The game of rugby was in a similar position. The game of Australian Rules football was commenced in 1858. If television or radio had existed in those days, it is possible that instead of some of the popular games from overseas becoming so well established people may have looked to our game instead.

Mr. RAFFERTY.—Which of those games do you support?

Mr. FLOYD.—I have a sneaking regard for Australian rules football. At the same time, honorable members will agree that it does not matter what the people play so long as they indulge in some type of sport. For years, football was not played on the same grounds as cricket, because the cricket clubs had obtained Crown grants. Football was not played on the Melbourne Cricket Ground for many years. Seats in the stand were reversible; they could be turned towards the ground during the summer to enable the patrons to watch cricket and swung around in winter to face the park to permit them to watch football. Many of our present clubs played their first games of football not outside their present arenas but in entirely different neighbourhoods.

With the growing popularity of the Australian rules game, it is logical that better facilities should be provided for football followers and, also of course, they would be available for followers of cricket clubs. Therefore, ground management should be put on a proper basis. It is certainly not on a proper basis at present; it is most illogical to have football clubs and cricket clubs each electing their own members, and going their separate ways in different seasons. With the increased following to-day, this divided control results in each club being faced with increased expenditure. Modern society demands public facilities that are the equal of those provided in our homes. Economically, capital works cannot be provided for outer ground improvements which are to be used for only a few hours on nine Saturdays a year. The trend is towards an amalgamation of interests to provide for greater use of the grounds and their facilities. There is a classic example of the Melbourne and Richmond Football Clubs, each using the Melbourne Cricket Ground on different Saturdays, and I hope there will be more of that type of arrangement.

In the early days, because cricket clubs were impoverished, someone hit on the idea of bringing in the football clubs from outside the grounds. The first historic match was between Carlton and Melbourne on the Melbourne Cricket Ground, the proceeds of which were to go towards alleviation of a mining disaster. Entrance fees of 3d., 6d. and 1s. were charged. The cricketing authorities were amazed that, for the Bulli mining disaster, an amount of £500 was received. That was a large sum of money in those days. Then the cricket clubs realized the vast potential of having the football clubs on the ground. That is now history.

In the main, cricket clubs have continued to control the grounds and they manage them more or less according to their own finances. Because of the agitation of football clubs, various arrangements have been made over the years. Outer ground improvement trusts have been established, and municipal help has been given to the clubs. At present, the standard of facilities at cricket and football grounds is good. In fact, in Melbourne to-day there are some of the best sporting arenas in the Commonwealth. In Sydney, other than the Sydney Cricket Ground and possibly North Sydney, the grounds cannot be compared with those in the suburbs of Melbourne.

Mr. LOXTON.—The others are, for the most part, open grounds.

Mr. FLOYD.—That is so. Most of the grade cricket grounds in Sydney are open. In fact, some of the Victorian Junior Cricket Association teams playing in the municipality of Williamstown have better grounds and facilities than are provided in Sydney. My remarks are not condemnatory, because it is good to see that the trend is towards better facilities for the people. I am glad that the Government has listened favourably to the argument advanced by the Carlton Cricket and Football Social Club and that this Bill has resulted.

Before the Government or municipal councils were approached, I had the privilege of being the secretary of the Carlton Football Club, and it was my endeavour and that of my committee, to meet with the cricket club and to come to some sort of trusteeship arrangement in order to obtain long-term loans along the lines which this Bill will permit. I was acting secretary of a committee set up to achieve this purpose. About twenty meetings were held and the goal was then in view. This was most favourable in those days, because there were so many divergent views. It was an accomplishment to get both sides around the conference table. Unfortunately, before the discussions of that committee reached fruition, it was suggested that the Olympic Games should be held at Carlton. All ideas of unity between the football club and the cricket club then disappeared, because this glamorous plan was put into operation—fourteen architects were working at the ground day and night, and fences were erected to keep out anyone who wanted to see what the plans were. No one was interested in the plans of the cricket club and the football club to get together to develop the Carlton ground, because someone else was going to do it for them. History shows that the Olympic Games were not conducted at Carlton, and it has taken all this time to return to the stage of that agreement of 1952.

This Bill will allow the Melbourne City Council to grant a long-term lease to the Carlton Cricket and Football Social Club to enable it to form a company with the responsibility for the repayment of loans. At present, and this is the case with many other grounds, the club cannot incur liabilities because the financial institutions would not grant funds without tenure of office. In the past, the various committees were divided and did not have stability. Stability will not be achieved while the system of production of membership tickets elects

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members to the various committees. The cricket and football clubs at Carlton are willing to hand over their rights to the ground to the Carlton Cricket and Football Social Club, which has been registered as a company. In due course, the social club will lease the ground back to the cricket and football clubs, and it will be responsible for the development of the ground.

Mr. LOXTON.—But they will retain their autonomy.

Mr. FLOYD.—Yes. It is necessary to have individual officers. The football club may need a larger committee than the cricket club to run its affairs although the two clubs may have a common interest as lessees. Over the years, many improvements have been made at the ground. I spoke to officials at Carlton on Monday and was informed that the Minister thoroughly surveyed the history of the occupation of the ground by the club. There are a couple of spaces in the chronology, but in our researches we have been unable to find the data to plug the holes. Generally, the history which the Minister gave was correct and comprehensive. He said that at various times the Melbourne City Council had come to the assistance of the ground management committee, with the result that the committee had been enabled to build a new grandstand, a covered stand in the outer ground, terracing, a concrete wall around the ground, new entrances and toilet facilities. However, the facilities are inadequate for those who attend the ground now and for those who would attend if they were better.

Although the Minister narrated the history of the Carlton ground, I should like to make certain comments. The football club was founded in 1864. It played on various grounds before it went to Princes Park. It played on Royal Park, at the university, and on the Melbourne Cricket Ground. When the club went to the present ground in 1896, it considered that at last it had a home. The cricket club once

played in an area, known as the Triangle, facing Sydney-road. No member of this House could remember it, but, from reading the press reports of the time, I know that when it was desired to take over the land known as the Triangle to extend the university, a famous member of this House of the time, Mr. Barry, took out what I suppose was the last mining lease in the City of Melbourne. Work was started on a mine in the area so that the university could not extend over the holy piece of turf occupied by the Carlton cricket club.

Mr. WILCOX.—It is where the women's college is situated.

Mr. FLOYD.—That is so. When the area of approximately 10 acres in Princes Park was made available in 1896, there was a rubbish tip there. A lot of voluntary work was done in the construction of the ground. At the time, cable tram lines were being put down in Sydney-road and the earth from the excavations found its way to the ground by wheelbarrow and other types of conveyances used in those days. I know dozens of men, still alive to-day, who say they wheeled the barrows of filling to the ground. I suppose all of those Carlton supporters who are old enough to do so like to link themselves with the movement of earth from Sydney-road to the ground. I am not as hard hearted as some people may think; I am prepared to let them live on their memories, and I do not contradict them.

When the cricket club shifted to the ground, a turf wicket had to be prepared. Preparing a turf wicket is a different proposition from preparing a ground for football. A famous curator of the Carlton ground, Tommy Warne—who went to America to show the Americans how to prepare turf wickets—set about the task of preparing the wicket for the coming season. At the time, he was ridiculed. The honorable member for Prahran probably knows what I am about to say. Mr. Warne made such a perfect wicket that he set a record which

still stands. He scored 1,101 runs in the first season in which the wicket he prepared under difficulties was used. His average for the season was 126, and in one game he made 402 against Richmond. That makes Bill Lawry's great effort the other day pale into insignificance.

I think I have justified the agreement into which the two clubs have entered. They want to improve the ground for the benefit of the public. It might be thought that to-day's trend is to spawn social clubs as a panacea of the troubles of the clubs. I do not believe for a moment that they are. In the old days, the bait which the football clubs were always chasing was the liquor licences held by the cricket clubs. Now the licensing laws have been changed, the licence does not have the same importance. There is a genuine desire at Carlton by the two clubs to form themselves into the social club and to make it work to improve the ground. The Government would be justified if it took the precaution of seeing that social clubs did not work just for themselves. I think it is obligatory on the ground management committee to give as many as possible of the 40,000 or 50,000 people who attend a match some measure of comfort.

I am sure that members of the Carlton Cricket and Football Social Club will bear with me when I say that I hope it does not become too self centred because it has been so easy to get everybody to agree to its proposition—a distinct change from all the battles there used to be to maintain such recognition. They should not lose sight of the fact, because they can build palatial quarters for the privileged few, that they must care for those who have to stand in the open. The Government should facilitate the take-over by the social club. The club should be thankful to the Melbourne City Council, which is prepared to make some sort of a loan to start it off. It will be a good thing if the stability of the club reaches such a stage that a financial

institution will support it to enable necessary works to be carried out. But the Government should not lose interest in the club after this Bill passes. The constitution of any social club which occupies Crown land should always be subservient to Government wishes. The constitution should be acceptable to the Lands Department, and any constitutional changes of a far-reaching nature should be subject to agreement by the Department, for fear that the control of the ground should be in the hands of a small group who may forget that there are other people who are not members of the social club for which such comfortable quarters are built.

The physical aspects of the ground should also be under Government surveillance, and profits which may accrue from the great benefits provided by the social club should be devoted to capital expenditure on the outer ground. In my opinion, it will not be sufficient if only the usual type of works are done at grounds such as those at Collingwood and Carlton, and even at Moorabbin, which I have not seen since the new arrangement. Work should not be concentrated in the area reserved for members; the outer ground should be developed. If necessary, not only funds from loans or ground improvement fees, but some of the profits should be devoted to capital expenditure. I will go so far as to say that it is of no use football clubs crying poor mouth if they go on overseas trips and neglect their outer grounds. The clubs have a responsibility to the people who follow the game and pay their money on a Saturday. End of season trips have been held from time immemorial, but it is a fundamentally wrong approach for the football clubs to start the season by deciding where they will go at the end of the year. The fundamental object is to provide entertainment for the public, and for the club to win games if it can. If a club compiles a good record during the year, it is usual to reward those who made success possible. The reward has usually been a trip.

Mr. Floyd.

I thank the Minister for the way in which he presented the Bill. I want to conclude with a cryptic remark. Princes Park is, of course, a well-sited area. In the past, all the area around the ground was not wanted for the parking of cars, but this sort of thing evolves. Some time ago, after Mr. Robertson, the parking crusader, investigated the legality of the charging of fees for parking cars at Princes Park and Yarra Park, the Government found that it was illegal not only to charge a fee for the parking of cars in those areas, but to charge admission to enter the grounds. That was the position which had obtained from 1897, at Carlton in particular, to 1963, when a Bill was introduced to validate the position. It can be seen, therefore, that a little breath of fresh air on the statutes is sometimes good.

If the public countenances the parking of cars on a park on the one or two days a month on which it is necessary—and I do not object to it—I cannot see why the Minister of Transport or the Government cannot investigate the possibility of building a loopline from the tram track into the park and using a proportion of the ground for the parking of trams, so that people do not have to put up with what happened at Carlton last Monday, when thousands of people stood around in dangerous positions on the road waiting for trams. It is part and parcel of modern life that people should not be asked to walk across a park to board trams, but that the trams should be parked near the grounds. I commend the Bill to the House.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

PAISLEY-GALVIN RAILWAY LAND EXCHANGE BILL.

The debate (adjourned from April 19) on the motion of Mr. Meagher (Minister of Transport) for the second reading of this Bill was resumed.

Mr. FLOYD (Williamstown).—The purpose of this small but necessary Bill is to bring about an exchange of land which will affect two comparatively unknown railway stations—Paisley and Galvin—on the Geelong line. They are not busy stations, although they are handy for the people who live in the vicinity.

What is proposed is a good idea. The Government has decided that eventually the railway line must be duplicated, a proposal that members of my party have advocated on a number of occasions. In fact, the line is so busy that it should have been duplicated years ago. An excellent job of duplicating and electrifying the line from Melbourne to Traralgon has been undertaken in the past few years, and I think the Government realizes the value of that work. The trend overseas appears to be to electrify as many lines as possible. At least, this is the opinion I formed after viewing a documentary film on television on Sunday. I remind honorable members of the excellent electrified line from Sydney to Lithgow, which reinforces my argument that electrification and duplication of the Geelong line is long overdue.

The topography of the area means such that the line travels through the Newport station and then through Newport Junction, and farther along it branches in a single line to Altona. In 1963, the Railways Commissioners supported a report made to the Metropolitan Transportation Committee and included a list of proposed works. One of these was the duplication of this single track with automatic signalling from Altona Junction to Kororoit creek and also from the Newport South Junction to Werribee. I hope this Bill will be a start in achieving this desirable purpose.

Mr. MEAGHER.—It is a contribution.

Mr. FLOYD.—Yes. Last year, this House passed a Bill relating to the extension of the Altona line. I have lived in this area all my life, and I

am constantly amazed at the progress being made in the Altona area, particularly over the past few years. It is my opinion that automatic signalling will have to be installed on the Altona line at an early date to permit more frequent services or, alternatively, the line will have to be duplicated. The same position obtains in regard to the line from Newport to Werribee and beyond.

The Government has, wisely in my opinion, not acquired the necessary land and then sold another piece elsewhere in order that an exchange could be effected. It has undertaken a straight-out exchange. The Minister has assured the House that a total area of the land to be gained by the Railway Department on each side of the line—it will increase the width from 33 feet to 66 feet—approximates the area that is to be exchanged.

I contacted the honorable member for Grant, who is on sick leave, in regard to this matter, and he said that he had advocated this proposal in the House for years. I also have been keen on it to a certain extent because a new station is needed at Newport South, and what is proposed by this Bill may assist in that regard. Therefore, the Opposition offers no objection to the measure.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

The sitting was suspended at 6.26 p.m., until 8.08 p.m.

WATER (RATING BY AREA) BILL.

Mr. DARCY (Minister of Water Supply).—I move—

That this Bill be now read a second time. This Bill relates to the rating of lands in waterworks districts under the control of the State Rivers and Water Supply Commission for the supply of water to rural properties for domestic and stock purposes. Section 76 of the Water Act authorizes the Commission to levy a general rate on properties in waterworks

districts on the basis of their valuation; it further provides that the by-law making the rate may also fix a minimum payment in respect of any holding served by the works, on the basis of its area.

In respect of the waterworks district where properties are supplied by gravitation from the channels of the Wimmera-Mallee system, the Commission already fixes minimum payments on an area basis of \$80 per square mile, and in most of these districts the payments made under this minimum scale account for a substantial part of the total revenue. Thus, in those cases where the minima are applied, rating on a valuation basis is in effect already replaced by rating on an area basis.

Where the rates are based on valuations, the Commission is now required to use municipal valuations. However, the Wimmera-Mallee districts are relatively large and extend into several shires. Consequently, there have been serious anomalies between rates levied on properties in different shires because they are revalued on a rotational basis, often many years apart. This means that, whereas currently-made valuations may be in use in one shire, the neighbouring shire may use valuations made many years ago, on a markedly lower basis of valuation.

These anomalies, which in one district have already caused large variations in the rating of properties situated in different municipalities, would be prevented if the general rate were based entirely on the area of the holding served. This would not affect the total revenue to be raised from any district, but would eliminate the unfairness and hardships arising from the variations in valuations made on a rotational basis, while any increase in payments made by property owners already rated on the present minima would be relatively small and in no case would exceed 10 per cent. or a little more than 1 cent per acre.

Mr. Darcy.

Based on current estimates, no increases in minima rating would be expected in the Mallee, Northern Mallee, Millewa and Tyntynder North waterworks districts, and any slight increases would occur only in the Wimmera and Upper Wimmera waterworks districts.

The Bill provides that rating by area shall be introduced only in districts declared by the Governor in Council for this purpose; he will also have the power to revoke any such declaration when appropriate. That means that, in due course, when the shire valuations become more or less uniform, area valuations can be revoked and the former will apply. The districts immediately concerned are the Wimmera-Mallee waterworks districts. The Government considers that urgent action should be taken to permit rating on the basis of area in these districts for the rating year beginning 1st July, 1966, so as to rectify existing anomalies and prevent further anomalies arising in the future.

I may add that a change to rating on the basis of area instead of on the basis of valuation would, in the districts concerned, also have the advantage of greatly simplifying administration in the levying of the rate. I commend the Bill to the House.

On the motion of Mr. STONEHAM (Leader of the Opposition), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

VOTES ON ACCOUNT.

The House went into Committee of Supply for the further consideration of the motion of Sir Henry Bolte (Premier and Treasurer) that a sum not exceeding \$92,891,320 be granted to Her Majesty on account for or towards defraying services for the year 1966-67.

Mr. PHELAN (Kara Kara).—When introducing this Supply Bill, the Premier and Treasurer stated that it

had been brought forward earlier than usual. It covers one-quarter of the next Budget period, although honorable members have not yet seen the relevant Budget papers. In his explanatory speech, the Premier and Treasurer mentioned the introduction of certain new divisions. As a result, some changes in form, for the third consecutive year, have been made, and one has to undertake a great amount of research to ascertain where the various items fit into the picture. The honorable gentleman also stated that this is the first occasion on which the amounts included in the schedule are expressed in decimal currency. It is to be regretted that no attempt was made to convert the corresponding Supply schedule for last year into decimal currency so that one could compare the various items in the current schedule with those of last year. Those members who are sufficiently interested to do so and who wish to compare the two periods have had to convert the relevant figures to decimal currency. I intend to make comparisons in relation to certain significant items contained in the schedule and to state what they appear to me to indicate.

First, the total amount of the comparable Supply schedule last year was \$87,700,000 compared with \$92,900,000 for this year, an increase of 5.7 per cent. The Premier and Treasurer indicated that this increase was to cover a number of items, such as increased salaries. However, by comparative analysis, a far from happy general picture is revealed because many of the service Departments show large increases. The first significant one is division No. 13—Public Service Board, salaries, general expenses and other services. I should have thought that the amounts required for this purpose would be rather stable, because I can ascertain no increase in the Board's responsibilities or activities. However, a comparison discloses an increase of 25 per cent. in the total amount allocated. Division No. 15—Chief Secretary's

office, salaries, general expenses and other services—discloses an increase of 30 per cent. Division Nos. 18 and 19—State Accident Insurance Office and State Motor Car Insurance Office, salaries—show a 20 per cent. increase; division No. 21—Fisheries and Wildlife—shows an increase of 18.7 per cent. although one would find it hard to justify such an increase on the basis of the Department's activities. The items referred to are service or non-productive activities, the expenditure for which should be somewhat closely controlled. Anyone who is involved in business realizes that one cannot have a top-heavy organization, and I believe that is what this State is heading for.

The honorable member for St. Kilda discussed division No. 40, which relates to education. I believe he submitted a fine address and an excellent analysis on this complex subject, and I congratulate the honorable member on the intelligent and practical manner in which he discussed the educational problem. However, I point out that the increased allocation for education amounts to only 6.4 per cent. compared with the corresponding period last year, whereas divisions which relate purely to administrative activities disclose an increased allocation of from 20 to 30 per cent. This matter should not be taken lightly, because at some stage a decision has to be made as to what is and what is not essential and how the funds available are to be allocated.

I am in accord with the remarks of the honorable members for St. Kilda on the subject of education and agree with his timely analysis of the human attitude of the teaching fraternity and its attitude to civic responsibilities in relation to recent problems. I believe all honorable members should congratulate the honorable member on his exposition of the situation; he hit the crux of the problem. The honorable member illustrated what the State is doing for education. He indicated that the pupil-teacher ratio is improving, that the number of teachers is increasing,

that progress is being made in the provision of new schools, and so on. I wish to know whether it is of any use building new schools when the State cannot afford to maintain and service the buildings that already exist. I desire to refer particularly to the servicing and maintenance of existing buildings and the lack of co-ordination between the Public Works Department and the Education Department in the construction and maintenance of school buildings. In September, 1965, no money was available in the maintenance account to undertake public works in the field of education. I do not believe anyone can accept that position as a reasonable basis for management and control of the affairs of the State.

I regret the fact that the Assistant Minister of Education is not present, because he took the trouble to visit a number of schools in my electorate. Although a considerable amount of work had been promised and listed, I could not obtain any satisfaction until the Assistant Minister saw for himself the deplorable conditions that exist in some schools. At one country school, the black-board had to be scrubbed every time it was used and four years elapsed before it was replaced.

Mr. TURNBULL.—I thought that last year you complained that too much money had been spent there.

Mr. PHELAN.—That is true, too, but the expenditure was on un-essential items and I stand by what I said before. In some instances, funds have been provided for political expediency rather than to meet the needs of the State, the real purpose for which money should be applied. One of the examples that illustrates the shemozzle regarding the lack of co-ordination between the Education Department and the Public Works Department to which I have referred can be found at Charlton. After a good deal of humbug, the position was eventually reached where the building was due to be

completed and officially opened in October, 1965. A letter dated 10th February, 1966, reads—

At the Advisory Council meeting held at the Charlton High School on Wednesday, 9th February, 1966, the following resolutions were passed, and the Secretary was instructed to forward them to you with the request that you directly make these resolutions known to the Minister of Education (the Honorable J. Bloomfield).

(1) "That the Minister of Education be advised that the Charlton High School Advisory Council is greatly perturbed at the apparent lack of co-ordination of planning in the construction of the Charlton High School as a fully completed unit suitable for the school opening in February, 1966."

It was to be officially opened in October, 1965, but was not available for the re-opening of the school year in 1966. The letter continues—

To clarify the above, it should be known that several days before the school was due to open the following facilities were lacking: drinking water, toilet facilities, power and lighting in half the building; telephone; boiler; plumbing in the science room, furniture for the cafeteria, woodwork room, dining room and one general class-room; hot water, fans in the wood-work room; and certain equipment such as electric stoves which were to be moved from the old premises by the Public Works Department had not in fact been moved. The lack of these facilities posed tremendous problems for the Headmaster, the Advisory Council and the staff. It should be noted that at the time of writing, the power is still not available to half the building and thus the fans could not be used in conditions of century heat: the furniture listed above has not arrived and the plumbing is incomplete. The basic problem seems to have been that no one person has been responsible for co-ordinating the whole project. It is deplorable that the job should be so far from complete three months after the due date of completion, and that this delay should be accepted with such lack of concern by the authorities.

The other resolutions were—

(2) That the Minister of Education be requested to advise why tenders were called for site works at the Charlton High School when moneys were not available for acceptance of a tender, despite the fact that it was only the sixth month of the current financial year. The Council would also strongly urge that the site works be treated as urgent works and that they are of that opinion that the work to be carried out by the Shire Council is inadequate for the needs of the school.

(3) That the Minister of Education be requested to advise as to when an allocation of funds will be made available towards the

construction of playing fields, &c., as such amenities are now urgently required at the school.

Thanking you for your co-operation, and in anticipation of early attention to our resolutions by the Minister of Education.

It is now the end of April. I admit that some of these works are proceeding, but very slowly.

Mr. TURNBULL.—You are lucky.

Mr. PHELAN.—That may be so, but I can say that it has required a good deal of pressure. It is deplorable that in January or February of this year the Government requested the shire council to carry out site works at a cost of \$20,000, and that the council should be asked to carry an overdraft for this expenditure. What a state of degradation Parliament has reached when a small council in a country town is asked by the Government to carry the cost of works in order that State educational facilities may be provided.

I am sure that all honorable members will recognize that there is only one reason for such a state of affairs. It is that the Government is mortgaging its future month by month, and year by year. I directed attention to this position on a previous occasion, and the Minister of Education said to me "The only thing that has happened here is that our claims have caught up with the available funds". I said, "We have committed ourselves for something that has not been provided for in the Budget". The Minister replied, "Of course, we have not." I said "In that case, I will have to congratulate you on completing a twelve-month programme in five months". The Minister said, "Just a minute, all that has happened is that we have had some big claims that have caught up with available funds." I wonder what this State is coming to when responsible Ministers cannot appreciate when they have run out of money—they have completed a programme, spent money that has not been budgeted for, or funds have been appropriated for works other than those planned. According to the

Minister, none of these factors prevailed, but the money had been spent in five months instead of twelve. I find it difficult to understand how such a situation can occur.

I warn the Government that the State will be faced with a very serious problem in attempting to bring existing buildings up to a reasonable condition. One has only to inspect some of the schools throughout Victoria to realize this. Buildings that were once good and sound structures are now falling to pieces because of lack of maintenance. I cannot see any sense in rushing up new buildings if we cannot afford to maintain those that are already in existence.

When examining the amount of money being appropriated in accordance with the Supply sheet circulated to members, I hark back to a statement I made previously. I refer to the money that has been appropriated as an oncost charge by the Public Works Department. Loan funds are channelled into Consolidated Revenue, and I wonder just how sound the situation is. Service Departments are charging 12 per cent. against capital works and services, and this 12 per cent. is taken from loan funds and debited against the cost of the job. This inflates our borrowing, and we are, as it were, paying interest on funds that are channelled to Consolidated Revenue. This practice should be carefully examined.

I wish to refer to several items in the schedule in regard to which big increases in expenditure have occurred. The vote for the Registrar of Companies for salaries and general expenses has increased by 28 per cent. I appreciate what has been said by the honorable member for Ormond that if a section employs one officer and this establishment is increased by another officer, there is a 100 per cent. increase. However, I shall refer to broad issues where the increase runs into big figures. Although the increase in the case of

Registrar of Companies does not represent a very big sum, there is a 28 per cent. increase.

Mr. RAFFERTY.—What is the amount involved in this case?

Mr. PHELAN.—It is \$50,000. In the Treasury, there is a 20 per cent. increase, which does not sound very much, but I remind the honorable member for Ormond that the amount involved in this case is \$3,160,000.

Mr. TURNBULL.—Do you know what it is for?

Mr. PHELAN.—It is for salaries, general expenses and other services. I have spent an hour trying to find out exactly what is involved, and I can inform honorable members that they know as much now as they will ever know about these things. No matter how long one spends on these documents or how one tries to analyse them, one cannot find out what they really mean. We are told that a new division No. 79 has been created in the Treasury. We will not know what that division is until the Budget is presented next September. Despite this, I have heard on the grapevine that this Supply Bill will be pushed through to-night.

Mr. BORTHWICK.—If the members of your party had been present last week, we could have finished it then.

Mr. PHELAN.—I point out to the honorable member for Scoresby that I stood down in order to allow him to speak last week.

Mr. BORTHWICK.—No, you are wrong; you stood down for the honorable member for Dandenong.

Mr. PHELAN.—I am sorry, I was wrong.

The ACTING CHAIRMAN (Mr. Wheeler).—Order! The honorable member for Kara Kara should relate his remarks to the Supply schedule and ignore interjections.

Mr. PHELAN.—I now wish to refer to the group of divisions from No. 66 to No. 73, and

in so doing I shall cite certain remarks made by the Treasurer. He made particular reference to the work of expanding the divisions and activities of the Department of Agriculture. In his speech, reported in *Hansard* at page 2774, the Treasurer stated—

Three of the new divisions relate to the Department of Agriculture and reflect two major changes in the organization of that Department. This is the first substantial alteration in the functional organization of the Department of Agriculture since 1935, when the Division of Dairying was established by bringing together within a separate division of the Department those activities which served the dairying industry. Over recent years, the Government has given consideration to a reorganization of the Department with the view of maintaining the best possible service to an important and expanding industry. I foreshadowed in my policy speech the changes which are now taking place.

From that statement, one would have thought that the Government was really showing some consideration for the man on the land—that it was taking measures to improve the lot of those who are the real source of wealth to the nation, and was aiding the development of agricultural education and research. The break-up given by the Treasurer looks imposing. He stated that the number of divisions in the Department would be increased from six to eight, but an analysis of the figures discloses that there is a miserable increase of 6.8 per cent. for the provision of the two new divisions. On the basis of the average increase which the Treasurer set down to provide for the cost of services, the allocation for the quarter under review shows an over-all increase of 5.7 per cent. On the premise that there is a constant pattern of allocations, it is obvious that the two new divisions will not provide any extension of services in this field. The other divisions have been broken up. The allocations for some have been substantially reduced, and in fact there is available for extension of services no more than 1.1 per cent of the allocation to the Department of Agriculture.

The ACTING CHAIRMAN (Mr. Wheeler).—Order! The honorable member's time has expired, but if no other member rises in his place the honorable member may continue for a further fifteen minutes.

Mr. PHELAN (Kara Kara).—I thank the Committee for its consideration. I shall not be critical if additional money is not available for the essential productive factors in the national economy. If the State cannot afford the expenditure of more funds, I shall accept the decision. But I cannot accept a situation in which there is an increase in administrative costs of 28 to 33 per cent. when services designed to raise productivity and improve the national economy are virtually starved. Under the pretext that agricultural services are being extended, the available funds have been re-allocated between divisions.

This is the sort of treatment that this city-dominated Government has been giving the man on the land. The time is approaching when a change of heart is absolutely essential. Much is said about the great prosperity of the growing city of Melbourne, but unless the man on the land produces the wherewithal, the people living in the metropolitan area will starve to death.

A research section in the Department of Agriculture is concerned with the effects of pesticides on the well-being and activities of the bees. At a recent meeting of apiarists, an officer of the Department was asked why questions relating to sickness in bees could not be answered more promptly by officers of the laboratories in the research section. He replied that in the Department of Agriculture it took two or three weeks to have a letter typed. Efforts are being made to control a mild disease in bees. When it takes two or three weeks to have a letter typed, it is time that an investigation was conducted into the general administration.

Mr. STEPHEN.—You do not think that is actually the fact, do you?

Mr. PHELAN.—I am prepared to accept the statement without question, because I was speaking with the gentleman concerned, and he informed me that the typing pool was over-worked. Sick bees are sent down for investigation—and when I refer to sick bees I am not referring to members occupying Government benches; I apologize to those members if they took my statement as a personal slight. If any progress is to be made in the matter to which I have referred, attention should be given to the administrative efficiency of the Department. While the Government is giving lip service to the Department of Agriculture, there is no practical evidence that any real attempt has been made to improve conditions.

In his speech when introducing Supply, the Treasurer stated that the debate would afford members the opportunity of speaking on almost any subject. Division No. 46 is "Rent Control—Salaries and general expenses." I wonder why the activities of the Housing Commission with respect to rent control and the conditions under which properties are rented are not carefully examined. Attitudes are taken about trying to level out rents and adjust rents on all sorts of levels, and it is stated that an over-all economic rent is important. To me, the more important issue is the manner in which any landlord behaves, and I believe that the Housing Commission is the biggest landlord in the State.

Mr. FENNESSY.—Do you object to that fact?

Mr. PHELAN.—No. I am in favour of the Commission if it handles the situation fairly.

The ACTING CHAIRMAN (Mr. Wheeler).—Order! Rent control is under the administration of the Attorney-General. There is no reference to the Housing Commission on

the Supply sheet ; therefore, the honorable member may not refer to the Commission.

Mr. PHELAN.—I have great respect for your opinion, Mr. Acting Chairman, but I am relating the activities of the rent control Board to landlords in general and the Housing Commission in particular.

The ACTING CHAIRMAN.—Rent control is not listed under division No. 46 of the Estimates.

Mr. PHELAN.—There is no Budget before the Committee. May I ask to which document you have referred?

The ACTING CHAIRMAN.—I refer to the Estimates of Expenditure for the year ending 30th June. I have given my ruling. The honorable member may not refer to the Housing Commission.

Mr. PHELAN.—May I say that, having regard to the behaviour of some of the very large landlords throughout the State, and the manner in which they have treated tenants, I think it is time that the rent control Board looked at the way in which they are treating tenants. Under some sort of formula, they are requiring tenants to be responsible for maintenance. Generally, it is accepted that the repair of wanton damage is fair. However, the tenants of a certain property was given notice to quit because he refused to pay twice for certain maintenance work. On the first occasion, he brought in a private contractor and was able to produce receipts for the work that had been carried out. After correspondence lasting for eighteen months, he received notice to quit. When he attempted to pay his rent—it is payable in advance—it was not accepted.

Mr. ROSSITER.—Who was the landlord?

Mr. PHELAN.—Because of the ruling given by the Chair, I am not permitted to mention the name. The man to whom I have referred was ordered to vacate the premises because he refused to pay twice for a

service. I wrote to the secretary of the organization concerned and also spoke to a Minister who is associated with the control of this activity, but although correspondence has ensued for more than twelve months, to date no reply has been received.

Mr. TURNBULL.—Where is the unfortunate tenant?

Mr. PHELAN.—He asked me whether I would accept the rent on behalf of the Government. I regret that the ruling by the Acting Chairman has prevented me from discussing the problems I desired to bring before the Committee on this subject. There are glaring anomalies in the Supply schedule. The general pattern throughout the document appears to be that expenditure on administrative and non-productive sections has increased by 20 to 30 per cent. while the essential services that contribute to the income, welfare and prosperity of the State have received increases of a miserable 3 per cent., 4 per cent. or 6 per cent. In the Treasurer's words, these provide only for salary and wage increases. I hope the Budget for the next financial year will disclose a more reasonable distribution of funds and that more money will be channelled to the vital services required in this State.

Mr. HOLDING (Richmond).—I wish to relate my remarks to division No. 40, "Education—Salaries, general expenses, and other services". Like most other citizens, when I obtained my copy of a Melbourne newspaper last Friday evening, at page 2 I saw a photograph of the Premier and his good lady departing the shores of Melbourne and heading overseas. With his usual penchant for solving industrial problems before going away, at page 3 of the same newspaper, one could see his parting gesture under the heading, "Premier says No to the Teachers". That was a reference to the dispute which has now been going on for at least eighteen months between the teachers of Victoria and the Government over the

general dissatisfaction of teachers with the operation of the Teachers Tribunal, and over which there have been industrial stoppages and a Ministerial statement in this House by the Minister of Education.

When it was felt that the going was a bit much for the Minister of Education and his assistant Minister, the Premier exercised the capacity for which he is well known for settling industrial disputes, and endeavoured personally to resolve the dispute. There have been numerous letters, representations and deputations between the teachers and the Minister of Education on this subject. The Premier's solution to the problem is probably one of the most extraordinary actions in relation to any industrial dispute in the history of Victoria. It is perfectly simple; he says, "All the Government or the Premier has to do is to refuse to talk, or to have any further discussions or negotiations with an organization which is recognized by the Government as legitimately representing a section of teachers' opinion in Victoria".

Mr. WILCOX.—The Victorian Teachers' Union represents them all.

Mr. HOLDING.—That is so, but the Victorian Secondary Teachers' Association represents a considerable body of the secondary school teachers. On many occasions, the Minister of Education has indicated that the Government recognizes the Victorian Secondary Teachers' Association as a bona fide organization representing teachers, yet the Premier, on behalf of the Government, has stated, "It does not matter what are your views, there is to be no more talk, no more discussion, and no more negotiation". This is a manœuvre designed to split the ranks of teachers in Victoria, in an endeavour to perpetuate the existing divisions between the Victorian Teachers' Union and the Victorian Secondary Teachers' Association—and there are some—on the question of the form of the Teachers Tribunal. The honorable

member for St. Kilda knows that the differences between the Victorian Teachers' Union and the Victorian Secondary Teachers' Association at this stage are minimal.

Mr. DIXON.—That is not correct.

Mr. HOLDING.—The Premier is endeavouring to drive a wedge between the two teacher organizations for the purpose of preventing any proper resolution of a legitimate grievance on Tribunal reform. The people of Victoria should fully understand that the teachers' stoppage was the direct responsibility of the failure of the Government properly to administer the educational affairs of the State.

Mr. DIXON.—Have you extra-sensory perception?

Mr. HOLDING.—The contribution of the honorable member for St. Kilda was to produce a great list of figures, most of which were extremely inaccurate. If I were to analyse the statistics he produced, I would be here until to-morrow. The grievances of the teachers in Victoria are not merely related to the Teachers Tribunal. The first charge against the Government is that it has failed to provide adequate and proper facilities for the children of Victoria. The *Hansard* reports reveal that in every session honorable members of all parties have complained to the Minister of Education or his assistant about the inadequate facilities in the State education system. This subject has been the occasion for numerous adjournment motions in this House. One does not have to go further than an article in to-night's *Herald* on education.

Mr. DUNSTAN.—Who made the statement?

Mr. HOLDING.—It was Mr. Dedman, who is a responsible officer of the Victorian Teachers Union. That is an organization with which the Premier wants to have discussions, and which he recognizes. The article is headed, "Schools are like slums."

Mr. LOXTON.—That is the technical school branch.

Mr. HOLDING.—That is so. The article said that an investigation of schools throughout the State carried out by a section of the Victorian Teachers' Union had revealed appalling conditions. These included—

Boys taught in a building that is damp and rotting with age.

Social study students in a class-room with no chairs.

Class-rooms open to the weather.

Leaking roofs. The entire ceiling in one class-room has collapsed.

Alleyways and storerooms used as class-rooms.

Mr. Dedman then referred to a visit by the Minister of Education to the Prahran Technical School last week. I shall refer later to the gross disparity existing in our State education system between children in the schools in the inner metropolitan area and in schools in rural areas. This article referred to class periods and accommodation in various areas. These are as follows—

Swan Hill : 32 periods each week taken in a science storeroom. Thirty periods in an art storeroom. Staff room used for 25 classes a week.

Stawell : Three Army huts used as class-rooms.

Colac : Classes taken in offices and storerooms.

Bairnsdale : Thirty periods a week in old army hut, and 24 a week in old shire hall.

Warragul : Passages used as senior class-rooms.

I shall not read all the list. When this evidence came to hand, the Victorian Teachers' Union said that the figures were so appalling that they were again being checked. Parents who read the daily newspaper have become so used to reading about these conditions that they have come to regard them as an integral part of the administration by this Government.

Mr. WILCOX.—Have they read the report on the number of new high schools built by this Government in the past ten years?

Mr. HOLDING.—I shall be delighted if, after eight years, I can get one report indicating that there will be a high school in Richmond. The second charge I make against the Government is its failure to heed the advice of independent educationists. Almost eighteen months ago, the Government was warned that the teacher morale in Victoria was at an all-time low. I do not condemn the Minister of Education if he believes the statements made by members of the Opposition or that the views of the Victorian Teachers' Union or the Victorian Secondary Teachers' Association are political; but independent educationists employed in university faculties of education warned the Government eighteen months ago that teachers morale was at an all-time low. The reaction of the Government was to deny that allegation, to say that it could not be true.

In a statement published in a newspaper on Friday, 9th July of last year, Professor Fredericks stated that there was a crisis in education, and that the morale of teachers in this State was at an all-time low. The term "crisis" may not be acceptable to the Government, but that was his expression. He further stated that it was discouraging to people already being trained. When that statement was denied by Sir Henry Bolte and the Director of Education, Mr. F. H. Brookes, Professor R. Selby Smith, Professor of Education at Monash University, entered the fray and said that Professor Fredericks's statement was much to the point and that he supported it wholeheartedly. He said, too, that he was puzzled by a statement saying that there was no lack of morale. If the opinions of members of the Victorian Teachers' Union, the Victorian Secondary Teachers' Association, members of the Opposition and the corner party are not good enough for the Government, Government members should look to the statement of the Victorian High Schools Headmasters and Headmistresses' Association. I do not sup-

pose the honorable member for St. Kilda will say that the organization is communist inspired.

Dr. JENKINS.—Don't you believe it!

Mr. HOLDING.—We might hear that interjection before the debate is finished. The association to which I refer entered the fray not to support Sir Henry Bolte, not a bit of it! Its spokesmen said, after a meeting of the full executive, that Professor Fredericks's comments were accurate and a well-informed summary of the situation. That was eighteen months ago, and the reaction of the Government then was the same as it is now—that a crisis in education is nonsense. Professor Morey also stated for anyone to talk about no crisis in education is completely unrealistic.

Mr. BIRRELL.—Are they all reliable?

Mr. DIXON.—There is an awful lot of "anyones".

Mr. HOLDING.—It does not matter how a view is presented or who puts it, the reaction is as was stated by the honorable member for Geelong, "Professors are not too reliable." In the view of this Government, the only people who are reliable are those who continually agree with it. When a professor of education speaks on education, he puts his professional reputation on the line; he is an expert. But the reaction of the Government is the same. It does not matter how prominent the individual may be, unless he is a "Yes" man who is prepared to tell the Government that everything is wonderful and that we are living in Utopia, the Government is not interested in his opinion.

Our third charge against the Government concerns the failure and continued refusal of the Minister of Education, on behalf of the Government, to dissociate himself and his Government from the assertions made by Senator Gorton, the Federal Minister for Education, that present spending on education would more than meet the numbers expected in the future. I should have thought that any Government, irrespective of its political attitude, confronted with the

problem of trying to obtain additional funds for education in this State, and faced with a statement by the Federal Minister for Education that present spending is adequate, would, through the Minister of Education, dissociate itself from such an assertion. All the Minister would have to say is, "We do not agree with Senator Gorton's statement; the amounts being given to us by the Commonwealth are totally inadequate to meet the needs of this State".

Mr. BIRRELL.—He has said that before.

Mr. HOLDING.—To satisfy the honorable member for Geelong, I shall indicate what the Minister of Education did. On the 29th September, 1965, I specifically asked the Minister for Education whether he was aware of the recent statement made by Senator Gorton that talk of a crisis in education was nonsense and that present spending on education would more than meet the numbers expected in the future and that universities, in the future, would not admit all matriculants, as a matter of educational judgment. The only reply received from the Minister of Education was, "I do not wish to comment on what Senator Gorton has said". I will say this for the honorable member for St. Kilda. He was present and heard what Senator Gorton said and was so outraged that he got up and dissociated himself from the Senator's statement. Perhaps he should be Minister of Education; things could not be worse.

Our fourth charge against the Government relates to its continued and wilful failure to formulate any long term educational policy objectives and to work for their attainment.

Mr. SCANLAN.—That is not true.

Mr. HOLDING.—I will go through the exercise. Year in and year out, for as long as I have been a member of Parliament, honorable members of all parties, particularly during Budget debates, have pressed this Government for some statement on the formulation of educational objectives and the priorities it proposes to give

to them. On all those occasions the efforts of honorable members have been unsuccessful. The simple fact is that the members of the Government and of the Liberal Party have no immediate set of educational objectives which are relevant to the problems of this State. If they have, those objectives should be stated. I put this allegation to a public meeting at Yallourn. The honorable member for St. Kilda was present to put the Government's position. The best he could do was to say that it was not quite true.

Mr. DIXON.—I put the Liberal party's position, not the Government's.

Mr. HOLDING.—Does the Government not consist of members of the Liberal Party?

Mr. SCANLAN.—There is a distinction.

Mr. HOLDING.—How serious are back-bench members supporting the Government, who, when there is talk about the Government's lack of policy and of educational objectives, say, "That is the Liberal Party, that is not the Government?" The honorable member for St. Kilda denied my allegation. He said that he knew there were some objectives. Being a young, earnest and energetic member, he had actually looked them up and had discovered some—it is true that they were written in 1946 but they are being brought up to date.

Mr. SCANLAN.—Again, they are the Liberal Party's objectives.

Mr. HOLDING.—The honorable member for Oakleigh wants to say, "It is the Liberal Party and not the Government."

Mr. SCANLAN.—Have you read the Ramsay report?

Mr. DIXON (to Mr. Holding).—We are not the Government.

Mr. HOLDING.—I always thought that at election time these gentlemen carried the banner of the Liberal

Party and were spokesmen for them. Whenever they are in difficulties, as they are now, their first reaction is to disown their party. Perhaps, at the next election, their lack of objectives will be such that they will again want to change the name of their party.

The fifth charge we make against the Government is that it has continually ignored all the policy recommendations of the many expert and independent committees which have been set up at both Commonwealth and State levels. Half the recommendations of the Ramsay report have been shelved.

Mr. DIXON.—How many agree with the Martin report?

Mr. HOLDING.—How many recommendations of the Martin report has this Government adopted? What is the view of the Government of recommendations about teacher training in the Martin report? This Government has reached the stage where it seems to support the setting up of a committee if for no other reason than to ignore its recommendations.

Our sixth charge against the Government concerns the continual erosion of the State educational system and the Government's failure to formulate policies designed to deal with the findings of independent researchers, which indicate the inequality of opportunity is being continually underwritten into our whole State education system. What are the views of this Government on the findings of the research committee headed by Dr. Balson of the Monash University? In the Budget debate, despite the interjections and the excitement emanating from the Government side of the Chamber, I read large sections of the report which were included in *Hansard*. But the views of that committee were ignored as were the figures in the Martin report which point to the gross disparity in our university structures.

The situation in rural education, as compared with that in the metropolitan area, comes close to a public

scandal. I bring this point to the attention of the honorable member for Kara Kara. From time to time, members of the Country Party allow the representatives of the city barons—I think that was the term used at the Country Party conference—to confuse them. Miss Myra Roper, a prominent Victorian educationist, is reported in the *Australian* of 14th April, 1965, as saying—

The educational standard of country children was almost invariably lower than that of city children—not because of inferior intelligence but of inadequate teaching.

Miss Roper said that some progress had been made since she first entered the educational field, which was in 1940, and the report continued—

But the disabilities for the country boy or girl seeking the education most suited to his age, aptitude and ability are still considerable in a country priding itself on "a fair go for all".

In the last award of senior scholarships, 35 went to State schools, but only five went to country schools. That is not because country children are less bright or less able than city children.

Mr. DIXON.—Perhaps those percentages do not work out too badly.

Mr. HOLDING.—What do the honorable member for St. Kilda and the Minister of Education feel when they read the reports of their own Board of Examiners? This body has reported—

The pass rate rose by 7 per cent. This was almost entirely due to the vast improvement in the quality of suburban candidates.

A further statement was—

Suburban candidates were generally superior to exhibition and country candidates.

Mr. DIXON.—Note the expression "exhibition candidates".

Mr. HOLDING.—The staffing problem of schools in country areas was worse in 1965 than it had been for some years. There were 254 unfilled positions for women in the country as compared with 91 in the metro-

politan area. There were 170 unfilled positions for men in the country and 94 in the metropolitan area.

Mr. PHELAN.—Lack of housing is the problem.

Mr. HOLDING.—I adopt the statement of the honorable member for Kara Kara. We hear further disturbing statements. One was made by Mr. Schubert, secretary of the Victorian Teachers' Union, in the *Age*, that about one-third of correspondence students withdrew from courses during the course of a year. A great deal more can be said on this subject, but time does not permit me to enlarge on it. The simple fact is that children in country areas are not getting a fair go in the State educational system. We should like to hear something from the Government, which does not call itself the Liberal Party, on what it proposes to do about it.

The seventh charge I make against the Government is its failure to meet legitimate demands of teachers for the reform of the Teachers Tribunal and the Committee of Classifiers, despite the promise given by the Minister of Education in regard to the latter two years ago. In the view of the Opposition, these were the most significant factors that produced the climate of frustration which led teachers of this State to take unprecedented strike action. The prime responsibility for the action rests, ultimately, fairly and squarely on the shoulders of the Government.

Mr. SUTTON.—Of the Liberal Party.

Mr. HOLDING.—Members of the Government party would probably prefer me not to refer to them as members of the Liberal Party so that they can say they are different.

The ACTING CHAIRMAN (Mr. Wheeler).—Order! The honorable member's time has expired. If no other member rises in his place, the honorable member for Richmond may continue for a further fifteen minutes.

Mr. HOLDING (Richmond).—I thank the Committee for its indulgence. When this Government finds

itself in this situation, it is only a matter of time, in order to explain its own inadequacy, before it introduces the old communist smear. Although I regret it, I was present, when the honorable member for St. Kilda was acting as spokesman for the Government and putting the view of the Government at a forum on education at Yallourn.

Mr. TURNBULL.—What did he say?

Mr. HOLDING.—He enlarged on the views he expressed in this Committee during the Supply debate. He said that this strike was caused—

Mr. DIXON.—I did not use the word "caused".

Mr. HOLDING.—The honorable member gave the clear imputation that the so-called communist element in the teachers' union produced this strike action.

Mr. DIXON.—Rubbish! I said that it had contributed to it.

Mr. HOLDING.—The honorable member was reported in the *Latrobe Valley Express* on the 6th April of this year as having said the leaders of the recent teachers' strikes were communists. This was categorically denied by the Latrobe Valley teachers at the week-end. I do not think the honorable member for St. Kilda seriously believed that allegation. He was just apeing his betters, but we are used to this sort of behaviour. When a front-bench member of the Government becomes involved in any dispute that he cannot resolve, he calls upon the sacred word "communist".

Mr. DIXON.—You forced my hand ; bear that in mind.

Mr. HOLDING.—The honorable member knows that I was not present when he made the same allegation in this Chamber. When he was challenged by teachers to name the so-called communists, the best he could do was to say that he would do it in a private letter.

Mr. DIXON.—Which I have done.

Mr. HOLDING.—In other words, the honorable member is prepared to smear in public and to explain in private.

Mr. DIXON.—I will do it in public.

Mr. HOLDING.—The honorable member should do so by all means. I hope he will not say that I forced his hand. The purpose of the honorable member's statement was to endeavour to confuse the people of Victoria on the real issues of the strike. It is interesting to note that following this contribution by the honorable member for St. Kilda, at two subsequent forums on education, one at Koo-Wee-Rup and another at Coburg, not one member of the Parliamentary Liberal Party was prepared to put the case for the Government on education. They resorted to an all time low in the history of this State and sent a senior public servant along to do the job for them. If the Government is as proud of its education record as it would have us believe, it would be appropriate and proper at a forum on education, attended by some thousands of citizens, for supporters of the Government to go on to the hustings and expound their own policy. I do not know whether they were warned off because of the mess made of the job by the honorable member for St. Kilda at Yallourn, but a Government having regard for the traditional concept of not involving public servants in political controversy would feel some sense of shame when the political representatives of its party will not attend a forum on education to put its case.

Mr. DIXON.—Was the public servant invited as a person?

Mr. HOLDING.—I have no objection to a person such as the Chief Inspector of Secondary Schools being invited to forums on education, but I strongly object to members of the Government not having the courage to be present and leaving the public servant alone to do the job for them. I believe any member

of the Government party who has any feeling for the traditional, constitutional concepts that should operate on this State should feel thoroughly ashamed of this situation.

Mr. DUNSTAN.—Did the honorable member for Brunswick West get a good hearing at Coburg?

Mr. HOLDING.—The honorable member for Mornington was not prepared to attend a forum at Koo-Wee-Rup.

Mr. DUNSTAN.—Koo-Wee-Rup is not in my electorate.

Mr. HOLDING.—I suppose the honorable member for Mornington is not a member of the Liberal Party. This Government has got into such a mess on the whole question of education.

Mr. LOXTON.—A mess on which there has been an expenditure of £87,000,000!

Mr. HOLDING.—I regret that some of that money has not been spent on the honorable member for Prahran, because his continual, ignorant interjections indicate his lack of knowledge on the subject.

Mr. LOXTON.—Prahran has a high school; you prove yourself.

Mr. HOLDING.—Prahran has a high school, but I regret that the honorable member representing that electorate is too old to attend it.

Mr. DUNSTAN.—Your party has picked a real scholar to contest Prahran.

Mr. HOLDING.—Perhaps the honorable member for Prahran would like to challenge the candidate for the Labor Party on the question of education and debate it in his electorate. If the honorable member for Prahran wants to talk about the qualifications of the candidate for the Labor Party in Prahran—

The ACTING CHAIRMAN (Mr. Wheeler).—Order! There is no reference in the Supply schedule to the candidate for the Prahran electorate. The honorable member should relate his remarks to the schedule.

Mr. HOLDING.—I accept your timely reminder, Mr. Acting Chairman. The Parliamentary Labor Party has given the whole question of the reform of the Teachers Tribunal long and earnest consideration, and we propose to the Government and the people of Victoria that certain reforms should be implemented immediately. These reforms retain the essential concept of the Tribunal, but they are both workable and practical, and we consider that they will meet the legitimate demands of teachers of this State. They are—

1. The Labor Party recommends that the principle of divisional representation on the tribunal be accepted and that the tribunal consist of a board made up as follows:

- (a) A chairman.
- (b) A Government representative.
- (c) (i) A representative elected by the primary division.
- (ii) A representative elected by the secondary division.
- (iii) A representative elected by the technical division.
- (iv) A representative elected by the professional officers.

2. Consequent upon the election of representatives, one of the elected four teacher representative shall be elected by teachers as a general representative.

3. Each representative is to be the sitting member in matters concerning his own division on promotions, appeal, qualifications, salary and award claims.

4. The general representative is to be the sitting member on all matters appertaining to his division and on any other matters not confined to one division and not referred to in 3 above.

5. All teacher representatives shall be full-time members of the tribunal.

6. The chairman and a member representing the Government of Victoria shall be appointed by the Governor in Council.

7. The members representing the Teaching Service shall be persons who are elected by the teachers in the manner prescribed by the regulations.

8. If there are no candidates for an election, or if for any reason no person is elected at an election, the Governor in Council may without election appoint a person or persons as elected member or members.

9. Elections and the eligibility of the teachers to vote should be on the same basis as at present.

10. The chairman would continue to hold his position in accordance with the principles in the present Act.

11. (a) Subject to clause 3, general matters, relating to more than one section of the award, should be determined by the chairman, Government representative and the general representative.

(b) And where any two tribunals acting independently reach decisions which in the opinion of the chairman are in conflict, the matter or matters at issue be decided by a combined meeting of the tribunals concerned.

(c) If in such a combined meeting the voting is equal the chairman shall have a casting vote as well as his deliberate vote.

We believe generally that provision should be made for open hearings for wage and salary claims but not for matters of classification or discipline. It is also important to give the tribunal power to make retrospective decisions in respect to salary, wages and allowances. We do not favour the appointment of a Judge as chairman. Nor do we believe that there should be any appeal from tribunal decisions on salary and wage claims, and matters relating to general conditions of teachers. We believe that it is important

that a person other than the chairman of the tribunal be appointed as chairman of the Committee of Classifiers.

On the hearing of salary claims any approved organization must have the right to present a salaries claim when it considers such is justified. We also believe that approved associations ought to have the right to have further discussions and negotiations with the tribunal at a stage prior to making of an award.

It is, we think, important that the tribunal should provide reasons for its decisions or the principles upon which these decisions are made when announcing the result of its deliberations following submissions made by approved associations for major changes in salaries, wages or allowances.

We believe it would be appropriate for the character of the tribunal that a record of proceedings should be made in wage and salary matters and such record should be made available on application.

A record of proceedings should also be made in matters of classification and discipline, but such records should be available only on application to the teacher concerned. We believe that these proposals will be acceptable to all Victorian teachers and will provide a positive and genuine basis for the resolution of teacher dissatisfaction with the tribunal. We believe that these proposals also will be acceptable to the parents of Victoria whose children will ultimately be effected by them. We hope these proposals will also be acceptable to the Government of Victoria whose bungling, mishandling and misrepresentation of the issues involved in the present dispute have provoked the present situation.

The ACTING CHAIRMAN (Mr. Wheeler).—Order! The honorable member's time has expired.

Mr. STEPHEN (Ballaarat South).—I am sure that honorable members have fully canvassed the field of education. I desire, therefore, to confine my remarks to division No. 68, which relates to Agriculture—salaries, general expenses, and other services. I wish to deal specifically with seed certification in Victoria and the Seed Testing Station at Burnley. Both of these items relate to a very important section of the Department of Agriculture. Recently, I was appalled to hear the references concerning seed testings by the Leader of the Country Party, as reported at page 3084 of *Hansard* for the current sessional period. The honorable member stated, and I quote—

Victoria is very much behind the times in the breeding of clover and other grass seeds. Australia, and in particular Victoria, could be a very large exporter of grass seed if the problem were approached correctly. A great deal more could be done in relation to seed certification and seed breeding. Unfortunately, from time to time, the rye grass breeder, possibly, is in trouble in obtaining certification.

I wonder if the honorable member seriously suggests that anyone having difficulty in obtaining seed certification in Victoria is producing a high quality product. He further stated—

At other times, sub-clover seed, white clover seed, and other seeds are concerned.

I wonder why the honorable member, as a former Minister of Agriculture, should suggest that we should in any way lower the standards. Obviously the honorable member has little knowledge of this subject and, in his endeavours to obtain cheap political propaganda from other people's efforts, he has cast aspersions on those responsible for this branch of the Department. The Leader of the Country Party further said—

No satisfactory basis of testing seed exists giving the germination count and the like.

I do not know what "and the like" means, but perhaps we should examine the services that are available within the Department. They are: Purity and germination testing; purity testing only; germination testing

only; fluorescence testing for annual or early flowering varieties; and issuing international seed testing certificates. This does not indicate that no satisfactory basis of seed testing exists. Surely, the honorable member could not seriously or honestly suggest that Victorian seed certification is non-existent.

Mr. TREWIN.—You would not deny that there was a month's delay last year.

Mr. STEPHEN.—This is 1966; we can always improve. In fact, the Department has improved, as I shall show. I should like to pay a tribute to both the female and male members of the Department for the services that they render to the farmers who use and produce pasture seed. The quality of their work is of the highest standard and is carried out explicitly according to the Seeds Act. Perhaps, that is why the Leader of the Country Party complained that some growers were having some difficulty.

To understand this industry, which I am sure, the Leader of the Country Party does not—very few members of the Country Party present understand it—I should like to outline the necessary procedures adopted when seed certification is required. A farmer must make an application in which he sets out the area, locality, and type of seed, and encloses a fee. A field inspector, who is a departmental officer, inspects the paddock for variety and purity. He also inspects it for weed seeds and anything that may be present which would go against a paddock for certification. The inspectors are most particular in their inspections, and are highly qualified, and I am at a loss to understand why a former Minister of Agriculture should suggest that our seed certification scheme is poorer than that of any other State, or that there is no satisfactory basis for seed certification. Many more procedural departmental requirements are necessary than that which I have

mentioned, to ensure that our certification scheme is of the highest standard.

In past seasons, there have been—the Department would be only too ready to agree—some hold-ups in the availability of germinations and purities of various seeds and, in an endeavour to improve the situation, a new procedure has been adopted under which the growers' registered area number must be stencilled across the top of each bag so that the number can clearly be seen when the bags are packed in store. No longer is it necessary for departmental officers to go to grower's sheds and seal every bag. This practice, which applies to *phalaris tuberosa*, currie cockafoot, subterranean clover, white clover and strawberry clover, is designed to speed up the procedure. There has been a great improvement this year in the speed with which certified seed has been released. This is attributable not to the complaint of the Leader of the Country Party, but to representations that I have made in this House and as a result of deputations that I have introduced to the Minister during the past couple of years from the seed section of the Australian Primary Producers' Union.

No-one can deny that a great deal of improvement has been made in the seed certification system in Victoria during the past twelve months. In fact, during the past three years, the number of varieties certified by Victoria has increased from six to fourteen.

Mr. TREWIN.—What about the meeting at Benalla?

Mr. STEPHEN.—I advise the honorable member for Benalla that he will be getting on to thin ice if he deals with the Benalla meeting, because he will find that the Leader of his party was getting his information from the other side of the fence. It was regrettable that the Leader of the Country Party was not present a few weeks ago at the official opening of the new seed testing station at Burnley.

Mr. B. J. EVANS.—How far can you go?

Mr. STEPHEN.—The Deputy Leader of the Country Party was present. I am sure that had the Leader of his party been present, he would not have made such irresponsible statements. The honorable member made an unwarranted and damaging statement when he claimed that no satisfactory basis of seed testing exists. There is a good deal of interstate rivalry so far as seed testing is concerned and the publicity given through the press to the statement of the Leader of the Country Party would cause considerable damage because, no matter what might be said later by way of correcting the misstatements, the damage had already been done.

Mr. B. J. EVANS.—What press publicity did my Leader get on this occasion?

Mr. STEPHEN.—His comments were publicized in the *Ballarat Courier*, and no doubt he received publicity in other country newspapers. In fairness to the Leader of the Country Party, I must say that he mixed seed certification with seed breeding, which is an entirely different facet of departmental activity. However, the honorable member has done the seed growing industry in Victoria a great disservice because of the publicity which he received. This is hard to counter when there is such strong competition from other States, which are constantly trying to prove that their seed certification systems are much superior to those of sister States. I hope the Leader of the Country Party will in the future co-operate with the industry and will not needlessly, thoughtlessly and without foundation, criticize a system which has stood the test of time and which is being constantly reviewed and improved. Upon reflection, the Leader of the Country Party, who expressed concern about New Zealand seed, will realize that his complaints and "knocking" encourage the sale of New Zealand seed rather than of the

local product. I shall say no more, because I am sure the Leader of the Country Party knows that his irresponsible statements have done the Victorian industry untold damage.

Dr. JENKINS (Reservoir).—I propose to make some passing references to the matter of education, which the honorable member for Richmond exhaustively canvassed this evening. I am surprised that my colleague's comments did not receive some immediate response from the Government benches, because there was a good deal of thought behind them, and they warranted some reply. My colleague highlighted many of the inadequacies that exist to-day in our education system—inadequacies which, in many ways, are the result of Government policy and administration. An examination of the statements of Mr. Reed, Chief Inspector of Secondary Schools at the meeting in the Latrobe Valley, quoted by the honorable member for Richmond, reveals that he admitted there were problems of staffing and accommodation. He said that these were caused by the staggering increases in enrolments as a result of the increased birth rate, migration and children who remained longer at school. One must realize that these are a matter of statistical record and that five years elapse between the registration of a child's birth and its entry to school. Migration is to a large extent predictable, and the school leaving age and the fact that people remain longer at school are, I suggest, in the same area of predictability.

So while the word "crisis" is a rather unpopular one at the governmental level, perhaps if we want to have an exercise in semantics we can say that it is a chronic sore that has been allowed to develop, and that insufficient measures are being taken to cure it. Earlier, the honorable member for Kara Kara mentioned the maintenance of schools. I believe this is causing the waste of a lot of money in the Budget. The Minister of Immigration is aware that many schools

make application for various maintenance works, and that before tenders are called, with the lapse of many months or even years, the schools make further submissions in respect of maintenance and are then informed that because their maintenance requirement has changed they must once more go to the bottom of the list. One can imagine the further deterioration that occurs in schools under this arrangement, the increase in the repair requirement because of this deterioration, and the programme delays that occur. Of what use is it to build twelve new high schools while a couple of dozen deteriorate to the extent that their efficiency is gravely disturbed?

These are some of the matters that have to be raised and discussed. It is unfortunate that the Government tries to imply that the Teachers Tribunal dispute is the only matter at fault with education at the moment. While pressing their claims in this respect, the teachers have never hesitated to emphasize that there are other deficiencies in our education system. I hope the contribution made by the honorable member for Richmond has been listened to with some respect and that due note will be taken of the factors contained in it.

Now, I wish to refer to another matter briefly mentioned by the honorable member for Kara Kara. The honorable member commented on the effect of pesticides, insecticides and weedcides on agriculture, and so on. He raised an important issue, because in August, 1964, a committee was formed to inquire into the effect of pesticides. Some nineteen months later, the committee produced a report, which was excellent in many ways although lacking in some of the urgency that one would have liked to see. Certainly, this sense of urgency has not moved the Government to take much action or to predict much action in this particular field. The committee comments that modern

pesticides are a powerful tool by which man can modify his environment to produce more food and to safeguard human health. The committee also said—

The task of the committee of inquiry has been to determine whether the tool is being used in a sensible fashion to the benefit of the community or whether it is being used in a naïve or indiscriminate way which is creating other problems such as environmental pollution.

This is a grave question that we all ask ourselves. The committee further commented that—

Chemists and physicists employed to produce pesticides are not expected to be interested in ecological principles or effects following pesticide use, but it is disturbing that many people engaged in pest control investigations during the last twenty years seem to have neglected the fundamental ecology of pest control for the apparently successful and easy method of applying chemical pesticides.

This emphasizes the seriousness of this position, that so long as a chemical is effective in killing pests that is all that is required by this particular industry. The over-all picture of what effect it has on the community of a particular area—I am referring not only to human beings, but also to flora and fauna—is a secondary consideration. The committee also said—

There is no doubt that in the last twenty years the use of chemical pesticides has enabled a degree of pest control much better than achieved before. Nevertheless, many concerned with these problems state that it leaves much to be desired.

One must agree with these comments, because what is needed, as the committee comments, is pest management rather than pest control. We must be concerned, not only with immediate happenings, but also with the long-term problem of this continuing pollution with these toxic chemicals. A wide range of organic chemicals with effects on both short-term and long-term health are used. One is surprised to find that, although a committee in the United Kingdom in 1964 reviewed the risks arising from pesticides containing the more toxic

chemicals aldrin, dieldrin and heptachlor, which are used in agricultural pesticides, and reported that the use of aldrin and dieldrin in fertilizer mixtures should cease as soon as this could be arranged, and that the use of these chemicals in dips and sprays for sheep should also cease as soon as this could be arranged, no such ban has been placed or suggested on these chemicals in Victoria. One notes that amongst other things the committee recommended that—

The Pesticides Act should be amended to allow for the withdrawal of registration of a particular pesticide if this is considered necessary in the public interest.

This type of amendment is most urgent, and it should be implemented as soon as possible, particularly with respect to these particular chemicals that the United Kingdom committee suggested should not be used. Various precautions were recommended by the committee, but one wonders how they could be carried out. The Government would have to take urgent action to make them effective, and to stop the slow poisoning that is occurring in so many areas. In the United Kingdom and the United States of America, there has been a lot of controversy and public concern about the increasing use of these modern pesticides. There seems to be much less concern in the community here, but the danger is just as great, particularly because the agricultural community is so widespread.

It is necessary that the facilities for control should be provided. There is need for a central pesticides laboratory, as is suggested by the committee, but this must be an effective laboratory, not a limited body such as the Clean Air Committee has been loaded with, which makes it impossible for it to carry out the necessary investigation and research work, and does not solve the problem. It is hard to see, in the great silence that has followed the production of this report, any hope that these things are to be effectively dealt with.

Mr. PHELAN.—I direct attention to the state of the House. The speech of the honorable member is too good for honorable members to miss, and the present situation is disrespectful of Parliament.

A quorum was formed.

Dr. JENKINS.—Another factor that causes concern is the statement that the spectacular success of chemical pesticides and the fact that new chemicals for this purpose can be patented and the cost of development recouped from profit on large sales throughout the world has tended to stimulate and concentrate attention on this one method of pest control. Other avenues of pest control which must ultimately be used in a sophisticated programme provide little opportunity for economic gain, and as a consequence their investigation falls entirely on Governments.

Is the Government willing to face up to this particular aspect of pest control? Is it willing to face up to the fact that the loss of profit in a sophisticated programme of pest control stops private companies from developing? The committee commented further that, by comparison with the resources available to the chemical companies, funds for research into the other means of pest control are grossly inadequate. The comment is made that investigations could look for more specific pesticides, but again, there is a lower volume of sales and profit, so they will not be developed by private industry. This will become a Government responsibility. The committee also said—

Insect sterilants, also expensive to develop would have only a limited period of sale; the isolation of sex attractants is a most difficult chemical problem and they too would have an extremely limited sale, both in volume and time; genetic studies to find more resistant strains of host plant and animals being attacked by insect pests and fungi is a continuing investigation in which there is little economic reward to the originator. Again, there is little economic reward to the originator, but to the Government of a State such as this, with a

large agricultural component in its economy, the rewards would be rich. One regrets that urgent action on this matter has not been foreshadowed by the Government. The Government has a good report; it should realize the urgency of many of the recommendations; it should project this type of thinking into many other fields where new chemicals are used—into industry, with the use of new solvents, and the use of various agents that are cropping up and that seem to give some temporary advantage. Should not the Government accept some responsibility for their control, for knowledge of their properties and for knowledge of what effect they have on man's environment?

On the 29th March, I asked the Minister of Immigration, for the Minister of Health, certain questions regarding compulsory X-ray examinations. Some rather alarming comments have appeared in the press arising from the report to the Prime Minister by the National Radiation Advisory Committee in November of last year. One is disappointed that, with an effective programme of chest X-rays being undertaken, no steps have been taken to allay the fears that were aroused by that report. I feel that members of the public probably fear radiation or the suggestion that they will be affected by radiation, far more than they fear tuberculosis. This campaign of X-rays in the two months it was used in 1963 showed that seventeen persons with active tuberculosis required treatment, that 70 persons were found to have tuberculosis requiring medical supervision, that two cases of lung cancer were discovered, and that 152 other diseases were detected. In 1964, the X-ray surveys found 286 persons with active tuberculosis requiring treatment, 1,641 persons with tuberculosis requiring medical supervision, 102 persons with lung cancer and 2,582 persons with other diseases. Last year, there were 288 persons with active tuberculosis requiring treatment,

2,107 with tuberculosis requiring medical supervision, 109 with lung cancer and 2,720 with other diseases. Fears arise from reports as to the use of X-ray machines and the effect of radiation, and, although one sees the beneficial effects of this particular campaign, it is disappointing to find that the Government does not protect the position by allaying the fears that are held in the community.

Also in the field of health, it is obvious that this year most of the State's hospitals will sustain large deficits. One wonders whether it is time to study the way in which our hospitals are financed. Anyone with experience in the hospital field—a number of members in this Chamber have such experience through boards of management—realizes the expense of many of the services that are provided; they know the lengths to which boards of management have to go to meet their contribution to maintenance expenditure. I refer to the degrading practice of charging a silver coin for visitors to see patients at hospitals, whether they be public, intermediate or private, and to the dispensing fee for public patients, who are charged 20 cents to obtain prescriptions. Such methods and “lurks” help boards of management to meet maintenance expenses. We do not face up to proper financing of hospitals, because we smugly accept the fact that hospitals and medical benefits funds make a contribution to the expenses of the patient. But does this lead to effective financing of hospitals? Can we predict what we need? Can we give the expensive services that are necessary in some cases? Or are we fooling ourselves in contending that we have the best hospital system in the world? We talk about giving hospital boards autonomy and the ability to run the hospitals, but the Government effectively controls their activities by starving them of money, so forcing them to do what the Hospitals and Charities Commission wants them to do.

Dr. Jenkins.

I now wish to make some comments in relation to the Police Department, which comes within the ambit of the Chief Secretary. I refer to the amphotometer and “on-the-spot” traffic fines. When the amphotometer was first introduced, members of the Opposition suggested that, if it was to act as a deterrent, it should be used with some wisdom. The honorable member for Northcote commented—

I observed the machine in operation on the Hume Highway. It intrigued me to find that the police set it up just beyond a 35 miles an hour sign on the side of the road. This means that a motorist who is doing 50 miles an hour in an unrestricted zone reaches the 35 miles an hour zone and the machine at the same time. In such cases I suggest the police could be wiser in their application of the amphotometer.

The Minister of Labour and Industry interjected, “I certainly agree with that”. Further, when the machine was demonstrated, the police were asked why the machine was used on downgrades and near speed limit signs. Over recent months, I have observed these machines in several sites, and I am rather impressed by the use of steep slopes as the site for the amphotometer. It seems that the possibility of getting a speed in excess of 35 miles an hour is more important than checking drivers in dangerous situations. It is unfortunate that this instrument is used in this manner. It is a cynical means of collecting revenue; it should be an aid to deterring the dangerous driver.

If there are not to be incidents such as the sign of “police trap,” which was mentioned recently in the daily press, the amphotometer should be used in positions where persons driving dangerously would be detected and where the speed at which they drove was a danger. It seems silly to me to see the amphotometer being used on a particular hill in Warrigal-road, near Riversdale-road, in a position where the average motorist does exceed 35 miles an hour because of the force of gravity. Yet, 500 or 600 yards

farther on, over a small rise, is a school crossing where the average motorist invariably slows down but where the amphotometer would be better applied to catch the fool who does not slow down, the fool who in other circumstances is going to be really dangerous to the life and limb of pedestrians and others.

Mr. PHELAN.—The police would take longer to fill their books there.

Dr. JENKINS.—This sort of approach to the use of the amphotometer—as a revenue producer instead of a deterrent—concerns me. There were five policemen at this particular machine, yet a couple of miles farther on, in Dandenong-road, the same policemen could have detected many offences without the use of instruments. Another favourite spot is in Warrigal-road, on the Chadstone side of Dandenong-road; Lower Plenty-road, Rosanna, is another spot. It is unfortunate that this cynical approach to the amphotometer is being produced and that the instrument is not being used as we were informed it would be used—as a deterrent to dangerous driving.

Another aspect of the problem of the driving of motor cars is whether in letting cars get away with high horse-powers and high speeds any advantage obtained by these other methods is not being neutralized. I quote from an American magazine, *Newsweek*, of 14th March this year, which comments—

Collapsible steering wheels, safety belts and padded dashboards are unquestionably useful in reducing injuries and cutting down the death rate in traffic accidents. But why hasn't someone spoken of the most obvious approach to this problem? Cut down the size and power of American cars!

It may sound a bit impractical, but when one reads of the advantages of so many horse-power, and a top speed of so many miles an hour, the position is wide open to abuse. Another correspondent writes—

This is the same old jazz that we get every four or five years. Just watch the automakers pounce on it and advertise all

kinds of “safety” features—extra cost options, of course. This will be followed by higher horse-power and speed.

Why not put governors on all autos, trucks and buses limiting top speed to 60 miles per hour? The automobile companies say you need the extra speed for passing. The close shaves that I have had with passers haven't been the low-horsepower cars, but the ones that snort by with about 400 horse-power. Reduce the speeds and you will reduce the deaths.

The ACTING CHAIRMAN (Mr. Wheeler).—Order! The honorable member's time has expired, but if no other honorable member rises in his place, the honorable member for Reservoir may continue for a further fifteen minutes.

Dr. JENKINS (Reservoir).—I thank the Committee. While one may find that this sort of suggestion goes too far and is therefore unacceptable, if so much is expended on trying to prevent the road toll, why cannot some of the matters that are not going to involve us in expenditure be examined? Why cannot this problem be faced so that the lives of some of the unfortunates who are killed just because of too high horse-power and too high speeds may be saved? I believe that if this type of action were taken the amphotometer, the breathalyzer, and the great array of scientific instruments that is now becoming the pride and joy of revenue collection, and almost revenue collection alone, would not be needed. In these respects, the machine that is being used and the men making the machines have to be considered. This would be far more effective than using the machines in a manner and in a place where they achieve no more than the raising of revenue but induce disgust and contempt in the average member of the community for the manner in which they are used and also induce in the members of the Police Force who are forced to use them a cynical attitude in relation to law enforcement and deterrents.

Mr. WHITING (Mildura).—I relate my remarks to education, first, because it is of particular importance

to all people in the State, and, secondly, because I consider that many misstatements have already been made and comments have been coloured by happenings which perhaps do not entirely concern the education of our children.

As recorded at page 3129 of the current *Hansard*, the honorable member for St. Kilda stated, among other things, that so far as he was concerned, there was no crisis in education in this State. The statement is further from the truth than anything else I have heard for a long time. The definition of the word "crisis" in the *Students' English Dictionary*, which is available to members, is "the change of a disease which indicates its result whether recovery or death". We sincerely hope that we will not see the death of education in this State, but that the recovery will be particularly speedy and most effective. I prefer to use another definition I have seen. This is "the time when anything is at its height or turning point". According to the honorable member for St. Kilda, there is no crisis in education in this State, so I can only presume that education has not reached its height or turning point. Therefore, we must still have a long way to go.

Mr. ROSSITER.—Would you not be prepared to consider that it has passed the crisis?

Mr. WHITING.—I fail to see that the crisis has been passed. Anybody who has listened to the debate to-night or to debates on previous occasions could not, by the wildest stretch of imagination, agree that the height of the problem in education in this State has been reached. I am firmly convinced that there is a lot more to do, and that the expenditure of more money will be required, before the crisis in education can be considered to have been beaten and the bulge in school population adequately handled in this State.

It is interesting to note a report in to-day's *Herald* of a statement of the Bureau of Census and Statistics con-

cerning figures which were taken out in August of last year. They show that there was an increase of 70,816 in enrolments throughout Australia. No doubt, honorable members have heard the Premier say that Victoria is the leading State in the Commonwealth. Therefore, we can expect that a fairly large proportion of that increase in enrolments has occurred in Victoria. Whilst enrolments in our schools are increasing, we cannot have passed the height of education in this State. The honorable member for St. Kilda also stated—

Moreover, we have never been better off in terms of education, quantitatively speaking.

In terms of the number of students that may be so, but that is as far as it goes.

Mr. LOXTON.—What about the teacher-pupil ratio?

Mr. WHITING.—That may have improved, but there is still a lot to be done in that direction, as there are many classes of 45 to 50 pupils in this State. Anybody who knows anything about education is aware that classes of that size are unsatisfactory.

The honorable member for St. Kilda, at page 3133 of the current *Hansard*, listed the additional sums of money which will be needed to improve educational facilities. He quoted seven items, all in the million dollar category. First, he said that an additional sum of \$6,000,000 should be spent on maintenance. The need for maintenance expenditure has been referred to by other speakers this evening.

Mr. DUNSTAN.—Did he mention hot schools?

Mr. WHITING.—I am pleased to say that attention is being given to this aspect, and I compliment the Assistant Minister of Education because I believe he was instrumental in forming an inter-departmental committee comprising officers of the Education Department and the Public

Works Department, thoroughly to investigate this problem, and has made arrangements for the spending of \$100,000 over five years on this work. This will enable research to be undertaken into this problem, and some experimental work has already been started. A number of schools in my electorate have benefited to this stage, and we are looking forward to further experimentation which we hope will be carried out in the very near future.

I consider that some consideration should be given to the possibility of fixing an earlier starting time for lessons in schools in the far north-west of the State. Suggestions have been made from time to time for the institution of daylight saving, but they have not met with widespread approval, and I should imagine it would be difficult to introduce such a scheme in only one portion of the State. However, perhaps for a start secondary schools could commence classes earlier and, if that proved to be successful, primary schools could follow suit. In some areas where school buses are used by both secondary and primary pupils, it may be necessary to start lessons at both types of schools earlier in the mornings. Teachers at many schools have told me that on very hot days pupils, particularly the younger ones, are incapable of absorbing any benefit from lessons on any subject after about 2 p.m. They may be able to listen to stories being read to them or to undertake some less vigorous type of learning, but they cannot concentrate in the same way as they can during the earlier part of the day. Until full mechanical cooling can be introduced in schools in the hotter parts of the State, my suggestion should be given a trial.

Expenditure on maintenance work is particularly important in areas in the north-west, where light timber construction has been used for schools. The weather-board type of construction of some of the earlier built schools requires regular painting, possibly every two or three years.

At the present time, this is not being undertaken simply because of the shortage of funds, and some of the buildings cost far too much to restore to a proper state of repair by the time the painting contract is advertised. I trust that the Minister of Education will seriously examine this problem. Whilst it may mean spending more money on maintenance at this stage, the saving in two or three years' time will be appreciable. An additional sum of \$6,000,000 should be spent on new high schools, and expenditure of \$2,000,000 incurred on air conditioning in schools in hot areas.

I commend the Assistant Minister of Education for the work the inter-departmental committee has done in connexion with the proposed plan for the girls' wing of the Mildura Technical School. Ducting for a cooling system is being installed as the building is being erected. The brick veneer construction will adequately insulate the building, and it is feasible that a cooling system can be satisfactorily used in this type of construction. Very wide eaves are being provided, and these are also vitally necessary, because the rays of the sun coming through the big glass windows into the school rooms puts them into the category of garden glass houses where the idea is to gain sunlight. That is exactly what has been the result in some north-western schools.

According to the honorable member for St. Kilda, a further sum of \$1,000,000 should be spent on remote area services. He did not go into any details in this regard, but I feel that he must have some good suggestions because he is a practical school-teacher and should know what is required for schools in the distant parts of the State.

I can give one example of a service which should be provided in remote areas. I refer to better facilities for country teachers who undertake in-service training. The problem that applies in parts of my electorate and elsewhere is that teachers who travel

to Melbourne to take part in this training do so at considerable cost to themselves. Some honorable members are aware that if primary teachers are to gain any promotion above the fourth class they must acquire extra qualifications, and the only way they can obtain them is by attending courses in Melbourne during the last week of the first term, and into the first week of the term holidays. At present, the only allowance granted is a rail warrant. The living away from home expense plus extras for sleeping-berth accommodation, if it is available, must be borne by the teacher. Sleeper accommodation on such a journey is essential if a teacher is to arrive reasonably wide awake and be able to take part in classes starting on the day of arrival. It is difficult to understand how the Department can view these things as personal expenses and will not agree to an allowance being paid to teachers in country areas to cover such expenditure.

The other point that arises is that the benefit from this in-service training is passed on to pupils at country schools. We have already heard of an instance in which children in country areas have been penalized because of comparatively minor happenings such as this. Although secondary and technical teachers are not required to attend in-service training classes, those who do so find that meetings with examiners give them a tremendous advantage over teachers unable to attend them.

I would go so far as to suggest that in the case of Mildura teachers, air fares should be paid to enable them to travel to and from Melbourne to attend conferences. This would not entail a great expense on the part of the Government, because, in the case of a one-day conference, a teacher would be away from his school for only one day. At present, if the teacher has to travel to Melbourne by train or motor vehicle, it takes one day to reach Melbourne, one day is

Mr. Whiting.

spent there at the conference, and another day is required for the journey back.

Mr. SCANLAN.—Many conferences are held during vacations.

Mr. WHITING.—It is true that teachers are expected to attend them during vacation, and they are not happy about leaving their wives and children to attend classes during what is supposed to be a vacation period. This is another difficulty that perhaps could be overcome if some thought were given to it.

Use of the air service from Mildura would enable a teacher to leave the area early in the morning, spend a full day in Melbourne, and return in the evening, so he would be away from his school only one day. When a teacher is required to be away from his school for three days, as is the case now if he attends a one-day conference—if it is a two-day conference, he is away for four days—the burden of teaching the students normally taught by him falls on other members of the staff, and it is difficult for a teacher who takes the subjects taught by a colleague to give the students adequate instruction. I believe that the remote area service, as suggested by the honorable member for St. Kilda, could be utilized in this regard—partly, at all events.

The other suggestion made by the honorable member related to furniture for primary and secondary teachers' colleges, and typing and clerical assistance. It was suggested that bursars should do a considerable amount of work at present performed by head teachers, particularly in primary schools. I should think at present head teachers spend at least half their time sitting in an office doing bookwork that could be easily done, if not by a female typist, then by a bursar or someone more skilled in clerical and typing work than a fully-trained and experienced teacher. It is a waste of trained

manpower to have such a teacher spending a large part of his time doing clerical work.

I pass to the position which pertains with regard to the hostel that is to be provided at some future date for female staff of Ouyen. Correspondence on this matter was first entered into with the Education Department on 10th February, 1964, and every avenue has been explored by the advisory council and the Public Works Department. No suitable building was available in the town, and it took the Lands Department a considerable time to provide a suitable block of land and have the title transferred to the Education Department so that it could proceed with the planning of a place of residence for women teachers.

At present, there are three women teachers, all of tender age, stationed at Ouyen, and, because no other accommodation is available, they are required to board at the Victoria Hotel. Although, as I have said on previous occasions, this is a very good hotel, surely it is not desirable that young, single women school teachers—some just out of training college—should go to a country area and spend most of their out-of-school time at an hotel.

The last letter I received from the Secretary of the Lands Department on this matter was dated 25th June, 1965, and it stated that the Department was prepared to arrange for the reservation of two allotments in the township of Ouyen for the purpose of building a women teachers' hostel. The Education Department had to pay a fee of \$60 for the survey work, but the Lands Department had no objection to the Education Department assuming occupation of the area in advance of the re-marking and formal reservation. Unfortunately, as yet nothing has been done. Only two weeks ago, the Ouyen Branch of the Victorian Teachers' Union requested that further action be taken to provide this hostel.

I trust that the Minister will view this matter with urgency and endeavour to provide this accommodation for teaching staff in this remote area of the State. It is an area about which teachers—at least upon their arrival—are not particularly happy. They tend to become used to it, and some are happy to stay there, but if improved facilities were provided they would be able to give better service to the Department and to the students.

On the 29th March, I asked the Minister of Education questions with regard to the over-crowding problems at the Mildura Central School, and I was pleased to learn from the answers that plans for a new primary school are in hand. Apparently, it has been named City Gate Park—that was news to me. The present enrolments at Mildura State School total 945, at Mildura South State School, 237, and at Mildura West State School, 565. As the area in which the proposed new school is to be built is adjacent to the large Housing Commission settlement in Mildura, it will fill a want that is rapidly developing.

One of the problems at the Mildura Central School, at which 900 students are enrolled, is that the only available sick room is the staff room. Some time ago, I received a rather unusual letter from the Assistant Minister of Education regarding this matter, in which he stated, *inter alia*—

I regret that owing to the need to conserve funds for more urgently required new and additional class-room accommodation, the Department is unable to finance the erection of rest rooms in existing primary schools.

I have always been under the impression that a sick room is somewhat different from a rest room, but this may be merely a play on words. The suggestion made by the Assistant Minister was that the school committee could apply to have this work done on a subsidy basis. I am extremely disappointed that education in this State has reached a stage

where the parents of children attending a school are expected to provide buildings in which children can be cared for if they become sick. I trust that this trend will not develop to any large extent.

The Public Works Department had advised the Minister that a sick room was estimated to cost \$1,180. Doubtless, the finances of the Education Department are in a sorry state, but when it cannot provide \$1,180 for the building of a suitable sick room at a school attended by 900 students, I believe they are much worse than I thought; probably I and others do not fully appreciate the serious state of the Department's finances. I have not as yet heard whether the school committee is prepared to provide money towards the erection of a sick room at this school, but I should be happy if the Minister would re-examine the suggestion. In the new financial year, it may be possible for the Government to find this little extra money necessary to provide this real necessity for a large school.

The establishment of a high school at Murrayville is another problem that has caused concern for some time. The first consolidated school in Victoria was established in this district, and it proved to be extremely successful. However, our standard of education has improved since then, and the need for secondary facilities has caused the advisory council and the parents in the area much concern. A large number of families are steadily leaving the district and going to areas where better secondary education is available. This is a most undesirable state of affairs. Although the Minister of Education has agreed to the commencement of secondary classes at the existing school, I believe the atmosphere that should prevail at a secondary school is not possible while the primary and secondary classes are held at the one establishment.

Mr. ROSSITER.—Is Pyramid Hill in your electorate?

Mr. Whiting.

Mr. WHITING.—No. Although comparisons are somewhat odious, it is of interest to note the answers furnished to a series of questions I asked on 7th December last. Taking a school at random—the Neerim South High School—I inquired as to the distance from the nearest secondary and technical schools, and I was provided with certain information.

The ACTING CHAIRMAN (Mr. Wiltshire).—Order! The honorable member's time has expired.

Mr. SCANLAN (Oakleigh).—Much has been heard to-night on the subject of education, but no honorable member except the honorable member for St. Kilda has spoken from practical experience on the subject of teaching.

Mr. WHITING.—Is that vital?

Mr. SCANLAN.—It helps in the observance of the subject. The agitation in education to-day does not fall within State or national boundaries; it is international. One has only to read comments on education in overseas newspapers to become aware of the fact that the Governments of Scotland, England and the United States of America are extremely concerned with the changes that are being effected in education, and by the demands made by parents, teachers and pupils. I shall quote an article from the *Christian Science Monitor* of Tuesday, 20th July, 1965, under the heading, "Battling School Bulge", in which it is stated—

"We will need more class-rooms, more books, more teachers, and more schools on a scale undreamt of even a decade ago," says President Johnson. The "baby boom" and population explosion continue taxing United States public schools to the limit.

I also quote from the educational supplement of the *Times* of the 4th February, 1966, which is probably the most authoritative newspaper on education in the world and serves as a guide to the majority of European educators. It stated—

NEW SCOTTISH BODY ELECTED.

How the Teachers Voted.

Twenty Scottish teachers have now been elected to the General Teaching Council and they are to be joined by four college

of education principals elected by their association and one college lecturer chosen by his peers. These 25 elected members will be joined by fifteen others representing education authorities, directors of education, the universities, the Church of Scotland, the Roman Catholic Church, and by four nominees of the Secretary of State.

The 44 members thus elected or appointed will be charged with the duties of maintaining a register of qualified teachers, dealing with disciplinary cases, advising the Secretary of State on standards for entry to the teaching profession, and keeping themselves informed on developments in teacher-training.

The Scottish authorities have embarked upon a new and impressive approach to the problems of education. The new body has underlined the progress achieved by bringing about a radical change in the constitution and structure of the teaching profession. Victoria has been subjected to demands of an industrial nature from three bodies that are actively associated with the teaching profession. These bodies are the Victorian Teachers' Union, the Victorian Secondary Teachers' Association and the Affiliated Teachers' Union. It is not denied by the Government that there is some agreement between all on the subject of the reform of the Teachers Tribunal. What is denied by Government members is the statement of the honorable member for Richmond that the demands of the Victorian Teachers' Union and the Victorian Secondary Teachers' Association are identical—they are not. The Victorian Secondary Teachers' Association seeks the right of appeal to an independent body such as a Court of Industrial Appeal.

The Victorian Teachers' Union is opposed to that proposal. A more significant and underlying difference in the attitude of the two organizations is that the Victorian Secondary Teachers' Association desires a public hearing of salary claims before the Tribunal, and the Victorian Teachers' Union opposes it. This can be understood if it is appreciated that a public hearing of a claim for salary increases will heighten newspaper interest, and focus attention on it. The suggestion of the Victorian Teachers' Union that

there should be no public hearing would prevent such publicity and could result in amicable discussion between the union, the Tribunal and the profession. This is a fundamental difference, and it cannot be said that the two organizations speak with one voice in their demand for Tribunal reform, because, although there is some common agreement between the two, the underlying difference is fundamental.

It must be remembered that these associations within the teaching profession represent different classes of teachers. The Victorian Teachers' Union speaks on behalf of primary, secondary, technical and professional officers of the Education Department. It also claims to speak on behalf of the great majority, if not all, of the primary teachers in a practical sense. The Victorian Secondary Teachers' Association speaks on behalf only of secondary teachers. The Affiliated Teachers' Union has smaller numbers and speaks on behalf of all ranks. A total of 13,583 primary teachers owe their allegiance to the Victorian Teachers' Union; they have no communication with the Victorian Secondary Teachers' Association. If the Opposition continues to advocate on behalf of the Victorian Secondary Teachers' Association and the secondary teachers to the exclusion of the primary teachers, politically they will lose the support of primary teachers.

We must remember that there are 6,934 high school teachers and 3,137 technical school teachers. Is the Government to consider the demands of the Victorian Secondary Teachers' Association, speaking on behalf of its few thousand members, above the demands of the Victorian Teachers' Union that speaks on behalf of the great majority of teachers and in particular the 13,583 primary teachers and most of the 6,934 high school teachers and the 3,137 technical school teachers? I submit that no Government in its right mind would

accede to the demands of a minority group in such an industrial situation as this. The Opposition must consider its attitude to this aspect with a great deal of care.

The Victorian Secondary Teachers' Association claims that there is a staff shortage. I agree that there are some deficiencies at the moment in the secondary structure. But it must be borne in mind that it is Government policy to fill these gaps and train teachers to occupy these positions. A great improvement in the staffing of schools has been achieved. It has been pointed out that the pupil-teacher ratio in 1960 was 22.9. In 1965, that ratio dropped to 19.3 at the secondary level. This is just one figure to indicate the steadily improving position.

One of the points completely overlooked by the Opposition and the Country Party is that the Government has a responsibility adequately to provide for the needs of the primary children. We never hear complaints to-day about pupil-teacher ratios at primary schools, because they are adequately staffed. There is one trained teacher to every room, and if Mr. Schubert, the secretary of the Victorian Teachers' Union would venture a criticism, he would say that if more rooms are needed, teachers would have to be obtained to staff them. There has been a steady diminution in the number of children in class-rooms attached to primary schools in Victoria.

The honorable member for Richmond said that the Government has no policy, that it is without guide and it is like the blind leading the blind. The Government has many recommendations and policies which it could follow and none has been more specific than the Ramsay report on State education in Victoria.

Mr. TURNBULL.—What about the matriculation level?

Mr. SCANLAN.—I shall deal with that aspect. This report was presented in 1960, and at page 151, it

dealt with the transition of primary school children to the secondary level. It stated—

We believe, however, that it is both possible and necessary, in the interests of children, to develop schools with fullest opportunities for social development and the provisions outlined below to overcome the disadvantages of our present early classification into secondary or technical, and its inherent difficulties of transfer.

We therefore recommend—

that courses and administration of post-primary schools be reviewed in 1960 to provide that—

- (i) the subject studied, and the method and treatment thereof, be such as to facilitate inter-school transfer within the first two years without loss of time;

I shall not quote all of the recommendations of the section. However, the following paragraph is of particular interest:—

Specialization in all courses to be deferred until the third year of post-primary education, and that such courses include a common core of general educational material.

This is just one recommendation which has guided the Government and is being steadily interwoven into the curriculum for the schools. The basis of much of the teacher trouble is the suggestion of the shortage of staff in high schools. I submit a suggestion that has been strongly advanced in Oakleigh on a number of occasions and which I consider the Government should investigate. If the secondary teachers suggest that there is a shortage of staff, and the recommendation I have quoted from the Ramsay report could be implemented, that the first two years of the secondary education should be basic years and should include a common core of general educational material, and if the statements of the various headmasters I have spoken to are correct, that there is no need for a degree teacher to teach at this level apart from one or two specific isolated subjects, then the first two years of the high school curriculum could adequately be taught by the primary division. It may seem rather curious, but primary schools have been established with

secondary attachments—for example, the central schools, which are staffed by secondary teachers. This system works quite well. If these basic subjects are taught in the first two elementary years of secondary school, as suggested by the Ramsay report, and there seems to be a certain amount of agreement that there is no great need for degreed teachers to teach these subjects, why cannot the primary division teach the first formative years of secondary education?

This question has often been asked in Oakleigh as a result of a discontent which has been expressed by secondary teachers generally. I hope that secondary teachers may be prepared to support the scheme, as it would fill some of the vacancies which at present exist at the secondary level. A further recommendation, one which I hope the Government will be able to implement, appears at page 157 of the Ramsay report. This concerns the training of primary teachers, and it was referred to by the honorable member for Brunswick West. It is—

The establishment of a committee to plan a three-year course of training based on Leaving Certificate entry to commence by 1963.

That date has passed. The second section of the recommendation is not relevant, but the third is; it reads—

The planning of an ultimate three-year course of training based on Matriculation Entry for all Primary teachers.

I suggest that one of the causes of discontent among primary teachers in Victoria is that after gaining their Trained Primary Teachers' Certificate, Trained Special Teachers' Certificate, or Trained Infant Teachers' Certificate, they are unable to go to the top. This is the in-course training which has been mentioned by the honorable member for Mildura. If matriculation entry is needed to enter a teacher's college and there is a three-year course planned in such a way that teachers are specifically trained for the first two years of secondary level, it will be a step

which will further help to meet the suggestion which has been widely made in my electorate.

As a member of Parliament, I deplore and regret one aspect of the recent dispute that has affected our schools. We all tend to laugh at the youth agitations which occur in Indonesia but, in fact, those agitations almost toppled Dr. Soekarno and perhaps will ultimately topple him. We deplore the activities of students in places such as Japan, where there have been riots and bloodshed, and Vietnam, where bloodshed has occurred as a result of student action and riots. I believe that no member of this Parliament would wish to see these things happening in Victoria or anywhere else in Australia. A nation particularly affected by student riots and student action is the United States of America.

I was interested to read in the *Herald* newspaper of 17th March, this year, under a heading, "Not a Weird Mob but a Dreary One" why some United States migrants go home. The article related to the opinions and attitudes of United States migrants in Australia. It said—

Australians are not so much a weird mob as a dreary mob, says a writer in one of America's most influential newspapers.

The paper, the *Wall Street Journal*, published on its front page a survey by a staff writer of United States migrants in Australia.

Americans in Australia told him they found it hard to adjust to the slow pace of life.

The *Wall Street Journal*, says the healthy outdoor life and a school system that "emphasizes basic education and obedience" are major reasons why Americans go to Australia.

The comment made in the *Wall Street Journal* is true, because the system of education in Victoria is centralized. Some teachers are critical of the system, and they resent the centralized authority exercised. But a centralized system has some marked strengths. I

believe all teachers are deeply appreciative of them. I hope that industrial unrest at a secondary level will not affect the relationship between pupils and teachers in Australian schools.

Recently, for a period in excess of a year and a half, I taught in schools in the West End of London. One of the comments made to me by the headmaster of a modern English secondary school on my first assuming duty was, "You come to me from Australia. Your record has been approved by my Government. I am interested not in whether you can teach but in whether you can maintain discipline." And he meant it. If "blackboard jungle" is a meaningful term in the United States of America, a blackboard jungle exists in the schools of Great Britain, particularly in those in the London area. The problem in the London schools is not one of teaching and learning but of maintaining discipline. In some of these schools, there is a danger loading for teachers. In one case, about six or seven years ago, a music teacher leaving a schoolroom was mistaken in the passageway for the head of the school by "teddy boys" who cut him to pieces with razor blades.

There have been several disfigurements by razor blades. A friend of mine had his bicycle kicked to pieces. One school deliberately employed an ex-commando as a janitor to maintain order in the yard at night. These are instances of conditions in London. What applies in many of the English schools may result from their 11-plus system, which I deplore as being iniquitous. We would not accept these conditions in our society, because, as the article in the *Wall Street Journal* pointed out, we have a system based on obedience.

Although the modern generation may get a little out of hand at times, the Australian student is one to respect in comparison with some in the United States of America and the United

Kingdom. But one of the features of the recent secondary schools dispute was the fact that pupils were, I believe, encouraged to participate. Pupils with banners were put in front of secondary teachers at the Myer Music Bowl. They were applauded by a number of teachers, but not all of them. It is true that other pupils were given placards with which to parade the streets. A number of pupils wrote to the press. I am not prepared to say whether their action was independent of their teachers or whether they were assisted by the teachers, but in a letter which appeared in the *Age* of 6th April the pupils took an interest directly in an industrial dispute. The letter states—

CONDITION OF SENIOR SCHOOLS.

Sir,

We senior students of Oakleigh High School are becoming increasingly concerned with the condition of Victorian secondary schools.

At Oakleigh we are very fortunate in that we have very few unqualified teachers and, on the whole, our school provides quite adequate opportunities for our success, but classes are too large and teachers are often kept from classes while attending to other duties such as the organization of sport.

The students also complained of lack of space in corridors, and in regard to other comforts. The point is that, if a member of the Victorian Secondary Teachers' Association or any teacher thinks he will gain public support by obtaining the support of students, giving them placards and putting them into the public eye, I suggest that the reverse result will be obtained; the public will not countenance this action; it will deplore the situation.

I hope that, if the Victorian Secondary Teachers' Association, the Victorian Teachers' Union, and the Affiliated Teachers' Union, or any other association of teachers, interests itself in industrial activities in the future, in stop-work meetings or even strikes, it will command the students not to take an interest. I believe that, if a teacher seeks the support of students to-day, he will undermine that sacred relationship

Mr. Scanlan.

that exists between teacher and pupil in the future and he might well be making a rod for his own back for the student to go ahead with his own form of agitation with little respect for the teacher, whom he should at all times respect. Very few teachers cannot appreciate this position. I hope that all those bodies that are interested in education in this State will, if there is to be a future agitation in this direction, ensure that students are asked not to participate in activities that are directed particularly at the Government.

Many members have stated that the Government has done little, if anything, for education. I deny this assertion. The Government can be proud of its record in regard to education; it can be proud of the steady and systematic development and extension of the education system that exists in Victoria. I taught in the school at Kew Cottages in about 1950, and I recall that some teachers had nervous breakdowns, lost their hair and contracted diseases from the children, and I can also recall the open sewers. These conditions do not now exist, and the school has been greatly improved. If the average teacher who has been in the Department for a number of years were to visit the schools in which he has taught, he would see that in every one there has been a great improvement in standards.

I commend the Government for everything it has done in the field of education. I hope that members of the Opposition will carefully weigh up their association with the industrial elements that are at present taking part in the agitation in relation to education lest they back the wrong horse.

Progress was reported.

ADJOURNMENT.

Mr. ROSSITER (Minister of Immigration).—I move—

That the House, at its rising, adjourn until to-morrow, at a quarter to Two o'clock.

The motion was agreed to.

The House adjourned at 11.33 p.m.

Legislative Council.

Wednesday, April 27, 1966.

The PRESIDENT (the Hon. R. W. Mack) took the chair at 2.24 p.m., and read the prayer.

GLAUCOMA.

NUMBER OF CASES: TREATMENT.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister of Health—

(a) Is a record kept of the number of glaucoma cases; if so, what is the number of people affected?

(b) What action is being taken to assist people with this serious problem?

(c) Does the Department of Health intend to carry out mass surveys to ascertain the number of people affected by this disease?

For the Hon. V. O. DICKIE (Minister of Health), the Hon. G. L. Chandler (Minister of Agriculture).—The answers are—

(a) No. Records are kept only of diseases which doctors are required to notify under the provisions of the Health Act. The number of people affected cannot therefore be stated. The estimated incidence of glaucoma is approximately 2 per cent. of the community over 40 years of age.

(b) The treatment of glaucoma, in common with all forms of illness, is the responsibility of the practising profession. Facilities exist in public hospitals for the diagnosis and treatment of glaucoma in those members of the community who are unable to afford private medical care. Specialists at the Royal Eye and Ear Hospital carry out investigations on patients referred by private doctors.

(c) No. The Department of Health is not equipped to carry out mass surveys to ascertain the number of people affected by this disease.

LABOUR AND INDUSTRY ACT.

SHOP TRADING HOURS: SECTION 80A EXEMPTIONS.

The Hon. J. M. TRIPOVICH (Doutta Galla Province) asked the Minister of Agriculture—

(a) How many orders of exemption from the normal shop closing requirements have been granted under section 80A of the Labour and Industry Act 1958 since its proclamation?

(b) Which types of shops were affected and at what tourist resorts are they located?

(c) What were the respective periods of exemption?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(a) Thirty-nine.

(b) and (c) This information, which could only be supplied by a statement in the nature of a return, has been published in the *Victoria Government Gazette* as orders have been made. There exists in the Department of Labour and Industry a file containing a copy of each order as made, which will be made available at the Department for perusal by the honorable member if he so wishes.

TIDAL RIVER CAFÉ.

TRADING HOURS: CONDITIONS OF LEASE.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Agriculture—

(a) On what days and for what hours is the café at Tidal River, Wilson's Promontory, required to serve visitors under the terms of the lease?

(b) Does the National Parks Authority enforce the conditions of the lease?

(c) When did the café last give a regular service to visitors to that area?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(a) and (b) A similar set of questions was asked by Mr. Tripovich on the 29th

March, and the honorable member is referred to my replies at that time.

(c) Easter Tuesday.

MUNICIPALITIES.

REVALUATION OF PROPERTIES: MONETARY INCREASES.

For the **Hon. T. H. GRIGG** (Bendigo Province), the **Hon. F. J. Granter** asked the Minister of Agriculture—

(a) Which municipalities have been re-valued since the reply was given to question No. 2 asked in the House on 23rd March, 1965?

(b) What was the original valuation of each municipality prior to the Valuation of Land (Appeals) Act 1965, coming into effect and the new valuation made since that Act was passed, showing the increase in each case?

The Hon. G. L. CHANDLER (Minister of Agriculture).—As the answers contain a schedule of statistics, I seek leave of the House for their insertion in *Hansard* without being read.

Leave was granted, and the answers were as follows:—

(a) The municipalities shown in the attached list are those in respect of which the Valuer-General has received notice that a valuation has been returned since 23rd March, 1965.

(b) The list also shows the total amount of each such valuation, the amount of the previous valuation made before the Valuation of Land Act came into effect, and the increase in each case.

RATING BASIS N.A.V.

Municipality.	Old Valuation (N.A.V.)	New Valuation (N.A.V.)	Increase.
	£	£	£
Alberton (s)	354,772	733,240	378,468
Arapiles (s)	166,519	594,358	427,839
Avoca (s)	188,183	330,716	142,533
Bacchus Marsh (s)	306,597	582,268	275,671
Barrabool (s)	550,014	925,080	375,066
Bass (s)	246,544	610,900	364,356
Berwick (s)	178,184	380,000	201,816
(Beaconsfield Riding)			
Birchip (s)	174,207	510,993	336,786
Bright (s)	127,247	312,514	185,267
Buln Buln (s)	558,881	977,256	418,375
Cohuna (s)	214,313	535,009	320,696
Creswick (s)	173,987	419,011	245,024
Deakin (s)	357,409	793,225	435,816
Geelong (c)	2,006,874	2,086,008	79,134
Grenville (s)	272,357	460,303	187,946
Kaniva (s)	245,607	615,335	369,728
Kilmore (s)	151,903	334,568	182,665
Knox (s)	1,453,948	2,624,290	1,170,342

RATING BASIS N.A.V.—continued.

Municipality.	Old Valuation (N.A.V.)	New Valuation (N.A.V.)	Increase.
	£	£	£
Lowan (s)	367,161	643,744	276,583
Melbourne (c)	19,240,667	19,429,738	189,071
Melton (s)	320,000	581,670	261,670
Minhamite (s)	380,094	713,487	333,393
Nathalia (s)	291,104	420,932	129,828
Newham and Woodend (s)	90,836	217,163	126,327
Queenscliffe (B)	163,050	308,511	145,461
Ripon (s)	534,975	736,538	201,563
Rodney (s)	734,338	1,415,898	681,560
Seymour (s)	324,534	559,881	235,347
Swan Hill (s)	523,440	1,628,734	1,105,294
Talbot and Clunes (s)	80,092	226,626	146,534
Tullaroop (s)	122,094	216,334	94,240
Tungamah (s)	273,815	658,161	384,346
Winchelsea (s)	366,948	631,929	264,981
(East, West and Middle Ridings)			

RATING BASIS U.C.V.

	Old Valuation (U.C.V.)	New Valuation (U.C.V.)	Increase.
	£	£	£
Stawell (T)	636,227	1,180,050	543,823
Swan Hill (c)	5,500,305	6,407,470	907,165

(s) Shire :

(c) City :

(B) Borough :

(T) Town.

EDUCATION DEPARTMENT.

PRAHRAN TECHNICAL SCHOOL.

The Hon. D. G. ELLIOT (Melbourne Province) asked the Minister of Agriculture—

As a matter of urgency, what action does the Minister of Education intend to take as the result of his visit to the Prahran Technical School?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

Following a request by the principal on 23rd March, 1966, for the repairs of the library roof, an inspection was made by a Public Works Department inspector who reported that the roof was beyond repair and recommended a complete replacement. The Public Works Department has now been requested to proceed urgently with this replacement.

The school council is being requested to give early attention to a number of maintenance and redecorating matters which were disclosed on the visit. With reference to the building programme associated with this council-controlled school, the council

has been invited to give a firm request as to its own priorities. These priorities will be considered in relation to the Department's building requirements when the 1966-67 building programme is being established within the next few weeks.

SECONDARY SCHOOL BUILDINGS: NEW PRINCIPLES IN PLANNING.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

(a) Have Public Works Department architects prepared new designs and plans which introduce new principles in secondary school design?

(b) If these plans are in the preliminary stages, when does the Minister of Education expect final approval to be given?

(c) Will the Minister of Education lay a copy of these plans on the table of the Library for inspection by honorable members?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(a) A Public Works Department architect and a member of the Teaching Service

have with the approval of the Education Department prepared a layout plan or scheme for consideration by the two Departments.

(b) The matter is at present being considered from a number of aspects by senior officers of both Departments. The Minister of Education is unable to say when such consideration will be concluded or what the outcome will be. There will be no unnecessary delay in dealing with the matter.

(c) The Minister will be prepared to lay a copy of these plans on the table of the Library for inspection by honorable members if and when they are adopted for erection.

POLICE DEPARTMENT.

MOE AND NEWBOROUGH AREAS:

POPULATIONS: POLICE FACILITIES.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Agriculture—

(a) What is the population of Moe and Newborough, respectively?

(b) How many police are stationed at Moe and Newborough, respectively?

(c) Has the Police Department a site for a police station at Newborough; if so, when is it proposed to call tenders for the erection of such station?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(a) 17,000 and 6,000, respectively.

(b) Moe—11.

Newborough (sub-station to Moe)

—1.

(c) Yes; there are no plans at this stage to call tenders for a police station as the present premises rented from the State Electricity Commission are considered adequate.

GOLD MINING.

MALDON MINES: PRODUCTION AND YIELDS: CLOSURE.

For the Hon. T. H. GRIGG (Bendigo Province), the Hon. F. J. Granter asked the Minister of Agriculture—

(a) What amount of gold has been won from each of the following mines at Maldon—Union, Alliance (Eaglehawk Consolidated), Beehive, Derby, South German, Nelson (South German Extended), Oswalds (North British and Independent), and Cookmans Reef?

(b) On what date was each mine closed down?

(c) What was the gold value per ton of the last crushing in respect of each mine?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are detailed and, by leave of the House, I suggest that they be incorporated in *Hansard* without being read.

Leave was granted, and the answers were as follows:—

From such information as is readily available, the answers are:—

(a) Production from mines at Maldon:

	oz. (approx.)
Union	170,000
Alliance (Eaglehawk Consolidated)	143,236
Beehive	23,261
Derby United	43,935
South German	158,643
Nelson (South German Extended)	90,266
Oswalds (North British and Independent)	221,787
Cookmans Reef	12,299

(b) The mines were closed in the following years:—

Union	Not known
Alliance (Eaglehawk Consolidated)	1912
Beehive	1885
Derby United	1918
South German	1911
Nelson (South German Extended)	1871
Oswalds (North British and Independent)	1923
Cookmans Reef	1912

(c) Records of crushings towards the closure of the mines yielded the following values:—

Derby United	10 dwts. per ton
Oswalds	6 dwts. per ton
North British	10 dwts. per ton
Independent	6 dwts. per ton

Records of results of crushings at the other mines are not readily available without considerable research.

MOUNT ROYAL.

BEDS AVAILABLE: WAITING LIST.

The Hon. G. J. O'CONNELL (Melbourne Province) asked the Minister of Health—

(a) How many beds are available for male and female patients, respectively, at Mount Royal?

(b) How many are on the waiting list for admission and what is the waiting period?

For the Hon. V. O. DICKIE (Minister of Health), the Hon. G. L. Chandler (Minister of Agriculture).—The answers are—

(a) Males	..	..	..	320
Females	..	..	..	313
				633
(b) Males	..	..	..	88
Females	..	..	..	489
				577

Waiting Period:

Permanent section and Intermediate—males up to 15 months; females up to 2 years.

Temporary geriatric unit—4-6 weeks.

STATE RIVERS AND WATER SUPPLY COMMISSION.

MALMSBURY RESERVOIR — BENDIGO CHANNEL : MILEAGE SEALED AND UNSEALED : SEEPAGE LOSS.

For the Hon. T. H. GRIGG (Bendigo Province), the Hon. F. J. Granter asked the Minister of Agriculture—

(a) What is the mileage of the main channel delivering water from the Malmbsury reservoir to the City of Bendigo?

(b) What mileage of such channel is sealed?

(c) What mileage of such channel is unsealed?

(d) What amount of water was lost by seepage in transit to Bendigo in each of the years 1963, 1964, and 1965?

(e) How many miles of channels used for delivery of domestic supply of water were sealed in the past three years?

(f) What was the cost of sealing per mile?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(a) 43 miles 69 chains.

(b) 29 miles 43 chains.

(c) 14 miles 26 chains. Of this length, 10 miles 38 chains are in tight rock or tunnel which do not require sealing.

(d) No accurate figures are available, but it is estimated that approximately 10 per cent. of the water transmitted was lost by seepage and evaporation, namely, 3,000 acre-feet per annum.

(e) 3.5 miles.

(f) £45,000 per mile average.

RAILWAY DEPARTMENT.

MORDIALLOC LEVEL CROSSING.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister of Agriculture—

Did the Minister of Transport inspect the McDonald-street railway crossing north of the Mordialloc railway station last week; if so (i) why were other local members of Parliament not informed; and (ii) what recommendations has the Minister made as a result of these inspections?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

The Minister of Transport did not inspect the McDonald-street railway level crossing last week.

METROPOLITAN AREA.

DEFINED BOUNDARIES : SHOP TRADING HOURS.

The Hon. J. M. TRIPOVICH (Doutta Galla Province) asked the Minister of Agriculture—

(a) In view of the extensive development of the Melbourne metropolitan area, has the Government given any consideration to extending the boundaries of the "metropolitan district" as defined in the Labour and Industry Act 1958; if so, with what result?

(b) Is the Government aware of the anomalies that now exist in trading hours for some shops on the outer fringe; if so, will early action be taken to obviate same?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers are—

(a) The matter is currently receiving consideration. A final decision has not yet been made.

(b) Yes. I refer the honorable member to my answer to question (a).

TOBACCO LEAF MARKETING BOARD (APPOINTMENT OF MANAGER) BILL.

The Hon. G. L. CHANDLER (Minister of Agriculture), by leave, moved for leave to bring in a Bill to make temporary provision with respect to the Tobacco Leaf Marketing Board.

The motion was agreed to.

The Bill was brought in and read a first time.

THE CONSTITUTION ACT AMENDMENT BILL.

The Hon. R. J. HAMER (Minister for Local Government).—I move—

That this Bill be now read a second time.

This is a small Bill, but it has an important purpose, namely, to amend section 66 of The Constitution Act Amendment Act to increase the amounts specially appropriated in the first instance for "The Clerk and Expenses of the Executive Council" and for "The Clerk and Expenses of the Legislative Council".

These amendments became necessary because of increases in the salaries payable to the Clerk of the Executive Council and to the Clerk and members of the staff of the Legislative Council since this section was last amended in 1960.

Because of the revision of salaries payable to Administrative Division officers of the Public Service as from 2nd January, 1966, the salary of the Clerk of the Executive Council is now \$6,700 per annum. The estimated total cost of the Clerk's salary and expenses in the current financial year is \$6,400, and it is expected to be \$6,900 in the next financial year. The Government considers that the provision of \$8,000 now proposed will be sufficient to meet the requirements of "The Clerk and Expenses of the Executive Council" for some years.

The salary of the Clerk of the Legislative Council was increased from 1st December, 1965, and the salaries of Administrative Division officers of the Legislative Council were increased from 2nd January, 1966. While the total cost of "The Clerk and Expenses of the Legislative Council" may possibly be kept just within the present limit of \$60,000 during the current financial year, it is estimated that the total cost in the year 1966-67 will be at least \$64,000. The provision of \$80,000 now proposed should be sufficient to meet the requirements of the Legislative Coun-

cil for some years without the necessity to make regular amendments to this section.

The accounts of the Legislative Assembly and the Legislative Council are handled in different ways, and it is not the intention of the Government to alter the existing procedures. The salaries and expenses of the Clerk and the members of the staff of the Legislative Assembly are provided annually in the Appropriation Act. However, the salaries and expenses of the Clerk and members of the staff of the Legislative Council are specially appropriated in The Constitution Act Amendment Act. The reason for this dates back to the origin of the Parliament of Victoria, when there was no Legislative Assembly, and the appropriations for the Legislative Council were made under The Constitution Act. This practice, so far as the Legislative Council is concerned, has continued to this day.

In January, 1857, a Select Committee of the Legislative Council reported to the then Governor that, in the committee's opinion, it would be derogatory to their body, injurious to their independence, and inconsistent with the dignity of the Legislative Council if items of expenditure of the Legislative Council should be subject to annual vote of the Legislative Assembly. At the request of the Legislative Council, provision was made in the statutes to meet the total annual expenditure of the Legislative Council. This Bill is in line with previous similar measures, and I commend it to the House.

On the motion of the Hon. ARCHIBALD TODD (Melbourne West Province), the debate was adjourned.

It was ordered that the debate be adjourned until the next day of meeting.

GRAIN ELEVATORS (AMENDMENT) BILL.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I move—

That this Bill be now read a second time.

The Grain Elevators Board is constituted under the Grain Elevators Act 1958 and consists of three members—the chairman, a representative of the Victorian Railways Commissioners, and a representative of the wheat-growers and the barley-growers of this State—all of whom are appointed by the Governor in Council. The chairmanship is a full-time appointment, and the other members are appointed on a part-time basis.

The Act provides that the chairman and the growers' representative shall be entitled to receive such remuneration, and the railways' representative such fees, as are fixed by the Governor in Council before or at the time of appointment. The Act also provides for payment to the chairman and members of travelling expenses as fixed from time to time by the Governor in Council.

The purpose of this Bill is to make provision for the railways' representative to receive payment on the basis of a yearly remuneration rather than by fees. At the same time, the opportunity has been taken to remove the requirement for the Governor in Council to fix the remuneration payable to Board members before or at the time of their appointment.

Since the establishment of the Grain Elevators Board in 1935, the railways' representative has received payment for his services on the basis of a specified fee for each sitting of the Board attended by him. A similar basis of payment operated in respect of the growers' representative until 1960, when the Grain Elevators Act was amended to enable him to receive a yearly remuneration. The present fee payable to the railways' representative is \$8.40 for each sitting of the Board which he attends. The equivalent fee of £4.4.0 under the former currency was fixed by the Governor in Council many years ago. In recent years, the Board has held an average of 34 meetings a year, and the amount of fees paid to the railways' representative has averaged \$273 a year.

The Grain Elevators Board is a large business undertaking with a yearly turnover of about \$2,000,000 and an annual capital expenditure on construction works of approximately the same amount. The growth and development of the Board's activities has increased the demands made on the services of the railways' representative, and it is considered that a review of the payment he receives is warranted. A similar situation exists in relation to the growers' representative. It is therefore proposed to recommend to the Governor in Council that the railways' representative be paid a yearly remuneration of \$600, in lieu of the present fee of \$8.40 per sitting of the Board, and that the annual remuneration of the growers' representative be increased from \$1,000 to \$1,400.

Paragraph (a) of sub-section (7) of section 5 of the Grain Elevators Act 1958 provides that the railways' representative shall be entitled to receive fees for his services, and the Crown Solicitor has advised that an amendment is necessary to enable payment to be made by way of a yearly remuneration instead of fees. This paragraph also specifies that the remuneration of Board members is to be fixed by the Governor in Council before or at the time of appointment. On the other hand, under the same paragraph, the Governor in Council is empowered to fix the travelling expenses payable to the members as necessary from time to time. The requirement in respect of the fixation of remuneration means, in effect, that the rates of remuneration payable to Board members cannot be varied during their terms of office other than by Act of Parliament.

With regard to other statutory bodies, such as marketing Boards under the jurisdiction of the Minister of Agriculture, the Governor in Council is empowered to fix the remuneration of members as necessary from time to time. It is proposed to amend paragraph (a) of sub-section

(7) of section 5 to empower the Governor in Council to fix the remuneration of members of the Grain Elevators Board. Paragraph (b) of this sub-section authorizes the charging of the remuneration, fees and travelling expenses of Board members to the general fund established by the Board under the Act. Consequently, amendment of this paragraph is necessary in view of the proposal to pay the railways' representative a yearly remuneration instead of fees.

Clause 2 of the Bill substitutes new paragraphs (a) and (b), incorporating the amendments to which I have referred, for the existing paragraphs in sub-section (7) of section 5 of the principal Act.

This measure will bring the Grain Elevators Board into line with similar authorities. In view of the representations that have been made, it is reasonable that the salary rates of members of the Board should be adjusted periodically. The Board is working under great pressure, and it is necessary to attract the best possible producer representatives for the important work to be done. During the harvest season, the railways' representative on the Board is frequently required to work late at night and at week-ends. Positions of this nature are not eagerly sought. The provisions contained in the Bill are reasonable, and I commend them to the House.

On the motion of the Hon. J. M. TRIPOVICH (Doutta Galla Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

RACING (AMENDMENT) BILL.

The Hon. V. O. DICKIE (Minister of Health).—I move—

That this Bill be now read a second time.
The objects of the Bill are to—

(a) amend the Racing Act 1958 to authorize the Chief Secretary, before the 1st May in any year, to approve

of not more than six of the fourteen statutory Sandown race-meetings to be held on the Caulfield race-course; and

(b) provide the Totalizator Agency Board with statutory power to borrow money by way of bank overdraft and to invest its funds in the course of its operations pursuant to the provisions of the Act.

Honorable members will recall that in 1963 the Victoria Amateur Turf Club (Incorporating the Melbourne Racing Club) Act was passed. This Act gave statutory recognition to the merger of the Victoria Amateur Turf Club and the Melbourne Racing Club. The new club is authorized to conduct 29 meetings a year, but fourteen of these meetings must be conducted at Sandown and fifteen at Caulfield.

I think most racing people will agree that the Sandown race track is one of the best race tracks in Australia; the facilities provided for the public are modern and well appointed. However, it must be admitted, and I am aware that the Victoria Amateur Turf Club recognizes this, that a great deal remains to be done to make the course comfortable for the 25,000 or 30,000 people who might be expected to patronize the course regularly. Indeed, such an attendance is necessary if the club is to meet its commitments.

The Hon. G. J. O'CONNELL.—When will that attendance be obtained?

The Hon. V. O. DICKIE.—I have no doubt that a larger attendance will be achieved when the 50,000 people who attended the first race-meeting at Sandown forget the inconvenience that they unfortunately suffered on that occasion when the course was obviously not ready to receive them. For that reason, people went away with the belief that the course was not as good as Flemington, Moonee Valley or Caulfield. The opening day at Sandown was attended by people who had never been to a racecourse before, and the difficulties could well be imagined.

Subsequent meetings have proved that the Sandown racecourse is the equal of any other racecourse so far as public facilities are concerned. The track is undoubtedly equal to, if not better than, most other racing tracks. The facilities are excellent, but it is unfortunate that the grandstand has been erected in such a position that the crowd have to stand when the horses enter the straight in order that they may see the running of the race over the last couple of furlongs. In due course, people will accept Sandown as one of the great racecourses of Australia, and the attendance will increase.

The Hon. G. J. O'CONNELL.—Attendances are now declining.

The Hon. V. O. DICKIE. — That is so. Excluding opening day, when the attendance was over 50,000, the average attendance to date has been 20,014. This low average attendance has meant a heavy financial loss to the club. It can, of course, be partially attributed to the fact that when the racing dates were allotted, Sandown was required to race on four days during January, 1966, which month of the year in Melbourne is about the worst possible month for racing.

It is felt that the allotment of fourteen days to Sandown and only fifteen days to Caulfield, which is a popular, well-appointed and established racecourse, is, at this stage of Sandown's development, unbalanced, and that until the course is "matured", provision should be made for some of the statutory Sandown dates—not being more than six in any one year—to be allotted to Caulfield at the discretion of the Chief Secretary. There is no doubt that, in time, Sandown will prove to be a popular racecourse, and that the full fourteen meetings will eventually be held on that course.

I anticipate that the procedure to be observed will be that the chairman of the Victoria Amateur Turf Club each year will request that a certain number of meetings be held

at Caulfield in lieu of Sandown and that he will make this request before the 1st May to allow the principal club, the Victoria Racing Club, to make an allotment of the actual dates. That is the first provision of the Bill.

The second provision concerns finance. Under the present law, the Totalizator Agency Board is a body corporate possessing the usual powers, rights and liabilities of such a body. The Board consists of eight members representative of metropolitan and country racing and trotting interests and district racing associations.

In accordance with the Act, 12½ per cent. of the moneys derived from betting made through the Board are deducted by way of commission. After making payments to the Treasurer of Victoria, as required by the Act, the residue of the commission is paid to the Board. The Act requires that the residue shall be applied in three ways—

- (a) towards paying the costs and expenses of the operation of the Board in carrying out its functions under the Act;
- (b) towards payments of the expenses connected with or arising out of the establishment of offices and agencies and making additions or improvements thereto; and
- (c) in annual or periodical payment to participating clubs in accordance with the financial agreement under the Act.

In the course of its normal operations, the Board has become possessed of various other moneys, which it has invested on fixed deposit with its bankers. The experience of the Board is that there are occasions when it is necessary to realize some of its investments to meet short-term commitments—for example short-term liabilities which it has to meet from time to time, and distribution of portion of the residue to racing and trotting clubs in accordance with the financial agreement.

On the occasions when such payments are necessary, it would be more profitable and better business practice from the point of view of the Board if it were to obtain temporary accommodation on bank overdraft rather than disturb its established investments. However, recent legal advice is to the effect that there is no power in the Act by which the Board could borrow money in this manner.

There are other substantial reasons why the Board should be given the power to borrow money on overdraft. Because of the rapid development of off-course totalizator operations, the Board's head office, which is at present located in the old *Argus* office building at the corner of Elizabeth and Latrobe streets, Melbourne, and which is held on lease, has become inadequate for the efficient performance of the future operations of the Board. The Board has therefore decided to construct a new building in Queens-road to suit the specific needs of its operations at a cost of approximately \$2,000,000. The new building will provide accommodation for head office administrative staff and operational personnel and will provide adequate space for the installation of electronic computing equipment, which the Board proposes to install in the near future. The electronic computer will replace the present manual system of conducting off-course totalizator operations and will thereby provide considerable benefits to the off-course punter and to the Board. For example, it will enable an extension of the betting time for each race. This will mean that punters will be in a position to know the result of the previous race before placing their bets on the next race. From the point of view of the Board, costs will be substantially reduced.

The Board is in a position to provide the major part of the finance required for these projects, but it will need to borrow some money by way of overdraft. The Board is also con-

cerned about other features of its financial arrangements. The present practice of the Board is to restrict its investments to fixed deposits with its bankers, but it is the view of the Board that it may be to its advantage in the future to make investments in the short-term market and perhaps in other directions. However, there is some doubt whether the Board has the power to invest funds acquired by it in other than normal trustee securities.

This Bill proposes the insertion of two new sections in the Racing Act 1958 to enable the Board to operate more efficiently. The Board will be empowered to borrow money under certain stated conditions and to invest its funds. The new section 116IA enables the Board, with the approval of the Treasurer, to borrow money, not at any time exceeding \$400,000, for such period, on such terms and conditions and rates of interest, and on such security as may be approved. The new section 116B provides the Board with a code for the investment of its funds. It requires the Board to invest in trustee securities, in debentures issued by a sewerage authority under the Sewerage Districts Act 1958, or in debentures or inscribed stock issued by the State Electricity Commission of Victoria. The Board is also enabled to invest moneys in other ways on such security and under such terms and conditions as may be approved by the Treasurer. I commend the Bill to the House.

On the motion of the Hon. G. J. O'CONNELL (Melbourne Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

BARLEY MARKETING (AMENDMENT) BILL.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I move—

That this Bill be now read a second time. The main purpose of this short Bill is to extend for a period of two years the operations of the Barley Marketing Act 1958, No. 6026, known as

the principal Act, as amended by the Barley Marketing (Amendment) Act of 1962, No. 6955. The barley growers of Victoria, through the Victorian Wheat and Wool Growers' Association and the Australian Primary Producers' Union (Victorian Division), have recommended that the Act be extended for up to three years, commencing with the 1966-67 crop, so that organized marketing by the Australian Barley Board may be continued. The Victorian Malsters' Association has suggested that the Act be extended for two years only at this stage.

The Victorian and South Australian Acts are complementary, and the South Australian Act covered a term of five years. The last legislation operated for three years, so the extension of the operation of the Victorian legislation for a further two years would bring its expiry date into line with that of the South Australian Act. However, negotiations with South Australia are in hand at the moment, and will be finalized prior to the passage of the Bill through the House. Even at this late stage, if additional concessions for Victorian growers can be obtained, the operation of the provisions may be extended for three years instead of two years.

The Act was originally passed in 1948, following a period of organized marketing under war-time powers, to operate for a period of five years, and its desirability was confirmed by a large majority at a poll of barley growers. It has been periodically extended since that time, the last occasion being in 1962. Together with a similar Act in South Australia, it provides for barley grown in Victoria and South Australia to be received and marketed by the Australian Barley Board, which has proved a valuable marketing organization for the growers in each State. Up to 44,600,000 bushels produced in the two States have been sold in one favorable season, 1960-61, 38,400,000 being from South Australia and 6,200,000 from Victoria. In that year,

6,900,000 bushels were sold for consumption in Australia, and 37,700,000 bushels were exported. The Board has safeguarded the interests of Australian users of barley by making available their requirements for malting, stock feeding and other purposes, and has traded actively in overseas markets including the United Kingdom, Continental countries, Japan and other Eastern countries.

The Board of seven persons consists of three elected representatives of the South Australian barley growers, one elected representative of the Victorian growers, a nominee of the brewers and malsters, a person nominated by the Governor of Victoria, and the chairman, nominated by the Governor of South Australia. Their term of office expires on the 31st August next, before which there should be an election of grower representatives. That is why this legislation should be passed during this sessional period. Provision is made in the Act for a poll of growers to be taken if a sufficient number become dissatisfied and desire the operation of the Act to be terminated.

The Hon. J. M. TRIPOVICH.—Mr. President, will the Minister indicate how the growers can express their dissatisfaction in order that a poll may be taken? I know that they are very happy with the present arrangements, but I should like to know what percentage of growers must ask for a poll.

The Hon. G. L. CHANDLER.—At this moment, I cannot say what is the exact machinery, but I will obtain that information for Mr. Tripovich. There is an unsatisfactory feature of the barley industry in Victoria, and that is the declining acreage sown to this crop. From 1948, when 196,000 acres were sown, the acreage increased steadily to a peak of 374,000 acres in 1953; it remained fairly steady for the next seven years to 1960, but then decreased sharply to its 1965 figure of 198,000 acres, about the same area as was sown pre-war. In South Australia also, a downward

trend in acreage has occurred recently, to about 1,000,000 acres last year, but nevertheless it is about twice that sown there in pre-war years. Production levels have varied with seasonal conditions but otherwise are proportional to the acreages sown.

This falling away in barley production is particularly regrettable in Victoria as 80 per cent. of the malting capacity of the Australian industry is located in this State. Victorian malt-houses supply Victorian needs, considerable quantities for the northern States, and are also steadily developing a growing trade in the export of malt to Eastern countries. With the present low production levels in Victoria, large quantities of barley are of necessity obtained from other States, principally South Australia. The malsters have been required to pay the Board a reasonable price for malting barley, but the situation is being examined to ascertain whether the Victorian growers receive an adequate payment, having regard to their geographical position relative to the malthouses. Many growers have found it more profitable to reduce their barley acreage and grow other crops, and this has resulted in supplies for both malting and stock feed purposes falling below requirements.

During the past three years, bulk handling of barley has been introduced successfully in both South Australia and Victoria—in this State by the Grain Elevators Board with loan funds allocated by the Government. New silos specially erected for barley have a total capacity of 2,450,000 bushels, and the general facilities of the Board and the Railway Department are available to handle the crop in bulk. Successful experiments have been conducted to ascertain the maximum moisture content at which malting barley can be safely received and stored in bulk, using modern aeration, temperature reduction, and weevil control techniques, and no difficulties are expected in the maintenance of an efficient bulk handling system. The

isolated growers who prefer to continue to deliver barley in bags will be able to do so.

The Board has mechanized and accelerated its grain classification system to enable deliveries to be expedited, and will reduce the number of grades to a number consistent with efficient marketing of bulk barley both in Australia and overseas. However, it considers that the maintenance of established high standards are essential in order that the crop may be marketed to best advantage in the interest of producers.

During the past harvest, there was a considerable interstate demand for feed barley, this having been accentuated by the drought conditions in New South Wales and the light Victorian crop, but these conditions are most unusual. However, they did create a number of administrative difficulties for the Board, which found itself handicapped by lack of inspection staff and inability to obtain reliable information. It is for the latter reason that clause 2 of the Bill provides for the insertion of a new section 9A in the principal Act to facilitate the collection of information of value to the Board in its marketing and administrative activities. A similar provision exists in the Victorian Wheat Industry Stabilization Act.

Having provided, in co-operation with the Grain Elevators Board, the improvements already described for the classification, receipt and handling of barley in bulk, and in anticipation of increased financial returns to the growers, the Board expects that 100 per cent. of the marketed crop will be delivered in accordance with the Act. However, should some persons not comply, they will be liable to the penalties specified in the Act; it is proposed that these penalties should be increased to bring them into line with present-day money values. Clause 3 of the Bill amends sub-section (2) of section 19 and sub-section (2) of section 20 of the principal Act accordingly, the original penalties being trebled in each case.

Finally, clause 4 amends section 21 of the principal Act by substituting the figures "1967-1968" for "1965-1966", thereby extending the operation of the Act for a further two years. During that time, it should become evident whether it has operated successfully in the maintenance and development of barley production and utilization in Victoria.

This is not the first Bill of this kind to be introduced into this House to continue the operations of the Australian Barley Board. However, there has been a regrettable reduction in the acreage of barley grown in this State and to some extent that has been brought about by the fact that bulk-handling facilities have been available to other cereals such as wheat. In addition, wheat is marketed on the f.a.q. basis, whereas barley is sorted into several grades. It is proposed to re-enact this legislation for two years, but to-morrow I am to have discussions with the South Australian Minister with a view to getting the accounting system on to a one-State basis instead of a two-State basis. If this is achieved, it will bring some additional concession to the Victorian growers.

The malsters have agreed to a policy of grouping the two top grades into one and paying the higher price for the grouped grade. That in itself will be of some benefit to the growers. If the South Australian Minister and I can reach agreement on various matters, it may be necessary to introduce one or two amendments into this Bill to improve the Board's administration. I commend the Bill to the House.

On the motion of the Hon. J. M. TRIPOVICH (Doutta Galla Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

CARLTON (RECREATION GROUND) LAND BILL.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I move—

That this Bill be now read a second time.

It could be argued that this measure illustrates the speed with which the Government acts. On Monday, the siren signalling the end of the match failed to sound at Carlton, and on Wednesday legislation is being introduced to make it possible for the Carlton Football Club to raise loan funds. Princes Park was first reserved as public open space in 1873. In all, the park contains 97 acres, of which approximately 10 acres have been occupied by the Carlton Football Club and the Carlton Cricket Club. It is interesting to note that at that time the Board of Land and Works, and the Mayor and aldermen and citizens of the City of Melbourne received a Crown grant of this land. In 1917, the council of the City of Melbourne was appointed as the committee of management. Earlier, in 1896, the Carlton cricket and football clubs had been granted a lease of the 10 acres now known as the Princes Park Oval for the purpose of playing cricket and football matches.

The history of the ground through these years is rather interesting. Apparently, at an early stage the ground was managed by a committee consisting of representatives of the Carlton Cricket Club and the Carlton Football Club. In 1906, as a result of an argument, the Lands Department was asked to appoint a chairman of the committee. At that stage, Mr. Allan of the Lands Department was appointed, and things apparently moved smoothly until he resigned in 1916. In 1932, another officer of the Lands Department, Mr. W. J. Northey, after whom the outer stand at the Carlton Football Ground is named, was appointed to the ground management committee as chairman.

The basic problem at the moment can be described as two-fold. First, there is some doubt as to the power of the Melbourne City Council to provide loan funds to the Carlton Football and Cricket Social Club, and, secondly, the Melbourne City Council as the committee of management has no power to grant a long-term lease of up to 21 years to the social

club, which has been ground management committee since January, 1966. Therefore, it is necessary to amend the legislation to make provision for this, as was done in the case of the Geelong Football Club and other sporting bodies.

Representations have been made by the Carlton Cricket Club and the Carlton Football Club for these changes, and I understand that the Melbourne City Council is in accord with what is proposed. The purpose of the changes is to permit a rebuilding programme to be undertaken at a cost of \$500,000, \$300,000 of which will be raised by the club and \$200,000 of which will be made available by the Melbourne City Council by way of a loan. In order to provide some security for the club, provision is made for the granting by the Melbourne City Council of a 21-year lease to the Carlton Cricket and Football Social Club, and it is believed that the increased security will make it easier for the club to raise the \$300,000. I understand that the money will be used to defray the cost of erecting a new stand, to provide improved facilities for football patrons and to carry out work on the administrative building.

I think it will be agreed that in Melbourne there are two or three very good grounds besides the Melbourne Cricket Ground, and the Carlton ground must rank as one of them. In 1956 it was considered as a possible Olympic Stadium. If this House sees fit to pass this amending Bill, it will make a contribution to the redevelopment of the ground, which has tremendous potential and which would then more adequately cater for the vast crowds that attend there regularly on certain Saturdays of the year.

On the motion of the Hon. D. G. ELLIOT (Melbourne Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

The Hon. L. H. S. Thompson.

FRIENDLY SOCIETIES (AMENDMENT) BILL.

The Hon. V. O. DICKIE (Minister of Health).—I move—

That this Bill be now read a second time.

This small Bill has been introduced specifically to catch up with decreasing money values. Until 1959, section 5 of the Act provided, *inter alia*—

Societies may be registered under this Act to provide by voluntary subscriptions of or on behalf of or levies upon the members thereof with or without the aid of donations :—

(1) For the relief or maintenance of members their husbands wives children or kindred in infancy old age widowhood sickness or other infirmity bodily or mental or any natural state or which the probability may be calculated by way of average.

Until 1959, benefits to the maximum of \$10 could be paid in such circumstances. In that year, this provision was amended to increase the benefits to \$20, and in 1966 it has been found, as a result of an investigation by the Government Statistician, the Registrar of Friendly Societies and the Association of Friendly Societies, that payment equalling \$30 should be made.

Paragraph (d) of sub-section (11) of section 11 of that Act prohibits any society, whether formed before or after the commencement of the Friendly Societies Act 1958, from contracting with any person for the payment of a rate exceeding \$20 a week in respect of benefits under sub-sections (1) and (4) of section 5 of the Act.

Section 26 of the Act restricts the entitlement of any member of a registered friendly society or person claiming through a member to payment of a rate not exceeding \$20 a week in respect of benefits under sub-sections (1) and (4) of section 5. This rate has applied since January, 1959, prior to which the amount was \$10 per week. Any society intending to increase the weekly rate within the limit proposed by this Bill is required, by sub-section (2) of section 13 of

the Act, to obtain from the Government Statist a certificate to the effect that the amended rate will not prejudice the financial position of the society, and to send such certificate to the Registrar. As I stated previously, this is a simple Bill which is designed to amend the legislation to keep it current with present-day values. I commend it to the House.

On the motion of the Hon. SAMUEL MERRIFIELD (Doutta Galla Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

PAISLEY-GALVIN RAILWAY LAND EXCHANGE BILL.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I move—

That this Bill be now read a second time.

The Victorian Railways are anxious to widen the track leading from Melbourne to Geelong between the small towns of Paisley and Galvin. At the present time, the track is 33 feet wide and the railways desire to make it 66 feet wide. In 1960, the land in which the Department is interested was owned by the Vacuum Oil Company Proprietary Limited, which proposed to subdivide the area into industrial sites. The railways suggested that the Department should acquire this land from the company. This proposal was convenient for the Vacuum Oil Company, which suggested that the land should be exchanged for an area of railway land that was not wanted by the railways. However, the railways did not have a title to certain portions of that land.

The purpose of this Bill is to give the railways a title to this land to enable the exchange to be made. I understand that the land desired by the railways is needed to provide for the duplication of the track between Melbourne and Geelong and to cater for industrial sidings, which are required as a result of the growth of a number of industrial undertakings in

the vicinity of Galvin and Paisley and in nearby areas. I commend the Bill to the House.

On the motion of the Hon. A. W. KNIGHT (Melbourne West Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

SEYMOUR RACECOURSE LAND BILL.

The Hon. V. O. DICKIE (Minister of Health).—I move—

That this Bill be now read a second time.

The reserve to which this Bill relates, contains an area of 176 acres 2 roods 12 perches of Crown land which, since 1887, has been permanently reserved as a site for a racecourse and other purposes of public recreation.

Originally, the land was temporarily reserved for those purposes as far back as 1864, so that, except for one small excision, the reserve has had an unbroken period of reservation for more than 100 years. The original area of the reserve was slightly more than 187 acres, and the only excision has been in respect of an area of about 10½ acres, which was excised in 1959 to allow that land to be developed as a school plantation. Details of the excision are set out in Part 9 of the Third Schedule of the Revocation and Excision of Crown Reservations Act 1959, No. 6524.

The Seymour racecourse reserve is located in the parish of Tallarook, about 2 miles south-east of Seymour railway station, and is under the control of a committee of management of local citizens comprising three representatives of the Seymour Shire Council, three representatives of the Seymour Racing Club and two representatives of the public. It is interesting to recall that, for more than a quarter of a century, the committee of management of the reserve had as one of its members a man whose name will always be well remembered in the history of racing in this State. I refer to the late Mr. A. G. Hunter.

The object of the Bill is to obtain legislative authority for the committee of management to lease a portion of the reserve with a view to its development as an open-air drive-in theatre. The terms of the reservation, and the existing provisions of the Land Act, do not allow the committee to enter into a leasing arrangement of that nature. The proposed drive-in theatre site is situated between the race track and the western boundary of the reservation. Being flat, low-lying and swampy, it is at present unused, and its development for the purpose set out in the Bill will not interfere with the existing uses of the reserve.

The land could be developed for purposes of the reservation only at considerable cost, and the committee has not sufficient finance to undertake the work. As the proposed development will enhance the appearance and usefulness of that section of the reserve, as well as provide funds for other improvements, the committee desires to lease the area. Departmental reports on the project are favourable to the desired authority being given. Leasing provision similar to that now sought for a part of the Seymour racecourse reserve was authorized in respect of a section of Alexandra Park at Kerang, by the Kerang (Alexandra Park) Land Act 1962, No. 6869.

It is pleasing to be able to inform honorable members that the drive-in theatre, which was established at that centre as a result of the 1962 legislation, has been operating for more than two years, meeting a public demand for entertainment and providing funds for reserve improvements. It is confidently anticipated that the legislation for which approval is now sought will have a similar result so far as the Seymour district is concerned.

Clause 1 of the Bill cites the short title. Sub-clause (1) of clause 2 authorizes the committee of management to lease such area, not exceed-

ing 14 acres, as the Minister approves, for the purposes of an open-air drive-in theatre and of providing amenities and conveniences in connexion therewith. Sub-clause (2) of clause 2 stipulates that—

- (a) any lease shall be for a term not exceeding twenty-one years;
- (b) the rights of the public shall not be interfered with so far as the balance of the reserve is concerned;
- (c) the lease shall be subject to such conditions, covenants, exceptions and reservations as the committee of management thinks fit and the Governor in Council approves.

Clause 3 sets out that moneys received by the committee as rent of the proposed drive-in theatre site shall be expended on the maintenance and improvement of the balance of the reserve. Clause 4 contains the standard provision that no liability shall attach to the Crown in respect of any matter arising out of this Bill. As the project is regarded as one worthy of favourable consideration, I commend the Bill to the House.

On the motion of the Hon. D. G. ELLIOT (Melbourne Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

MEDICAL (FOREIGN PRACTITIONERS QUALIFICATION COMMITTEE) BILL.

The debate (adjourned from April 19) on the motion of the Hon. V. O. Dickie (Minister of Health) for the second reading of this Bill was resumed.

The Hon. J. M. WALTON (Melbourne North Province).—The purpose of this small measure is to amend the Twelfth Schedule to the Medical Act, which prescribes that the Foreign Practitioners Qualification Committee shall consist of nine members, of whom four shall be legally

qualified medical practitioners, four shall occupy medical chairs at the university and one, also a legally qualified medical practitioner, shall be chairman. Apparently, with the advent of Monash University and an alteration in the chairs in the medical faculty at the Melbourne university, the present arrangement has become unworkable. I understand that it is not proposed to alter the total number of members of the committee, but that the whole nine shall be nominated by a university.

In reply to an interjection by Mr. Feltham, during his second-reading speech the Minister of Health stated that he would examine the suggestion that, because of the way the Bill was drawn, the Faculty of Medicine of Melbourne university would nominate all nine members. Prior to that, the Minister had stated that a university could nominate the committee and that it would be possible to set up a second committee. Sub-clause (1) of clause 2. of the Twelfth Schedule to the principal Act specifically states that there shall be a committee called the Foreign Practitioners Qualification Committee. I doubt whether a second committee could be set up.

The Hon. V. O. DICKIE.—If it were appointed, the first committee would go out of office.

The Hon. J. M. WALTON.—I agree. I do not think the Government intended that there should be two committees, and no doubt the Minister will explain the position at the Committee stage. My party does not join issue with the Government on this simple Bill, and, indeed, wishes it a speedy passage.

The Hon. M. A. CLARKE (Northern Province).—This is a Bill to amend the Medical Act, with particular reference to the incorporation into the structure of the medical profession of what are known as foreign practitioners. The Minister informed the House that, since the Foreign Practitioners Qualification Committee was set up, the qualifications of 89

foreign doctors have been examined, 59 doctors have received a certificate recommending that they should be permitted to practise in Victoria, five cases are still under consideration, and the remaining 21 are unlikely to be registered. Many of the latter group have left the State. Country people are concerned with the shortage of doctors in country cities and towns, and the Country Party favours any measure which will secure the services of more doctors for the country. In recent months, two very acute medical cases occurred in northern Victoria in which no doctor was available. It is at times extremely difficult to secure the services of a medical practitioner. I refer particularly to Quambatook and Murchison, both of which towns still need a doctor. Thanks to the activities of Dr. Wilder, who acts on behalf of the Hospitals and Charities Commission in Great Britain, it is hoped that doctors for these two towns will be arriving in the near future.

To give an indication of what a small country town will do with the object of attracting a doctor from abroad, I shall quote from a letter that I received from Mrs. Vera Adamthwaite, who has been most active in trying to secure medical assistance for Quambatook. This lady has informed me that there is available in that town a large six-roomed residence with an electric and a combustion stove, a hot water service, an oil heating unit, and all necessary modern conveniences. The house contains a lounge, dining room, three bedrooms and kitchen, and adjoining the residence is a doctor's clinic containing a waiting room, consulting room, treatment room, X-ray developing room, and a good deal of equipment including X-ray, cardiograph, sterilizers, and so on.

This residence, clinic and contents are publicly owned and controlled by the clinic committee to whom the doctor pays £7 per week rental for the residence, clinic and contents.

That is what the town of Quambatook is prepared to do to secure the services of a doctor. The last doctor, who came from England, remained for three years. The people were very satisfied with him, but he has moved to the Western District, and the town is awaiting the arrival of another doctor from England.

In Murchison, there is a bush nursing hospital and an extremely active local committee, which has raised a good deal of money for the hospital, but there has been no doctor there for several years. The secretary of the hospital, Mr. David Jones, has donated a site for a doctor's residence, and within a very short period of being told that some finance would be available, the sum of \$5,000 was subscribed in debentures towards provision of a doctor's residence. The committee is prepared also to provide a clinic. This indicates what country towns are prepared to do in order to help themselves to gain the services of a doctor.

Of course, it is not only members of the Country Party who are concerned in this problem. I was interested to see a report in the *Bendigo Advertiser* of 3rd February last, in which some remarks of Mr. Murray Byrne were quoted. The report stated—

Mr. Byrne said there should be a State inquiry into the shortage of doctors. It should be held by a committee on which the public was represented and not by a committee of doctors only.

Mr. Byrne said that the attitude of the Medical Board in Victoria in restricting the right of foreign doctors to practise was typical of the unprogressive attitude, which obviously existed within the medical profession in Victoria.

The Hon. MURRAY BYRNE.—Those views were expressed in this House also by Mr. Snider. Mr. Clarke did not lend any support on that occasion.

The Hon. M. A. CLARKE.—Perhaps I did not have the opportunity of doing so, but I support Mr. Byrne on this occasion when I quote his words to reinforce my own argu-

ments. I am hoping that Mr. Byrne will be provoked by this reference to reiterate his ideas.

The PRESIDENT (the Hon. R. W. Mack).—Order! I do not want any honorable member to be provoked to go beyond the scope of the Bill. The Bill deals with the personnel of the Foreign Practitioners Qualification Committee, and how they are appointed. I have allowed the honorable member to comment on the shortage of doctors in country areas, but he has made that point and he should not now proceed beyond the ambit of the Bill.

The Hon. M. A. CLARKE.—In regard to the personnel of the committee, my party does not consider that the measure will make a substantial difference. In fact, it is envisaged that perhaps the same members will be appointed again. All the committee will do will be issue a certificate which will go to the Medical Board. Under the Medical Act, the Board consists of nine members who are appointed by the Government. We trust that no undue restrictions will be imposed by either the Foreign Practitioners Qualification Committee or the Medical Board on the registration of suitable foreign doctors who are willing to come to Victoria to relieve the acute shortage of doctors which now exists.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Twelfth Schedule).

The Hon. V. O. DICKIE (Minister of Health).—In regard to the point raised by Mr. Walton during the second-reading debate, of course it was never intended that more than one committee should operate at one time. The idea behind the drafting of the measure is that for the time being the University of Melbourne should appoint the members of the committee, but that in the future, when the teaching hospital at Monash has

been established, and that university feels that it would like to enter this field, there will be nothing to prevent our setting up a committee from within the medical school at Monash and enabling it to function for a period. Then the committee from the University of Melbourne would become defunct. So only one committee would operate at a time.

During the second-reading debate, Mr. Feltham, by interjection, asked me from what country the medical practitioners had come, as the original purpose of the legislation passed by this Parliament was related to the knowledge that great numbers of refugees had come to this country after the war, many of whom held high professional degrees and qualifications. As a matter of interest, the 59 foreign practitioners who have been registered comprise one Albanian, four Austrians, two Estonians, nine Latvians, three Lithuanians, one Dutch Burgher from Ceylon, two Egyptians, four Germans, fourteen Hungarians, two Italians, nine Poles, two Roumanians, four Russians and two Ukrainians.

Another question which was raised was that of reciprocal arrangements with other countries. I think I should indicate that the Medical Board recognizes degrees from all the Australian States, New Zealand, Singapore, Malaysia, South Africa, Malta, Great Britain and Ireland, India—in respect of which there is a comprehensive list of universities—also Hong Kong and Ceylon. Every medical practitioner who comes to this country is not necessarily accepted. Great Britain is not regarded as a foreign country, and the Medical Board does recognize degrees from that country. I thought it would be a matter of interest to the Committee to be informed where reciprocity exists and the countries from which registered practitioners have come since the war.

The clause was agreed to, as was the remaining clause.

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The Bill was reported to the House without amendment, and passed through its remaining stages.

SUMMARY OFFENCES BILL.

The House went into Committee for the further consideration of this Bill.

Discussion was resumed of postponed clause 8, providing, *inter alia*—

Any person who—

(a) being the driver of a horse-drawn vehicle on a road goes away from the animal so as not to have control over it without securely fastening one of the wheels of the vehicle by a chain or strap so as to effectually prevent the wheel rotating;

shall be guilty of an offence.

The Hon. R. J. HAMER (Minister for Local Government).—The Government has had an opportunity of further examining paragraph (a) of clause 8. From what I have been able to discover of the proceedings of the Statute Law Revision Committee, that committee did not recommend that it be changed or removed from the Bill. If the provision is examined closely, the intention probably becomes clearer. The offence is that of going away from a horse-drawn vehicle on a road so as not to have control over it. That is the first part of the offence, and it appears that most people would say that the driver of a milk cart delivering milk bottles at the front gate of a number of houses, although he necessarily has to cross the street or the kerb, could by some stretch of the imagination be said still to have control of the vehicle. Certainly, most of the horses seem to be under full control merely by means of the voice of the driver.

However, if the driver visits a block of flats where he has to go up three or four flights of stairs, it would not be as safe to let the horse and cart stand unattended in the street below without some method of control over the turning of the wheel. I believe that is the proper distinction to be made, and it can be drawn on

the wording of the paragraph even as it now stands. I do not know that the Committee can take the matter any further. I do not think the provision has caused any trouble in the past, and therefore, and in view of the approval of the provision twice by the Statute Law Revision Committee in this form, I suggest that the Committee should allow it to stand. The foreshadowed amendment by Mr. Clarke will be accepted by the Government as a modernization of the clause.

The Hon. M. A. CLARKE (Northern Province).—Members of the Country Party appreciate the attention that the Minister has given to this clause. I move—

That, in paragraph (a), the word “brake” be inserted before the words “chain or strap”.

The paragraph will then read—

(a) being the driver of a horse-drawn vehicle on a road goes away from the animal so as not to have control over it without securely fastening one of the wheels of the vehicle by brake chain or strap so as to effectually prevent the wheel rotating.

The amendment was agreed to, and postponed clause 8, as amended, was adopted.

Postponed clause 42, relating to tattooing of juveniles.

The Hon. R. J. HAMER (Minister for Local Government).—The Government has also further considered this clause. On examining the former Police Offences Act, one finds that the age of eighteen years runs to something of a pattern. For instance, the prohibition under what was formerly part of the Police Offences Act but is now the Firearms Act, prohibits the sale of shotguns to persons under eighteen years of age. A similar prohibition exists on the purchase of cartridges. There was, although it does not now stand, a like prohibition on the sale of contraceptives, but I understand that that prohibition has been removed for a different reason.

There does appear to be a pattern in the Act taking eighteen years as the age at which a certain amount

of responsibility can be assumed or, at any rate, that above that age a person ought to have enough knowledge to enable him to decide whether or not he wishes to be tattooed. What we think of tattooing is beside the point. The question is whether a person ought to be prohibited from tattooing another person under the age of eighteen years if that person wants it done. If we enlist people into the army at eighteen years of age and permit them to buy and carry guns and cartridges at that age, I suppose it is consistent to allow them to be tattooed if they so desire. For that reason, I suggest that the clause should stand as already passed by the Statute Law Revision Committee.

Postponed clause 42 was agreed to.

Postponed clause 52, providing, *inter alia*—

(1) Any person who assaults resists obstructs hinders or delays or incites or encourages any other person to assault resist obstruct hinder or delay any member of the police force in the execution of his duty under this Act or otherwise, or any person lawfully assisting any such member in the execution of his duty under this Act, or any officer of the local authority in the execution of his duty under this Act shall be guilty of an offence.

Penalty: \$250.

The Hon. R. J. HAMER (Minister for Local Government).—Mr. Snider directed attention to the penalty attaching to this clause, which relates to assaulting or resisting constables in the execution of their duty, and he contrasted it with the penalty imposed under sub-clause (1) of clause 53, which deals with making false reports to the police, and with clause 23, which relates to common assault. In both the latter cases, the penalty is fixed as a maximum fine of \$250 or imprisonment for three months. Clause 52, which might appear at least in some circumstances to relate to the most serious offence of the three, provides a penalty of only a \$250 fine. The Government agrees that there seems to be a discrepancy here. It is not quite clear how the discrepancy arose, because three

months' imprisonment as part of the penalty was contained in the Police Offences Act previously and there seems to be no good reason to remove it. Therefore, I move—

That, in sub-clause (1), after the expression "\$250" the words "or imprisonment for three months" be inserted.

The amendment was agreed to, and postponed clause 52, as amended, was adopted, as was the schedule.

The Bill was reported to the House with amendments, and passed through its remaining stages.

VEGETATION AND VINE DISEASES (AMENDMENT) BILL.

The debate (adjourned from April 6) on the motion of the Hon. G. L. Chandler (Minister of Agriculture) for the second reading of this Bill was resumed.

The Hon. D. G. ELLIOT (Melbourne Province).—This is a small but important measure which could affect the livelihood of thousands of people within the State of Victoria. It amends the Vegetation and Vine Diseases Act, and quite logically so, because some anxiety has been expressed in relation to the interpretation of sub-section (3) of section 4 of the Act which states—

No person shall import introduce or bring any parasite into Victoria or cause or permit the same to be done, except only for scientific purposes and after receiving the consent of the Minister.

One interpretation of this provision is that it refers to the parasite itself and not to diseased vines, vegetation or plants.

I appreciate the fact that the Leader of the House granted a further week prior to the debate being resumed. I am not engaged in this important industry, but I did discover a rather disturbing fact. The bridges across the River Murray play a vital part in the activities of officers of the Department of Agriculture who inspect fruit, plants, and so on, being brought across the border into Victoria. In a

place such as Yarrawonga—whence I received my information—the main bridge, which crosses the River Murray, and which runs partly across Lake Mulwala is where the officer of the Department of Agriculture inspects vehicles coming from New South Wales. Yet about half a mile down-stream there is another bridge which is used more for stock than anything else. Generally, people are a wake up to the fact that 300 or 400 yards down-stream there is a bitumen road which winds past the returned servicemen's league hall and the golf links.

I do not know whether similar situations exist at other parts of the border between New South Wales and Victoria as delineated by the River Murray, but I feel that nothing should be left undone to protect this State from the introduction of any parasites or diseases that might harm our crops. I realize that it would be almost impossible to man all the bridges for 24 hours a day, but I am wondering whether the expenditure involved would be worth while. I am sure that anybody interested in fruit or vegetable growing would agree that we could endanger the livelihood of thousands of farmers throughout the State, and the lifeblood of Victoria itself, by not doing sufficient in this respect.

A danger does exist at Yarrawonga, as it is possible for people to use a bridge 300 or 400 yards down-stream rather than the one which is covered by the departmental officer, who does a mighty job on the bridge that leads into the main street of Yarrawonga. I should like the Minister to comment, if he has the information, and to inform honorable members for what period of the day the bridges across the Murray are manned by officers of the Department of Agriculture, and to what extent the cost of supervision would be increased by an effective manning of all bridges in the interests of the fruit

and vegetable growers of the State. The Labor Party does not oppose the Bill.

The Hon. A. R. MANSELL (North-Western Province).—This is a small Bill, but it is a very important one. It deals with problems which have existed for a number of years, yet which, in some respects, are now a little different from what they were formerly. In years gone by, regulations were framed in relation to certain parasites and insects which were easily recognizable, and steps were taken to prevent infested fruit or vegetables being brought into the State.

In the course of the ordinary husbandry adopted by farmers growing fruit and vegetables, certain preventive methods are adopted. However, modern scientific methods which have been applied in order to increase production have also increased the number of viruses, insects, pests and diseases which affect our vines, trees and plants. So it has become necessary to introduce this Bill to make the legislation more effective.

Road blocks have been established in certain parts of the State and experience has established that the work of the officers controlling these road blocks has been very effective. We compliment particularly the officers of the Department of Agriculture and the Minister himself for the work that has been done. It might be pointed out that the South Australian people do not care what comes across their border into Victoria, but one cannot take even a tomato sandwich over the border into South Australia.

New South Wales officers are working in close co-operation with the officers of the Victorian Department of Agriculture, and the inspection has proved to be very effective. Numerous infestations of fruit fly have been discovered. Certain plants are barred from entry to Victoria because of the location in which they are grown, unless a certificate can be produced

stating that they are free from infestation. These days it is often very difficult to prove that certain plants or other types of vegetation are free from disease or insect pests.

Some infestations can be seen with the naked eye, but others are revealed only under a strong microscope. Some of these infestations attack citrus and vines and are also seen in wheat areas. Although some of the pests cannot be detected by the naked eye, experienced officers of the Department can form an opinion from signs and other indications that disease may be present. Under this Bill, officers manning road blocks will have the opportunity of declaring that certain plants are suspected of infestation and may debar them from entry, or may take control of them in order that they may be tested properly.

At some of the road blocks, one frequently sees three or four semi-trailers and a number of cars held up waiting to be inspected. This delays both interstate and intra-state commerce, and one of the purposes of this Bill is to make it easier for effective and fair control to be exercised without unduly delaying traffic. It will be fair to the people using the road and effective from the point of view of those producing the fruits and vegetables that are required in this State.

Members of the Country Party understand the problems associated with this type of inspection and support the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Prohibition of Importation of diseased trees, &c.).

The Hon. G. L. CHANDLER (Minister of Agriculture).—In regard to one or two matters raised by Mr. Elliot, I point out that if this State

were to man all the bridges and all the main roads leading into Victoria from other States, the cost would be in the vicinity of \$1,200,000 to \$1,500,000 a year. At the present time Victoria is spending annually approximately \$200,000 in connexion with the control of fruit fly, and during the recent embargo on poultry meats from other States the officers at the inspection points acted under the provisions of the Stock Diseases Act as well. When a fruit fly outbreak occurred in Shepparton recently, I think at one stage eighteen officers were doing no other work than fruit fly control in the area.

The Hon. A. K. BRADBURY.—There are still approximately fifteen there.

The Hon. G. L. CHANDLER.—Approximately 40 officers are employed on this type of work throughout the State. There is no doubt that what Mr. Elliot suggests would provide the ideal type of control, but it comes back to a question of costs. I think we have to be realistic in situations such as this. Approximately 80 per cent. of the traffic coming into Victoria is subject to inspection of one type or another, and I think that is a fair proportion. If we were to cover the other 20 per cent., a huge cost would be incurred, and it would involve the question of what could be done regarding finance. I thank Mr. Elliot for his contribution, and I would act on his suggestions if it were possible to do so.

The Hon. D. G. ELLIOT.—Is the Hume Highway manned permanently?

The Hon. G. L. CHANDLER.—Yes, the Hume Highway road block is manned for 24 hours a day.

The Hon. D. G. ELLIOT.—I am wondering if prominent, illuminated signs could be placed at every major entrance or exit of the State in order to acquaint travellers of what is required. Some people would be public-spirited enough to act on the recommendation of the Department. I do not say that everybody would do so,

but the vast majority could be relied upon. Such a system would not be costly.

The Hon. G. L. CHANDLER.—Mr. Elliot's suggestions in regard to this matter will be examined closely.

The Hon. D. G. ELLIOT.—I cannot speak too highly of the work of the inspectors. All with whom I have come into contact have been doing a very good job.

The Hon. G. L. CHANDLER.—I thank Mr. Elliot again for his suggestions and will certainly consider them. Mr. Mansell has lived in this industry most of his life, and he knows exactly what it means. It is true that an outbreak of fruit fly in his area or any of the other types of disease covered by this legislation could ruin an industry.

Not enough people in this State appreciate the inspection work that is undertaken. Some people believe that their industry is the be-all and end-all of the State, and I make that statement advisedly. Pressure is exerted on me from all sections of industry. In the horticultural division of the Department, there are 325 persons on the staff, as against 396 in agriculture, 203 in dairying, 238 in livestock and 254 in agricultural education.

Some people are apt to analyse the high percentage of the total staff engaged on horticultural work as against the low income which is earned in comparison with the wool industry and the beef industry. However, the number of problems involved in the growing of vegetables and fruits of all kinds is very great. Superimposed on that has been this very big problem of keeping fruit fly infestation out of this State. I think the job is being done reasonably well, although I do not think it is perfect. I doubt whether any system could be perfect.

Nevertheless, Victoria has a lot to be thankful for, and I join with Mr. Elliot and Mr. Mansell in paying a tribute to the courtesy and efficiency

of the officers engaged on this inspection work. Rarely do I receive complaints. Occasionally, I have had to consider some, but almost invariably I have found that the person who was being interviewed, or whose fruit or vegetables were being inspected was the main cause of the trouble. These officers are trained to be courteous and efficient, and I think they do a very good job.

The clause was agreed to.

The Bill was reported to the House without amendment, and passed through its remaining stages.

WOMBAT BONUS BILL.

The debate (adjourned from April 5) on the motion of the Hon. V. O. Dickie (Minister of Health) for the second reading of this Bill was resumed.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—The purpose of this Bill is to remove wombats from the operation of section 24 of the Vermin and Noxious Weeds Act 1958, which authorizes municipal councils to pay a bonus or reward, as prescribed, out of municipal funds for the destruction of foxes, wild dogs and wombats, and authorizes the Treasurer to reimburse the municipality from Treasury funds for a proportion of the bonus paid. The present amount is \$1, of which the Treasurer pays 75c and the council 25c.

Wombats, wild dogs and foxes are vermin which are detrimental to farming activities, and encouragement for their destruction is given by the payment of bonuses upon the production of scalps. Estimates of the wombat population vary from 500,000 to 2,000,000 and the regions in which they cause problems are limited to the Legislative Assembly electorates of Gippsland East and Benambra.

The Government has considered this matter and believes, with Mr. Tully, chairman of the Vermin and

Noxious Weeds Destruction Board, that it would be better to concentrate on a fumigation system in the areas where the pest is most prevalent and to suspend the operation of the bonus system. The latter system has not proved to be a solution, and the Government now proposes to try another method. Within the areas to which I have referred, there has been disagreement among farmers on this issue. Some favour retention of the bonus system; others are prepared to give Mr. Tully's commendation a trial.

Members of the Labor Party are reinforced in their support of the Bill by the statement of the Minister of Lands in another place that he would stand by Mr. Tully's promise to employ six men full time to destroy wombats on a worth-while fumigation scheme. We do not wish to enter the controversy that may exist on this issue between the members who represent the areas concerned and the Government, other than to say that the Government considers the proposition to be worth a trial as against the bonus system. The two methods cannot be operated simultaneously, because with the fumigation system the wombats die in their burrows and this would not work well with the operation of a bonus system.

In supporting the measure, we are influenced by the Minister's promise that he will back Mr. Tully on this issue and that six men will be made available to work full time on the destruction of wombats. The Minister stated—I believe he is sincere—that if, after a reasonable period, fumigation is not successful, he may see fit to reverse his decision and take steps to reintroduce the bonus system. On that basis, members of the Labor Party support the Bill and hope that it will achieve the object of assisting the farmers.

The biggest problem with the wombat is that it does not make a track; it does not enter a property through a hole in a fence and leave

by the same means, but makes one hole coming in and another one going out. Moreover the chief consideration is not so much the damage that the wombat may cause itself but the fact that the making of holes in fences allows wild dogs and foxes to enter. I and my colleagues realize the difficulties with which farmers have to contend, and we support the measure in the hope that it will prove successful.

The Hon. H. A. HEWSON (Gippsland Province).—The Country Party opposes this Bill, which was introduced into another place on 2nd March and has taken nearly eight weeks to get to the present stage. I contend that neither fumigation nor trapping, nor any other method, could deal with the wombat now, because the season is too far advanced. This Bill is aptly named the Wombat Bonuses Act 1966, it being an Act to remove the \$1 bonus.

The purpose of the Bill is to suspend the operation of the section of the Vermin and Noxious Weeds Act under which a bonus of \$1 is paid for a wombat scalp. It is the prerogative of the Labor Party to choose to go along with the Government on this occasion, but I consider that if the members of that party had examined the possible consequences of the Bill they would not have done so.

The proposal to undertake fumigation in preference to the payment of the scalp bonus is not very practical for many reasons. One is that it is virtually impossible to fumigate a wombat, because the animal almost digs its way out of the burrow while gas is being pumped in. Even in suitable country, it would be difficult to catch up with the wombat by the adoption of this method. Adequate fumigation would entail the use of much equipment and the employment of many men.

Mr. Tripovich stated that the Minister said he would stand by Mr. Tully's assurance to employ six extra

men on this work. I point out that Mr. Tully's statement was that he would employ six extra men in one area alone, and it was made to satisfy the people in the Buchan area, whom he was addressing on that occasion. Mr. Tully said, in effect, "I will put six extra men into this area to carry out the method proposed." If fumigation is to be undertaken in the fringe areas, more than six men will be required.

At present, bonus payments amount to between \$6,000 and \$8,000 a year. The proposed method will be much more costly. The bonus payment was introduced as some form of compensation to the farmers whose lands were affected by wombats. The purpose was not completely to destroy the wombat but to give to the farmer whose fences had been pulled to pieces by wombats some measure of compensation. In my opinion, it was never intended that officers of the Lands Department should be able to go out day after day hunting wombats and make a pretty fair living from the scalp bonus. The responsible Minister should ensure that scalp bonuses are not paid to officers of the Department.

In discussions in which I have participated, it has become evident to me that not many people know what a wombat looks like, how powerful it is, or what its habits are, so I cite from Barrett's *Australian Animal Book* the following description of wombats written by Wood Jones:—

However uninteresting they may appear to the layman, wombats form one of the most curious and divergent groups of marsupials, and their correct place in any scheme of classification has yet to be ascertained beyond doubt. "In certain features," writes Wood Jones, "they show considerable likeness to the koala, and in some ways may be considered as terrestrial 'native bears.' But in several important characters they differ so widely from these animals that the method of uniting them into a single family is not followed here. The wombats differ from all other living marsupials in having a single incisor tooth upon each side of both the upper and lower jaws and in having

all the teeth rootless and persistently growing." (*Mammals of South Australia*, Part II.)

These stoutly built, clumsy-looking animals, with short broad muzzle, and thick short limbs, have incisor teeth which curiously resemble those of the rodent mammals. Wombats are not unlike the marmots of the northern hemisphere, save for their rudimentary tails, and afford a good example of that parallelism in development alluded to in the account of the marsupial mole. (See Chap. VI). They are powerful diggers (with strong limbs and shovel-like nails) and excavate large burrows many feet in length.

That is why fumigation methods would be difficult, apart from the fact that wombats burrow in inaccessible places and that they can dig so fast that they are able to escape before fumigation is successful. The article continues—

They dig for shrub and tree roots, which form one of their staple foods, the others being grasses and the inner bark of the native cherry (*Exocarpus*) and other trees. In search of roots wombats invade cultivated land, including vegetable gardens, doing often a considerable amount of damage; besides, they damage wire-netted fences.

Wire-netting fences have been erected around the fringe-area farms not for the sole purpose of keeping out the rabbits, but also the wild dogs and the dingoes. When the wombats break through the fences, the dingoes and the wild dogs get in and cause damage. The bonus payment is some form of compensation for the damage that has been caused. Although the scalp bonus has not reduced the numbers of the wombat to any great degree, at least it has kept him in check in the fringe areas.

Mr. Tripovich said that it has been estimated that the wombat population is anything between 500,000 and 2,000,000; but it has been accurately assessed that there are 2,000,000 wombats in Victoria, and they do not seem to be decreasing. On the subject of wombats and their habits, I am a little like some of the farmers—they drive me ding-bats. This measure must be examined from a practical point of view of expense and effectiveness. It is far safer to pay \$6,000 and adhere to the present

The Hon. H. A. Hewson.

policy than to adopt some half-baked scheme to which country people do not subscribe. After all, the farmers in the fringe area are the people most concerned; the problem does not concern people in the thickly populated regions.

The farmers want to protect their precious flocks and if they are able to collect the \$1 bonus, it will be some compensation for the damage caused. It would be impossible to eradicate the wombats; even though there were only 100 left, one or two would wander. It is not the hundreds that remain in the bush that cause the damage, but the few animals that like to go walk-about and create havoc. Those few animals would not be killed by fumigation.

In an article in the *Herald* of 18th April this year, the wombat is described in these terms—

Most city people feel sorry for . . . the friendly wombat. They love to pat and cuddle him.

He may be cuddly, but he is still a pest. The present system is supported by the Victorian Dairyfarmers Association, the Graziers Association, and the Wheat and Woolgrowers' Association. These sections of primary producers all disagree with the proposal to discontinue the bonus system. In the same article, Mr. Geoff. Douglas, deputy chairman of the Vermin and Noxious Weeds Destruction Board, said—

Get rid of the rabbits—there would be no need for fences.

That is a poor attitude. The fences were erected not to keep out the rabbits but to keep in the stock. The dangers are the dingoes and the wild dogs. The wombat is the culprit which lets them in. The scalp bonus should be retained because it is some form of compensation to people who are prepared to chase the wombat.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Suspension of operation of Act No. 6409 section 24 in relation to wombats).

The Hon. V. O. DICKIE (Minister of Health).—It is only at a time like this that one really takes the opportunity of learning a little about the subject-matter under consideration. The problem of the wombats has been discussed by the legislature for almost half a century. I understand that the wombat population in Victoria is between 500,000 and 2,000,000. They appear to be more prevalent in the Gippsland area than in any other part of the State.

The wombat forest is in the province represented by Mr. Murray Byrne and myself. From that forest comes much of the timber used in the Timbrock factory at Bacchus Marsh. I have been through that forest at night, but I have not seen any wombats, although they are nocturnal animals. However, I recall that some time ago, Mr. May was good enough to take me on an enjoyable trip to Dargo, and on the road in we passed a number of wombats. As Mr. Hewson has stated, the wombat could be described as a cuddlesome type of animal. In that regard, it is in the same category as a koala though not so far as its habits of destruction are concerned.

The wombat is a native of Australia, and there is a general desire to preserve our famous marsupial animals. Because they breed to their present extent, some form of control is necessary. As Mr. Tripovich said the wombat has no brain. With its scissor-like teeth it burrows under a fence to get into a property, and goes somewhere else to burrow out. The scalp bonus payments have been made for a number of years, and the expenditure is estimated at \$6,000 a year. Mr. Tully, chairman of the Vermin and Noxious Weeds Destruction Board believes that wombats can be controlled by

fumigation, which would make it possible to discontinue the present system of bonuses for scalps. It is proposed that fumigation shall be undertaken for only a trial period—it is on a basis of trial and error.

The Minister of Lands in another place gave the undertaking referred to by Mr. Tripovich. Mr. Hewson said that the six men would be employed only in the one area of East Gippsland. This matter was raised with the Minister in another place, and he gave the assurance—

The Government will take this matter very seriously. If any honorable member or any landholders are worried about wombats, they can inform me and I shall see measures are taken immediately to have the pests dealt with.

Fumigation is worth a trial. The baiting of wild dogs and dingoes will now be done by aeroplane, and this will release men for other duties. The Government believes it is a matter of trial and error and of finding the best means of control. The bonus payment system has not been the success that it was hoped to be. Over the next three years, let us try the alternative, and if in 1969 it has not been a success, the matter can be brought back to Parliament for further action. I have discussed this matter with my colleague in another place, and I believe the present proposal will be successful.

The Hon. R. W. MAY (Gippsland Province).—I thank the Minister for his remarks. However, almost every municipality in Gippsland, other than the cities and boroughs, has urged that the Government should not proceed with this measure. I was interested to hear the Minister of Health refer to the assurance given by the Minister of Lands, that if Mr. Tully indicated to the people at Buchan that he would employ six men on fumigation in the area, he would stand to that promise. The Minister of Health, as I understand him, has given a much wider interpretation to that assurance, which referred to the area of Buchan. The problem of wombats is much wider spread. I

appreciate the concern of the municipalities in Gippsland, and I have copies of the motion carried by several of them. They are concerned that the Government wants to save money.

A somewhat interesting report has appeared in the *Herald* newspaper. It reads—

The strange thing is that most of the money has been claimed by nineteen trappers employed under the Lands Department.

If that is so, surely it is an indication of poor administration by the Department. It is this sort of thing which exercises the minds of the municipalities when they suggest that with good administration the Act would have brought about better results than have been achieved. The *Herald* article highlights the fact that Lands Department employees go right back into the bush to destroy wombats. It was never the intention of the Act that employees of the Department should supplement their incomes in that way.

On Monday, I was on a property in the hill country, and I do not for one minute think that the people there have underestimated the number of wombats in the area. I drove through some of that country in a Land Rover which dropped into wombat warrens, and I wondered if they had any bottoms. We have heard a very clear description of the wombat. I am not greatly concerned with a naturalist's description of it. To me, wombats appear to be a branch of the swine family. Whichever way you look at them, they seem to be in that category. These animals do untold damage. They burrow under netting fences, as was stated by Mr. Hewson and Mr. Swinburne, who have had some experience with them. They never have the intelligence to go back through the same hole. They are great believers in new holes every time. They do untold damage, and the problem is not as simple as suggested by Mr. Douglas, who says that we should get rid of the rabbit

The Hon. R. W. May.

and so remove the need for the fences. I should have thought that the man holding the responsible position occupied by Mr. Douglas would appreciate that the ramifications of the problem are more far reaching.

I seek an assurance from the Minister that a much wider interpretation can be placed on the statement made by the Minister of Lands in another place, because, as I understood it, the remarks related to the Buchan area. I should be glad if the Minister would assure the House that the proposed new method of eradication will not be restricted to one area but will be applied where any municipality has complained and carried a motion on the subject.

The Hon. V. O. DICKIE (Minister of Health).—It has been suggested that an amount of \$6,000 which would otherwise be paid out in bonuses would be saved by the Government. It will not be saved with the intention that it shall be put away or disbursed in other directions. The money will be spent on wombat eradication. It has been said that the moneys which become available because of the proposed alternative control operations can be used to much better advantage in research and on concentrated activity in places where damage by wombats is most apparent.

Concerning the assurance sought by Mr. May, I can only repeat that which was given by my colleague, the Minister of Lands, in another place. In his final remarks on the Bill, he said—

I again give an assurance that, if Parliament passes this Bill, the Government will take this matter very seriously. If any honorable members or any landholders are worried about wombats, they can inform me, and I will see that measures are taken immediately to have the pest dealt with.

Those remarks did not apply specifically to the area referred to by Mr. Tully, but were meant to apply generally. That statement is reported at page 3070 of *Hansard* No. 16 of

the current sessional period. Although that has already been said by my colleague, I give my personal assurance to Mr. May.

The clause was agreed to.

The Bill was reported to the House without amendment, and passed through its remaining stages.

TOBACCO LEAF MARKETING BOARD (APPOINTMENT OF MANAGER) BILL.

The Hon. G. L. CHANDLER
(Minister of Agriculture).—I move—

That this Bill be now read a second time.

This urgent measure provides for the appointment of a manager who will exercise all or any of the powers of the Tobacco Leaf Marketing Board and perform the duties of this Board during his period of managership and until such time as the appointment of Board members can be effected. Honorable members will be aware that on 13th April a poll was taken of producers of tobacco for the election of four producer representatives to the Tobacco Leaf Marketing Board. The position is that the counting of votes cast at this poll has been completed and the returning officer has reported the result of the poll. In the normal course of events, the persons reported to the Minister by the returning officer as elected would be appointed to the Board by the Governor in Council. However, in this instance the Supreme Court, on the application of one of the parties concerned, issued an injunction staying the appointment of the persons elected as elective members of the Board. Therefore, the appointment of these persons cannot proceed until the outcome of the legal processes which have been put in train has been determined.

The term of office of the retiring Board members expired on the 21st April, 1966, and, as the appointment of the incoming members may be delayed for some time, there will be a period during which the Board

cannot function. At present, there is no provision in the Marketing of Primary Products Act to meet the circumstances which have arisen. All tobacco leaf grown in Victoria is vested in the Board, and its prime responsibility is the sale of this leaf. This season's sales have been arranged to commence in Melbourne next month, May. The value of the crop is expected to approximate \$11,000,000. Honorable members will appreciate the necessity to make adequate provision for the satisfactory management of the Board's business during this vital period of the year.

This problem has been exercising the mind of the Government, and it is considered that the only practical way to meet the situation is by the appointment of a manager to be responsible for the Board's affairs until such time as new Board members can be appointed. A similar course of action is already provided for in section 14 of the Marketing of Primary Products Act to meet the situation where members of a Board are removed from office by the Governor in Council. Sub-clause (1) of clause 2 of the Bill provides for the appointment of Mr. Eric Ivan Meeking as manager of the Board. Faced as it was with a situation that demanded immediate action, the Government sought advice from senior departmental officers familiar with the various people engaged in the tobacco industry. Mr. Meeking was suggested as a suitable appointee, and he has indicated that he is willing to accept the responsibilities that would devolve upon him if appointed under this Bill.

For about six years, Mr. Meeking has been manager of the tobacco department of Elder Smith Goldsbrough Mort Limited, and in that capacity handled the sale of half of Victoria's crop. In 1965-66, Elder Smith Goldsbrough Mort will not be acting as selling brokers for the Tobacco Leaf Marketing Board. Prior to his current appointment, Mr. Meeking had approximately ten

years' experience in the industry— for a short term as a leaf appraiser, and for the major part as a buyer with one of the larger tobacco manufacturers. The Government considers that Mr. Meeking is well qualified to discharge the responsibility of manager.

The Bill confers on the manager the right to exercise all or any of the powers of the Board, and imposes on him the responsibility of performing the duties of the Board during his period of managership, which will cease with the appointment of elected members, or on acceptance of his resignation or termination of his appointment by the Governor in Council, as provided in sub-clause (5) of clause 2 of the Bill. Provision is made for the manager to be paid from the funds of the Board such remuneration and expenses as the Governor in Council may determine. This Bill has been introduced to meet an emergency situation which has arisen in the tobacco-growing industry, and its urgent passage is essential to provide adequate protection for tobacco producers.

I reiterate that this is an extremely urgent measure, and I hope it will be passed by the House to-day so that it can be sent to another place. Then a meeting of the Executive Council can be held so that somebody can be placed in charge of this industry, because there is no one in charge of it at the moment. The Government accepts its obligation in this regard, and believes that this Bill will meet the situation that has occurred. I commend it to the House.

The Hon. J. M. TRIPOVICH (Doutta Galla Province). — The Leader of the House spoke to my Leader earlier to-day in relation to this Bill and stressed its urgency. Members of my party accept what the Minister has said, and therefore we will adopt the unusual practice of proceeding with the debate immediately. I do not think the Minister will be critical of us if we say that we are taking this action to allow him to get

out of a difficult position. However, we do not accept responsibility for any defects in the Bill.

Certain difficulties arising in regard to the internal politics of the industry have led to an unusual experience. The other night, this House adjourned so that the Leader of the House could attend a meeting to try to elucidate the position. We do not contest the views expressed by the Minister, and support the Bill on the facts placed before the House. We sincerely hope it achieves its objective. I know that Mr. Meeking has an excellent record in the industry, and I believe the Government has made a wise decision in proposing to appoint him as manager.

The Hon. I. A. SWINBURNE (North-Eastern Province). — Members of the Country Party support this urgent measure, and I congratulate the Minister on the prompt steps he has taken to bring it before the House so that the tobacco industry, which has to face up to the problem of marketing its crop within the next few weeks, will be able to conduct its business properly.

I shall not enter into a discussion of the reasons which led to these problems arising, but I believe Mr. Meeking will have the full support and co-operation of the industry. We have worked with him in the past, and I am certain that everybody has confidence in his ability to handle the problems that will face him. He has had years of experience in the industry and is well known to tobacco growers in Victoria and in other States. He is held in high esteem by them, and we are pleased that a man of his standing in the industry has made himself available, with the co-operation of the firm which employs him, for this position. It is an excellent gesture on the part of the firm concerned.

We support the measure, and trust that during the period in which Mr. Meeking is in control of the industry he will receive the whole-hearted support of everybody in it. I assure

the Minister that any assistance that can be given will be readily forthcoming from all quarters.

The Hon. P. V. FELTHAM (Northern Province).—I congratulate the Minister and Cabinet and the Parliamentary Draftsman on the speed with which this measure has been brought before the House. Perhaps the Minister might explain exactly what is meant by sub-clause (4) of clause 2 which provides—

The said Board shall be and be deemed to be the same Board notwithstanding anything in this Act or the operation thereof.

I assume there is some reason for this provision, but personally I cannot understand it. Perhaps the Minister will also inform honorable members why the provision is in the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Temporary appointment of manager).

The Hon. G. L. CHANDLER (Minister of Agriculture).—First, I think we must express our gratitude to Mr. Anderson of Elder Smith-Goldsbrough Mort Limited for making Mr. Meeking available for this appointment, and also to Mr. Meeking for having accepted it. The state of affairs that has arisen is an emergency, and it was necessary to act swiftly. I think we have obtained the services of a man who will have the support of the industry.

Mr. Feltham inquired as to the meaning of sub-clause (4) of clause 2. I understand that its purpose is to put beyond doubt the fact that the continuity of the old Board will be safeguarded. A similar provision was included in an Act of Parliament in 1951 when there was trouble concerning the Egg Board. In that case, a manager had to be appointed to take charge of the affairs of the Board. As I understand the provision, it puts

beyond doubt that the manager of the Board will be enabled to carry out the functions and responsibilities of the old Board during the time he is manager and until such time as the new Board is properly elected. It is difficult for a layman to argue a point of this nature with an eminent lawyer, but that is the position as I understand it.

The clause was agreed to.

The Bill was reported to the House without amendment, and passed through its remaining stages.

The Hon. G. L. CHANDLER (Minister of Agriculture).—By leave, I express my appreciation to the House for co-operating in the circumstances which have arisen. I know that it is extraordinary for a Bill to pass through all stages in this House without adjournment of the debate, and I think the industry will appreciate the action that Parliament has taken in this matter. So, on behalf of the Government, I thank the parties concerned for the expeditious manner in which the Bill has been handled.

AERIAL SPRAYING CONTROL BILL.

The debate (adjourned from April 5) on the motion of the Hon. G. L. Chandler (Minister of Agriculture) for the second reading of this Bill was resumed.

The Hon. G. J. O'CONNELL (Melbourne Province).—This is a Bill relating to the spraying of agricultural chemicals from aircraft, and for incidental and other purposes. The aerial agriculture industry in Victoria has grown rapidly. Aircraft are now used extensively for top dressing and seeding, and also for spraying and dusting with weedicides and insecticides. Aircraft are also used for dropping poisoned carrot baits to combat the rabbit pest. A more recent phase of aerial agriculture has been the dropping of young fish into Victorian lakes and streams.

The first reported application of chemicals by aircraft in Australia was in 1929, when a pine forest near

Ballarat was treated in an attempt to control the lesser case moth. This method of pest control was not continued, however, and it was not until 1948 that the aerial application of fertilizers and sprays was first appreciated. Farmers and graziers realized the benefit of using aircraft for pasture improvement and for the control of insects and weeds. In Victoria in 1964, 1,165,183 acres were top dressed or seeded, while 281,331 acres were sprayed or dusted. It is interesting to note the rapid rise in aerial agriculture that has taken place in Victoria since 1960. In that year, the total area treated was 616,531 acres and a quantity of 459,520 cwt. of superphosphate was used. In 1964, the total area treated had increased to 1,512,819 acres and 1,427,640 cwt. of superphosphate was used. The flying time occupied in 1960 was 6,622 hours and, in 1964, 11,190 hours. Having regard to the statistics which I have supplied and to the probable future development of this technique, it is anticipated that the acreage to be treated will become greater each year.

As the Minister of Agriculture stated in his second-reading speech, primary producer organizations are worried by the increasing incidence of damage and the extent of suspected losses arising from the drift of sprays and other agricultural chemicals on to crops and livestock. As the damage may not always become evident for some weeks after the spraying, and as the spraying could have taken place some distance away, legal action to recover losses is difficult. In 1961, an interdepartmental committee was appointed in Victoria, consisting of representatives of the Department of Agriculture, the Vermin and Noxious Weeds Control Board and the State Rivers and Water Supply Commission, to investigate methods of preventing damage to crops from spray drift. Similar committees were set up in Queensland and Western Australia for the same purpose.

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The reports of the committee have been considered by the Standing Committee on Agriculture, and the Australian Agricultural Council agreed that the problems associated with aerial spraying could be overcome by an improvement in the flying ability of pilots engaged in this work, by the provision of a statutory requirement that such pilots should have a basic knowledge of the proper use of agricultural chemicals used for such purposes and the hazards associated with them, and by the introduction of legislation, at the request of the Standing Committee of Attorneys-General, to control aerial spraying. A draft uniform aerial spraying control Bill was prepared by the West Australian Parliamentary Draftsman, and it was agreed to by all concerned. As stated by the Minister of Agriculture, this measure closely follows the provisions of that draft uniform Bill.

An examination of some of the clauses of the Bill is interesting. Clause 5 provides for the application and issue of aerial spraying certificates. If the Bill is passed, pilots will, in future, be required to obtain special certificates from the Director of Agriculture. These certificates will be issued only after the pilots have passed an examination based on chemical rating, manual testing certificates, and their knowledge of agricultural chemicals and proportions necessary in the use of these chemicals. When this Bill becomes law, spraying will no longer be carried on haphazardly, as has occurred in the past in some cases.

Clause 7, which relates to hazardous areas, empowers the Minister to proclaim any district a hazardous area within which all agricultural aerial spraying could be prohibited if necessary. Districts likely to be proclaimed are the vine-growing areas in the Mallee and mid-Murray regions, fruit and vegetable areas in the Goulburn Valley, and vegetable growing areas in the south.

Under clause 8, owners of aircraft which are used for spraying agricultural chemicals will be required to lodge security of \$30,000 with the Director of Agriculture. My party considers that some protection should be provided for those persons who suffer any material loss or damage as a result of the aerial spraying activity. This clause provides that an insurance policy, issued by a company approved by the Director, shall be deposited with the Director, insuring, to the amount of \$30,000, any person who is liable for material loss or damage caused by aerial spraying.

Clause 10 provides that the owners of aircraft engaged in aerial spraying will be required to keep detailed records of their operations, the materials used, the location, dates and times of the spraying, the wind speed, and the types of crops which are sprayed. This information will be available for the Director if he has occasion to examine the records. Clause 12 provides that the Director, or a person authorized in writing by him, may inspect areas which have been affected by spray drift or aerial spraying. When the Director authorizes a person to act on his behalf, the authorized person must supply a written report of his findings to the Director. This is a worth-while provision. Sub-clause (4) of this clause provides that alleged damage shall be reported promptly to the Director by the property owners concerned.

Clause 13 deals with the situation which would arise if a property owner failed to supply the requisite notice within the prescribed period of fourteen days. The property owner may make application to a Judge when the failure to give the requisite notice was occasioned by mistake or some other reasonable cause. Clause 14 deals with the question of uniformity between the States, and this provision was recommended by the Australian Agricultural Council. There is one somewhat intriguing provision in clause 15 concerning which we have no information. I was perturbed to read

an article concerning this provision in a newspaper which is circulated throughout Melbourne. The article to which I refer is entitled, "Aerial Spray Law Opposed". It reads—

Legislation before the Victorian Parliament would virtually place control of spraying in the hands of unqualified public servants, the secretary of the Victorian branch of the Australian Graziers' Association, Mr. V. W. Officer, said yesterday.

The paper from which I am quoting is a fortnight old—

The legislation placed too much power in the hands of the Director of Agriculture who could delegate authority to a public servant who knew nothing of the industry.

I hope that, during the Committee stage, the Minister of Agriculture will assure Parliament that such a situation could not arise. It is essential that a competent person should be chosen to administer matters of this type.

The remaining clauses of the Bill relate to penalty provisions and regulations. Members of the Labor Party believe the Bill is timely, although it was delayed for some time. We believe protection should be given to persons who are trying to earn a living off the land and who, in doing so, must work long, arduous hours. When crops are destroyed as a result of spray drift and such like, which could emanate from spraying activity half a mile away, the property owners concerned are entitled to receive adequate compensation. My party does not oppose the Bill.

The Hon. K. S. GROSS (Western Province).—It appears from the comments of the previous speaker that this Bill meets with general approval. I suppose it is only fair to say that a measure of this type would receive more support here at the present time than from certain farming organizations throughout the State. I believe the time is now ripe when some control must be exercised not only over aerial spraying but also over ground spraying, with which I propose to deal shortly.

Mr. O'Connell rightly pointed out that the use of chemicals for weed spraying and pesticide control has increased greatly in recent years. In my own area—that is, within a radius of 25 miles of Horsham—it has expanded from about 1,000 acres in 1949-50 to approximately 15,000 acres at present. Aerial spraying has many advantages. First and foremost, the control of both weeds and pests must be undertaken during the winter months when, in most cases, ground spraying by means of a boom on a tractor or utility is virtually impossible. Far greater damage can be caused to crops by using this method than would be caused by the weeds or pests which it is desired to eradicate. For that reason, aerial spraying has become very popular.

A few years ago, aerial spraying was a costly procedure. The cost of a plane could be as high as \$1.50 an acre, and, in some instances, particularly in hazardous country, the cost could be even higher. With the increased use and popularity of the aerial spraying method, costs have dropped considerably. Last year, I paid something like 75 cents an acre for a plane, which is quite different. Much of the trouble, of course, is caused by weedicides.

I think it is only proper that I should put these weedicides on record, using their common names. The first is M.C.P.A., which is a most selective weedicide where undersown clovers are present, but which is ineffective against hard-to-kill weeds. The second common type of weedicide used is 2, 4-D amines. This particular weedicide is not so selective, but it is very effective against hard-to-kill weeds. The third type is 2, 4-D acid, a butyl ester, which has excellent penetrating and spreading properties. It is more powerful than the previous two weedicides that I mentioned, but is less selective. I suppose that at the present time it would have the widest usage in spraying, more particularly with aerial application, but the time

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when it is used and the rate per acre must be carefully controlled or crop damage can result very easily. The drift from this particular spray can cause damage up to 1 mile away if it is not carefully applied. Of course, any ester is a volatile spray.

The fourth type of spray is 2, 4, 5-T acid, a butyl ester. This is most volatile and is not used on cereal crops, but mainly for woody type perennials, scrub mallee, and so on. A minute amount of this particular spray can cause a lot of damage. Only yesterday, I was telling some of my colleagues about an experienced pilot who, owing to weather conditions, had to cease spraying. He went into an hotel in town to use the telephone and three days later all the indoor plants in the lounge started to die. This was because a few drops of spray were on his clothes and damage can occur even when the chemical is in close proximity to a plant. More recently, several safer and more selective weedicides have been brought onto the market, some of which can control an extremely wide range of weeds that were not seriously affected by the application of 2, 4-D in particular.

The newer weedicides have been given extensive trials by the Department of Agriculture, the Vermin and Noxious Weeds Destruction Board, and others in at least three States of Australia. At present they are highly recommended. Some of them are more expensive to use per acre, but in most cases the results gained more than compensate for that.

Having demonstrated the damage that can occur from weedicides, I shall now discuss their application. I think it is only fair to say that in most cases the pilots who are employed by the aerial spraying companies are paid on a contract basis at so much an acre. Naturally, these men will spray when they possibly can. The more acres they can cover the more money they earn. I think a lot of the damage that has occurred can be

attributed to this. Furthermore, the agents who employ these people could be taken to task on the same score.

The spraying must take place over a limited period; the available period may extend over only a month or five weeks. Unless the conditions are perfect, damage can and does result. In fact, with one particular type of new and expensive spray, which can control wild oats in a crop, the atmosphere must be perfectly calm. The pilot must be extremely exact in his flying because too great an application of this weedicide can cause considerable damage to the crop, but if it is put on at the correct rate it is very effective in killing wild oats. A good deal of skill and knowhow must be used in the application of weedicides.

Whilst the Bill in its present form will provide the means of controlling the pilots, I think some provision should be made to control the agents, who are the persons with whom the farmer generally has contact. I know that if I want a paddock sprayed on my own farm I see my agent, who inspects the crop or pasture and advises me accordingly. Of course, when it is necessary, spraying must be done as soon as possible, so the agent also should take as many precautions as he can to see that damage does not result from the willy nilly application of a weedicide.

The Hon. J. M. TRIFOVICH.—How could that be done?

The Hon. K. S. GROSS.—I do not know. I think it is a matter of common sense. Perhaps the Department may make these people and the companies which manufacture the weedicides more aware of their responsibilities. I believe there are only about three major manufacturing companies in Australia. It is hardly fair to put all the blame on the pilot. I know that within the last year a pilot came to spray a paddock of mine and while he was en route from the airport 8 miles away a strong breeze blew up. He made

one run of at least 100 yards in from the boundary fence, and not one drop of spray landed in my paddock. So the pilot turned around, waved to me and went back. He did not attempt to spray any more that day. If everyone was as sensible as that, perhaps this Bill would not be before the House.

Perhaps pesticides do not cause as much damage as weedicides. Certainly they will not drift to any great extent. Of course, there is a problem with DDT. Sir Percy Byrnes mentioned recently that some of the countries which buy meat from Australia have found considerable traces of DDT in it. At the same time, there are a couple of pests which can be controlled adequately only by DDT. There again, I suppose if the farmer followed the instructions issued by the chemical manufacturers trouble might not arise. If stock are kept away for at least seven weeks from an area where DDT has been applied—the same thing applies to some other pesticides—the residual effect is not present. Another type of pesticide is imidian, which has extremely good killing powers on red leg earth mites and lucerne fleas. This minute pest can cause an extreme amount of damage. No permanent effect of the chemical is noticed in stock. I understand that it was injected into stock in the United States of America and no residual effect appeared in the meat.

Clause 11 of the Bill relates to the production of records. I know that the graziers' association was a little perturbed about this, and would have liked to see it dropped, but I think it is a good thing to have the pilot record all his crop spraying activities for the Department, which can then inform its officer where the spraying activities have taken place so that he can go and inspect it. As I have said, there is a lot we do not know about weedicides and pesticides. The more information that departmental officers, vermin and noxious weeds

officers and chemical manufacturers' representatives can obtain on these preparations the better.

Aerial spraying is here to stay, and the practice will increase. Many people have spoken about biological control of weeds and pesticides, but I do not expect to see this in my time. At present, the emphasis is on killing weeds and pests as quickly as possible. No one wants his crops or pastures to be devastated in a matter of days, as has occurred. If weeds and pests can be controlled with weedicides or pesticides, even at considerable cost, it is still far better for the farmer. Therefore, I believe the provision of these records is a good thing.

I hope that at the Committee stage the Minister will give assurances to honorable members that the matters raised during the debate will be examined by his Department, particularly the use of misting machines. I believe there are something like 2,000 or 3,000 of these very powerful machines in use in Victoria at present, and that good future sales are anticipated. The use of a volatile weedicide in these machines could cause just as much damage in drift as the same weedicide being sprayed from an aeroplane. I have been informed that the droplets from a misting machine are far smaller than from aerial spraying. Therefore, I believe some form of control will have to be exercised over the users. I suppose, in the main, misting machines are privately owned.

Sir PERCY BYRNES.—That is so. The machine is used extensively for the spraying of citrus trees and in various classes of horticulture, as well as pastures.

The Hon. K. S. GROSS.—That brings me back to the definition of "hazardous area". Perhaps a hazardous area could be and should be proclaimed around vineyards in the Murray Valley area. A hazardous area should be proclaimed around almost every town, particularly where

soft fruits are grown, because any of the ester sprays, in particular, could cause considerable damage. I believe a number of matters must be considered and examined before this Bill will provide the control that is desirable.

The Hon. W. R. GARRETT (Southern Province).—I wish to make a brief contribution to this debate because I feel that this measure is extremely interesting. Generally, as legislators, we find that many Bills are concerned with the amending of Acts to plug up loopholes and to solve some of the problems that have arisen since those Acts became law. This measure breaks new ground, if I may refer to ground in connexion with a Bill to control aerial spraying.

It is interesting to me, as a former pilot, to see the use that is now being made of aeroplanes. In my early days, an aeroplane was regarded as useful only for carrying passengers who wanted to go somewhere in a hurry and were prepared to pay for it and for carrying mail which paid a high rate per pound. It is gratifying that the aeroplane is becoming something of value in connexion with aerial photography, surveying, orchard and crop spraying, and so on.

If we examined the history of spraying, we would find that it went back quite a number of years. Spraying of some type in agriculture was carried on even by the early Egyptians, and from time to time over the years improvements have been made in the methods of application. I spent my early years in the fruit-growing district of Wandin, and my mind goes back to the spraying methods used in those days. Wandin was primarily an orchard district, and I can even now visualize one or two men in the heat of the day moving through the orchard with a barrel mounted on top of a four-wheeled lorry pulled by a horse. One man put a terrific amount of energy into working a brass pump whilst another went round with the spray. It took all day to spray a few

acres by this method, and the men were covered in spray, perspiration and dust.

Since those days, there have been developments through the type of spray operated by a tractor. The tractor, in its more or less recent introduction to agriculture, assisted spraying work to a considerable extent. Until the coming of the aeroplane, the so-called misting machine or turbine sprays made a great contribution by making it possible to spray large areas with a small usage of labour. This method seems to waste so much spray that I have come to the conclusion that spray is cheaper than labour. I still live in a fruit-growing district—Doncaster—and much of the spraying there is carried out by these so-called misting machines. Doubtless, the use of all types of sprays still enables the Doncaster district, despite the inroads of the subdivider, to produce the finest apples grown in Victoria.

In relation to larger areas, such as crops, we are indebted to Mr. Gross for his discourse on the subject from his practical experience. In these large areas, the aeroplane is now generally used, and it is capable of covering large areas in a short time and of carrying out work at comparatively low cost at times of the year when other systems cannot be used. This system is appreciated these days because it saves labour, which is expensive.

Hazardous areas, as defined in the Bill, are those areas that are easily contaminated by spray, but there are areas that are pretty hazardous to the pilot who undertakes this type of spraying which is carried out very low to the ground, with fast short turns, and so on, and it demands a high degree of skill on the part of the pilot. This Bill is an interesting one, but this is only the beginning of measures to control aerial spraying. In due course, further amendments will be needed, or even fairly complete additions to the Act, to make controls still tighter, although we do not like to impose controls.

The pilot question is a difficult one. The large numbers of pilots who were trained during the last war are now beginning to run out; Australia is becoming short of pilots, and it is somewhat unfortunate that the aerial spraying industry, if I may call it such, is using a fair number of pilots who have little experience and who use this work to build up their flying hours prior to going on to commercial work. We have seen the result in the large number of accidents that occur. Many of these pilots are killed, to a certain extent by inexperience, in doing work that calls for a high degree of skill; many of them fly into high tension and telegraph wires, and so on. It is probably not possible for the State to legislate in this direction—it may become a Federal matter—but at some time in the future it should be mandatory for these pilots to carry out a reconnaissance of the proposed spraying area so that they will be better advised on the hazards facing the pilot in addition to the hazards of surrounding crops. If this is done, aerial spraying work will become much safer.

The Hon. G. L. CHANDLER.—Is that not done now?

The Hon. W. R. GARRETT.—It is not compulsory. If it were, there would not be so many accidents. Every week or two, a young pilot is killed while engaged on this work. My comments do not apply so much to the small operator who owns and flies an aeroplane himself; he is probably more experienced. Most accidents occur where operators own and control a number of aeroplanes and depend on independent pilots who, in some cases, are very young and have insufficient experience. I congratulate the Department of Agriculture for bringing forward this Bill, which will be of great assistance. I, too, commend Mr. O'Connell, for the interesting figures he placed before the House which indicate the growth of aerial spraying. As Mr. Gross said, this is only a beginning. It is a great start, and

there will be much more legislation on this subject. I wish the Bill a speedy passage through this House.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, relating to interpretation.

The Hon. G. L. CHANDLER (Minister of Agriculture).—It would be desirable if progress were reported at this stage. Since this measure was introduced, many conferences have been held among producer organizations, members of Parliament, and party sub-committees, and much investigation has been undertaken. At present a number of amendments are being considered. This is the first time that legislation of this description has been introduced into any Parliament in Australia. Consequently, we are breaking new ground, and in order that the Bill can be given the fullest consideration and the proposed amendments satisfactorily considered before they are dealt with in Committee, I suggest that progress be reported.

The Hon. G. J. O'CONNELL (Melbourne Province).—I have no objection to progress being reported. Our party will examine any proposed amendments, but I do not desire this Bill to be pushed about by pressure groups.

The CHAIRMAN (the Hon. W. R. Garrett).—Order! Mr. O'Connell may speak only to the question that progress be reported.

The Hon. G. J. O'Connell.—I have no objection to the proposal to report progress.

Sir PERCY BYRNES (North-Western Province).—I am agreeable to progress being reported, but I point out that this sessional period is drawing to a close and we do not know what will happen to Bills that remain on the Notice Paper at the end of the period. I agree with the

Minister of Agriculture that this measure breaks new ground, and we have no desire to take over-precipitous action. At the same time, this Bill has been listed on the Notice Paper for several weeks and some ill-informed and hastily conceived comments have appeared in country newspapers in regard to its provisions. I was rather surprised that some of the statements made were derogatory of the Minister in charge of the Bill and the Department. I make that statement with some knowledge of what has occurred. I am sure that the Department of Agriculture has taken all possible steps to ensure that the Bill has been circulated to all interested parties. I believe the proposed amendments can be dealt with by the Parliamentary Draftsman with the minimum of trouble, and I hope it will be possible for the debate to be resumed next Tuesday.

The Hon. ARCHIBALD TODD (Melbourne West Province).—Members on this side of the House are always a little suspicious when it is suggested that progress be reported on a Bill of this nature. The comments of Sir Percy Byrnes are precisely what Mr. O'Connell intended to convey to the Committee; perhaps he was cut off to some extent by your ruling, Mr. Chairman, that he could speak only on the question of the reporting of progress. Mr. O'Connell wished to express similar sentiments because members of our party have reasonable cause to suspect that there are elements in this State who would like to destroy this measure.

I would appreciate the Minister supplying Mr. O'Connell with copies of the proposed amendments as soon as possible so that members of our party may study their implications and decide whether or not they are deliberately designed by certain people to pull the teeth from this measure. If the Minister will give an assurance that copies of the proposed amendments will be handed

out so that members will have an opportunity to examine them before the debate is resumed, I shall agree to progress being reported at this stage.

The Hon. G. L. CHANDLER (Minister of Agriculture).—There have been some references in the press to the way in which this measure has been handled, and it is true that to some extent I have been a victim of circumstances because of the fact that this Bill was drawn up by the Attorneys-General of the States and the Commonwealth. Some two years ago, it was well known that I had had discussions on this subject with various primary producer organizations and that an assurance had been given that, before a Bill was finalized, further discussions would take place. However, the preparation of the Bill went out of my control and was taken over by the Attorneys-General. In those circumstances, and in view of the fact that the parties concerned had not seen the final Bill before its introduction, it was felt that the proper way to handle the matter would be to introduce the Bill prepared on an Australia-wide basis and then grant a reasonable period of adjournment so that all interested parties could examine what the measure contained. I suffered some criticism because of that procedure. If it had been purely my own Bill, I would have called the parties together and pretty well reached agreement before the measure was introduced.

It is felt that a number of amendments are desirable, and I can only assure the House that, following the discussions that have taken place in the last few days and to-day on particular aspects of the Bill in regard to which further information was required, I am having all the suggestions put forward examined, and expect that on Tuesday next I shall be able to proceed with the Bill. At that stage, amendments approved by the Government to further clarify the intentions of the measure will also be submitted. Regarding allegations that I might be influenced by a section

of the industry, I point out that I do not bow to outside pressures in these matters.

The Hon. J. M. TRIPOVICH.—Are you handling the amendment, or is the Attorney-General?

The Hon. G. L. CHANDLER.—I am now handling the amendments on behalf of the State. The Bill has gone out of the hands of the Attorneys-General, and it is now being handled on a State basis. It is now for this Parliament to decide what it will do in connexion with it.

The Hon. J. M. TRIPOVICH.—There is no question of complementary legislation?

The Hon. G. L. CHANDLER.—No, none whatsoever, but the draft was prepared on an Australia-wide basis. What amendments we care to make are subject only to the will of this Parliament. I hope to have any suggested amendments available for consideration by the Committee on Tuesday next.

The Hon. G. J. O'CONNELL (Melbourne Province).—I thought I heard Sir Percy Byrnes say that the amendments had now been circulated.

Sir PERCY BYRNES (North-Western Province).—I should like to inform Mr. O'Connell that I might have used wrong words and misled honorable members. I should not like him to think that amendments about which he knows nothing have been circulated. However, ideas or requests for amendments have been circulated and have been examined by several groups of people. The Parliamentary Draftsman is proceeding to put these suggested amendments into shape so that the Committee can examine them.

The Hon. G. J. O'CONNELL (Melbourne Province).—I accept Sir Percy Byrnes's statement. I hope the proposed amendments that the Minister of Agriculture has in mind will be made available for perusal by my party as soon as possible.

The Hon. G. L. CHANDLER (Minister of Agriculture).—There are some things that one can do and some things that one cannot do. It is true that certain amendments have been proposed and that suggestions have been made by the draftsman to improve the sense of the Bill, but no amendments have been circulated. Honorable members should not have any misgivings about this. There are one or two proposed amendments in the possession of the Clerk, but, following their drafting, all kinds of representations have been made from various organizations, and I feel that I have an obligation not only to this Parliament but also to the interests which would be affected by this legislation to thoroughly examine the suggestions. That is what is being done at the present time, and amendments will be available for honorable members as soon as possible.

The Hon. A. J. HUNT (South-Eastern Province).—I rise to answer briefly a comment made by you, Mr. Chairman, when you spoke during the second-reading debate.

The CHAIRMAN (the Hon. W. R. Garrett).—Mr. Hunt realizes that he may speak only to the proposal that progress be reported.

The Hon. A. J. HUNT.—It is purely because of my desire to reply to your comment, Mr. Chairman, before progress is reported that I have risen knowing full well that my remarks must be out of order. However, I feel that you will not take steps to so rule if it means leaving a wrong impression that you have created in the minds of honorable members. I understand your natural pride in Doncaster apples and in their extremely good quality, but in making the statement that they were the best apples in Victoria, I am sure you must have overlooked the wonderful apples of many varieties produced throughout many parts of the Mornington Peninsula. The proof is in the eating and in the fact that they consistently win prizes.

Progress was reported.

STATUTE LAW REVISION COMMITTEE.

FIREARMS ACT 1958.

The Hon. G. J. NICOL (Monash Province), chairman, presented the report of the Statute Law Revision Committee upon proposed amendments to the Firearms Act 1958, together with minutes of evidence.

It was ordered that they be laid on the table, and that the report be printed.

The sitting was suspended at 6.23 p.m. until 7.49 p.m.

COUNTRY FIRE AUTHORITY (INTERSTATE FIRE BRIGADES) BILL.

The debate (adjourned from April 20) on the motion of the Hon. L. H. S. Thompson (Minister of Housing) for the second reading of this Bill was resumed.

The Hon. A. W. KNIGHT (Melbourne West Province).—This Bill is important to persons who perform marvellous work when fires break out along the boundaries of the State. Its purpose is to amend the Country Fire Authority Act to give legal recognition and protection to officers and members of fire brigades of bordering States who may be in Victoria for the purpose of endeavouring to extinguish or control fires. In his second-reading speech, the Minister of Housing referred to a little town in a district remote from the metropolis. Not long ago, fires occurred in the Walwa area, and members of the Country Fire Authority crossed the New South Wales border to fight them. Probably that was one of the actions that brought about the introduction of this Bill.

This is reciprocal legislation, as the Parliament of New South Wales has passed a Bill which permits members of interstate fire brigades to operate in that State with full authority and immunity from legal action arising from damage to property whilst fighting fires in that State. The

Labor Party supports this measure. People who fight fires, whether as paid employees or as volunteers, should be compensated in the event of their suffering injury. It is hoped that full reciprocity will be obtained with all the other States.

Clause 3 proposes an amendment to section 62 of the principal Act to extend the interpretation of "casual fire fighter" to cover such fire fighters when fighting fires with Victorian brigades outside Victoria. It is proposed that after the words "metropolitan fire district" there shall be inserted the words "or outside Victoria with a Victorian brigade or group of brigades." At times, I think there is confusion as to boundaries of the metropolitan fire district and other areas. Recently, I asked the Minister of Agriculture whether the committee appointed to investigate the boundaries of the various fire authorities had met, and I was informed that the first meeting of the committee to review the metropolitan fire district would be held during the current month. The Labor Party does not oppose the Bill, and wishes it a speedy passage.

The Hon. I. A. SWINBURNE (North-Eastern Province).—The Country Party supports the Bill, which is designed to overcome difficulties arising from the fighting of bush fires in areas along the South Australian and New South Wales borders. It is often necessary for fire brigades in one State to assist those in an adjoining State, but in the past there have been no reciprocal arrangements with regard to the protection of injured fire fighters.

The purpose of this Bill is to extend to a person fighting a fire in an adjoining State the protection that he enjoys in the State in which he resides. It also gives protection with respect to any action which might be taken in the course of fighting fires. I believe that the action proposed is proper. Reciprocal arrangements have been made with the New South Wales Government with regard to

other matters pertaining to the border, and this is another link in the chain.

I am closely associated with the fire brigade movement in region 24, which extends from below Albury to the source of the River Murray. A happy relationship with brigades in New South Wales has always existed, but a fire fighter who crossed the border in the course of fighting a fire always ran a risk when he was not covered by the protection which this measure will give.

The passing of this Bill will do much to bring about an even happier relationship between the Victorian and New South Wales brigades, and there will be an incentive for brigades in one State to attend fires in the adjoining State at an early stage. Early in 1952, a big fire which originated in the Holbrook district swept down to the River Murray and across it before many people realized what was happening, and, but for the efforts of Victorian fire fighters in New South Wales, greater damage would have resulted. The passing of this Bill will make it possible for more brigades and equipment from the New South Wales side of the river to be moved to Victoria to give protection against fires, and the reverse position will also apply.

Problems in connexion with fire protection exist all along the river and are intensified in the hilly areas of the north east. Members of the Country Party welcome the measure. I trust that similar arrangements can be made with the South Australian authorities. Vast damage could be caused by fires in large areas in the south-western part of Victoria. The passing of this Bill will be in the interests of all the States.

The Hon. T. H. GRIGG (Bendigo Province).—I support the viewpoint expressed by the previous speakers. With the creation of the Country Fire Authority in 1945, legislation providing for the payment of compensation to registered firemen injured in the execution of their duties was passed. In 1891, the Government of

the day established the Country Fire Brigades Board, which embraced brigades in township areas outside Melbourne, but no provision was made in the Act of that year as regards compensation for persons injured. The Country Fire Brigades Association formed its own accident relief fund, and it is still carried on. This fund was built up on the basis of a contribution of 1s. a member per year to provide compensation for injured firemen.

The benefits payable from the Country Fire Authority fund are along the lines of those provided in the Workers Compensation Act, and this has worked satisfactorily in the case of registered firemen. Recently, legislation was brought down to cover casual fire fighters. A casual fire fighter is defined as a person who does not belong to a registered fire brigade but who may be at the scene of a fire and is co-opted to assist in fighting it. Such a person receives the same benefits as a registered fireman.

For some years, the Country Fire Authority has been concerned as to whether its scheme of compensation would provide benefits for Victorian firemen in the event of their crossing over the border of South Australia or New South Wales to prevent fires coming into Victoria, should they receive injuries in the execution of their duties. I remember a terrific fire starting near Mount Gambier some years ago and entering Victoria. The local regional officer directed twenty brigades in putting the fires under control before any damage was done in Victoria. Questions have been raised as to what would happen if Victorian firemen operating outside the State should suffer accidents and apply to receive compensation for injuries received. Our solicitor urged us to go into this matter, with the result that we approached the Chief Secretary and this Bill was introduced. I understand that reciprocal legislation is being introduced in New South Wales and South Australia to bring the three States into line. Fire

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is the enemy of man, and if we can check it on the other side of the border we should endeavour to do so. Those firemen who give their lives and time for the protection of other peoples' well-being and property should be compensated. I support the Bill.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

COMPANIES (DEFAULTING OFFICERS) BILL.

The debate (adjourned from April 6) on the motion of the Hon. J. W. Galbally (Melbourne North Province) for the second reading of this Bill was resumed.

The Hon. R. J. HAMER (Minister for Local Government).—The virtues, if any, of this Bill must tend to be somewhat obscured by the cloud of inaccurate propaganda which accompanied its arrival.

The Hon. J. W. GALBALLY.—You are a coward.

The Hon. R. J. HAMER.—The plain fact is that, for some years, the Victorian Government—

The Hon. J. W. GALBALLY.—That is what you say to us. Why didn't I get a chance to reply?

The PRESIDENT (the Hon. R. W. Mack).—Order! Mr. Galbally has made an unparliamentary statement, and I ask him to withdraw it.

The Hon. J. W. GALBALLY.—I believe in it, but in deference to you, Sir, I withdraw. That is the technique here.

The Hon. G. J. NICOL (to the Hon. J. W. Galbally).—You'll learn.

The Hon. J. W. GALBALLY (to the Hon. G. J. Nicol).—Not from you. I did not learn to tear up bits of paper in this House.

The Hon. R. J. HAMER.—To resume—

The Hon. J. W. GALBALLY.—Why don't you talk on the Bill?

The Hon. R. J. HAMER.—I have spoken only one sentence so far.

The Hon. J. W. GALBALLY.—It was offensive to me.

The Hon. R. J. HAMER.—I propose to deal with that statement later.

The Hon. J. W. GALBALLY.—Cowards, the lot of you!

The Hon. R. J. HAMER.—The plain fact is—

The Hon. J. W. GALBALLY.—How many of you are going on trips this year? You might be able to get a suit in Hong Kong.

The PRESIDENT (the Hon. R. W. Mack).—Order! The interjections must cease. On two occasions the Minister for Local Government has attempted to speak, but he has not had the chance to complete even one sentence.

The Hon. J. W. GALBALLY.—He should not be offensive.

The Hon. D. G. ELLIOT.—“If any, all up Henry Bolte!” The Minister is an each-way bettor.

The PRESIDENT.—Order! I do not want to name an honorable member, but I shall do so if the interjections do not cease. The Minister for Local Government should be given a reasonable opportunity to make a statement.

The Hon. J. W. GALBALLY.—He should not make cowardly attacks.

The Hon. R. J. HAMER.—This Bill was accompanied by accusations of inaction and apathy on the part of the Government, and I propose to reply to those attacks. The plain fact is that, for some years, the Government has been most active in seeking to arm itself with powers under the Companies Act, and in using those powers. Investigators have been appointed wherever the operations of a company appear to warrant them, and prosecutions have been launched against officers and directors of companies whenever there was a reasonable case against them.

The Hon. J. M. WALTON.—What about the directors of the Reid Murray group?

The Hon. R. J. HAMER.—I shall deal with the Reid Murray group. I illustrate the kind of action that has been taken so far against the directors of that group. Kenneth Norman Wilkinson has had five convictions so far, and there are four prosecutions pending. He has been fined a total of \$1,600 with \$500 costs. Robert Leslie Montgomery has been convicted once, and has been fined \$400 costs. Six more prosecutions are pending.

Frank Ronald Wolstenholme has had three convictions so far, and has been fined \$600 with \$150 costs. Oswald James O'Grady has had five convictions, four prosecutions are pending, and he was fined \$1,600, with \$580 costs. Raymond Lawrence Borg was charged on four counts of misappropriation of company funds and one count of forgery. He was convicted and sentenced to nine years' imprisonment, and was made bankrupt. That was the company mentioned when this Bill was brought before the House. If this is inaction, what must be said of the Labor Government in New South Wales under which such companies as H.S. Credits, Standard Insurance, Latex, Vending Machines International and now H. G. Palmer came to their doom. One could almost forgive Mr. Renshaw for wanting to cross the border.

The Government has used and has sought to use all the powers available to it under the present Companies Act. It has also taken the lead in seeking amendments to the uniform Companies Act which will tighten the duties of disclosure to the public and will increase the obligations of directors and officers to the company and to their shareholders. Of course the Act is not perfect. What has recently happened illustrates that there is need for further revision, and the particular area in which this revision is needed is in the realm of the personal responsibility of directors and officers where companies fail due to their misfeasance or fraud.

Honorable members should first recall what are the existing provisions because we can then more easily see where they are deficient. Sub-section (1) of section 304 commences with the words—

If in the course of winding up it appears that any business of the company has been carried on with intent to defraud creditors of the company or creditors or any other person or for any fraudulent purpose . . .

Then it goes on to empower the court, on the application of the liquidator, to declare any person knowingly a party to carrying on business in that manner to be personally responsible. That is followed by sub-section (1) of section 305, which again begins with the words—

If in the course of winding up it appears that any person who has taken part in the formation or promotion of the company or any past or present liquidator or officer has misapplied or retained or become liable or accountable for any money or property of the company or been guilty of any misfeasance or breach of trust—

the court may order that he be personally responsible. Both of those sub-sections begin with the words, "If in the course of winding up."

I now refer to sub-section (1) of section 250, which relates to the power of the court to order public examination of promoters and directors. It begins with similar words—

Where the liquidator has made a report under this Part stating that, in his opinion, a fraud has been committed or that any material fact has been concealed by any person in the promotion or formation of the company . . .

Then it goes on in terms similar to this Bill to provide for the public examination of an officer by the order of the court. The weakness of the sub-sections I have quoted is that they begin with the winding up; they do not apply unless the company is in liquidation and unless someone has taken the trouble to investigate the affairs of the company to such a stage that he is able to make a *prima facie* case before the court against the officer or director of the company. In previous debates in this House I

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have indicated that I regard that as a weakness. It is a weakness for two reasons. It requires the company to be in liquidation before any action can be taken, and it also requires, first, an investigation. It is fundamental that someone must be in a position to point the finger at a director or officer of a company before action can be taken.

The history of these cases shows that, often, the liquidator does not have the funds to carry out such an investigation. Unless a creditor or shareholder is prepared to put up the money to enable a liquidator to carry out an investigation, nothing can be done. It is first necessary to ensure that somebody is in a position to make an investigation and has sufficient funds to do so. That has been the trouble with companies in liquidation. This is an acknowledged weakness.

At the latest conference of Attorneys-General which I attended as Assistant Attorney-General, I suggested that this should be looked at and that some means should be found to provide funds for liquidators to investigate companies; also that some means be found to remove restrictions which allowed action for misfeasance or fraud to be taken only when the company had actually gone into liquidation. I almost recognize a child in this Bill. I do not suggest that Mr. Galbally knows this, but in almost identical words it repeats the proposals which have already been submitted by the Attorneys-General to the Law Council of Australia for comment. Comments have been received from the various Law Institutes and Bar Councils in Australia on a proposal similar to that contained in this Bill.

The Hon. J. W. GALBALLY.—That is not true, and you know it. No proposals submitted to the Law Council contain the safeguard about the Attorney-General.

The Hon. R. J. HAMER.—I am prepared to acknowledge that.

The Hon. J. W. GALBALLY.—That is a feature of my Bill.

The Hon. R. J. HAMER.—I said there were differences.

The Hon. J. W. GALBALLY.—You said it was a child. You even went on to say something which might suggest that I had got it from that source.

The Hon. R. J. HAMER.—I did not say anything of the sort. I said that Mr. Galbally probably did not know it, but the wording is almost precisely the same, apart from the reference to the Attorney-General, and I acknowledged that.

The Hon. J. W. GALBALLY.—It is a big difference.

The Hon. R. J. HAMER.—I did not impute anything to Mr. Galbally, who is becoming very sensitive. I merely said that the proposal was the same and that I recognized in it features of something I happened to initiate, because I was aware of the terms in which the proposal had gone to the Law Council of Australia. The point is that the Attorneys-General, through the Law Council of Australia, are working towards the same general objective as this Bill. Comments from the constituent parts of the Law Council, the Law Institutes, the solicitors and the Bar Councils, where they are separate, are still being received. I understand that the Victorian Law Institute is now completing its submission on this very proposal.

The Hon. SAMUEL MERRIFIELD.—If Mr. Galbally has displayed all the wisdom of those institutions and representatives, why can you not accept the proposal?

The Hon. R. J. HAMER.—I shall come to that in a moment. I have not said that I will not accept it. I point out that the proposal is parallel to what is already being done by the Attorneys-General. The Bill has some significant differences. In one way, I think it is an improvement on the proposal made by the

Attorneys-General. This is the very point which Mr. Galbally had mentioned. The Bill first requires the Attorney-General to be satisfied that there is a *prima facie* case for examination. The proposal submitted to the Law Council of Australia did not contain that safeguard. It allowed a shareholder, a liquidator, or a debenture holder to take action in a court if he wished. The court could then order the examination of the alleged defaulting officer. I regard the proposal in the Bill as an improvement.

I return to what I was saying. A prior step is needed, and that is to gain the information necessary before the Attorney-General can possibly be satisfied that a *prima facie* case exists. This is not easy. To my mind, it is by far the most difficult part of the whole operation, and it is not covered in the Bill. The real problem is to arrange for some fund which can be drawn upon to enable an initial investigation to be made before an officer or a director can be arraigned before a court. I point out that provision for the public examination of an officer or director of a company, even though the company is still operating, is a most drastic one. I do not say that it should not be used in particular cases, but it is most drastic for the officer concerned.

The Hon. B. D. SNIDER.—Especially if he is innocent.

The Hon. R. J. HAMER.—It is drastic for the officer and it is most drastic for the company, even if the officer is proved innocent. Experience has shown that whenever an investigation has been ordered even though there is no automatic winding up, the company has ceased to function. Nobody in the business community will extend credit to it and the business simply falls to the ground. When the Attorney-General is imported into the picture in this way, it goes without saying that, if he authorizes action of the kind suggested, it will be taken by the public at large that there is something

wrong, and that, as official action is being taken, the company is not to be trusted. Therefore, it is a very drastic step for the company.

The Hon. SAMUEL MERRIFIELD.—You are not suggesting that the Attorney-General would authorize these processes without some real or *prima facie* evidence?

The Hon. R. J. HAMER.—No. I suggest that the effect on the company of authorizing action is drastic. It sounds the death knell for the company. Therefore, even though the Attorney-General has to be satisfied only that a *prima facie* case exists, he will want a strong case.

The Hon. SAMUEL MERRIFIELD.—The Attorney-General would have behind him the Company Squad, which is not available to other people.

The Hon. R. J. HAMER.—That is possibly so. He will still need a good deal of evidence to satisfy himself that there is a *prima facie* case. It is the collection of that evidence which I believe to be the most important and the most difficult part of the whole operation. It must form part of any scheme, especially in relation to companies which are still carrying on and are not in liquidation, before the scheme can really be said to be effective.

The Hon. SAMUEL MERRIFIELD.—Will you move an amendment providing for the necessity for a *prima facie* case to be established?

The Hon. R. J. HAMER.—I believe it is already implicit in the Bill which provides, *inter alia*—

Where it is made to appear to the Attorney-General that any officer or former officer of a company had conducted himself—

I think Mr. Galbally intended that to mean that the Attorney-General must be satisfied that there is a *prima facie* case, just as he has to be satisfied in criminal prosecutions of various kinds.

The Hon. J. W. GALBALLY.—That goes a long way, does it not?

The Hon. R. J. HAMER.—I do not dispute that. I think it is a proper safeguard. But, to my mind, arriving at that stage is the most difficult part of the whole exercise. How is the Attorney-General to be so satisfied? That is the problem. A shareholder or debenture holder may have all sorts of suspicions about what is happening in a company, but the Attorney-General must still have some way of finding out.

The Hon. J. W. GALBALLY.—If he is not so satisfied, he should not proceed.

The Hon. G. W. THOM.—You cannot know for certain.

The Hon. R. J. HAMER.—The Attorney-General does not have to know for certain, but we do not want a piece of legislation which is not likely to be effective. I favour this kind of legislation, but we should be satisfied that it will be effective.

The Hon. SAMUEL MERRIFIELD.—Then accept the Bill.

The Hon. R. J. HAMER.—I am not satisfied that it will be effective. Unless there is a fund on which the Attorney-General can draw or the Attorney-General has some powers of prior investigation, some power to instruct people to investigate the books and records of a company, then this may well be ineffective.

Although this is a step in the right direction, it is not the full answer to the problem. Whether the Attorneys-General can arrive at the full answer is yet to be seen. I understand that they are to consider the replies to the proposals at their meeting in July. One would certainly expect that the combined wisdom of the Law Council of Australia, that of the best legal minds which can be brought to bear on the problem, will produce an effective answer. There have been some objections even to the proposals put to the Law Council. Some organizations do not like the provision for a public examination; they would prefer a private examination. It may be that a private examination

would be just as effective if it produced an answer which would fix personal responsibility on a defaulting officer or director.

The Law Council regards the whole proposal as an entirely new principle which must be carefully safeguarded and investigated before it is made law. It would be unfortunate if the House passed a Bill of this kind while the whole problem is still receiving very close attention and when the issue should be known by July.

The various States have pledged themselves to a uniform Companies Act and have faithfully adhered to that pledge despite quite some pressure in various Parliaments to deviate from the terms of the uniform Act. Despite political differences, the States have been able to work together in great unanimity on the Companies Act, and the principle of uniformity has worked very well. It would be unfortunate if one State broke away at this stage.

The Hon. J. W. GALBALLY.—Is the Law Council considering my Bill?

The Hon. R. J. HAMER.—It is considering a proposal in almost identical terms.

The Hon. J. W. GALBALLY.—No, the proposal of which you speak does not have the safeguard about the Attorney-General. That is the whole feature of my Bill, that the Attorney-General, being a responsible judicial officer, should have the responsibility.

The Hon. R. J. HAMER.—Again, I do not suggest that Mr. Galbally is aware of this, but one of the comments made was that there should be this safeguard, and that the whole process should be initiated by a law officer.

The Hon. J. W. GALBALLY.—That is exactly what I have done.

The Hon. R. J. HAMER.—Mr. Galbally had provided for that in his Bill, and I have commended it. I have

said that it is an improvement on the proposals of the Attorneys-General. There have been other comments and there has been no final resolution of the problem as yet. However, it is under very close and careful scrutiny by the people who ought to be able to produce the best answers. It is interesting that the Jenkins committee on the Companies Act in England, although it went deeply into this question, did not recommend any proposal going further than a winding up. In other words, it wanted the winding-up proposals tightened but did not recommend any proposal which would affect a company still in being. Both the proposal of the Attorneys-General of Australia and Mr. Galbally's Bill extend the principle to active companies. I support that extension. In the conditions that have existed in Australia, it may well be inevitable in some cases.

I sum up the situation as the Government sees it. This is a Bill, the principle of which has already been adopted by the Attorney-General of this State in collaboration with his colleagues on the Attorneys-General's committee. It does not provide the full answer to the problem, because it does not provide any way in which a person who wishes to initiate an investigation of a company can have that investigation made if he is not part of the company. The Bill provides no means by which he can start if he has no inside information.

The measure has a number of good features and adopts a principle which is already accepted, but I suggest that to pass it would be to cut across the whole principle of uniformity which has characterized the Companies Act since 1961, and Parliament would be wise to await the outcome of the present investigation. If it is not satisfied with what the Attorneys-General produce, it will have to reconsider whether it wants to go along with uniformity as a principle. I am not condemning the Bill, but it is incomplete and at this stage it would

be premature to pass it. Parliament should await the outcome of the conference of Attorneys-General in this field.

Sir PERCY BYRNES (North-Western Province).—The Bill leaves a layman, such as I am, somewhat stranded. I listened with interest to the learned discourse by Mr. Galbally upon the evils that have beset companies and the system of finance over the past few years and to the equally learned discourse by the Minister for Local Government. Naturally, I can speak only as a layman and for the people who have been caught in the past few years. Members of my party have to decide whether to support Mr. Galbally's Bill, with which we agree, or whether to leave the matter stand over until some time in the future when the Attorneys-General may bring about a uniform provision.

For some years it has been the practice in this Chamber for members of my party to take an independent attitude on matters which are essentially non-party. I do not think anybody could say that this Bill should be the brain child of any party or the subject of party policies. It would never have come to light but for the extraordinary circumstances that have prevailed in the post-war years, when people accumulated wealth and money was available for investment. The result was that the American system of financing companies by unsecured notes and debentures at high rates of interest was introduced. This brought a lot of people into the mesh, and eventually they regretted it. That extraordinary period has not yet passed.

There was a time when I used to cut out of the newspapers advertisements for debentures and unsecured notes, but to-day I saw an advertisement by a thoroughly reputable company for debentures at an interest rate of just under 8 per cent. for a certain number of years. This is generally considered to

be a high rate of interest. There is a good reason why debentures are issued instead of shares.

The Hon. I. A. SWINBURNE.—Many people thought these other companies were reputable.

Sir PERCY BYRNES.—Some of them were, but the people were over-optimistic. First of all, there were the rogues with their vending machines, and we dealt with them. Then appeared the person who built up a business and brought wealth to those connected with it. He had the capacity to induce people to carry on investing in his company to their ultimate detriment.

As a party, we have to make a decision on what we are to do about this Bill. We are in favour of it, and I shall explain why we propose to support it. By passing it, we may offend the Minister who wants uniformity, but it will be an indication that this Parliament wants this job hastened. We want to bring this legislation to finality and to a high peak as soon as possible. To pass the Bill would be a gesture by this House and would prove beneficial. If the Bill is not as the Minister desires or as the Attorneys-General of the other States desire, then it can be amended.

We want placed on the statute-book legislation which will ensure that a defaulting director who has done something palpably wrong is punished and made to pay. One of the clauses of the Bill makes provision for getting money out of these people, but it is difficult to say how much money would be obtained in this way. It will also affect an officer of a company whether or not the company is in liquidation. This is a new departure, but there is a safeguard in that the Attorney-General has the right to initiate action.

I agree with the Minister that the real problem in these matters is how to get a start. By the time action is started against defaulting officers, the damage has been done. If the damage has not been done, one may

be put in the position of appearing to push the company farther down the slide. However, these decisions have to be made by the Attorneys-General.

Somebody has to decide where and when to start the action against the defaulting officer. There is no doubt in the mind of any person who has seen what has happened in recent years that numbers of people should have been prosecuted and deserved to be treated as is envisaged in this Bill. The Country Party will support the Bill knowing full well that possibly it will be put into cold storage and nothing will be done at the moment. However, I think it is essential that this Parliament should take every opportunity of expressing its opinion on these issues that have destroyed the financial stability of this State. It is our duty to prevent the same thing from recurring and to take action to prevent the new "spieler" from getting another run on and causing untold distress in the community.

There is no doubt in my mind that the instability on the Stock Exchange to-day has to some extent been brought about by the financial history of the past few years. People are loath to invest money in companies. The average investor—not the wealthy man—now hesitates to invest because he knows that many people have lost a great deal of money in the past. Of course, it may be healthier to have some share prices lower, but generally speaking that is not so.

I do not propose to indulge in histrionics on this occasion. We have adopted this attitude of impartiality over the years and have not deviated from it. Defaulting company promoters should be brought to heel, and the law of the land should be such that, if it is not impossible for them to carry out these nefarious actions, at least it will be extremely difficult for them to do so. Moreover, there should be some means of punishing them.

I know that Mr. Galbally is inclined to say at times that he does not believe in punishing people for the

sake of punishment, but I think there is something in punishment. If the people who occupy important positions in companies knew that they could be brought to heel because of their actions, they would be deterred from doing some of the things that they have done in the past. Also, if they could be made personally responsible financially and have some of the cash reefed off them, it would be a more effective deterrent. They should be brought to heel and examined publicly and punished for their actions, and they should be made to return some of the money they got by their doubtful actions. I do not propose to indulge in the legal terminology which embellished the speeches of Mr. Galbally and the Minister, but speaking as an ordinary, average individual, I think it is time the crooked company promoter was brought to book and made to realize that he cannot carry on as he has in the past.

The Hon. P. V. FELTHAM (Northern Province).—I think all honorable members are in sympathy with the objectives of the Bill, and we can only applaud Mr. Galbally for having brought it forward. I believe the House agrees that some attempt should be made to investigate the affairs of a company and to do something about possible misfeasance or breach of trust before the company goes into liquidation. That is the principal objective of the Bill.

Apparently, the House is also in sympathy with the proposal that, following an examination and proper court procedures, if it is found that an officer of the company—officer is used in the widest sense—has been guilty of breach of trust or misfeasance, then he should repay to the company the actual money which he has taken, or he should return any property belonging to the company which he has in his possession. He should be liable in damages for any misfeasance or breach of trust, and this is an extension of the principle which has been incorporated in the Companies Act in recent years. All

honorable members are in sympathy with that proposal. I am happy to learn that the Government is considering action along similar lines to that envisaged by Mr. Galbally.

I share with the Minister for Local Government certain misgivings concerning the opening gambit, as it were, so far as the initiation of proceedings for an examination is concerned. I agree with the Minister's comments concerning the commencement of proceedings by the Attorney-General as the motivator. I suppose this is the best that Mr. Galbally was able to do with it. The relevant provision provides that where it is made to appear to the Attorney-General that an officer of a company has conducted himself in such a way that an inference might reasonably be drawn that the officer has rendered himself liable to action by the company in relation to the performance of his duties, the Attorney-General may approve of court proceedings being instituted. Of course, this presupposes that some prior action has taken place to cause the Attorney-General to commence proceedings.

I should like to make a suggestion to Mr. Galbally. If this Bill, or something like it, becomes law, it will be necessary to have funds to enable the police Company Squad or somebody else to step in and enter upon any company upon any information and start making inquiries in order that the necessary chain of proceedings may be commenced. Where is the money to be obtained for this purpose? Enough money has been invested, in shares and debentures, in companies in recent years—a good deal has been invested to the sorrow of many investors—to establish a fund for this purpose.

If the Bill is passed—I do not know how far it will proceed—the Government could examine the possibility of a percentage loading on all registrations of companies and on all subscriptions by the public, either by way of unsecured notes or debentures,

to establish a special fund out of which, if necessary, an investigation could be financed. A good deal of money would be involved in investigations and in the proceedings which followed. It is not possible to have an investigation and to follow through with other necessary procedures seeking to recover lost money without incurring considerable cost. That is my suggestion concerning the manner in which proceedings might be commenced. It is necessary to put some teeth into this part of the Bill.

Upon reading the measure, certain weaknesses become apparent. An application must be made to the court for an order for examination, and this is done because the Attorney-General claims that it appears to him that some misfeasance has occurred.

The first objection which could be taken by a company director or an officer of a company when such action was taken would be to claim that there were not sufficient matters upon which the Attorney-General was entitled to commence proceedings. The Government must be prepared to answer such an objection if legislation of this type becomes law. I am sure that if Mr. Galbally were appearing on behalf of a defaulting company, he would submit that the Attorney-General had no proper grounds for approving an application to the court for an examination.

Honorable members are no doubt wondering what attitude I will adopt concerning this Bill. I believe that the Government should enact legislation with a good deal more in it than this Bill. The legislation should include some provision for establishing a fund along the lines I have suggested. Even if this Bill is passed by this House, it could be placed at the bottom of the Notice Paper in another place, as has happened with other Bills, and it could be dropped from the Notice Paper after Parliament has been prorogued. In order to indicate my sympathy for the objectives of

this Bill—I do not consider it to be the perfect answer to the problem—and knowing what will happen to the measure if it is passed by this place, I propose to support the motion for the second reading.

The Hon. ARCHIBALD TODD (Melbourne West Province).—This Bill has been damned with faint praise by both the Minister for Local Government and Mr. Feltham. I do not propose to cross swords with Mr. Feltham concerning the weakness in the opening gambit, as it were, in clause 2. However, I suggest that, at a later stage, this House could be discussing a Bill which probably contains a similar type of opening gambit which has never been regarded as a weakness. I am prepared to recognize that there is some possibility or ground for legal dispute when the Attorney-General attempts to take action. However, because of the worthy objective of the Bill, I think it should be given careful examination.

Apparently, the Minister for Local Government recognizes that the Bill has some merit in it, and that it goes a long way towards what he considers should be done, but the honorable gentleman shelters behind the attitude that, in order to preserve what he calls the uniform Companies Act, it should be left to the Attorneys-General. In the main, we may agree with the principle that there should be uniform companies legislation throughout Australia, but we should not be bound completely by having to wait on the Attorneys-General of every State to make up their minds concerning what action should be taken about this matter. By the time the Attorneys-General make up their minds, some other misfeasance might have been committed, which could have been punishable under this measure had it been passed.

If the Government has been thinking along the same lines as Mr. Galbally, what is wrong with adopting this measure and, if necessary, later amending it to make it uniform with

the legislation in other States? There is no justification for deferring for six months or twelve months some desirable reform in the companies legislation.

I recall that some time ago one of the financial newspapers in Victoria published a diagram of the operations of a certain person who was in some financial trouble at the time. It was like the diagram of the breeding of a racehorse where the breeding went back for a considerable time to the Tetrarch or one of those sires. It was difficult to trace where the money that had been poured into the company in question had ultimately finished.

We view these matters with concern. Where we discover avenues whereby smart promoters or financiers can escape their obligations, we should be ready to enact legislation to block those avenues and make the persons concerned responsible to those who subscribe money to them. We should not waste time. This legislation should be enacted and, if it does not work satisfactorily, it should be suitably amended at a later date. It would not be the first occasion on which legislation has been passed by this Parliament and later it has been found necessary—this applies particularly to the companies legislation—to tidy it up from time to time.

We cannot accept the idea that, because of the desire for uniformity, we should follow the line of procrastination and postpone the day of reckoning for twelve months. If this policy were adopted, certain persons who would be caught under this measure in the near future would escape the penalty which their actions warrant. They would still retain some of the cream that they had syphoned off through their occupancy of the position of company directors.

In replying to Mr. Galbally, the Minister for Local Government admitted that this Bill was somewhat along the lines of legislation which he had considered. The honorable

gentleman claimed that the Government had done a good deal over the years to improve the companies legislation. However, much of the companies legislation has been enacted in recent years. If action had been taken earlier, many of the financial worries which exist to-day would have been prevented.

All honorable members desire that legislation shall be passed to require some of these careless directors to pay their ill-gotten gains back to the people from whom they were acquired. It is all very well for the Minister to read out a list of prosecutions against company directors, but when we take into consideration the penalties which have been imposed on them, the fines represent only a drop in the ocean compared with the amounts some of them have been able to syphon into their pockets. Even the gentleman who is languishing in gaol will, when he is released on parole, be able to shake the dust of this country from his feet and proceed to the climate where some of his ill-gotten gains are safely in the banks, and live in luxury.

Parliament should be ready to take immediate action to prevent actions of this type. The Government should say to Mr. Galbally, "You have beaten us to the gun. We recognize the merit of this Bill. It may have weaknesses and it may need improving, but we are prepared to adopt it and amend it and say to the Attorneys-General of other States, 'We have done something about the matter. We want you to take similar action'." Action of this type would improve the existing position.

It is of no use the Government saying that there is merit in Mr. Galbally's Bill, and then refusing to support it, because of the need to have a uniform Companies Act. The enactment of uniform legislation takes a long time, and that is realized by honorable members who are interested in uniform action concerning

The Hon. Archibald Todd.

indecent publications. It would take a long time before legislation of this type could be enacted on a uniform basis.

The merit of this Bill is that it enables the community to see that some of the money which is taken is returned to the investors. It has been suggested that at least one man, whose name has figured prominently in connexion with company depredations, has made substantial gifts to his family in recent years. Even if he were fined for his actions, he and his family would probably do very well in the final analysis. I suggest that the defence put up by the Minister for Local Government was not sound. The honorable gentleman merely said in effect, "Do not do anything at the present time. You are rushing into things."

For many years, we have known that Mr. Galbally wanted something done about these matters. Now that he has decided to do something himself, a scream goes up that we should not do anything about this until the Attorneys-General of the other States have been able to examine it and decide on uniform action. Suppose we cannot get uniform action. Are we to continue to leave this loophole in our law? Other States may say that they do not like the nature of this legislation that we propose, but if the Victorian Parliament believes that there is a worth-while objective in legislation, whether or not it is introduced by a private member, we should be prepared to support it.

It is refreshing to learn that the Country Party proposes to support the measure. Mr. Feltham expressed some doubt as to how far it would go, but if it is passed by this House it will be put into the Government's lap. Then the Government will have to answer to the people for what it proposes to do with the legislation, and it will have the responsibility of introducing some form of legislation that will bring morality back into the commercial life of our State.

The House divided on the motion
(the Hon. R. W. Mack in the chair)—

Ayes	..	..	17
Noes	..	..	16

Majority for the motion 1

AYES.

Mr. Bradbury	Mr. Merrifield
Sir Percy Byrnes	Mr. O'Connell
Mr. Elliot	Mr. Swinburne
Mr. Feltham	Mr. Todd
Mr. Galbally	Mr. Tripovich
Mr. Hewson	Mr. Walton.
Mr. Knight	<i>Tellers:</i>
Mr. Mansell	Mr. Cathie
Mr. May	Mr. Clarke.

NOES.

Mr. Byrne	Mr. Hunt
Mr. Chandler	Mr. Nicol
Mr. Dickie	Mr. Snider
Mr. Garrett	Mr. Thom
Mr. Gawith	Mr. Thompson.
Mr. Gleeson	<i>Tellers:</i>
Mr. Granter	Mr. Campbell
Mr. Grigg	Mr. Gross.
Mr. Hamer	

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Power to publicly examine defaulting officers).

The Hon. J. W. GALBALLY (Melbourne North Province).—Once again, I thank the House for its consideration of a private member's Bill. I should like to thank the Minister for Local Government for his close examination of the technical details of the Bill, Sir Percy Byrnes, who said that he was not a lawyer, but spoke with all the legal training in the world, and my old friend—old in wisdom but not in years—Mr. Feltham, whose sympathy for me I think carried the day, perhaps against his better judgment. I hope that sympathy long remains with him.

Mr. Feltham had some misgivings as to what would happen to this Bill when it went to another place. I do not share those misgivings. This is a matter very much in the public's mind. It is not something about which a House of Parliament should say, "This is of no real significance; let it lie at the bottom of the Notice

Paper." I do not know of very many things more important in the community to-day than the cleaning up of the company law, because to that is related the whole question of getting the Stock Exchange, industry and commerce moving again, and creating a measure of confidence in the community and in those who conduct our enterprises—commercial entrepreneurs, and so on. We, as a House of Parliament, would all be grievously dismayed if this Bill, if passed by this House, went to another place and was not debated. I do not think the Government will do that. Over the years, the Government has, by and large, where a House of Parliament has expressed a view on a matter of public importance, allowed it to be debated in the other Chamber.

As Mr. Swinburne reminded me a few moments ago, I hold the belt for private members' Bills. I can tell honorable members all about them. I have had quite a number passed since I first entered this House. Governments usually say, "Fair enough." As we know, the legislative programme of this Government in the autumn session is by no means large. In fact, it will be agreed that in this House we would not have been debating anything at all if it had not been for private members' Bills.

The Hon. G. W. THOM.—Has Mr. Galbally seen the Notice Paper to-day?

The Hon. J. W. GALBALLY.—What is the first item on the Notice Paper—a Bill dealing with sheep dipping! The best debates in this House have always been on private members' Bills. Members seem to throw away party affiliations on these measures, and all the debates have colour and are good.

So far as clause 2 is concerned, Mr. Feltham expressed some doubts as to whether the Bill, as drawn, had enough teeth in it. He referred to the words "Where it is

made to appear to the Attorney-General." He thought that without a pretty active police Company Squad, or something of that nature, the Attorney-General would not have the material on which to go ahead. That is a fair enough criticism. In fact, it is one that has been echoed in this House—that there ought to be more vigilance in regard to company examination, and so on. Mr. Feltham suggested the creation of some form of insurance, perhaps by the payment of some small percentage into a fund when an investor buys shares or, alternatively, by increasing the registration fees paid by companies. These are very helpful suggestions; I am not bound to express a view on them. It is a form of taxation, and one must be cautious about such matters. The Attorney-General will need trained technical assistance if this Bill is to be any good, but that is a practical consideration that does not affect the wording of the measure.

As to the other matters, we are all aware that it is most difficult to draw up a Bill covering all circumstances, but this is an attempt to do so. I believe the community wants something done; the Minister for Local Government has confessed that this measure is close to something that the Government apparently had in mind.

The Hon. A. J. HUNT.—You confessed; you told us what the difference was between the Minister's proposal and yours. It was made known to the Victorian Bar Council, of which you are a member.

The Hon. ARCHIBALD TODD.—The Bar Council did not let out the information.

The Hon. J. W. GALBALLY.—Would Mr. Hunt care to repeat his statement?

The Hon. A. J. HUNT.—The proposals were made known to the Victorian Bar Council, of which you are a member.

The Hon. J. W. GALBALLY.—At what stage?

The Hon. A. J. HUNT.—The Victorian bar made one suggestion, namely, the substitution of Attorney-General for Registrar, and that is the suggestion that you have adopted. That is the difference.

The Hon. J. W. GALBALLY.—I understand that some proposals were before the Bar Council which were not circulated to members of the bar. There was a small sub-committee working on the matter. Whether it is still working on it, I could not say, but is Mr. Hunt suggesting that the Bar Council gave me some information? I invite Mr. Hunt to speak up. This is the time for frankness.

The CHAIRMAN (the Hon. W. R. Garrett).—Order! I suggest that Mr. Galbally should continue with his speech unassisted.

The Hon. J. W. GALBALLY.—I thought Mr. Hunt might have wanted to say something along these lines. I shall not be offended; Mr. Hunt might as well get it off his chest. The Minister has said that these proposals come close to what the Attorney-General had in mind, but they are better, but not quite good enough. This is not the time for recriminations. I am delighted that the House has seen fit to accept this Bill, and I hope it can achieve the objectives that are aimed at.

The clause was agreed to, as was the remaining clause.

The Bill was reported to the House without amendment, and passed through its remaining stages.

OPTICIANS REGISTRATION (AMENDMENT) BILL.

The debate (adjourned from April 19) on the motion of the Hon. V. O. Dickie (Minister of Health) for the second reading of this Bill was resumed.

The Hon. J. M. WALTON (Melbourne North Province).—This Bill provides that the fees collected by the Opticians Registration Board may be

used by the Board for its own purposes. In 1953, the Board approached the Government of the day and sought additional assistance for what was then the Australian College of Optometry, but is now known as the Victorian College of Optometry. The Government agreed to the request on the condition that the Opticians Registration Board demonstrated in a practical manner the assistance that opticians themselves were prepared to give. The Board recommended an increase in the annual registration fees from £3 3s. to £6 6s. a year and proposed that £3 3s. a year per head should be made available to the Victorian College of Optometry. This proposal was agreed to.

In 1964, the Opticians Registration Board again approached the Government because the Board's administrative costs had increased considerably whilst the number of registrations of opticians had decreased, with the result that the Board was having difficulty in paying 50 per cent. of its annual registration fees to the Victorian College of Optometry. The Government agreed that the statutory payment to the college should be reduced to £2 2s. per head.

A further approach has been made to the Government to permit the Board to reduce to \$2.10 per head its payment to the Victorian College of Optometry. On this occasion the Government has decided—wisely, I believe—to permit the Board to retain the full \$12.60 per head so that it might meet its administrative costs. It will still be possible for the Board to pay any funds over and above the Board's requirements to the Victorian College of Optometry, or into Consolidated Revenue. This measure is of little significance, although it will assist the Opticians Registration Board to continue its operations. The measure is made necessary because of the decrease in the number of registrations of opticians and the increase in the Board's administrative costs.

The Opticians Registration Board is to be congratulated on the excellent work that it has performed over the years and for the tangible manner in which it has assisted in the conduct of the Victorian College of Optometry. In the original legislation, the Board was empowered to prescribe the course of study and the examination for persons desiring to become opticians and to register those persons on the completion of their studies. Over the years, few people have had cause to complain about the manner in which the Board has conducted its affairs. Members of our party offer no objection to the passage of the Bill.

The Hon. R. W. MAY (Gippsland Province).—Mr. Walton has fully covered this simple measure. As he stated, the Board has done an excellent job over the years. Whilst it was in a position to do so, it made a generous contribution to the finances of the Victorian College of Optometry. Apparently, the Board is no longer in a position to make such contributions.

In 1964, the principal Act was amended to relieve the Board of the necessity to pay 50 per cent. of its annual registration fees to the Victorian College of Optometry. It is now proposed that the Board shall retain for its own administrative purposes the full amount received from registration fees. If at any time the Board finds that it is able to do so, it may still make a contribution to the Victorian College of Optometry. Members of the Country Party commend the Board for the excellent work that it has carried out in the past, and we wish this measure a speedy passage.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

CONSOLIDATED REVENUE BILL (No. 3).

This Bill was received from the Assembly and, on the motion of the Hon. G. L. CHANDLER (Minister of Agriculture), was read a first time.

VAGRANCY BILL.

The debate (adjourned from March 22) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. ARCHIBALD TODD (Melbourne West Province).—This Bill has been presented to bring together certain provisions of the now dismembered Police Offences Act. In addition to vagrancy provisions, it covers insufficient means of support, prostitution and disorderly houses, fortune telling and miscellaneous matters. I suppose many of us have different ideas of what a vagrant is, although most people regard a vagrant as a type of person who does not cause a great deal of harm in the community but cannot settle down.

One finds that there are several definitions of "vagrant" in dictionaries. One description is "a person wandering about without a settled home." Many picture a vagrant as the type of man who wanders from farm to farm with a swag on his back offering to do work for some food, and then wandering on again. A vagrant has also been described as "an itinerant, a person strolling about unrestrained or inconstant." When one considers a vagrant as an inconstant person, one thinks of a vagrant breeze—one that blows occasionally or inconstantly. A vagrant has also been described as "an idle person". In the eyes of the law, the vagrant is also regarded as a person wandering about begging or without visible means of subsistence.

It is interesting to note, from evidence given before the Statute Law Revision Committee in 1963 that 548 males and 77 females were convicted of having insufficient means of support—in other words, for being vagrants. Apparently, great use is made of the vagrancy provision. The other offences covered in this Vagrancy Bill have always been regarded as breaches of good conduct in society, for which monetary penalties and gaol terms have been provided.

My party is not particularly happy concerning the fact that the onus of proof has been reversed in connexion with some offences. We have always advocated not only that should justice be done but that it should also appear to be done, and we feel that the onus of proof should rest to the fullest degree on the prosecution and not on the accused. It should not be for the accused to have the burden of proving his innocence rather than the prosecution proving his guilt.

The Labor Party does not intend to call for divisions on the relevant clauses, but wishes to express the opinion that it considers the question of the onus of proof should have been more closely examined by the Statute Law Revision Committee. I suppose I share the blame in this regard, because I was a member of the committee at the time the Police Offences Act was under consideration by it, and when the recommendation was made as to how it should be broken up.

Many law text-books support the view that the onus of proof should always rest on the Crown. As an example, I quote from *Russell on Crime*, Vol. I, Chapter 2, page 35. Viscount Sankey, the Lord Chancellor, stated, *inter alia*—

It is not till the end of the evidence that a verdict can properly be found and . . . at the end of the evidence it is not for the prisoner to establish his innocence but for the prosecution to establish his guilt . . . But while the prosecution must prove the guilt of the prisoner, there is no such burden laid on the prisoner to prove his innocence, and it is sufficient for him to raise a doubt as to his guilt . . . No matter what the charge or where the trial, the principle that the prosecution must prove the guilt of the prisoner is part of the common law of England and no attempt to whittle it down can be entertained.

Over many years, that principle has apparently been whittled down and in parts of the Police Offences Act various provisions have been inserted which differ from the views held by Viscount Sankey.

The onus of proof is placed on the defendant in one or two parts of this Bill, particularly in clause 5. We also

wish to offer some views on one or two other clauses but shall reserve our remarks until the Committee stage.

Many of the provisions of this measure have been reproduced in their entirety from the Police Offences Act, except that in most cases monetary penalties have been increased to accord with the decline in the value of money. Value has consistently flowed out of the £1 ever since the great election stunt when a certain gentleman told the electors that if he was elected to power he would put value back into it.

We consider that the Government had an excellent opportunity to review the onus of proof provisions when the Police Offences Act was split up into several other pieces of legislation, and it should have ordered a special examination of that subject.

The Hon. R. W. MAY (Gippsland Province).—The introduction of this measure is the result of the division of the Police Offences Act which, to say the least, was a most voluminous piece of legislation, containing some 231 sections and seven schedules. The Statute Law Revision Committee, which is representative of all parties, dealt with the Police Offences Act in a non-party manner. I believe that if it came to a question of party representation on the Statute Law Revision Committee, the Government could be in the minority. The committee deals with matters that are placed before it in a strictly non-party manner and, in the light of the evidence presented, endeavours to produce something which will be workable. Of course, any members of the Statute Law Revision Committee who feel that they cannot agree with the majority view have the right to submit a minority report.

This Bill deals with a number of matters, and in certain cases some of its provisions reverse the existing requirements regarding the onus of proof. This tendency is becoming

evident in certain aspects of taxation legislation. It is extremely difficult in connexion with some types of offences to prove a case if the onus of proof does not rest on the accused. Consider, for example, the position that arises when women who are considered to be prostitutes are apprehended and found to have money in their possession. It is extremely difficult for the prosecution to obtain a conviction unless the onus of proof is reversed.

The Statute Law Revision Committee considered this aspect of the Bill as carefully as it considered all other aspects, and I believe the proposals met with general approval within the committee. As the Government had referred this measure to the Statute Law Revision Committee on two occasions, it decided to act upon the recommendations of the committee and finally submit the measure to the Parliament.

Clause 3 of the Bill provides that the provision of section 5 of the Act shall not apply to any person under the age of seventeen years. At present, a person of seventeen years of age can be charged under vagrancy provisions but cannot appear before a Children's Court because he is over sixteen years of age.

In my opinion, this provision will bring about uniformity and will fill in a gap that has existed.

By and large, members of the Country Party believe that this is a progressive measure. We believe that, in the provisions in which the onus of proof is reversed, this is the only practical manner in which justice can be obtained. Accordingly, we support the measure.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Repeal).

The Hon. R. J. HAMER (Minister for Local Government).—Mr. Todd and Mr. May referred to the question

of the onus of proof which, in two or three clauses of the Bill, takes quite a different form from that to which we have been accustomed. The Statute Law Revision Committee considered this question, and in its report of 30th October, 1963, stated—

Whilst the Committee believes that the principle of “innocent until proved guilty” should only in exceptional circumstances be departed from, it adopts the view that those provisions reversing the onus of proof in the current Act were expressed in such a way on the authority of Parliament only after a strong necessity had been shown for a departure from the accepted principle, and is reluctant to interfere with the provisions which fall within that category . . .

It is exceptional, and it ought to be so. The passage quoted by Mr. Todd accurately expressed the view both of the common law and, in general, of the statute law. However, I think it should be recognized that there will be circumstances in which, unless the onus is at some stage transferred—I use that word advisedly—to the defendant, it will be impossible to get a conviction.

I point out that, in all these cases, the onus of proof is not so much reversed as transferred at a certain stage to the defendant. In every case, there must be a starting point. I take an example. Paragraph (c) of sub-clause (1) of clause 6 deals with consorting and like offences, and states that any person who—

habitually consorts with reputed thieves or known prostitutes or persons who have been convicted of having no visible lawful means of support unless such person, on being thereto required by the court, gives to the satisfaction of the court a good account of his lawful means of support and also of his so consorting—

shall be guilty of an offence. The first stage is the habitual consorting with persons of bad character and bad record. There is that fact to be established before any onus is cast on the defendant. There must be a situation in which he is called upon to explain whether, in view of the fact that he is so consorting, he has any lawful means of support. At that point, the onus is transferred to the defendant to show the court that he has some lawful means of supporting himself.

The Hon. R. J. Hamer.

The Hon. ARCHIBALD TODD.—In 1963, there were only nine convictions for consorting, involving four males and five females.

The Hon. R. J. HAMER.—The number is falling steadily; last year, there were only four convictions. The provision is not much used, but apparently it is still of some value.

One other point I should like to make is that the onus that shifts is a lesser onus than that which lies on the Crown. The Crown is required to prove its case beyond reasonable doubt, whereas all the defendant has to do to discharge his onus is to create in his favour a balance of probabilities. That is a lesser onus than the one carried by the Crown. In cases in which this transfer of the onus of proof occurs, it will be found that there is good cause for it, and that without it no charge would be successful.

The Hon. ARCHIBALD TODD (Melbourne West Province).—It is true, as Mr. May stated, that the Statute Law Revision Committee examined this Bill extensively and made a report to the Government based on an agreement of all parties represented. However, it does not necessarily follow that, because the committee brings down a report, which is then considered by the various parties, including the Government party, the ideas set out by the committee have to be accepted. The committee arrives at the basis of its reports in good faith, but when they are examined piecemeal by the various parties, and when the legislation is presented to Parliament, each party has the right to decide whether it will accept or reject the recommendations of the committee.

The Minister for Local Government has dealt at length with the question of the onus of proof. The question of putting it on the accused is a very serious matter. I direct the attention of the Minister to an actual case in which an elderly, unprepossessing person, described by a witness who appeared before the

committee as having the appearance of an old lag, was seen in possession of a very expensive camera. A policeman thought it strange that a man of his appearance should possess a valuable camera and questioned him. Asked where he obtained the camera, the man said that he bought it in Adelaide. He said that he was not able to remember the shop in which he purchased it or how much he paid for it. All he could say was that he bought it in Adelaide. He was haled before the court and repeated the statements he had made to the policeman, was duly convicted, and taken to gaol. Ultimately, it was found that he actually had purchased the camera in Adelaide. The shop from which he bought it was traced and the amount paid for it was ascertained. This man was released from gaol, and, I suppose, compensated by the Government. This case proves that the principle of placing on an individual the onus to prove that he came by an article lawfully does not always act in the manner that the Statute Law Revision Committee envisaged that it should.

As to the use of the word "reasonable", and the fact that the accused has to prove to the court on the balance of probabilities that he came by an article in a proper manner, it is not as easy as the Minister makes out, and we should watch these matters closely. If we can bring back the balance to a proper stage, where it is equally divided between the accused and his prosecutor, the prosecutor must show in some manner that the article in the possession of the individual accused was reported to be stolen and the accused should not have to prove that he came by it lawfully. I shall direct attention to other clauses in the Bill, but I wanted to bring to the notice of the Minister the circumstances I have described.

The Hon. R. J. HAMER (Minister for Local Government).—Mr. Todd has rightly stated that no party in this Parliament is bound to accept

absolutely the reports of the Statute Law Revision Committee. On the other hand, any party—the Government included—ought to think carefully before it departs from them. This committee has been given a number of powers, and it has access to greater detail and more accurate information than any individual member. The manner in which it has performed its functions in recent years has earned for the committee a good deal of confidence from this Parliament. The Government does not accept everything that the committee presents, but, on the other hand, I believe that the Government explains the reasons why it feels it cannot accept certain recommendations and Parliament is made fully aware of the situation. Any party can adopt the same view.

The matter of the burden of proof was discussed by the committee and, like the rest of us, its members did not like the transfer of the onus to the individual, but in particular cases it could see reasons for this recommendation. The case referred to by Mr. Todd is the only one I know of where the system has gone well and truly awry. There was an excuse for the court coming to an adverse conclusion in that instance. There was not really anything on which a court could feel much doubt. I am glad that in the end the person unjustly convicted was compensated. So far as I know, it is the only case of the kind which has occurred, and although it illustrates what can happen, and therefore ought to induce certain caution, I do not believe it is a typical case or that, on the whole, this provision has worked adversely against defendants.

The clause was agreed to, as were clauses 3 and 4.

Clause 5 (Arrest of persons without lawful means of support).

The Hon. ARCHIBALD TODD (Melbourne West Province).—The clause provides, *inter alia*—

(1) Where any member of the police force has reasonable cause to believe that any person has no lawful means of support

or has insufficient lawful means of support he may arrest such person either with or without warrant and bring him before a court of petty sessions or justices, or may summon him to appear before a court of petty sessions.

(2) Every person who fails to prove to the satisfaction of the court or justices that he has sufficient lawful means of support or that such means of support as he has are lawful shall be liable to imprisonment for a term of not more than twelve months.

If an accused person in court informed the justice on the bench that he owned a bank account with a balance of \$500 or \$600, and claimed that he was not without lawful means of support, he must then prove that he came by the money honestly. These provisions are double-barrelled. In the past, persons have been charged with being without lawful means of support, and a parent has said, "I do not want him to work, I am prepared to keep him." The onus is put on the individual. A policeman may see a man hanging about a particular place on a number of occasions and ask him whether he is working. If the person says he does not work, he may be charged with having no lawful means of support. He may say, "I have money", but he must prove that he came by that money lawfully. He may say, "I am a successful race-goer, and I have increased my bank account as the result of my visits to the racecourse". It will depend on the magistrate whether the bench is prepared to accept his statement. The onus is on the defendant to prove his innocence, instead of being on the police to show that the person acted in the community at large in a manner which indicated that he was a vagrant in the true sense of the word, that he did not intend to work and that he lived on the community. I do not believe clause 5 has been given sufficient attention, and the Opposition will not support it.

The Hon. R. J. HAMER (Minister for Local Government).—This provision is contained in legislation in other States and in England. It contains one change recommended by the Statute Law Revision Committee.

It requires, as a first step, that a member of the Police Force shall have reasonable grounds to believe that the person concerned has no lawful means of support. If I recall correctly, prior to the introduction of this Bill the relevant words were "no cause"; the word "reasonable" contained in sub-clause (1) of this clause was not included.

The Hon. G. J. NICOL.—It was "shall suspect".

The Hon. R. J. HAMER.—Witnesses before the Statute Law Revision Committee directed attention to the expression, "have reasonable cause" in other States, and the Statute Law Revision Committee recommended that the change be made.

The Hon. ARCHIBALD TODD.—In several places.

The Hon. R. J. HAMER.—That is so. To that extent, it has strengthened the threshold of this charge. It is open to the defendant or his counsel to challenge the first step that a member of the Force had "reasonable cause," apart from whether there was any lawful means of support. That is a reasonable safeguard. I have not heard of any serious disaster occurring because of this provision. It is quite general in British common-law, and it will have to be retained. The Statute Law Revision Committee recommended it in that form, and the Committee would do well to accept it.

The clause was agreed to.

Clause 6 (Consorting and like offences).

The Hon. ARCHIBALD TODD (Melbourne West Province).—The double-barrelled charge appears again. Paragraph (c) of sub-clause (1) refers to portion of the Consorting Act, and it states—

Habitually consorts with reputed thieves or known prostitutes or persons who have been convicted of having no visible lawful means of support unless such person, on being thereto required by the court, gives to the satisfaction of the court a good account of his lawful means of support and also of his so consorting.

A person has to give evidence not only as to his lawful means of support, but also in regard to con-sorting. It is a double-barrelled charge, and I am not sure whether this is the kind of law we want. It is later prescribed that the penalty for the first offence shall be imprisonment for one year, and for the second or subsequent offences, imprisonment for two years. When a person is subject to imprisonment for two years, he should be entitled to trial by jury rather than to be dealt with by justices or a magistrate in petty sessions. Although he has the right to elect to be tried by jury, where a substantial penalty of imprisonment for two years is involved, careful consideration should be given to the methods used.

The clause was agreed to.

Clause 7 (Soliciting arms, cheating, &c.).

The Hon. ARCHIBALD TODD (Melbourne West Province).—Paragraph (f) of sub-clause (1) contains some curious provisions. I take it that they have always been there. Sub-clause (2) states—

In proving intent to commit a felony or misdemeanour for the purposes of paragraph (f) of the last preceding sub-section it shall not be necessary to show that the person charged was guilty of any particular act or acts tending to show his intent, and he may be convicted if from the circumstances of the case and from his known character as proved to the court before which he is charged it appears to such court that his intent was to commit a felony or misdemeanour.

That is strong language, and it almost convicts a person on his known character.

The Hon. R. J. HAMER (Minister for Local Government).—Paragraph (f) of sub-clause (1) contains what could be called the threshold situation. The court must first be satisfied that the person concerned is a suspected person or a known or reputed thief or cheat; and, secondly, that he loiters in or about or frequents certain places

which could be broadly described as public places with intent to commit a felony or misdemeanour. There are certain conditions to be satisfied—he must be a person of a certain character, he must be loitering and he must be in a public place.

The sub-clause referred to by Mr. Todd is the means of proving his intent; what he intends to do is a matter which is wrapped up in his own mind. The proof of intent is certainly facilitated by laying down that the accused may be convicted by reason of the circumstances of the case, and, where his known character is proved to the court before which he is charged, it appears to such court that his intent was to commit a felony or misdemeanour. The entire situation must be laid before the court; he must be of a certain character, he must be loitering in a public place, and the court must be satisfied from all the circumstances as to the type of person he is known to be, and the court must be satisfied that he did have the intent to commit a felony or misdemeanour.

There are more safeguards in that procedure than Mr. Todd might have suggested. On the other hand, I do not under-rate the difficulty which such a clause can cause. We can take some comfort from the fact that convictions under this provision have been few. I believe only half a dozen a year have been obtained, and it is obvious that the prosecution takes considerable care with it.

The Hon. ARCHIBALD TODD (Melbourne West Province).—The Minister for Local Government has put his side of the question. He has stated that if a person were found in circumstances covered by paragraph (f) of sub-clause (1) it would be reasonable to suggest that there could be some justification for the belief that he had intent to commit a felony. But it should be noted that this paragraph commences with the words, “being a suspected person” and it refers to his being in a public place.

It was earlier laid down what is a public place. There are many places where such a person could legitimately be without having any intent. However, a policeman could come along and say, "Here is so and so; he is a known thief and he is in the vicinity of a place where he is likely to do such and such; we will take him along and we can show the court that he was hanging around this place for a period." In those circumstances, he is likely to be convicted on the evidence of the policeman alone that he was in a place where ordinarily he could legitimately be. He could be in the Queen Victoria Market or the South Melbourne Market. He could be seen by a policeman to be pushing through a crowd, and the policeman could say that he was going to pick a pocket. I raise these points to indicate how closely we must study our legislation. We would be remiss if we did not bring these matters to the notice of the Government. If there are any provisions that could be applied contrary to the principles of justice, they should be amended.

The clause was verbally amended, and, as amended, was adopted, as were the remaining clauses.

The Bill was reported to the House with an amendment, and passed through its remaining stages.

COUNTY COURT (COMMON LAW JURISDICTION) BILL.

The debate (adjourned from March 16) on the motion of the Hon. L. H. S. Thompson (Minister of Housing) for the second reading of this Bill was resumed.

The Hon. J. W. GALBALLY (Melbourne North Province).—A measure in substantially the same form was before the House some years ago and, with other honorable members, I then expressed a point of view. It would be quite wrong for me to detain the House at this late stage by advancing the same argument, and I do not intend to do so. However, when the Bill is in Committee, I shall submit a small amendment.

The Hon. M. A. CLARKE (Northern Province).—This is a Bill to amend section 37 of the County Court Act, and it deals with the jurisdiction of the County Court. What the Bill does can be divided into two parts. One effect of the Bill is to increase the ordinary common law jurisdiction of the court and the other is to increase the jurisdiction of the court in motor car cases. There are different limits for the two types of case.

The Country Party is quite happy with the increase in the jurisdiction suggested for ordinary common law cases but not about that suggested for motor car cases. It seems that the Government is not entirely fixed in its views, because the second-reading notes supplied by the Minister say—

There has not been complete unanimity as to the quantum of the extension but, after giving the matter considerable thought and taking the advice of the Solicitor-General the Government has selected the amounts shown in the Bill to which the jurisdiction shall be raised as a workable solution.

So there was some discussion on the merits of the amount of the increase. With the exception of its objection to the amount by which the jurisdiction of the County Court should be increased in motor car cases, the Country Party supports the Bill. It believes that the increase in the jurisdiction in those cases may be too great.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2—

Paragraph (a) of section 37 of the Principal Act is hereby amended as follows:—

- (a) In sub-paragraph (i) for the expression "\$5,000" there shall be substituted the expression "\$8,000"; and
- (b) In sub-paragraph (ii) for the expression "\$2,000" there shall be substituted the expression "\$4,000."

The Hon. J. W. GALBALLY (Melbourne North Province).—I move—

That, in paragraph (a), the expression "\$8,000" be omitted with the view of inserting the expression "\$6,000."

The Committee will appreciate that what is now proposed is an amendment along the lines of what I had indicated to the House throughout discussions on a previous measure of this nature.

The Hon. L. H. S. THOMPSON (Minister of Housing).—This is the first I have seen of the amendment. I should like the opportunity to consult the Attorney-General before I speak on it. Therefore, I move—

That progress be reported.

The Hon. J. W. GALBALLY (Melbourne North Province).—Perhaps I am to blame for this. I am sure that if the Minister hears what I have to say, there will be no need to delay the measure.

The CHAIRMAN (the Hon. W. R. Garrett).—The motion is that progress be reported.

The Hon. J. W. GALBALLY.—It is late in the session, Mr. Chairman, and this matter should be determined now. The proposed amendment does not really interfere with the Bill. If it were adopted, paragraph (b) of clause 2 would still stand. That paragraph raises the limit of the jurisdiction in ordinary civil cases from \$2,000 to \$4,000. The amendment would effect only paragraph (a) of clause 2 and would raise the limit of jurisdiction in motor car cases from \$5,000 to \$6,000 instead of \$8,000. To that extent, we are running with the Government. To lift the limit from \$5,000 to \$8,000 is a little too steep.

The Hon. L. H. S. THOMPSON.—The committee under Mr. Justice Smith recommended \$10,000.

The Hon. J. W. GALBALLY.—Some years ago, another committee recommended an increase in the amount of the jurisdiction. Honorable members are familiar with the arguments on

these matters, and this matter should be determined now. I oppose the reporting of progress.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I proposed that progress be reported purely as a matter of courtesy to the Committee in order that consideration may be given to the amendment. I am presenting this Bill on behalf of the Attorney-General. I saw the amendment only a moment ago. It is my view that discussion on the Bill should be resumed later this evening. I thought, as a matter of courtesy, I should consult with the Minister who was initially responsible for introducing the Bill to the Parliament.

The Hon. M. A. CLARKE (Northern Province).—The Country Party does not believe that progress should be reported. The amendment has just been circulated, but I indicated in my second-reading speech that the Country Party is not entirely happy with the figure in the paragraph which refers to motor car cases. We should like consideration of the Bill to be continued.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I am prepared to withdraw my motion that progress be reported.

By leave, the motion was withdrawn.

The Hon. L. H. S. THOMPSON (Minister of Housing).—The Government is not prepared to accept the amendment. A committee under Mr. Justice Smith carefully investigated the problem. That committee included representatives of the Bar Council and the Law Institute.

The Hon. A. J. HUNT.—And the Supreme Court, the County Court and the Court of Petty Sessions.

The Hon. L. H. S. THOMPSON.—That is so. The recommendation of the committee was that in running down cases the limit of jurisdiction of the Country Court should be increased from \$5,000 to \$10,000. There were further consultations

with the Bar Council and the Law Institute. The Bar Council suggested that the amount should be raised to \$7,000, and the Law Institute suggested an amount of \$10,000. So we have the position that the special committee set up to investigate the matter recommended an increase to \$10,000, the Law Institute recommended an increase to \$10,000, and the Bar Council recommended an increase to \$7,000. There was careful consultation and investigation of the matter. As there was some difference of opinion, the Government decided that \$8,000 represented a fair compromise. The limits were last raised in, I think, 1952. Everybody will admit that since that time there has been some depreciation in the value of money.

Another aspect which has given both the legal profession and the Government some concern is the decline in the number of single summonses issued in the County Court in recent years. That was why the committee was set up to investigate the question. The figure settled on by the Government represents a compromise between that recommended by the Bar Council and that recommended by the Law Institute, but it is still less than that recommended by the committee under Mr. Justice Smith. The Government has adopted a cautious approach. To increase the amount from \$5,000 to only \$6,000 would be too conservative a course to follow. For those reasons, the Government wishes to see the Bill adopted in its present form and is not prepared to accept the amendment.

The Hon. M. A. CLARKE (Northern Province).—There is some natural anxiety, particularly in country districts and towns, concerning the future of the Supreme Court. If there is too great an increase in the jurisdiction of the County Court at one stage, there is some danger that some Supreme Court sittings might be lost. There is a difficulty in that much of the business before County Court Judges consists of general sessions work, and it may be difficult

to have other matters listed before a court sitting in a certain centre. The Country Party is most anxious that the Supreme Court should continue to visit country districts. At this stage, we do not consider, in the light of the figures available, that there is any undue delay in the Supreme Court. Some evidence shows the delay in the Supreme Court to be about the same as that in the County Court, and not great. The Country Party has taken advice from country solicitors who consider that \$6,000 or \$6,500 is the desirable limit. They are legal gentlemen of a good deal of experience in this type of work. Their opinion is one of the factors which influence the Country Party to support the amendment.

The Hon. P. V. FELTHAM (Northern Province).—I do not think it is correct to say that country solicitors, as a body, or as bodies, desire to see the limit of the jurisdiction of the County Court in motor car cases fixed at \$6,000. Some country solicitors would prefer to see the limit fixed at that amount, but the general body of them, according to the results of inquiries I have made, do not want the limit fixed at \$6,000. To keep down the limit of the jurisdiction of the County Court is a reactionary approach. It is my belief that there should be only one superior court in Victoria, and that there should be a complete merging of the County Court and the Supreme Court in its original jurisdiction.

There is not much difference in the qualifications for Judges. The Supreme Court Judge must have practised in the profession for eight years as against seven years for a County Court Judge. Generally speaking, Supreme Court Judges are drawn from the more eminent members of the profession, mainly because of the more attractive salaries and superannuation or pension benefits that the Supreme Court Judges receive. There is no reason why there should be two superior courts in Victoria. For dealing with disputes, there is a Court of Petty

Sessions in its ordinary jurisdiction—what are known as common counts with jurisdiction up to \$200. In its special jurisdiction, which is before a magistrate, a Court of Petty Sessions has jurisdiction up to \$600 in ordinary cases of contract and tort, and \$1,000 in car cases. That is the poor man's court or petty court or court of small differences or small suits.

Originally, the County Court was thought of as a poor man's court, but that is no longer the position. It is expensive, and it has most of the powers and functions of the Supreme Court. There can be juries in the County Court as there are in the Supreme Court. There are interlocutory proceedings, such as discovery of documents, inspections and interrogatories. Perhaps the most important difference between the two courts is that in the Supreme Court there are pleadings. In that court, there are statements of claim, defences, replies and the like, whereas in a County Court, a statement of claim is just a demand and does not require the defence to be stated prior to action unless it is one of the list of special defences. Otherwise, the defences are stated when the court assembles and the plaintiff's case has been opened. Except in those respects, the courts are very similar. They have the same type of Judges, the same counsel appearing before them, and it is out-dated to have two virtually superior courts with their own systems of registrars, records, clerks and office holders. The two courts should be merged, and the more senior and experienced members of the Supreme Court should go on to one or two panels of Appeal Courts. There is nothing new about that, because it operates in Great Britain. The rest of the Judges should be merged into one superior court.

A good deal of the trouble which the bar experiences with these two jurisdictions arises out of the question of costs which ultimately fall back on to the client. Most

honorable members understand the difference between an action that commences in the County Court, and one that commences in the Supreme Court. Most clients would prefer their cases to be argued before the best court. They like to think, if they have been injured in their persons or possessions, they should have the best remedy; that they should get generous damages. So, they prefer to go to the Supreme Court. What happens?

If the finding of the jury, or the Judge sitting without a jury, is such that the amount of damages recovered in a successful case falls within the jurisdiction of the County Court and that court could have dealt with such an award, the successful plaintiff loses his costs as between the County Court scale and the Supreme Court scale, and he is further required to pay to the unsuccessful defendant the difference in the costs between the two scales. This is a source of great grievance to clients. It is a grievance which colours the thinking, either consciously or unconsciously, of anybody who thinks about this question of the jurisdiction of the County Court. Solicitors say that it is unfair that the jurisdiction of the County Court should be raised, because every time it is raised there is a danger to the client in regard to costs. If he goes to the Supreme Court and gets an award which is within the increased jurisdiction of the County Court, he loses his costs. I think that grievance which is felt by clients and reflected through legal practitioners would be overcome if the Government had enough courage to tackle the future of the courts in Victoria.

All sorts of legal reform measures come before Parliament from time to time. The most prolific source of Bills in this Parliament is the Attorney-General, who brings in little measures of law reform and some bigger ones and also measures for increased penalties. If history remembers the Attorney-General, it will certainly be because of the number of Bills he has

brought into Parliament; but it would remember him far better if he brought in a major system of reform in the administration of justice in Victoria.

It is because I have strong views to the effect that some attempt should be made to tackle the pattern of administration of justice in Victoria that I cannot support the amendment. Holding as I do the view that the County Court should be amalgamated with the Supreme Court into one superior court, it seems repugnant to me to be continually holding down the jurisdiction of the County Court. It is unquestionable that the County Court, with its competent Judges, has vanished away to nothing.

As Mr. Clarke said, the County Court Judge mainly finds himself presiding not in the County Court but in the General Sessions of the Peace which is created under the Justices Act. He finds himself in the criminal jurisdiction of General Sessions. He has no County Court civil list at all. What is the remedy? It is to give him increased jurisdiction and enable him to deal with these many running down cases and actions in contract and tort which are now appearing on the Supreme Court list. It is because I hold those views that I cannot support the amendment brought forward by Mr. Galbally.

The Committee divided on the question that the expression proposed by Mr. Galbally to be omitted stand part of the clause (the Hon. W. R. Garrett in the chair)—

Ayes	..	..	16
Noes	..	..	16

AYES.

Mr. Byrne	Mr. Hamer
Mr. Campbell	Mr. Hunt
Mr. Chandler	Mr. Nicol
Mr. Dickie	Mr. Thom
Mr. Feltham	Mr. Thompson.
Mr. Gawith	
Mr. Gleeson	Tellers:
Mr. Grigg	Mr. Granter
Mr. Gross	Mr. Snider.

The Hon. P. V. Feltham.

NOES.

Sir Percy Byrnes	Mr. O'Connell
Mr. Cathie	Mr. Swinburne
Mr. Elliot	Mr. Todd
Mr. Galbally	Mr. Tripovich
Mr. Hewson	Mr. Walton.
Mr. Knight	
Mr. Mansell	Tellers:
Mr. May	Mr. Bradbury
Mr. Merrifield	Mr. Clarke.

The CHAIRMAN (the Hon. W. R. Garrett).—The voting being equal, it devolves upon me to give a casting vote. In order that the business shall not be taken out of the hands of the Government, I cast my vote with the Ayes.

The amendment was negatived, and the clause was agreed to.

The Bill was reported to the House without amendment, and passed through its remaining stages.

CRIMES (DANGEROUS DRIVING) BILL.

The House went into Committee for the further consideration of this Bill.

Consideration was resumed of clause 2 (Amendment of No. 6231, section 318 (1)).

The Hon. L. H. S. THOMPSON (Minister of Housing).—When this clause was last under consideration, Mr. Clarke rightly directed attention to a possible anomaly in the case of the penalty for a second offence. I think he suggested that it seemed strange that it was obligatory for the court to cancel a motorist's licence only when the person had been guilty of a misdemeanour or bodily injury for the second time.

In addition, an amendment moved to this clause in another place rendered it necessary to omit the word "and" but, to do this, involved a rather complicated amendment which was not moved. Some honorable members who had the opportunity of studying the amendment were, at first glance, worried about the correctness of the English. I assure them that it was correctly

worded, although it was a little cumbersome. I thank Mr. Clarke for his comments, and also Mr. Hunt, who undertook a good deal of homework on this clause with the Parliamentary Draftsman. As a result of Mr. Hunt's work, we have been able to incorporate in the Bill the wishes of Parliament in a somewhat clearer form. Consequently, I invite honorable members to vote against clause 2.

The clause was negatived.

The Hon. L. H. S. THOMPSON (Minister of Housing).—I propose the following new clause to follow clause 1:—

AA. Section 318 of the Crimes Act 1958 is hereby amended as follows:—

- (a) In sub-section (1) for the words "shall be liable" there shall be substituted the words "shall, except in the cases referred to in sub-section (1A), be liable"; and
- (b) At the end of sub-section (1) there shall be inserted the following sub-section:—

"(1A) Where the misdemeanour referred to in sub-section (1) has resulted in death or in bodily injury to any person other than the person guilty of the misdemeanour the person guilty of the misdemeanour shall be liable to be imprisoned for a term of not more than five years or to a fine of not more than \$1,000 or to both such imprisonment and fine and the court shall, if the offender holds any licence to drive a motor car under the Motor Car Act 1958, cancel that licence and shall, whether or not he holds any such licence, disqualify him from obtaining any such licence for such time, not being less than twelve months, as the court thinks fit; and after the end of any such period of disqualification a licence to drive a motor car shall not be issued to the offender except upon the order of a court of petty sessions consisting of a stipendiary magistrate sitting alone and no application for such an order shall be made to the court unless at least fourteen days' notice of intention so to apply has been given in writing to the Chief Commissioner of Police and to the clerk of courts."

I think the new clause is self-explanatory but, in order to make the position abundantly clear, I shall briefly

explain its purpose. It means that where death or bodily injury results, the increased penalty applies for the first offence, and, secondly, there is an automatic cancellation of the driver's licence for a period of twelve months. This corresponds with section 319 of the Crimes Act, which deals with driving under the influence, where there is a similar automatic disqualification penalty of twelve months.

The Hon. D. G. ELLIOT (Melbourne Province).—Members of the Labor Party have examined the new clause and feel that its inclusion in the Bill will improve the measure considerably. It will certainly bring into the legislation the provision relating to the disqualification of a driver's licence. Consequently, my party supports the new clause.

The Hon. M. A. CLARKE (Northern Province).—The Country Party supports the new clause. I should like to thank the Minister of Housing for the careful consideration he has given to the points I raised. I also thank Mr. Hunt for the great help he has been in resolving this matter. My only reservation relates to the fact that we considered the possibility of inserting in the measure a reference to serious or grievous bodily injury. We consider that this second offence, as it were, will probably be sufficiently distinct when the charge is brought before a court to work out on the basis of bodily injury, and we will support the new clause.

The new clause was agreed to.

The Bill was reported to the House with amendments, and passed through its remaining stages.

LOCH PUBLIC HALL TRUST BILL.

The debate (adjourned from April 6) on the motion of the Hon. V. O. Dickie (Minister of Health) for the second reading of this Bill was resumed.

The Hon. I. R. CATHIE (South-Eastern Province).—This is a lengthy Bill of twelve pages, although it deals with a relatively minor matter relating to a small community at Loch.

Nevertheless, to the people concerned, it is an important measure. They must rely on an Act of Parliament to determine a matter which has remained unsettled and which has vexed this community for a considerable time. The long preamble, together with Schedules 1 and 2, sets out the history of this complicated, legal tangle and brings together the existing mechanics institute and the trust fund, which was established at the end of the second world war to set up a memorial hall.

It is interesting to note the declining value of the mechanics institute as an adult educational agency. As the general level of education has become more widespread and the community has become more mobile, people have been able to reach a wider medium of adult education. There are better regional libraries, films and television, and the Council of Adult Education classes and so on. Nevertheless, it is a comment upon our values, and the values of our Governments, that small communities have difficulty in establishing such necessary amenities as comfortable public halls. It is also a comment upon the determination of the old values that the public library and mechanics institute remained in Loch up until about 1948.

At the end of the second world war, the residents of Loch enthusiastically supported the proposal to establish a new memorial hall to be built at Loch with money raised from many channels, and trustees were appointed for this purpose. However, the project was not proceeded with, although land was in fact purchased.

This Bill authorizes the trustees to sell the land by public auction, and to pay the money to the trustees of the Loch mechanics institute. In 1956, it was decided to give the moneys in hand to the present mechanics institute, and to alter the name to the Loch Public Hall, with provision for certain alterations and additions to be made. This is where the legal complications arose. This Bill gives this authority and enables the hall to receive a Government grant under

The Hon. I. R. Cathie.

the Local Government Department. As the Bill satisfactorily brings to a conclusion this rather lengthy and complicated legal tangle, the Labor Party fully supports it. The measure achieves the purposes desired by the people of this community, and therefore I wish it a speedy passage.

The Hon. H. A. HEWSON (Gippsland Province).—As Mr. Cathie has said, probably this Bill does not mean very much to honorable members generally, but it is important to the people of Loch. The little village of Loch is situated in the valley of the Bass river, and nestles in the hills of Gippsland. During the war, it was renowned as one of the top towns for contributions to the war loan on a *per capita* basis. Loch is also the birthplace of the first women's branch of the Country Party, and the lady responsible for the first women's branch of our party still lives there. This town has quite an interesting history. The people in the area have been very loyal to their public duties, and during the war the erection of a memorial hall to servicemen was proposed and freely supported, and, as a result, a fund of \$5,270 was accumulated.

I am sure that the residents of Loch will be very pleased with the passage of this Bill, which will bring to fruition something that they have had in mind but could not advance because of the limited amount of money available. The implementation of this legislation will enable them to take advantage of a Government grant under the Local Government Act and their ideal of a memorial hall will be incorporated in a public hall. I suppose there is not much in a name. Over the years, it has been known as the Loch public hall anyhow. In fact the title was the "Loch Mechanics Institute and Free Library." I wish the Bill a speedy passage.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

The House adjourned at 11.8 p.m.

Legislative Assembly.

Wednesday, April 27, 1966.

The **SPEAKER (Sir William McDonald)** took the chair at 2.22 p.m., and read the prayer.

GIPPSLAND BUSH FIRES.

INQUIRY: REPORT AND RECOMMENDATIONS.

Mr. B. J. EVANS (Gippsland East) asked the Acting Premier—

Whether the Government originated any inquiry into the 1965 Gippsland bush fires; if so—(a) by whom the inquiry was conducted; (b) to whom any report was furnished; and (c) if any report was made, whether the Government will make it available to honorable members?

Mr. RYLAH (Acting Premier and Treasurer).—The answer is—

No formal inquiry was instituted into the Gippsland fires of 1965. However, as I indicated in my Ministerial statement in the House on the 24th March, 1965, a conference of all relevant authorities was convened under the chairmanship of the Chief Commissioner of Police as co-ordinator to examine all aspects of fires.

The committee comprised—

Captain J. M. Adams, Assisting Co-ordinator, State Disaster Plan.

Mr. J. L. Allen, Secretary, Country Fire Authority.

Sergeant R. F. G. Buckland, Chief Radio Technician Police Department.

Mr. S. G. W. Burston, Chairman, Country Fire Authority.

Station Officer W. C. Caldwell, Officer-in-Charge D.24, Police Department.

Captain M. J. Clark, Assisting Co-ordinator, State Disaster Plan.

Mr. V. P. Cleary, Fire Protection Officer, Forests Commission.

Mr. J. V. Dillon, Under Secretary.

Mr. R. T. Eason, Principal Technical Officer, Postmaster-General's Department.

Superintendent W. R. Farrell, Police Department (Sale).

Major F. Fooke, Army Department, Southern Command.

Mr. E. D. Gill, Forests Commission.

Mr. P. A. Gray, Acting Chief Officer, Country Fire Authority.

Colonel W. G. Henderson, Army Department, Southern Command.

Inspector E. L. Howlett, Police Department (Seymour).

Mr. R. Jackson, Assistant Commissioner (General), Police Department.

Inspector F. R. Kennedy, Police Department (Footscray).

Mr. F. R. Kenny, Secretary, State Civil Defence Planning Committee.

Dr. P. S. Lang, President, Rural Fire Brigades Association.

Mr. A. O. Lawrence, Chairman, Forests Commission.

Chief Inspector J. R. Milner, Police Department (Heidleberg).

Mr. T. Morrison, Assistant Chief Officer, Country Fire Authority.

Mr. J. Paterson, Chief Officer, Metropolitan Fire Brigades Board.

Brigadier C. N. Peters, Assisting Co-ordinator, State Disaster Plan.

Mr. C. H. Petty, Deputy Commissioner, Police Department.

Mr. H. S. Robertson, Superintending Engineer, Country Branch, Postmaster-General's Department.

Mr. V. W. Scott, Conference Secretary.

Mr. F. Tueno, Deputy Chief Officer, Metropolitan Fire Brigades Board.

Mr. R. L. Underwood, Research Officer, Chief Secretary's Department.

Mr. N. Wilby, Assistant Commissioner (Traffic and Technical), Police Department.

Inspector F. W. Woonton, Personnel and Public Relations Officer, Police Department.

The committee met between April and July, 1965. It published no report, but made several recommendations which were conveyed to the respective fire-fighting authorities for implementation.

As the House is aware, a number of the recommendations have been implemented this year with very good results.

POLICE DEPARTMENT.

USE OF STUDEBAKER CARS.

Mr. WILKES (Northcote) asked the Chief Secretary—

1. How many Studebaker cars are owned by the Police Department?

2. Now Studebaker cars are out of production, what is the position with respect to the police fleet of motor vehicles regarding replacement or change-over and replacement parts, respectively, particularly, whether it is the intention of the Department to replace these cars with a type of equal power and price?

3. Whether cessation of production of Studebaker cars will affect the mobility of the Force in any way?

Mr. RYLAH (Chief Secretary).—The answers are—

1. 101 sedans and two ranch wagons.

2. Tests have been made for some time and are continuing to determine the most suitable replacement vehicle.

Advice has been received that replacement parts will be available for the police Studebaker vehicles.

3. No.

MELBOURNE AND MONASH UNIVERSITIES.

APPLICATIONS FOR ENROLMENT: PROCEDURE.

Mr. MUTTON (Coburg) asked the Minister of Education—

1. Whether matriculation year students are required by Melbourne and Monash universities to apply for enrolment prior to the annual matriculation examinations; if so, how far in advance of the examinations must entries be lodged?

2. Whether, because of uncertainty of successful applications to the university of first choice by reason of quotas, students make applications to enrol at both universities; if so, whether the acceptance of students by the universities is complicated by students following this practice?

3. Whether the universities have considered the practicability of adopting a single enrolment application form covering both universities with space provided for the student to indicate their first choice; if not, whether he will suggest this to the universities?

4. Whether it is practicable to defer acceptance of enrolment applications until after the results of the annual matriculation examinations are known; if not, why?

5. Whether he approves the practice of the universities of not allocating marks in respect of English examinations at matriculation examinations; if so, how he justifies the practice?

For Mr. BLOOMFIELD (Minister of Education), **Mr. Rossiter** (Minister of Immigration).—The answers are—

1. Yes. Applications close at approximately end of September, but last year late applications were accepted up to 14th January, 1966.

2. Yes; yes.

3. From the 1967 academic year, a joint form will be produced to cover applications for entrance to the three universities.

4. No. There is insufficient time between the announcement of matriculation examination results and the commencement of the academic year to permit the necessary preliminary processing by the universities.

5. There are two separate English subjects at the matriculation examination. English literature is marked in the normal way. The large number of students under-

taking English expression has hitherto made it impracticable to mark the examination papers in full but the appropriate standing committee of the Victorian Universities and Schools Examinations Board is at present investigating the possibility of change in the future. The Minister commends this step.

EDUCATION DEPARTMENT.

BEVERLEY HILLS, DONVALE AND GREYTHORN SCHOOLS: LIBRARIES.

Mr. TAYLOR (Balwyn) asked the Minister of Education—

1. Whether a library and eight additional class-rooms are proposed for the Beverley Hills State School; if so, when tenders will be called and when it is expected that the work will be completed?

2. Whether it is proposed to establish a primary school at Donvale; if so, when?

3. Whether a library is proposed for the Greythorn High School; if so, when tenders will be called and when it is expected that work will be completed?

For Mr. BLOOMFIELD (Minister of Education), **Mr. Rossiter** (Minister of Immigration).—The answers are—

1. Yes. However, the library is being financed on a subsidy basis. It is hoped to invite tenders before the end of this financial year and that the work should be completed by the beginning of the 1967 school year.

2. Yes, and a site has been acquired for this purpose. Priorities for new buildings are at present under review, and it is not possible to give any definite indication as to when the new school will be erected.

3. It is not proposed to erect a new library for Greythorn High School. The Public Works Department is preparing a detailed scheme and estimate of the cost of providing a connecting door and shelving to an adjoining class-room in standard masonry veneer high schools to enable this room to be used as a senior library. If this scheme receives general approval by the Education Department, consideration will be given to its implementation at those high schools where there is a need for a senior library. Greythorn High School is one of the schools which will be considered for this improvement, but a final decision will not be made for some time.

STATE ELECTRICITY COMMISSION.

USE OF BROWN COAL UNDER YALLOURN TOWNSHIP: ALTERNATIVE POWER DEVELOPMENTS.

Sir HERBERT HYLAND (Gippsland South) asked the Minister for Fuel and Power—

1. Whether he has seen a recent press statement, attributed to the State Electricity

Commission's Assistant General Superintendent for the Latrobe Valley, that the brown coal under the Yallourn township would be required in approximately fifteen years; if so, whether he agrees with this prediction; if not, whether the Commission will ever require this coal and, in that event, when?

2. How many houses in Yallourn are of—
(a) brick construction; and (b) timber and other construction?

3. What is the estimated cost of erecting similar houses elsewhere in the event that the houses referred to above are to be demolished?

4. Whether, in view of the future use of nuclear power and natural gas, every possible avenue has been explored to see if necessary coal can be obtained from other places in the Latrobe Valley, thus obviating the need for demolition of this town?

Mr. G. O. REID (Minister for Fuel and Power).—The answers are—

1. Yes. When the Commission announced in 1961 that it would need to win coal under the town of Yallourn, it expected that this would occur after 1995. There has been no review of this date since then, but it is possible that coal winning operations may encroach on the southern and eastern boundaries of the town by about 1980.

As I explained when introducing the Bill to amend the State Electricity Commission Act, *vide Hansard* pages 3300-3310, the Commission is examining many alternative power station developments to meet the State's electricity requirements in the years following 1974. Besides the possible use of nuclear power, oil and natural gas, the Commission is investigating a number of possible brown coal developments in the Latrobe Valley including the future use of the Yallourn open cut. Until these investigations are completed, it will not be possible to give a more definite estimate of the future life of Yallourn township.

2. (a) 192.

(b) 866.

3. By the 1980's, many of the houses in the town will already be more than 60 years old and approaching the end of their useful life, and it is expected that the then tenants of the township would be housed in new satellite towns such as Churchill.

4. See answer to question 1.

SUPPLY OF POWER TO ROBINVALE.

For **Mr. WHITING** (Mildura), **Mr. Cochrane** asked the Minister for Fuel and Power—

Whether September, 1966, was the target date for the supply of State Electricity Commission power to the township of Robinvale; if so, what is the cause of the delay apparent from his statement reported on

page 3303 of *Hansard* of 6th April, 1966, that the Robinvale area will be connected in about twelve months' time?

Mr. G. O. REID (Minister for Fuel and Power).—The answer is—

The Commission had hoped to be in a position to supply Robinvale before the end of 1966 but, because work involved with other major extensions, particularly the acquisition of the supply system of the Shire of Walpeup undertakings is taking longer than expected, it will not be in a position to supply Robinvale until about March, 1967.

CULTURAL CENTRE.

AIR-CONDITIONING: WATER REQUIREMENTS.

Mr. WILKES (Northcote) asked the Minister of Public Works—

1. How much water will be required for the air-conditioning system to be installed at the Cultural Centre?

2. What will be the source of this water, and its cost, and whether the water will be recirculated?

Mr. PORTER (Minister of Public Works).—These questions should properly have been directed to the Chief Secretary because the construction of the Cultural Centre is being undertaken by an outside body. However, the answers are—

1. In mid-summer, 4,000,000 gallons of water will be required, whilst in winter 500,000 gallons will be required.

2. The source of the water will be from the mains of the Melbourne and Metropolitan Board of Works. The cost will be the customary charges made for ordinary commercial usage. The water will be recirculated. It is estimated that the amount of water lost would vary from nil in the winter months to 2½ per cent. in the summer months.

RAILWAY DEPARTMENT.

MORWELL-MIRBOO NORTH PASSENGER SERVICE.

Sir HERBERT HYLAND (Gippsland South) asked the Minister of Transport—

If he will lay on the table of the Library the file relating to the recent alteration to the railway passenger service between Morwell and Mirboo North?

Mr. MEAGHER (Minister of Transport).—The answer is—

The only file held by me on this matter consists of a letter from the Shire of Morwell and one other referring to the

proposal made by the Railways Commissioners concerning changes in the passenger schedule on the Mirboo North railway line.

Following receipt of these letters, I discussed the matter with the Commissioners and instructed them that the existing timetable for the line was to be retained.

STATE RIVERS AND WATER SUPPLY COMMISSION.

LAKE MOKOAN: PROPOSED STORAGE.

Mr. TREWIN (Benalla) asked the Minister of Water Supply—

1. Whether the exact location of the bank of Lake Mokoan has been indicated?
2. When it is anticipated work on the storage will begin?

Mr. DARCY (Minister of Water Supply).—The answers are—

1. The location of the proposed embankment to form the Winton storage—Lake Mokoan—has been decided by the Commission and the information has been passed to the shire council, other authorities affected by the proposed works and property-owners who have sought early advice as to the Commission's proposals.
2. It is now expected that work on the storage will begin during the 1968-69 financial year.

MILLEWA WATERWORKS DISTRICT: PIPING OF WATER.

For **Mr. WHITING** (Mildura), **Mr. Cochrane** asked the Minister of Water Supply—

1. Whether the State Rivers and Water Supply Commission intends eventually to pipe water for stock and domestic purposes to consumers in the Mildura waterworks district; if so—(a) when it is anticipated this work will be commenced in the Carwarp section of that district; and (b) what will be the estimated cost?
2. Whether the Commonwealth Government requested the Commission to take these measures as a means of conserving water; if so, whether the Commonwealth Government is prepared to contribute financially?

Mr. DARCY (Minister of Water Supply).—It is assumed that the honorable member is referring to the Millewa waterworks district and not the Mildura waterworks district as mentioned in the question.

Mr. COCHRANE.—That is correct.

Mr. DARCY.—The answers are—

1. The State Development Committee is at present inquiring into the desirability of replacing the open channel system in the existing Millewa settlement area with a pipe-line system.

No decision can be reached before the committee's report is received by the Government.

The question of pipe-line supplies to the Carwarp section of the Millewa waterworks district will be considered in the light of the result of this inquiry.

2. No.

HONEY.

PROPOSED ORGANIZED MARKETING.

Mr. B. J. EVANS (Gippsland East) asked the Minister of Water Supply, for the Minister of Agriculture—

Whether the Department of Agriculture has entered into any discussions regarding proposals to establish organized marketing of honey; if so, what organizations have been involved in these discussions and whether any specific proposals were advanced?

Mr. DARCY (Minister of Water Supply).—The answer supplied by the Minister of Agriculture is—

In 1954, a poll of honey producers, conducted by the Department of Agriculture, Victoria, rejected a proposal submitted by the Federal Council of the Australian Apiarists' Association for the establishment of a honey marketing authority on a State basis.

The question of organized marketing of honey was discussed at the July, 1960, meeting of the Australian Agricultural Council and, following this discussion, the Australian Honey Board was established, under the Honey Industry Act 1962. This Board has power to control exports of honey from Australia.

Recently, the Victorian Apiarists' Association has suggested that the Australian Honey Board should be given power to fix prices for honey used for local consumption, and this suggestion is now the subject of correspondence between the Department of Agriculture and the Victorian Apiarists' Association.

No specific proposals on the establishment of organized marketing of honey, other than those to which I have referred, have been discussed with any organization.

BREAD INDUSTRY.**BAKING STANDARDS : COMPLIANCE
WITH REGULATIONS.**

Mr. LOVEGROVE (Fitzroy) asked the Minister of Labour and Industry—

1. Whether all bread baked in Victoria is required to conform to standards laid down in the Bread Industry Act 1959?

2. Since the implementation of the Act, how many samples of bread have been obtained by inspectors of the Department of Labour and Industry for analysis on—
(a) week days; and (b) Sundays?

3. What action, alternatively, has been taken to see that bread baked on week days and illegally on Sundays conforms to the regulations?

Mr. WILCOX (Minister of Labour and Industry).—The answers are—

1. Yes.

2. Nil. It is pointed out, however, that health inspectors and weights and measures inspectors are also inspectors under the Bread Industry Act.

3. A number of reports has been received from local government authorities but no breach of standards requirements appeared therefrom. No other complaints of sub-standard production have been made to the Department and therefore no action has been necessary.

BOILERS INSPECTION ACT.**ANNUAL REPORTS.**

Mr. WILTON (Broadmeadows) asked the Minister of Labour and Industry—

If he will lay on the table of the Library the annual reports of the Chief Inspector of Boilers for each of the years 1963 to 1965?

Mr. WILCOX (Minister of Labour and Industry).—The answer is—

There is no statutory requirement for any such annual report.

I remind the honorable member that I have made available to him the report of the Board of Reference, which relates to the Boilers Inspection (Amendment) Bill that is currently before the House.

**INSPECTION OF GAS AND AIR
RECEIVERS.**

Mr. WILTON (Broadmeadows) asked the Minister of Labour and Industry—

How many gas and air receivers in the State were overdue for inspection as at 31st March, 1966?

Mr. WILCOX (Minister of Labour and Industry).—The answer is—

As at 31st December, 1965, the latest date when a return was prepared, the number was 9,149.

PETROL RESELLERS.**TRADING HOURS : SUPERVISION :
AWARDS.**

Mr. LOVEGROVE (Fitzroy) asked the Minister of Labour and Industry—

1. Who asked for the abolition of restrictions on the trading hours of petrol retailers?

2. What laws govern the siting and control of petrol stations, and what awards cover persons employed by petrol stations?

Mr. WILCOX (Minister of Labour and Industry).—The answers are—

1. The Government and the members of Parliament who support the Government have considered this matter for some time past and decided to introduce legislation which is at present before the House. I have no doubt that honorable members have received various representations on the matter and have made up their minds in the best interests of all Victorians.

2. The Petrol Pumps Act, the Local Government Act and by-laws thereunder, and the Town and Country Planning Act and planning schemes and interim orders thereunder are the laws governing the siting and control of petrol stations.

Conditions of employment are regulated by the Vehicle Industry Award made under the Commonwealth Conciliation and Arbitration Act, or by determinations of the Shops Board No. 22 (Motor Requisites) or Shops Board No. 7 (Country Shop Assistants), as the case may be.

**LABOUR AND INDUSTRY
(PETROL SHOPS) BILL.****COMMONWEALTH LEGISLATION.**

Mr. LOVEGROVE (Fitzroy) asked the Minister of Labour and Industry—

Whether the Government examined section 37 (Definition of Monopolization) and other sections of the Commonwealth Trade Practices Act prior to drafting the Labour and Industry (Petrol Shops) Bill now before the Legislative Assembly?

Mr. WILCOX (Minister of Labour and Industry).—The answer is, "Yes".

HOUSING COMMISSION.

LOW-RENTAL AND DARBY AND JOAN UNITS.

Mr. WILKES (Northcote) asked the Minister of State Development, for the Minister of Housing—

1. How many applications for low-rental units and Darby and Joan units, respectively, are at present lodged with the Housing Commission?

2. How many low rental units and Darby and Joan units, respectively, were allocated in each of the years 1964 and 1965, and what is the estimated allocation for 1966?

Mr. MANSON (Minister of State Development).—The answers supplied by the Minister of Housing are—

1. Low rental (lone person) ..	3855
Darby and Joan ..	417
2. Financial year 1963-64.	
Low rental (lone person) ..	183
Darby and Joan ..	76
Financial year 1964-65.	
Low rental (lone person) ..	382
Darby and Joan ..	161
Financial year 1965-66 (Estimated).	
Low rental (lone person) ..	636
Darby and Joan ..	104

TULLAMARINE FREEWAY.

ACQUISITION OF PROPERTIES.

Mr. WHEELER (Essendon) asked the Minister of Lands, for the Minister for Local Government—

1. How many property owners have made representations to the Melbourne and Metropolitan Board of Works to purchase their properties along the Tullamarine Freeway reservation in the following municipalities—(a) Brunswick; (b) Coburg; (c) Essendon; and (d) Broadmeadows?

2. When it is expected that all objections to the scheme will have been dealt with?

Mr. BALFOUR (Minister of Lands).—The answers supplied by the Minister for Local Government are—

(1) (a) Brunswick ..	4
(b) Coburg ..	24
(c) Essendon ..	9
(d) Broadmeadows ..	2

(2) A report on the objections is being prepared by the Melbourne and Metropolitan Board of Works and will be forwarded to the Minister for Local Government within the next week.

STANDING ORDERS COMMITTEE.

PRIVATE BILLS.

Mr. B. J. EVANS (Gippsland East) presented the report of the Standing Orders Committee on the table of

fees payable by the promoters and opponents of private Bills.

It was ordered that the report be laid on the table.

VICTORIA INSTITUTE OF COLLEGES (COUNCIL) BILL.

For **Mr. RYLAH** (Chief Secretary), **Mr. Rossiter** (Assistant Minister of Education), by leave, moved for leave to bring in a Bill to amend the Victoria Institute of Colleges Act 1965 in relation to the establishing of the Council of the Victoria Institute of Colleges, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

GRIEVANCE DAY.

SUSPENSION OF STANDING ORDER.

For **Mr. RYLAH** (Acting Premier and Treasurer), **Mr. Balfour** (Minister of Lands).—I move—

That Standing Order 273c be suspended for to-morrow so far as it requires that the first Order of the Day on every third Thursday shall be either Supply or Ways and Means.

Mr. STONEHAM (Leader of the Opposition).—I presume it is not the intention of the Government to sit to-morrow.

Mr. BALFOUR.—That is correct.

Mr. TURNBULL (Brunswick West).—**Mr. Speaker**, is the motion before the Chair one on which I am permitted to speak?

The SPEAKER (Sir William McDonald).—Yes.

Mr. TURNBULL.—As a member of the Opposition who regularly participates in debates in this Chamber, I am concerned at the lack of information which is supplied to members of this House. Last night, I heard three different times mentioned at which this House would meet to-day. Honorable members were informed that the Government required Supply to be passed to-day. For some time, I have been awaiting an opportunity of speaking on Supply, and I think it is time that members were informed when they will be

given an opportunity of presenting their views to Parliament on various matters. Under the existing set-up, it is almost impossible for honorable members adequately to prepare material relating to subjects on which they wish to speak.

The SPEAKER.—I rule that the matter raised by the honorable member for Brunswick West is not relevant to the motion before the Chair.

The motion was agreed to.

VOTES ON ACCOUNT.

The House went into Committee of Supply for the further consideration of the motion of Sir Henry Bolte (Premier and Treasurer) that a sum not exceeding \$92,891,320 be granted to Her Majesty on account for or towards defraying services for the year 1966-67.

Mr. TREZISE (Geelong West).—My first remarks come within the purview of division No. 74 of the Supply schedule relating to health administration, and I wish to advert to the Clean Air Section of the Department. I compliment the honorable member for Northcote for his earlier contribution to the debate on the need for more finance to overcome the problem of air pollution in Victoria. The city of which I am proud to be one of the representatives in this Chamber, Geelong, is the dirtiest city in the State so far as air pollution is concerned. This dubious distinction has been officially verified by the Department of Health.

In 1964, an average of 64 tons of industrial fallout covered each square mile of the City of Geelong. At Newtown North, which is close to the works of the Australian Portland Cement Company, 47.7 tons per square mile of fallout were deposited in 1963, and in the following year the average had increased to 53.6 tons per square mile—the highest recorded in any part of Victoria. Within a mile radius of the cement company's works, one can see

considerable damage to residences and properties caused by fallout. Driving along the streets, one sees rows and rows of discoloured and disfigured houses, particularly roofs. Householders state that considerable damage occurs to carpets, linen, motor cars and furniture. Not long before last Christmas, an irate householder telephoned me at half-past six one morning asking me to inspect the area. It appeared as though a snowstorm had occurred overnight, because a white substance was deposited everywhere. This is a matter of great concern to Newtown North and Geelong generally.

Recently, in another area of Geelong, it was stated that a farmer had to hand feed his stock for the first time in 40 years because of the fallout. I agree with the views of the councils of the cities of Geelong West and Newtown and Chilwell that too much responsibility is passed on by the Government to local authorities, which are financially and physically unable to combat the problem. I support the views of the councils that the responsibility should be accepted realistically by the State Government. It should also be appreciated that the problem will intensify as the years pass, particularly in our present circumstances, whereby the State's population will rapidly increase, as will the number of industries, stimulated by the recent discoveries of natural gas off our coastline.

The distribution of population in Victoria will make air pollution a great danger in the future. At present, 84 per cent. of Australia's population is gathered in 4 per cent. of the land mass area, and the position in this State is similar. Therefore, the problem cannot be put off indefinitely. I realize that it is impossible to have fresh country air throughout our cities and industrial areas, but it should be the aim of the responsible authorities to reach the optimum in this direction. We do not want to get to the

stage of some overseas cities. For example, scientists have proved that in New York a person breathing the air for 24 hours inhales the equivalent amount of smoke inhaled by a person smoking two packets of cigarettes. The air pollution contains cancer inducing elements, and if food is exposed to such air it is suspected that this can easily lead to stomach cancer. We should learn from these overseas cities and ensure that the same thing does not happen here. More Government effort and finance must be devoted to protecting the people and properties of the State.

The Government's attitude on air pollution in our sister State, New South Wales, is striking in contrast to that adopted by Victoria. Figures relating to air pollution in Sydney, Newcastle and Wollongong, the industrial centres, show that the problem is being combated. A comparison between the two States indicates how far Victoria lags behind. In 1964, the New South Wales Government allocated the sum of \$136,000 for the clean air section of its Health Department, whereas in Victoria an amount of only \$16,400 was allocated—approximately 12 per cent. of the New South Wales total. The New South Wales clean air section has at present 25 full-time officers, comprising a principal engineer, eight engineers, four chemists and twelve assistants of various types, mostly tradesmen. The Victorian section employs only four full-time officers. It is no wonder that many members of the Clean Air Committee in Victoria are stating publicly that they have no hope of combating the growing problem of air pollution because of the lack of support from the present Government.

The following report appeared in the *Geelong Advertiser* of 24th February last—

It was a physical impossibility for the Clean Air Section to try to control air pollution because it had only four full-time officers, Mr. Colin Willman, T.H.C. representative on the State Government's advisory Clean Air Committee, said to-day.

Mr. Trezise.

Mr. Willman was commenting on criticism to-day by the Chief Medical Officer of Geelong (Dr. Kidd) on air pollution at Geelong.

The Bolte Government had starved the Clean Air Section of funds, Mr. Willman claimed.

"They have given only \$104,000 in eight years for this work," he said.

"By contrast, New South Wales' 25 full-time air pollution control officers are getting up to \$200,000 a year from the New South Wales Treasury.

"It is stupid and impracticable to try to get municipal and shire councils to police air pollution."

It is clear that finance is the main requirement in Victoria. If the Government is not prepared at this stage to provide the necessary finance, surely it must investigate other means of bolstering the financial support that is available.

I understand that in the City of Paris a tax of between \$10 and \$40 per. square metre is imposed for each factory adding to the size of the city. Portion of the revenue from this source is set aside to overcome pollution of the city's air. I believe the New South Wales system of licensing scheduled premises possesses merit. I understand that the Clean Air Committee has recommended this for Victoria twice in recent months. The 700 scheduled premises in New South Wales each contribute amounts ranging from \$20 to \$1,125 per annum. In return, they receive assistance and expert advice from the clean air section. In order to obtain the opinion of the New South Wales Minister of Health on the operation of the system and the views of the proprietors of scheduled premises, recently I wrote to the honourable gentleman, Mr. Jago, and his reply showed that perhaps it would be advisable to adopt a similar system in Victoria. Mr. Jago said—

In New South Wales, the daily administration of the Clean Air Act is carried out by the Air Pollution Control Board of the Division of Occupational Health which is staffed mainly by engineers and scientific officers. Because these officers have a greater understanding of the difficulties of certain industries and can also offer technical assistance in solving problems, most

industries prefer the new system compared to the previous method of leaving the matter of control to individual councils.

I think a similar procedure should be adopted in Victoria, particularly if the Government is not prepared to allocate sufficient finance to overcome this alarming problem. I trust that at the same time the Government will face the growing problem realistically, not only on behalf of our present population, but also for posterity.

Division No. 40 of the schedule relates to education, and I presume this provides me with the opportunity of discussing the needs of schools in my electorate. I shall not discuss this matter in detail, because I have already brought the particulars to the notice of the appropriate Minister by means of correspondence. In recent months, I have received and presented to the Assistant Minister of Education two petitions, containing approximately 1,000 signatures, making complaints in regard to schools. In addition, in the past two or three months, two committees have approached me. Their members contemplated taking direct action by way of taking all the pupils out of the school unless certain remedial action was taken by the Government. Therefore, I believe there is a crisis in education in many parts of my electorate and that this is State-wide, despite the Government's denials.

There is a primary education accommodation crisis in the Bell Park and Hearn Hill areas. I commend the Assistant Minister of Education for visiting the area twice during the past few months to speak to the parents and committees concerned and to inspect the situations.

No doubt, the honourable gentleman realized that there is an accommodation crisis in those parts of Geelong, and I trust appropriate action will be taken in the near future so that a similar situation will not occur next year. This district is probably the most rapidly expanding

residential area in the fast-growing City of Geelong. The past policy of adding extra class-rooms to previously established schools at Bell Park, Hearn Hill and Manifold Heights is no longer satisfactory. There are two sites at Barton-street and Western Heights, where I presume schools will be built in the future. A crisis occurred in February last, when 86 pupils were turned away from the Bell Park school because no accommodation was available. For the first four or five weeks of the school year, these youngsters had to stay home while class-rooms were brought from other parts of the State.

Only in the past few days the last class-room has been transferred from the Geelong High School to the site. In the meantime, teachers have had to vacate the male staff room at the school so that the youngsters could be accommodated. I understand that even to-day the teachers' staff room must still be utilized for a class-room. I am concerned at the result of a survey which was recently conducted by the parents and the school committee to ascertain the attendance figures for 1967. It indicated that 150 pupils in excess of the school leavers will have to be accommodated next year. I ask the Minister, the Assistant Minister, or the appropriate authority to take action now so that a similar crisis will not occur in 1967, and youngsters will not be refused admittance to the school because of lack of accommodation. I suggest that both sites mentioned should be developed immediately, particularly in view of the fact that in this area many new homes are being constructed. The Assistant Minister of Education can verify what I have said in this regard.

As was the case with previous speakers, I, too, was alarmed at the article which appeared in Thursday night's *Herald* which suggested that people who complained about education facilities are either political malcontents or moaners. Does this mean

that the 1,000 persons who signed the two petitions that I presented to the Minister are political malcontents or moaners, or that the parents of the children who have been refused admittance to Geelong schools for a month through lack of accommodation are moaners or political malcontents? All that these people require is that their children should receive their birthright by being admitted to a State school.

I believe the Government should praise Victorian parents, who are at present propping up the so-called free education system. The attitude of the Liberal Party Government in Canberra to parents and pupils of schools in the Australian Capital Territory is in marked contrast to that of the Liberal Party Government in Victoria. In the Australian Capital Territory, the Government completely finances the educational system, whilst in Victoria the parents are called upon to assist financially and physically to maintain the educational system.

In 1965, I had the good fortune to inspect primary schools in Canberra, through the courtesy and co-operation of the director of education, Mr. G. F. Wynne, and the local school inspectors, Mr. Fairbrother and Mr. Meckiff. The fact was brought home to me that Victorian people have to put up with second-class facilities. Instead of asserting that the educational system and facilities in Victoria are equal to any in the world, the Government should examine the facilities that are provided in Canberra. Standard equipment at first-class primary schools—that is, schools with 350 or more pupils—comprises, at no cost to the parents, a dental surgery—a dentist visits once a month to check children's teething matters—an assembly hall and canteen; a library, plus £250 worth of books; a television set; a public address system; two pianos; a duplicator; two typewriters; and a tape recorder. How different is the Victorian system, which in comparison is second-rate. Rather than contend that ours

Mr. Trezise.

is the best system in the world, we should examine other systems and attempt to bring the Victorian system up to the standard of those which are in operation elsewhere.

Again, we could follow the financial lead set by other States—particularly Tasmania and South Australia, both of which operate a free textbook system to pupils. Such a system was included in the policy of the Australian Labor Party at the 1961 State elections. At the time, the Liberal Party contended that the State could not afford such a system. On the one hand, we are informed that Victoria is the richest State in the Commonwealth, but, on the other hand, we are told that this State can not afford to supply free text-books to school children. Tasmania and South Australia both enjoy the benefit of progressive Governments. In South Australia, for a period of 30 years, it was said that the State could not afford to implement such a system, but as soon as a Labor Government came into office such a system was introduced, and text-books are now supplied free to pupils in South Australian primary schools.

Mr. McCABE.—The Government in South Australia is “broke”.

Mr. TREZISE.—It can still afford to supply free text-books to school children. It is a tragedy that in Victoria thousands of talented pupils are forced to leave school against their will simply because their parents cannot afford the high cost of text-books. I refer particularly to parents who have three or four children at school. Whilst these children are being denied their chosen careers, because they cannot afford to continue with their studies, their talents are being denied to the State and to the Australian community generally in a highly competitive world.

Recently, I wrote to the Minister of Education in South Australia seeking his ideas in relation to the South Australian Government's scheme to

provide free school books. I received the following reply, dated 11th January, from the Honorable R. R. Loveday, Minister of Education, South Australia:—

The provision of free school books for both State and private primary schools will operate from the beginning of 1967. All text-books for primary schools will be supplied free, but stationery, i.e. exercise books, pencils, rulers, rubbers and the like, will continue to be supplied by the parents.

Order forms listing the approved text books for 1967 will be sent to all schools at the beginning of this school year. Heads of schools will be asked to estimate the number of children in each grade at the beginning of 1967 and to order sufficient books for them. These orders will be summarized by the Education Department, which will calculate the total number of books required. Public tenders will then be called so as to give all members of the book trade the opportunity of getting the business.

All books supplied will remain the property of the Minister of Education and will be returned to the Head of the school at the end of the school year or when the child leaves the school during the year. Reference books such as atlases and dictionaries will be retained by the child until they are no longer required, when they will be returned. Books so returned will be stored in the school for re-issue to children in the following year, provided they are in good condition.

Children who now receive free books and stationery will continue to receive them under the same conditions as at present.

Headmasters will be permitted to choose text-books from the approved list, thus, leaving them with the same discretion as they have at present.

School courses will be kept up-to-date by changing text-books as often as the Curriculum committee considers it desirable or necessary to do so. Children will thus lose nothing in the quality and variety of books available under the free scheme.

I believe the system that has been adopted in South Australia has great merit, and whilst it now applies only to primary schools, I presume it will eventually be extended to include all schools throughout that State. I trust that in the near future this Government will implement a similar policy in Victoria.

The problems that I have mentioned in relation to air pollution and education affect the residents of my electorate and Victorians generally,

and I trust that the Government will give serious consideration to acting on these matters in the near future.

Mr. SUGGETT (Moorabbin).—I relate my remarks to the Agent-General's Office in London. Last year, through the good grace of the Commonwealth Parliamentary Association and with funds made available through the far-sighted attitude of the Premier and Treasurer of Victoria, I had the pleasure of spending some time overseas. By this means, members of this Parliament are enabled to broaden their knowledge and their outlook in examining the problems that confront Victoria. This policy is rather envied by many other States of the Commonwealth. Naturally, one of my first visits on arrival in London was to Victoria House which, I fear reflects little credit on this State.

Mr. TURNBULL.—Not the bank?

Mr. SUGGETT.—I thought the obvious entrance was from the Strand, and I entered from there. My first reaction was that the building looked like a bank, which it was. The main entrance is from a scruffy little lane called Melbourne-place, which certainly does not reflect any credit on this large and beautiful city of Melbourne. If one has the time, one enters a matchbox of a lift which proceeds laboriously to the second or third floor. The whole set-up is poor. Victoria House is merely an appendage of Australia House, and probably its only redeeming feature is the cheapness of the rent. The Government is being pennywise and pound foolish. Victoria House should be the window display of Victoria. If I were an Englishman who intended to migrate to Australia and did not know much about the virtues of the various States, I would certainly not choose Victoria if I went merely on the appearance of the Agent-General's Office in London. Recently, both Queensland and Western Australia spent large sums of money in building most attractive offices, which are an excellent advertisement for those States.

I do not wish to be unduly critical of this Government or any previous Administration, but I should be failing in my duty if I did not bring this matter to the attention of Parliament. To be fair, I must mention that, since my visit, arrangements have been made for the State Savings Bank of Victoria to move into other premises and steps have been taken to modernise the building. However, I believe it would be far better if the Agent-General's Office were divorced from Australia House and occupied its own premises.

Overseas publicity is extremely important. We must ensure that an abundant supply of up-to-date information is available not only at Victoria House but also at Embassies, Consulates, Trade Commissioners' offices, and at other places where Australia or Victoria is represented. My view that we do not disseminate sufficient material is based on information I received during talks with people overseas. Both Queensland and Western Australia are doing quite a lot in this regard. Because the Premier's Department has such a multifarious number of duties and its ramifications are so wide, I consider that control of or responsibility for the Agent-General's Office should be transferred to where it rightly belongs, under the Minister of State Development.

Representation overseas is definitely part of the development of the State, and Victoria will not be developed adequately unless the investment here of overseas capital and a good type of migrant are encouraged. The Minister of State Development who is not unversed in publicity matters, should be sent to England and the Continent to appraise the situation for himself. He could ensure that up-to-date information was always available, and that requests for information from Victoria House were dealt with promptly. An officer in his Department should be vested with the sole responsibility of collecting and collating up-to-date information sup-

plied by the various Departments and forwarding it to Victoria House without waste of time.

I believe that a considerable amount of capital is available in Europe in medium-sized parcels for investment in Victoria, and it would be worth while if a representative of this State, with a roving commission throughout Europe, was appointed by the Government. This could pay dividends for the future. To sum up on this point, I suggest that any money spent on Victoria House will result in great advertisement for Victoria. I know that, because of the financial set-up as regards the States and the Commonwealth, difficulty is experienced by this State in obtaining money, and so our Government has not much money to spare, but the expenditure which I have advocated would prove a good investment for the future.

I now wish to speak briefly regarding Parliament House, and at this stage I intend to refer not to the obvious disabilities which confront members, but to the aesthetic appeal and the structural beauty of the building itself. I do not believe enough citizens of this State, or of this city for that matter, visit Parliament House. I suggest that a large percentage of our residents have never been inside the building, a structure of which we can all be proud. I wish to renew a plea I made on a previous occasion, although it did not achieve very much in the way of results. I suggest that an open day should be held in this building. It could be advertised in the press that invitations were extended to citizens to visit Parliament House to be shown around the building. I pay a tribute to the work of the attendants in conducting parties over the building. I think they are to be commended for a very good job. I am sure that if an open day were held, honorable members would be surprised at the response. My suggestion is not original, because an open day was held at Parliament House, Sydney—and New South

Mr. Suggett.

Wales has not very much to be proud of in connexion with its Parliament House, which is an aggregation of temporary structures that have remained in position for years.

Despite the fact that the Victorian Parliament House has not been completed, although it was in the course of construction in 1856, the building is of great architectural significance. The holding of an open day would not only create a better interest in the building as such but would also inspire a greater appreciation of our democratic system of government. This system should not be lightly dismissed. At times, it is taken too much for granted; it should be jealously guarded. If people were invited to visit Parliament House and were shown over the building, in the long run a better appreciation of our Parliamentary institution and our system of Parliamentary government would be created.

Finally, I make a plea for the humble sausage or "snag" as it is sometimes called. This has now become almost the staple diet of penurious politicians penultimate pre-pay packet period. I fear that the sausage is being victimized. I would not for one moment suggest that there should be any relaxation of health standards, but I direct attention to the fact that, under the formula which controls the ingredients of sausages, there is reference to the amount of starch to be used.

Mr. TRETHERWEY.—How much bread is used?

Mr. SUGGETT.—Bread is not usually a component part of a sausage. There is not enough stale bread available, and I understand that fresh bread fouls the machine. For that reason, a starch ingredient is used in place of bread. The regulations provide that not less than 3 per cent., nor more than 6 per cent. of starch shall be used in the manufacture of sausages. This is contained in a material which is supplied in bulk by the manufacturer and used to bind the meat. Not even the manufacturer of

the binding can say accurately what the starch content of the binding is, and it would seem that butchers are almost forced to have an analytical chemist on the job to decide just how much binding or starch content there is in a particular sausage—and sausages are usually made in lots of 200 lb. Butchers are being fined—I should say they are being victimized—as a result of actions by inspectors. They are being fined up to \$200 because 1 per cent. more or 1 per cent. less starch than prescribed is contained in a sausage. I think this is wrong, and it places our sausages in grave danger. There have been attacks from certain Melbourne city councillors; in fact, the situation may arise when we may have to provide the protection of some of our night patrol services for sausages.

However, in the ultimate, the final jury on the content of the sausage is the public, because if a butcher does not make good sausages the public will not buy them. The component parts of a sausage, provided that nothing is included that is injurious to health, should be decided by the purchasing public. The formula to which I referred earlier provides that a sausage shall contain at least 75 per cent. meat, of which 25 per cent. may be fat. Some of the Continental sausages contain mostly fat, but apparently the consumers like them that way. I understand that if too much meat is placed in a sausage it dries away, and if it contains too much fat it just frizzles away. The ideal is to have the right mixture of component parts. Unnecessary controls make for an unrealistic approach to the situation, and simply force up costs. What was once a cheap commodity is now becoming rather expensive. Perhaps the purchase of sausages will ultimately be beyond the reach of penurious politicians. Health authorities should adopt a realistic and sensible approach to this question. At all times, we must protect the health of the community, but we must be reasonable about things. If no harm

is done, why bother butchers and other manufacturers of sausages with these unnecessary and troublesome controls?

Some of the matters which I have raised may appear to be small questions in the over-all administration of the State, but they are important to individual citizens, and I bring them to the notice of the Committee with all the sincerity at my command.

Mr. TURNBULL (Brunswick West).—I do not propose to enter into a dialogue with the honorable member for Moorabbin concerning the chemistry of sausages, but I agree with one suggestion he made. If members of the public were encouraged to visit Parliament House, the quality and quantity of the debates in this Chamber would definitely improve, and this place would become more firmly established as an institution of democracy.

From time to time, complaints are raised in this Chamber by members on both sides in an attempt to bring to the notice of the Minister concerned matters which it is considered should be rectified. These complaints are raised either on the debate on the motion for the adjournment of the sitting, or in debates similar to the one in which we are now participating. Members raise matters relating to their electorates which they consider require attention. When I was first elected to this Chamber, it was established practice that after Supply debates and the raising of matters on the motion for the adjournment of a sitting, the Minister affected paid the members concerned the courtesy of writing them letters relating to the subjects brought up. Apparently, that practice no longer exists.

The Commonwealth Parliament has instituted for the benefit of its members a library research service, as a result of which it is possible for information to be obtained quickly by members for use in debates. The Librarian at Parliament House, Can-

berra, has called applications for a number of officers to undertake research into foreign affairs, health, housing, science, technology, statistics, trade, industry, and other matters. By accident, during the debate in this House on the question of collusive tendering, there came into my possession a document prepared by the Federal Parliamentary Library relating to the trade practices legislation of the Commonwealth Parliament. When listening to the broadcast of proceedings in the Federal Parliament one day, I was amazed to hear a back-bench member, whose name I did not know, advise the House of the law on the subject of trade practices legislation in Paraguay, Uruguay, Brazil and other parts of the world. I was astounded at the apparent knowledge of the honorable member, but, when the document to which I have referred came into my possession, it was obvious to me why he had been able to make such a useful contribution to the debate. Incidentally, I was able to secure from that document much information relating to collusive tendering.

I commend the services rendered by our own Librarian, Mr. Parkes. If a service similar to that introduced in the Commonwealth Parliament were inaugurated here, honorable members, especially those who are not in the Government, could obtain much valuable information touching on matters brought before the House from time to time. Mr. Parkes can supply a remarkable amount of information on almost any subject matter at present, and more would be obtainable if the Library employed a specialist to deal with matters such as health, housing, education, science, and statistics. I look forward to the day when members of this Parliament will be put on the same basis with regard to this matter as those of the Federal Parliament.

In discussing the Premier's Office and the Public Service Board, I should like to make some comments regarding the employment of women in the

Public Service and in industry. Legislation should be passed by this Parliament providing that women shall receive equal pay for equal work. The Public Service Act requires females who marry to retire. I understand that female teachers receive only 80 per cent. of the male rates of pay. In many instances, senior female teachers in New South Wales receive approximately £15 a week more than their counterparts in Victoria. I regret that the answer supplied by the Premier to a complaint by the secondary teachers was released at least three days after he had left the State on his overseas visit.

Mr. BORTHWICK.—That is not true.

Mr. TURNBULL.—It is true. If the Premier had something to say to the secondary teachers, he should have made his statement to them himself before going away.

I wish now to refer to the Police Department and to discuss the question of informers. One day in the House, I brought to the notice of the Chief Secretary the fact that, at the height of the Department's campaign to reduce the death toll on the roads, members of the Mobile Traffic Branch at St. Kilda were compelled to clean their own offices, in spite of a request that had been made for the appointment of a cleaner. A large number of men are stationed there, and many hours of time which they could otherwise spend on the road are wasted when they are carrying out cleaning duties. Although I raised the matter in the House, the Chief Secretary has not given even a scintilla of a reply, nor has he communicated with the Police Association concerning the matter.

The *Herald* newspaper had a somewhat luxurious period of news gathering when the Police Discipline Board was hearing cases in which the informer, Mr. "X", gave evidence. I am aware that no Police Force is without its informers in the underworld, but I think this state of affairs is undesirable. I do not blame the

Government on this account because the practice existed when it came into office. One can make no criticism of the police officers, because it has always been the practice for them to have discussions with and at times obtain information from members of the underworld. In the Criminal Investigation Branch in Victoria and their counterparts in other States, a detective allowance is paid, and, although it is now looked upon as a margin for skill, in truth and in fact it is an allowance to enable officers to pay for information which they obtain from informers. I understand that an information fund is available to the police from which they may draw payments for information.

I can understand this practice historically. At one time, there were no routine methods by which the police could obtain information, and it was unfortunately necessary for them to associate with criminals. Most honorable members know the story of the Bow Street Runners, a squad whose members consorted regularly with criminals from whom they obtained information. One of the distressing inferences that may be drawn from the cases involving Mr. "X" is that, apparently, so long as the malpractices of the informer are not excessively grave, police are to some extent tolerant as regards his unlawful activities. I think it was Superintendent Matthews who, in evidence given in the cases before the Board, admitted that it was necessary to extend some leniency and overlook some minor offences to enable police to obtain information.

Mr. FENNESSY.—That would be a world-wide practice.

Mr. TURNBULL.—That is so. However, science and technology have developed to such an extent that I think it is dangerous to continue this reliance upon informers. From the evidence in the cases before the Police Discipline Board, it was clear that Mr. "X" had plotted crimes with certain persons with whom he

had been associated in order to involve people against whom he had a grudge or perhaps in order to obtain a further monetary allowance from the police. I submit that this practice should come to an end, and I think many policemen will agree with me. I understand that Mr. "X" was inherited, so to speak, by Sergeant Wright, who was assigned to control the breaking squad. Apparently, Mr. "X" had been informer No. 1 to the squad.

Mr. FENNESSY.—The police used "Squizzy" Taylor in the same way.

Mr. TURNBULL.—Yes. In these days of advanced scientific knowledge, it is dangerous to the rights and liberties of the individual citizen that the practice to which I have referred should continue, and I think members of the Police Force would be greatly relieved if it were to cease. In the book *Police*, by John Coatman, the following passage appears at page 134—

The Bow Street Runners consorted regularly with criminals, and got from them information, often false, which earned for the Bow Street men substantial rewards, all too often at the cost of cruel injustice to innocent persons. The first detectives in France were organized by the ex-criminal Vidocq, whose assistants were his former criminal associates. The evils arising from the employment of professional spies and informers need not be elaborated here.

Mr. G. O. REID.—For how long were the Bow Street Runners in existence?

Mr. TURNBULL.—I could not say. The passage continues—

From this, it is only one step to the excesses of the police of totalitarian countries.

When those practices prevailed, there were not the routine methods of police investigations which are now available to a modern police force. The best policeman is the person who believes in perseverance and routine checks. The numerous aids to detection of crime to-day include the system of fingerprints, the use of motor cars, wireless and television, modern police patrols, ballistics, and a com-

plete *modus operandi* section. Honorable members will recall the human glove case, and the use of dentistry which brought the Pyjama Girl case to a successful conclusion.

The method of using police informers is, like this Government, completely archaic. The recent Mr. "X" case has shown that the system has no use in a modern society. Members of the Police Force would be glad to be relieved of the necessity to associate with criminals in that fashion. Science is more reliable than the tip-offs of a fizgig. I hope that informers of the calibre of Mr. "X" will disappear from the police scene.

I shall now relate my remarks to the live issue of education. Many parents and teachers are concerned at the explosion of knowledge at home and abroad.

Mr. BIRRELL.—Only twelve people attended the Victorian Teachers' Union meeting held at Geelong last week.

Mr. TURNBULL.—Is not Geelong known as "sleepy hollow"? More than 1,000 people attended a meeting in Coburg and Brunswick on this subject.

Mr. BIRRELL.—What did the Government representative say at Coburg?

Mr. TURNBULL.—I shall develop my argument in my own way. I am always pleased to hear the views of the honorable member for Oakleigh on the subject of education. He said that the Government policy on education is steady. That is so, but it is not nearly fast enough to keep up with the explosion of knowledge in the scientific and technological world of to-day. I do not know how many university graduates there are amongst Government members, but I notice that two of them, in the persons of the Minister of Education and the Minister for Fuel and Power, are now seated at the table. There has been a continual barrage of questions and debate on education, but neither

one of those gentlemen has indicated the attitude of the Government towards the education system.

Mr. BLOOMFIELD.—If you sit down, you will hear me.

Mr. TURNBULL.—I am glad that I have the Minister of Education on the defensive, and that he is ready to speak. I contacted his Department a fortnight ago to complain that the staff at Brunswick High School had to carry water in a bucket to wash their hands. I have not yet received a reply. I hope the Minister will investigate the lack of water at that school.

The honorable member for St. Kilda has tried to patch up the faded and tattered garment of the Liberal Party's policy on education in Victoria. He makes as good a case as possible out of statistics. It is obvious that the Government's policy on education has not been defended at Ministerial level, but that it has been left to the honorable member for St. Kilda.

Mr. BLOOMFIELD.—Don't you want me to hear you first in order to ascertain what is worth answering?

Mr. TURNBULL.—The Minister of Education should have immediately replied to the speech of the honorable member for Richmond, to whom he has denied the construction of a high school for many years. The honorable member for Oakleigh did not do himself justice last night. He said that the policy of the Liberal Government was contained in the Ramsay report. I hope the Minister of Education will indicate when he proposes to implement that report. The Ramsay report stated that every matriculant was entitled to enter university in the faculty of his choice, but the opposite is the position. A quota system operates in the Faculty of Education. Some time ago, the Minister of Education told me that he would remedy that situation, but that has not been done.

Much of the criticism in relation to education in Victoria concerns lack of accommodation and qualified

staff. High schools are usually established in temporary buildings, and many children attending high schools have never been accommodated in a high school building as such. The Brunswick High School is in its third year of temporary accommodation.

The ACTING CHAIRMAN (Mr. L. S. Reid).—Order! The honorable member's time has expired. If no other member rises in his place, he may continue for a further fifteen minutes.

Mr. TURNBULL (Brunswick West).—I thank honorable members for their courtesy. There is a complete emphasis to-day on science and technology. I propose to refer to a speech by Sir Robert Menzies in the Commonwealth Parliament on the subject of tertiary education. I shall also pay tribute to what was said by the Leader of the Country Party in the Federal sphere in regard to a university professor in Canada. I have frequently referred to the question of the granting of scholarships at university level. The system in operation in Great Britain, where every person who attends a university is in receipt of a scholarship, should be adopted in Victoria. If a matriculant in England is unable to secure a recognized scholarship, the local municipality pays his fees. I understand that the Martin report recommended that every student who successfully completed his first year at a university should receive a Commonwealth scholarship. I should like to refer to what Sir Robert Menzies said about this, and I quote from Appendix B of a book, *Tertiary Education in Australia*, issued by the Australian Institute of Political Science, which in turn quotes an extract from the *Commonwealth Parliamentary Debates* of 24th March, 1965. Sir Robert said—

The committee further recommends that all students at universities who successfully complete the first year of their university course at the first attempt, and who are otherwise eligible, should be automatically awarded Commonwealth later-year scholarships. At present, the number of

these awards available covers rather more than two-thirds of the full-time students who meet these conditions.

I do not know whether that is quite accurate. The information I was given at Monash University was that only 57 per cent. of the students attending that institution have scholarships. Sir Robert continued—

The Government does not feel it should accept this suggested unknown charge on future Budgets but it has decided to increase the number of later year awards by 250 at the end of the present year.

Mr. Bryant interjected—"This is a fizzer", and Sir Robert said—

To me it is a novel idea that getting through your first year at the first attempt should qualify you for a scholarship. This is quite new to me.

That is an extraordinary statement. The inimitable Dr. Cairns then said—

The Prime Minister is still in the 19th century.

In many ways, the nature and quality of the educational policy of this Government is also of 19th century standard. The Government does not appreciate the explosion in learning which has occurred or how necessary it is that people should be educated in the sciences and technology. The Federal Leader of the Country Party, during his tour of Canada, saw a university professor in the fields teaching methods by which the amount of food grown could be increased. In the modern world it is necessary that the irrigation, industrial and production methods should be improved. But, the Minister of Education still lives in the 19th century. It was then felt that there should be a knowledge of the classics, of Homer and Horace, and that something should be known about Shakespeare and the finer arts, so that people could recline in luxurious clubs and make various comparisons, to enhance their methods of gracious living.

The Minister of Education has not caught up with the requirements of science and technology in the modern world. He has the 19th century idea of educational standards which Sir Robert Menzies displayed when he denied that any person who had

successfully completed the first year of a university course was entitled to a scholarship. Mr. Bryant, whom I mentioned, told me that he was present at a forum on education at the Monash University. Indeed, the Minister was also present. Mr. Schoenheimer spoke of an arts student in his department who prepared an essay on the education policies of the political parties of Victoria. In doing so, the student obtained a copy of *Looking to the Future*, the policy of the Labor Party, something from the Democratic Labor Party, the party which is so strongly affiliated with the Liberal Party, and a statement from the Country Party, who wrote of the waste of talent and the requirements of education in the country. But the Liberal Party admitted that it had no policy.

Mr. SCANLAN.—That is not true.

Mr. TURNBULL.—It had no policy in regard to education. If Liberal Party members disagree, I suggest they speak with those people from Monash University to whom I referred.

Mr. BLOOMFIELD.—I spoke for about 40 minutes at that Monash forum.

Mr. TURNBULL.—I have read what the Minister said.

Mr. HOLLAND.—No crisis!

Mr. TURNBULL.—Of course the Minister said that there was no crisis in education, and he was laughed out of court. The Liberal Party admitted that it had no policy on education. It replied to the student that its strength was in its branches and that if anyone in a branch brought up the subject of education the system was patched up as well as was possible. Mrs. Falk of the Faculty of Education of the University of Melbourne pointed out that in 1964 the department required 27 additional teachers and that it was necessary to impose quotas. One of the great complaints of the Teaching Service is that many teachers have not completed a course in education—the art of teaching.

Mr. Turnbull.

Mr. BLOOMFIELD.—Can you tell me of a single country in the world where that does not happen?

Mr. TURNBULL.—If I had time, I could tell the Minister many things. I should like to tell the honorable gentleman what one of his high school teachers had to say when he spoke at the Brunswick Town Hall. The teacher, Mr. Dessailly, said—

Thirty-seven high schools have been forced to drop particular subjects from the curriculum because there is no teacher available.

Mr. WILTON.—That happens even in the Teachers Training Colleges.

Mr. TURNBULL.—That is so. Mr. Dessailly, went on—

Fifty thousand pupils in Victorian high schools are taught by unqualified teachers—20,000 in Maths classes, 15,000 in English classes.

Mr. BLOOMFIELD.—That is rubbish. It is put in a very misleading way.

Mr. TURNBULL.—Mr. Dessailly continued—

Six thousand, seven hundred and sixty-five pupils are at present in classes with no regular teacher at all. One such class is a Matriculation Expression class.

In 1952, 50 per cent. of high school teachers had degrees. The percentage to-day is 36 per cent.

Mr. BLOOMFIELD.—But what about the numbers?

Mr. TURNBULL.—I am glad that I have raised this matter. These statistics are the product of one of the Minister's most senior high school teachers. Mr. Dessailly continued—

The number of temporary teachers increased from 366 in 1951 to 1,841 in 1962.

Mr. BLOOMFIELD.—What of the permanent and qualified teachers?

Mr. TURNBULL.—I am presenting these statistics; the Minister can reply to Mr. Dessailly, who also had something to say about the Brunswick High School. He said—

Kew High School is identical to the proposed Brunswick High School building. Kew

children spent one year in temporary quarters—

Was there any special reason why the time was only one year in Kew?

Mr. BLOOMFIELD.—Your site was difficult. It was built on a quarry.

Mr. TURNBULL.—Mr. Dessailly continues—

... and when they moved in, £15,000 had been spent on landscaping. Brunswick is in its third year in temporary accommodation.

These complaints come from responsible members of the Teaching Service and responsible members of the community. Someone asked what the Liberal Party had to say at the Coburg meeting; it had no representative there.

The ACTING CHAIRMAN (Mr. Mitchell).—The honorable member's time has expired.

Mr. LOXTON (Pahran).—This debate gives honorable members an opportunity to discuss a number of wide and varied subjects, but I want to deal with education and primarily with the Pahran Technical School.

Mr. HOLDING.—It is a disgrace, is it not?

Mr. LOXTON.—I will begin by discussing the propaganda provided and authorized by the Technical Men's Branch and the Technical Women's Branch of the Victorian Teachers' Union, which go to some pains to discuss the Pahran Technical School, and I shall comment on what they say.

Mr. HOLDING.—You think the Pahran Technical School is all right, do you?

Mr. LOXTON.—Mr. Acting Chairman, through you, I should like to inform the honorable member for Richmond that, if he wishes to object to what I say and interrupt me a little later, I shall be pleased to deal with him, but I first want to make my initial points. I shall then be

happy to accommodate him. The branches I have mentioned have said—

At Prahran Technical School 400 boys and many more senior students are being educated in an old building damp and rotting with age, which would certainly be closed by the Health Department if they had the power to do so.

The senior Art, Fashion Design, Millinery, and Commerce departments are housed in old villas adjacent to the main building. Some students are still working in a room where there is no ceiling at all; others in the sculpture and pottery schools are working in closed-in alleyways. This school is a slum.

I agree that these people have the right to criticize any school in my electorate, but so far as I am concerned this is purely political propaganda.

I have no objection to their being critical, but in fairness they could put the other side of the picture. I am sure members of the Labor Party will agree with the justice of that contention. I was appointed to the school council in August, 1958, as a Government nominee, and I had no difficulty in determining that the people who were guilty of allowing the conditions at this school to deteriorate were the members of the former Labor Administration of this House who gave no consideration to future planning at the school. At that time, the main school was housed in the Mechanics Institute. The upholstery section was in a room above a shop in Chapel-street, with an entrance through a lane. The french polishing section was in a church hall. The fibrous plaster annexe were in a loft in Windsor. This represented the planning of the former Labor Administration. The Mechanics Institute was established in 1915 as a technical school.

Mr. WILTON.—By whom?

Mr. LOXTON.—By the Mechanics Institute, which provided the site in High-street, Prahran, erected the building and handed it over to the Education Department at a rental of

£1 a year in order that technical training might be started. This is a council-controlled school, and the council consists of Government and Education Department nominees, members of the Mechanics Institute, and councillors of the Prahran City Council and in all consists of fifteen members. Since 1958, the council has recommended to the Education Department that the adjoining properties, mainly in High-street on either side of the Mechanics Institute, should be purchased. It is interesting to note that the final purchase was made at 2 p.m. to-day. Now, the school will have a frontage of 475 feet to High-street and a depth of 100 feet. At the rear of High-street, in Thomas-street, there will be a frontage of 117 feet and a depth of 165 feet. This area has been acquired over a period of five years. Unlike the Labor Government, which virtually stole land from the people of Broadmeadows—it paid them only £50 a block—this Government does not believe in turning people out of their homes. It acquires properties as they become available and pays a reasonable price for them.

Mr. WILTON.—Which homes are you talking about?

Mr. LOXTON.—I am talking about the homes on either side of the Mechanics Institute, in High-street, Prahran, which have been acquired. The school comprises a boys' secondary section up to leaving standard, diplomas of art and commerce sections and a trade section. It is interesting to note that the trade section provides instruction to apprentices in the fibrous plaster field, and that the furnishing trade section is the only one in Melbourne with a department concerned exclusively with training in french polishing and upholstery. It also trains apprentices in cabinet-making and flat glass work. In a debate on a Bill relating to apprenticeships, the Deputy Leader of the Opposition paid a compliment to the Prahran Technical School when he said that it was the first in the fibrous plaster field to recommend to the

Apprenticeship Commission that the block release system be adopted. This school operates this method successfully. Unfortunately, there are only 37 first-year apprentices in the fibrous plaster section at the moment, but the school has the ability to cope with 150. If we do not take care, there will soon be more chiefs than Indians.

Mr. WILKES.—That is indicative of the slump in the building industry.

Mr. LOXTON.—I am prepared to answer that interjection about a slump at a later stage.

Mr. WILKES.—You were not listening; I said that it was indicative of the slump in the building industry.

Mr. LOXTON.—I apologize to the honorable member for Northcote. I shall now deal with the reputation of the school, notwithstanding the terrible accusations which have been made about it. When Mr. Warren became principal in 1961, there were twenty commerce students training for their commercial certificate and twenty diploma of art students. Today, because of the reputation this school has earned, there are 194 full time diploma of art students, including 84 student teachers; there are 131 full time diploma of commerce students; 960 part-time students; and at all levels of secondary, tertiary and apprenticeship educations, there are 2,650 full and part-time students enjoying the very best of education from 105 teachers.

In 1961, a new trade block was erected at a cost of \$77,236. In November, 1963, the second section, a two-storied building was added. In the years 1961-63, a total amount of \$303,486 was spent on these new buildings. Nowhere in the document to which I referred at the outset of my speech is there any reference to any of these new developments at the Prahran Technical School. In addition, a sum of \$18,000 has been spent on alterations, and the stage has now been reached, because the necessary properties in High-street have been

acquired, where planning can be undertaken for the future, and I am sure that this plan will be carried out wisely. An architect has been engaged to plan the development of the area over the next ten or fifteen years. The Education Department has asked the school council to name its priorities.

Whilst I cannot speak for the whole of the council, I believe the order of priority should be: A three-storied building should be erected without delay to house the diploma of art and commerce students who are at present in buildings in High-street and the old Mechanics Institute building. I freely admit that they are not working under the best of conditions, but, if they can be housed in a new building, conditions will be tremendously alleviated. Provision should then be made for the boys' secondary section, which, incidentally, was flooded over the week-end by vandals who turned on a fire hose. This caused a tremendous amount of damage to the Mechanics Institute and the school library, which was provided by the Mechanics Institute. After a new boys' secondary section has been constructed, I believe the third stage of the trade block should be started. I freely admit that conditions at this school leave much to be desired.

Mr. HOLDING.—Are you of the opinion that slump conditions exist at the school?

Mr. LOXTON.—I do not go into the electorate of the honorable member for Richmond and inspect his schools, but he appears to know a great deal about the school in my electorate. I am wondering whether he has ever seen them. This school operates in some of the most difficult trades. The document to which I have previously referred states that the sculpture and pottery section is a slump.

Mr. HOLDING.—The tuck shop is not much good.

Mr. LOXTON.—That is a reflection on the Mothers' Club. I have always had an opportunity to keep a close watch on this school. Obviously, in the sculpture and pottery sections, what might be called dirty trades are carried on. The sculpture section, which deals with Mt. Gambier stone, and in which chiselling of stone is undertaken, is a dusty place. By virtue of the work which is carried on in this section, it is necessary that there be plenty of fresh air available. I admit that there is plenty of air where this section is located. In any planning for this school, careful consideration would be required concerning the accommodation for sculptors and potters. Last night during the Supply debate, the honorable member for Richmond referred to my educational ability.

Mr. HOLDING.—I was only joking.

Mr. LOXTON.—The honorable member frequently says things in jest, but means what he says. I had the opportunity of a State school education at the Yarra Park State School in the honorable member's electorate, and at the Armadale State School. I was also fortunate enough to proceed further with my education at Wesley College. I did not have the brains, nor did my parents have the money, to enable me to attend a university. However, if the remarks of the honorable member for Richmond are an indication of the value of a university education, I am pleased that I was unable to avail myself of the opportunity of attending such an institution.

I agree that there are certain difficulties and a good deal of work to be done at the Prahran Technical School. Now that the purchases of certain properties have been completed, the school council, which is well aware of the needs of the school, will be submitting plans, and I anticipate that from now on the school will be housed in better circumstances, and that the reputation which it has earned will be further enhanced.

Perhaps I should say that I have not been idle in my electorate so far as education is concerned. I propose to refer to the new Prahran High School. Land in Prahran is at a premium; we are not so fortunate as other municipalities in this regard. However, the Prahran City Council donated to the Department a block of land, which is situated in Orrong-road within 50 yards of Malvern-road. It is served by trains on the Dandenong and Frankston lines; it is serviced by two buses, to my knowledge, and it has the facility of a hockey field outside its front door, a football field in the same park, and, of course, services will be provided for the school at Toorak Park, which is the home of the Prahran Cricket Club and the Prahran Football Club. I welcome the provision of this school, and I thank the Government for its work in this regard. The completion of the school is two weeks behind schedule.

Mr. TURNBULL.—A delay of two weeks is virtually nothing so far as the provision of schools is concerned.

Mr. LOXTON.—That is so. The cost of the school is in the vicinity of £400,000 or \$800,000. I shall conclude by mentioning some facts of education which have conveniently been overlooked by Opposition members. An examination of the Budget Papers and of the Premier and Treasurer's Budget speech for 1965-66 reveals that an amount of £94,000,000 or \$188,000,000 has been provided for education. The actual provision, of course, is in the vicinity of \$174,000,000. The total of \$188,000,000 is arrived at by including in the education vote an amount of \$13,540,000 to meet interest on the charges for building schools and universities. The amount of \$174,000,000 which will be spent on education, when compared with the total resources of the State, represents about 31 per cent. of the total Budget expenditure and loan money that is available to the Government. The

Government, the Treasurer and every member on the Government side of this Chamber would be delighted if some Opposition member could state how a Labour Party Government would provide more finance for education.

Perhaps I should supply the full facts so far as expenditure on education is concerned. It is interesting to note that, in 1954-55—the last year of Government under the Cain Labour régime—total expenditure on education amounted to £25,275,593, which represented £10 3s. 9d. per head of population. This year, an amount of £87,404,033 will be expended on education, which represents £27 4s. per head of population. Loan raising statistics are equally interesting. In 1954-55, an amount of £5,000,000 was spent on education from loan funds compared with £12,900,000 in 1965-66. I have heard it said in this Chamber that the Minister of Education and the Premier have claimed that there is no crisis in education. I propose to quote the remarks of these two honorable gentlemen. The Minister of Education stated—

In Victoria especially we have other problems. We are doing a tremendous lot of developing at once. Business is booming, population is growing, immigrants are arriving, social services are increasing. The work of every Department would be easier were it not for the intense competition of the others, and of industry, for manpower and money. In spite of this intense competition it seems to me to be clear that we are breaking through.

The Premier stated—

The record is first class and the Government is making tremendous headway, but there are many more problems to be tackled and the hard work will continue.

I congratulate both the Government and the Minister of Education upon the work that has been done so far as education is concerned. I thank the Minister for his visit to the Prahran Technical School last week, and I welcome the opportunity of refuting in some way and in a certain amount of detail the comments of the Tech-

nical Men's Branch and the Technical Women's Branch of the Victorian Teachers' Union.

Mr. FENNESSY (Brunswick East).—The Supply debate affords honorable members an opportunity to deal with various items in the Supply schedule and also many aspects which concern their electorates. In reply to the honorable member for Prahran, I point out that apparently the charge was made last night during the contribution of the honorable member for Richmond that the Prahran Technical School was, in fact, a slum. This was borne out by recent investigations and the great publicity given to this matter in the daily press. Honorable members know that, following this publicity, the Minister of Education visited the school to examine the conditions there. We have heard from the honorable member for Prahran that to-day the Government has decided to acquire property in Prahran.

Mr. BLOOMFIELD.—Settlement was reached this afternoon, and the property in question came into the Department's possession to-day.

Mr. FENNESSY.—I am pleased to hear the Minister supply the facts. The honorable member for Prahran endeavoured to indicate to the Committee that the property was, in fact, taken over by the Education Department to-day.

Mr. BLOOMFIELD.—That is correct.

Mr. FENNESSY.—Apparently, the school advisory council and all those persons associated with the Prahran Technical School have been crying out for a long time for action along these lines.

Mr. BLOOMFIELD.—We have acquired half a dozen properties.

Mr. FENNESSY.—It is time that action of that type was taken. The honorable member for Prahran has been forced to live with this problem, although he tried to break it down to a large extent, apparently because he was afraid of openly attacking

the Government, which he supports. For the past eleven years, the honorable member for Prahran, the students and the parents of students have had to put up with the conditions which existed at the school. The facts are as were stated by the honorable member for Richmond last night. Nothing has been done for the school in the past, and it is only now that action is being taken.

The honorable member for Prahran tried to say that a former Labor Government was responsible for the situation which exists at the school to-day. How ridiculous and silly can a member be? If a Labor Government were now in office and a Labor member represented the Prahran electorate, as was the case some years ago, the students at the school would have far better conditions than they have to-day.

The honorable member for Prahran submitted a poor case when he tried to dodge the issue and the charges made last night by the honorable member for Richmond. Obviously, he is afraid to attack the Government. If the honorable member had been a little more belligerent in this House during the past eleven years, the improvements which are proposed for the Prahran Technical School would have been provided much sooner. Apparently the honorable member was prepared to go along with the unsatisfactory situation. The honorable member stated, in effect, that although he had not been able to obtain all the improvements that were required for the Prahran Technical School, he was at least instrumental in work being started on the construction of a high school. The high school, which is being built on land donated by the local council, has not been completed. The honorable member has a long way to go yet.

Much has been said about the needs of education. It is useless for the Minister to assert that no crisis exists in this field. During the past ten years, almost every back-bench mem-

Mr. Fennessy.

ber of the Liberal Party has, on some occasion, advanced a plea for the building of both primary and secondary schools. The honorable member for Scoresby asserts by way of interjection that they are being built, but this is not so in the electorates of Opposition members. Apparently the honorable member is satisfied with the situation in Scoresby. I should have thought that he was not, because he has sounded off in this Chamber on numerous occasions.

Mr. BORTHWICK.—I have got lots of things.

Mr. FENNESSY.—The honorable member's remark justifies my statement that if the honorable member for Prahran had been more belligerent he might have obtained some of those improvements required by the Prahran Technical School. The question of education has been adequately traversed by the honorable members for Richmond, Reservoir and Brunswick West, but I point out that it is foolish for the Government to assert that there is no crisis when the whole of the education system is crying out for further and quicker expansion. Teachers, both primary and secondary, are screaming out for an alteration in the constitution of the Teachers Tribunal, and consideration of the questions of classification and salaries, and overcrowding and lack of accommodation in schools. All these questions are real; the Opposition has not simply pulled them out of a hat. They are staring the Government in the face. For the record, I quote the following resolution passed at the 40th annual conference of the Victorian Teachers' Union held at the Pharmacy College, Royal-parade, Parkville, in January, 1966—

(a) That the practice of using temporary accommodation has reached monstrous proportions, and the Victorian Teachers' Union must accept partial responsibility for allowing this position to develop. In the interests of the children in our schools, this tragic situation must not be allowed to continue or develop further. Therefore this Union should make it clear to the Education Department that from January 1, 1968, it will instruct its members not to report for duty in temporary accommodation.

(b) That the Union campaign actively to have all new schools opened in their own permanent buildings with landscaped grounds and adequate playing facilities, and that existing schools be brought up to this standard.

That resolution indicates to honorable members and to the people that a grave situation exists in the Victorian education system.

Another aspect that from time to time members of the Opposition have brought to the notice of the Government is the performance of clerical duties in schools. Headmasters of both primary and secondary schools have suggested that more clerical assistance should be provided in schools, so that teachers can concentrate on the education of the pupils. The conference that I mentioned passed the following resolution on this point—

That as the most important function of a teacher is to teach the pupils, the Victorian Teachers' Union instructs members in Special and Class I schools not to do clerical work for schools after the first term in 1966.

Those two resolutions indicate that the teachers have reached the end of their tether and are about to take certain action. It is no wonder that they must have recourse to direct action. Recently, teachers advanced along the main street of this city to Parliament House in an endeavour to demonstrate to the Government their belief that there is a serious crisis in education, and that they are entitled to better conditions than obtain at the moment. The Opposition supports the views of the teachers on this occasion that the Teachers Tribunal should be reconstituted. I shall not reiterate Labor Party policy on this matter, because it is known to all.

Division No. 85 on the schedule relates to the Railway Department, and I wish to discuss the leasing of railway land to certain industries. On many occasions, I have directed the attention of the Government to a junk yard on railway land at North Carlton. This location is in the midst of a strictly residential area, which is perhaps the best part of North

Carlton. It is known as Princes Hill. It is an ideal area containing good homes and a lot of parkland, which is known as Princes Park. A railway line runs from Royal Park to the Clifton Hill loop with a diversion into what is known as the Fitzroy siding within the Edinburgh gardens. Apparently my persistent efforts in this House have had some effect. The junk yard has been removed from the railway siding, and at present the land is clear. However, an article in the *Age* of Tuesday, the 29th March last, indicates that the Railway Department intends to lease the land to the Victorian Butter Factories Co-operative Company Limited to enable it to build a cool storage for butter on the site.

Mr. COCHRANE.—Don't you want the butter?

Mr. FENNESSY.—We do not want a cool storage there. There are plenty of other places where the Railway Department could allow a cool storage for butter to be erected. It is a crying shame that this structure should be erected in what is a strictly residential area.

Mr. B. J. EVANS.—A storage is quite different from a factory.

Mr. FENNESSY.—But it will have all the appearances of a factory.

Mr. BORTHWICK.—Did the town planning authority issue a permit for its erection?

Mr. FENNESSY.—The Railway Department does not need a permit. If the honorable member is willing to accompany me, I shall show him structures on railway land which do not comply with municipal building specifications. I quote the following passage from the *Age* report that I mentioned—

It was most unfortunate the Minister for Local Government, (Mr. Hamer) had upheld an appeal by a butter company to build a cold storage unit and offices in a North Carlton residential area.

The chairman of the city council building and town planning committee (Cr. Sir Bernard Evans) said this at a meeting of the council yesterday.

He was proposing that the committee be given authority to approach the railways (which owns the land) and offer the same rent to lease the land for development of recreational facilities.

Mr. Hamer upheld an appeal by the Victorian Butter Factories Co-operative Co. Ltd. after the city council and the Metropolitan Board refused a land permit to build the cold store in the Princes Hill district.

Sir Bernard said a cold store would lower the values of residential properties in the vicinity.

Princes Hill was one of the best northern residential areas.

"I cannot promise we are going to get anywhere, but this is the only way we can get to the council's notice this tragic happening," he said.

I now know that the Minister for Local Government rejected the claim by the Melbourne City Council, which stated that the land could be used for railway purposes. I realize that nothing can now alter the Department's decision, but I suggest to the Minister of Transport that the storage should be of brick and not be a temporary structure such as exists on many railway lands. Furthermore, it should fit into the residential pattern of the area. I presume a substantial lease—probably of twenty years or more—will be given to the company. I suggest that the building should be within a garden setting to conform to the environs of the Princes Hill area. There is a substantial block of land available for the purpose, and if the Railway Department intends to make it available for this purpose it should insist that the building conforms to building regulations and blends with the surroundings. It should not be the type of building that may be pulled down after twenty years.

Mr. MEAGHER.—The Railway Department has to obtain a normal building permit, the same as anyone else.

Mr. FENNESSY.—I could show the Minister a couple of buildings on railway lands at the end of Nicholson-street which do not even have toilet facilities.

Mr. MEAGHER.—How long ago were they erected?

Mr. FENNESSY.—About eight years ago. They have no toilet facilities, and the staff working in a case-making factory uses the toilets of residential across the road.

Mr. MEAGHER.—Has the local council done anything about it?

Mr. FENNESSY.—What can it do?

Mr. MEAGHER.—Plenty.

Mr. FENNESSY.—I am pleased to hear that, because the council concerned is the Melbourne City Council. This building, which is of corrugated iron, should be pulled down because it is an eyesore in the midst of a residential area.

Mr. LOVEGROVE.—It is on railway property. The council cannot do anything about it.

Mr. MEAGHER.—If the council's health inspector does not like these things and cares to get in touch with me, I will take action.

Mr. HOLLAND.—He is not allowed on railway property.

Mr. MEAGHER.—I shall give him permission.

Mr. FENNESSY.—I am pleased that that argument has been resolved. As the honorable member for Flemington has pointed out, the Melbourne City Council cannot take action. However the Minister has promised to do something if the council's health inspector contacts him. I have no doubt that the Minister will honour his promise.

I recall that seven or eight years ago a building from Camp Pell was deposited alongside this small case factory on railway land at the top end of Station-street. Some of the residents and I protested to the then Minister of Transport, Sir Arthur Warner, and the Minister had the building removed. In past years, the Railway Department granted tenancies on a month-to-month basis or on a twelve months' basis. Amendments have since been made to the relevant legislation to allow much

longer leases to be granted. Therefore, the railways should insist on the construction of permanent buildings of a type which will fit into the surrounding landscape and which will conform to the Uniform Building Regulations that are insisted upon by local municipalities.

I now wish to raise a question relating to the Traffic Commission. I refer to the situation in Nicholson-street, North Carlton, at the intersection of Pigdon-street on the western side and Scotchmere-street on the east. This is a busy shopping centre. Pedestrians experience great difficulty in crossing the street at this point because there is a constant flow of traffic in Nicholson-street, which is very wide, and there is a good deal of traffic coming from Pigdon-street across to Scotchmere-street and into Queen's-parade. Many vehicles take this route as a short cut. A mother with a shopping jeep or children faces a difficult task in attempting to cross Nicholson-street at this point.

I suggest that traffic lights and a well-defined pedestrian crossing be installed in this vicinity. I do not know whether any fatal accidents have occurred at this spot, but numerous accidents between motor vehicles have happened. It should not be necessary to wait until a fatality occurs before traffic lights are installed. It appears that pedestrians in any built-up area have no rights and that motor vehicles are permitted to use the roads without interference. It is even difficult to cross Spring-street outside this building; one has to step smartly if one wishes to cross in front of motor traffic turning from Bourke-street into Spring-street. More consideration should be given to the pedestrian, who is just as entitled to use the roads as are motor vehicles. I trust that in the future Ministers will revert to the former practice of replying to points raised in the Supply debate and that attention will be given to the matters to which I have referred.

Mr. TREWIN (Benalla).—This Supply Bill seeks approval for the expenditure of a certain sum in the three months ending 30th September next. I intend to confine my remarks to four or five items which are of particular interest to me and to the electors of Benalla. It has been refreshing to hear the amount of discussion that the question of education has provoked. Although I appreciate that members speak on matters which affect their own electorates in particular, it is to be regretted that the subject of education should become a political football in this debate. Members of all parties have tended to treat the subject in this manner.

I shall confine my remarks to the subject of education as it concerns country districts. Great development has taken place over the past twelve to fourteen years. I remind honorable members of the Government party that the expansion in education due to the population explosion following the war years commenced prior to this Government assuming office, although finance was not then available to the extent that it is today. For the past 25 years, I have served as a member of school committees and high school advisory councils, and I appreciate the work that members of such committees undertake in an honorary capacity in the interests of the children and the community in general.

The only secondary school in my electorate which I feel is at present in need of my support is the Benalla High School, which is now celebrating its golden jubilee. The original structure has been added to on a number of occasions, over the past 50 years, with the result that the buildings are a hotch-potch of varying standards. The school is rather difficult to administer, although the head teacher and staff are carrying out their duties efficiently. I believe this year has seen the greatest low of all time in the staffing position of this particular school. Some matriculation

students had to travel to Wangaratta, 25 miles away, to receive tuition in subjects that should be available in a school of 50 years' standing and with an enrolment of almost 700 pupils. I understand that circumstances beyond the control of the Education Department brought about this situation.

Friends and parents of students at the school have approached the Minister of Education and the Department over the past couple of years in order to obtain certain improvements. An approach has been made with a view to the construction of a new high school on a new site. Deputations have been received favourably by the Minister, but have been met with the old question: Where is the money to come from? Much of the money allocated to education is required for the payment of teachers' salaries, which, although they are never what they should be, are now fairly reasonable. I do not criticize the teachers for looking to the future. My mother was a school teacher in about the year 1900 and commenced as a junior teacher at fourteen years of age at 3s. 4d. a week. Much progress has been made since those days. I believe those persons who now hold responsible positions should reflect upon conditions which existed in this State many years ago. They will realize that we are not going through too bad a time at present.

I wish to refer again to our Golden Jubilee celebrations at which the Minister intends to grace us with his presence. I hope he will be able to tell us something of what is to happen in connexion with the Benalla High School, although he has only given me a smile for my comments as yet. Perhaps next week will reveal something.

State School No. 31 is situated in Benalla. It was the first Government school established in that town, and it is a pretty old building. Members

Mr. Trewin.

of the school committee and other parents would like to see the future of this school determined, and something done to enhance the enthusiasm of the teachers in order that the pupils may gain the education which is their just right at this stage of their lives.

I turn now to division No. 58, which relates to the Public Works Department. I do not intend to comment at length on the liaison between this Department and the Education Department, but shall content myself by saying that I consider it could be improved. However, I shall refer to the great assistance that I have been given throughout my electorate by officers of the Public Works Department. I appreciate their efforts and their great interest in keeping the public buildings in the area up to a fairly good standard.

Division No. 73 covers salaries and general expenses for the extension services of the Department of Agriculture. I consider that a greater sum than \$50,200 should be provided for this work, although I realize that eight other items in the schedule relate to the Department of Agriculture, for which there is a total expenditure of approximately \$2,000,000 for the period under review. We must remember that the wealth of the State and the nation still depends largely on primary production. Certainly, minerals and secondary industries are playing an increasingly important part in our economy, but our overseas reserves are still largely dependent upon the wealth produced by agriculturalists and pastoralists. Therefore, the extension services conducted by the Department, although in their infancy, should be supported to a greater extent so that the findings of agricultural scientists, as a result of research and other work, can be handed on to the men on the land, to enable production to be increased with a consequent supplementation of the wealth of the State and Australia as a whole.

Under division No. 81 a sum of \$6,160 is allocated for the Ministry of Transport. It does not seem to be a very large amount for such an important Ministry. All types of transport in the State are under the control of the Minister of Transport, and I think his administration should be given a lift by this Government. Both public and private transport have a part to play in the community, but at present these two means are competing against each other for the traffic that is offering. The Minister of Transport should take steps to see that each is given its proper place in the field. One often finds instances where the Railway Department opposes to the greatest degree possible the extension of a road service to some place or other. Is such a policy in the interests of the real development of the State? Public transport facilities should definitely be safeguarded so that the community can obtain the greatest benefit, but it must also be remembered that we are dealing with public utilities. These services must be made sufficiently attractive to encourage members of the community to use them without hesitation in preference to private transport, if the circumstances are favourable. Those who use our roads to-day will appreciate the point I am attempting to make. I do not use my motor car to travel to Melbourne unless it is impossible for me to travel by rail. We enjoy a wonderful train service from the north-east to the city, and the timetables are reasonably good. The time taken to get to Melbourne is not very great.

The railway from Benalla to Yarrawonga is being re-laid at the present time, and this work will be costly. However, the capital cost of the original construction of this line has been repaid many times over the past years, and in the long run, the cost of the re-laying of the line will not be a burden on the State.

The storage of water is undoubtedly of interest to all persons in the State. In the past two or three

days, the daily newspapers have carried interesting reports concerning the construction of water storages in other parts of the Commonwealth. As one interested in water conservation, I urge the Government to make renewed efforts to obtain financial assistance for Victoria to develop further water storages. Otherwise, citizens of Melbourne may find themselves short of water in the future, and there will not be sufficient water available to cope with the demand from our already developed irrigation areas.

One of the water storages under construction at the moment in this State is in my electorate. I am rather fortunate in that the north-eastern area of Victoria will eventually contain all the major water storages of the State. Already there is Eildon, which is the largest, and the big Buffalo storage will be completed in a few years. Farther north, there is the Hume reservoir on the River Murray. Steps must be taken to ensure that the water that is conserved is utilized for the greatest good of the community.

I now wish to refer to one or two matters connected with the Nillahcootie storage. Last October, I referred in Parliament to one or two developments there, and I am pleased to say that the matters I raised have been ironed out. I have not made any further comment even though the Minister of Water Supply, at a meeting in Gippsland, stated that somebody had criticized the State Rivers and Water Supply Commission. He did not mention my name, and the victim was not brought out.

Last October, the person on whose property the wall for the Nillahcootie storage is now being constructed was given a notice to treat. In other words, he was informed by the State Rivers and Water Supply Commission that it desired his property, and that if he sent along his valuation it would be considered and then the Commission would make its own valuation.

The landholder concerned did what was asked, and a month or six weeks later he was informed by the Commission that it valued his property at approximately 25 per cent. less than the figure he submitted.

I wish to bring to the notice of the Committee the method adopted by the Commission in connexion with land acquisition. I know that officers of the State Rivers and Water Supply Commission had been in the Nillahcootie area for some time seeking what information they could get. It appears that practically without exception the price offered by the Commission to the owner of a property is 20 per cent. to 30 per cent. below the owner's valuation. The Commission adopts the practice of saying, "This is the price we offer; you do something about it." In the example to which I referred, nearly five months elapsed during which the land owner had not again heard from the Commission. He was a bit concerned about this state of affairs. I do not say that it was discourteous of the Commission, but this attitude is not good enough, although evidently it is the usual approach adopted by that body. I consider that landowners should receive greater consideration when it is necessary to acquire properties. The negotiations in this instance could take another twelve or eighteen months, as was the case with acquisitions in connexion with the Buffalo river dam and Eildon. Although, at the opening of Nillahcootie, the Premier was able to say that only three cases had been taken into court, he did not mention the number that had been settled at the door of the court. That is how far the negotiations go. At the door of the court, the Commission says, "All right, we will settle with you."

Mr. FENNESSY.—Some landowners submit fantastic prices.

Mr. TREWIN.—I agree, but the point I am making is that the method adopted by the Commission is not good enough. I have been able

to assist in the settlement of at least one case, and possibly two cases in the Winton swamp area.

One man had the opportunity of purchasing another property and was desirous of realizing on the land he then occupied. The assistance given by the officers of the State Rivers and Water Supply Commission on this occasion was magnificent, and I was extremely happy to participate in the negotiations which enabled the landholder to sell his holding to the Commission within a few days and to acquire the other property. Of course, the price he received was not quite as good as it might have been. These events happened some twelve months ago, and if he had remained there and been negotiating to-day he might have obtained another \$20 an acre. However, he is now settled on a farm, which is in production, and his children are attending school in another district. I appreciate the efforts of the Commission in settling this matter.

I believe the procedure adopted should be made a little more acceptable to the landholders. When I intend to buy something, I make up my mind how much I want to pay, and the seller has his price. Negotiations should take place as quickly as possible, without months of wrangling. The property holders to whom I have referred have had notices to treat for about eight months, but three weeks ago, to my knowledge, they were still waiting to hear again from the Commission. These people are happy to purchase other properties, but they will not surrender their existing holdings without receiving fair compensation. One man who has lived in the district all his life intended that his sons should take over the property. It is not easy for some people to be dislodged. I shall be pleased to assist further, if possible, in this matter.

I commend the Commission for the manner in which it settled the roading problem on the eastern side of the

Nillahcootie dam. Developments occurred quickly, and when the landholders informed me that they had not been taken into anyone's confidence I sought the assistance of the Commission. Mr. Horsfall visited the district, held on-the-spot discussions, and settled matters to the satisfaction of all concerned. Doubtless, some people would have liked different arrangements to be made, but matters have been settled satisfactorily, and I appreciate the efforts of all who put themselves out to enable this result to be achieved.

Tourism is within the province of the Premier's Department, and the Public Works Department. At Mount Buller village, as a result of the provision of funds by the Treasurer, the Tourist Development Authority, and two or three other bodies, the Public Works Department, has provided a water supply, but last winter it did not rate quite as highly as the residents would have liked. I hope that the maintenance work and the few extensions necessary have been carried out.

Mount Buller is developing rapidly, and I believe the coming snow season will be the best ever. There may be snow in the electorate of the honorable member for Benambra, but I point out to him that there are very good snow falls near Melbourne, and day trippers can visit the areas concerned. Accommodation at Mount Buller has improved so much that it is becoming one of the most scenic and popular playgrounds in the State.

Mr. FLOYD (Williamstown).—I intend to raise one or two matters in the faint hope that the Government may take some notice of my comments. Hope springs eternal; if a member discusses a topic, the Government, in a weak moment, occasionally may take some action.

Some time ago, the Government decided to register justices of the peace. I do not know whether it had had this idea for some time, or whether it was influenced by a question I asked years ago, but I con-

sider this to be one of the best measures relating to justices of the peace that have been introduced. Formerly, it was difficult to locate justices; they moved about without notifying anybody of their changes of address or their movements to different bailiwicks.

Some people seek appointment merely to be able to write the prestige initials "J.P." after their names. A justice of the peace is supposed to render service to the community, and appointments should not be for the purpose of aiding a person in his employment. Some people have asked me to recommend them for appointment because they have considered it would help in their employment. I am not interested in that aspect, but I am desirous of having the public adequately served by honorary justices. The establishment of a register is a step in the right direction, and I commend the Government for bringing this matter to a successful conclusion.

On another occasion, I asked whether it would be possible for the Government to register commissioners for taking affidavits. Reverting for a moment to justices of the peace, I recall that when I asked to be supplied with a list of those resident in my electorate, I learnt that some had died and that others had reached a stage when they were not able to do the work required of them. Probably, a chaotic situation would be revealed if a list of commissioners for taking affidavits were supplied. It might be found that some commissioners were living side by side and that others were long distances apart. I hope the Government will act in this matter. These days, many forms must be filled in, and new Australians in particular need assistance in their compilation.

The Government has been lenient in allowing the appointment of further commissioners for taking affidavits, and I have no complaint to make on that account, but I trust that

sooner or later a register will be compiled and that sensible methods will be adopted regarding the appointments. Possibly, the Government takes the easy way out in these matters ; if a member recommends a man for appointment on the ground that he may be able to serve the particular industry in which he is employed, or is handily situated in a business area, an appointment is usually made. I have hardly ever been refused, and I think the Government relies on the good judgment of members not to recommend anybody just for the sake of doing so. I believe that, in the appointment of commissioners for taking affidavits, some sort of formula should be followed. If a register were kept, the place of residence of existing commissioners would be easily ascertained. However, I leave this matter to the Government.

In my opinion, the names of justices of the peace should be published in local newspapers or displayed in municipal offices and police stations. When a person applies for appointment as a justice, he must realize that at times he will be called upon to undertake unpalatable tasks. Most are prepared to perform these duties, but in some municipalities one or two justices seem to be required to do most of the work. Some go into seclusion and bask in the sunshine of the prestige of being a justice of the peace without doing much work.

Mr. WHEELER.—They go back on their promises.

Mr. FLOYD.—That is so. Since the introduction of the new procedure regarding the appointment of justices of the peace, applicants must undergo a stringent examination, and if some go back on their promises they can be admonished. Some justices are never available when wanted to perform the duties for which they were appointed.

The Agent-General's Office in London is always anxious to help with routine matters a citizen of Victoria

who goes to Great Britain. Occasionally, the officials help visitors to obtain entrée to various functions including Ascot, the changing of the guard, and so on. In the past, the Government has gone to a great deal of trouble to provide credentials on parchment-type paper, but I believe the system should be examined. At one time, a trip overseas was something out of the ordinary, and, when one returned, his friends would even look at his coloured slides. These days, however, the situation is different. I suppose half the members of this Committee have been abroad, and every second person one meets in the street has been, too.

People who have known that credentials have been obtainable have received them from the Premier's office, but others—perhaps more deserving—who have not understood the system, have not obtained them. Now that so many people travel overseas, I think the Agent-General in London should be given a little rest in these matters and that the system should be altered so that only people really worthy of receiving credentials should be issued with them. I do not think they should be given to any person who is going overseas, not to do a job for Victoria, but only for his own purposes. Every visitor should not be permitted to queue up at Australia House for the purpose of having his name placed on a list to attend functions. I am not an old sourpuss. I believe that if tickets are available, deserving visitors should be issued with them. Members are reluctant to refrain from helping anybody who seeks to be issued with credentials through the Government, and probably the Premier is eager to please members who apply for them, but if there were a strict formula to be followed, the embarrassment of picking and choosing would be obviated.

Mr. DUNSTAN.—You are not suggesting that there has been discrimination?

Mr. FLOYD.—No. I do not believe in discrimination, nor do I believe that credentials should be issued indiscriminately. If the Government acts along the lines I have indicated, it will save many people much time and some members from considerable embarrassment.

Some time ago, I asked the Minister of Transport why it was necessary for the Railway Department to retain much land which had not been used and which could be usefully employed by other Departments. Years ago—in some instances as far back as a century—a great deal of land was vested in the Department. I know of several blocks that will never be used for railway purposes. The tendency is not for lines to be extended but for railway activities to diminish. In my view, much of this land should be vested in other Departments. I do not intend to deal with the subject of housing, except to say that municipal councils generally have run out of land that they can hand over to the Housing Commission as sites for buildings containing low-rental units, and councils should not be expected to buy land to give to the Commission for this purpose whilst vacant railway land could be used.

It is of no use adopting the attitude of a former Minister of Transport that this land cannot be released for the building of houses, but can be provided for industry. If it is possible to release this land to enable a marine dealer's business to be conducted or for the erection of a service station, surely it would be better to grant the areas on a low-rental basis for homes or to re-allocate it to some other Departments.

Mr. WHEELER.—Would it be rateable?

Mr. FLOYD.—The Housing Commission pays rates, and in many instances the Railway Department does so on an *ex gratia* basis. The municipality of Williamstown has become quite used to 25 per cent. of the

property in its area belonging to Government instrumentalities and being unrateable. At a previous deputation to the Minister for Local Government, he said that an exhaustive survey of the municipality would indicate that more than 25 per cent. would be unrateable. We did not include the post offices and so on; we considered the rifle range, the power station and the pumping station. We could not use a blanket argument that so much is lost in rates, because some money is received on an *ex gratia* basis. If this surplus railway land were handed over to another Department or sold, it would assist the finances of a Government that is always looking for money.

I realize that a complication arises because of the Melbourne and Metropolitan Board of Works zoning vacant areas in a particular category. There is an area of land in Williamstown suitable for the erection of low-rental units, but it is zoned for open spaces. The Railway Department has attempted to let the land for light industry. The railways can use it or can grant it to any industry connected with the railways, but the land cannot be leased for any other purpose. The zoning regulations should be amended. Public open space does not necessarily mean a reserve. Buildings for elderly people could be erected on open public spaces. I should like a survey made of this unused land in Victoria with a view to re-allocating it to other Departments.

Now that the Princes Gate project is under way, the Railway Department should examine other areas with a view to obtaining revenue from this type of construction. There are many places where air space over railway stations or cuttings could be utilized. This development is exploited at Hurstville in New South Wales, where a large supermarket has been constructed over the railway station. I have often been accused of not making constructive suggestions. My two suggestions could result in extra revenue to the Government.

Mr. HUDSON (Toorak).—I relate my remarks to the activities of the Tourist Development Authority in its provision of camping sites and facilities for Victorians who wish in full measure to enjoy the beauties of this State. A camping holiday provides the city dweller with an inexpensive and pleasant break in changed surroundings. The popularity of this type of holiday is evidenced by the many thousands of people who visit the camping areas around the coast of Victoria and inland during the Christmas-New Year period. These camping areas are provided with toilets, ablutions and washing facilities, and often electricity is reticulated.

A recent amendment to the Labour and Industry Act enabled shops in tourist areas to open at certain periods to provide shopping facilities to the campers. Because industrial and commercial establishments are closed during the Christmas holidays, there is an influx of people into relatively small areas, and this causes some discomfort to the local residents and a degree of congestion—noise becomes the order of the day. The local shops are crowded and shopping is difficult. This is good for business. The local residents are resigned to this inconvenience for a short period, because it is in the general interest of the area. But if co-relation between the expansion of the area and the supply of services is not adequate, the residents suffer badly. Animosity is generated, and the tourist development project runs into difficulties.

I shall quote some difficulties concerning the Bellarine Peninsula, because I know this area well. In early February of this year, water rationing was introduced, with the result that the local residents had to watch their gardens wilt and die. This caused an outcry against the campers, who were blamed for the shortage of water. When the figures were investigated, there was some reason for this complaint because, in the month of January, 6 per cent. of the water

supplied to Ocean Grove was used in the camping and foreshore area. At Barwon Heads, which is a smaller township with a much greater camping area, over 30 per cent. of the water supplied was used in the camping and foreshore areas. The animosity of the residents to the campers was not the result of the proportion of water used by the campers, but stemmed from the water supply provisions for the Peninsula. A 14-in. pipe-line from the main storage, containing 103,000,000 gallons, supplies the Bellarine Peninsula. This supply is further reticulated to holding tanks at Ocean Grove, and Clifton Springs which have a capacity of 50,000,000 gallons and 8,000,000 gallons, respectively. Some years ago, the water supply deteriorated and the 14-in. pipe-line was unable to keep up the supply. Additional storages were erected to increase the holding capacity of the water reserves so that in times of peak consumption the reserves would assist. As the result of the water requirements of the campers, in February the reserves were unable to cope with the demand. In 1964-65, an extra pipe-line was planned, and it is now nearing completion. When completed, the water supply to the Peninsula will be adequate. In the meantime, the poor water supply has caused the relations between the campers and the residents to deteriorate, and a great deal of friction has been generated.

There is another problem. Many of my constituents camp in these areas, and they are criticized for taking away the facilities of the residents. This is simply because of a lack of adequate planning. There is a similar lack of adequate planning where camping areas use large amounts of electricity. At Barwon Heads last January, during a period of high demand for electricity, the voltage dropped considerably. Many electrical appliances did not operate at all, and most electrical equipment was affected. As a result, the residents suffered great inconvenience.

With a little more co-operation and correlation between the work of the Commission and that of the planners, that could have been avoided. I last refer to the defacement of local beauty spots. Camps are usually well organized; areas are allocated and, wherever possible, tents are hidden in the tea-tree on the foreshore reserves.

Mr. LOVEGROVE.—Do Toorak people live in tents?

Mr. HUDSON.—Many of them do so.

Mr. LOVEGROVE.—What is the place coming to?

Mr. HUDSON.—By the time they pay their taxes, they have nothing left. While tents occupy the areas in the tea-tree for a period of only about six weeks in the year, residents put up with them. They do not really mar the view, and people are resigned to them. But, these days, some people want to reserve a site for the whole year. There is a tendency to put up metal buildings, to use old buses as caravans, and to leave caravans permanently on sites. Generally, within a short period, they present a very dilapidated appearance. They are an eyesore and a constant irritation to the residents. Furthermore, many of our beautiful marine views are marred by a lot of junk scattered along the foreshore.

It is of the greatest importance that these reserves should be developed in complete harmony. There should be a minimum of friction between visitors and local residents and trades people. Great benefit is to be had by everybody. The holiday makers have the opportunity of a wonderful, cheap and healthy holiday. The shopkeepers have a period which might be described as their harvest and which will carry them through the winter. The residents, as a result of the prosperity generated by the spending of the campers, find that the area is prosperous and that the shire revenues

are improved. It behoves the Tourist Development Authority to ensure that planning is adequate and that the various causes of friction are not allowed to continue.

Mr. DUNSTAN (Morningside).—If I had learnt as much about politics when I was at school as I have learned about the politics of education since I was elected to Parliament, I might have been sufficiently well educated not to enter politics. Most members of Parliament, whatever their party, will agree that in State education certain issues must be faced. They could be more clearly seen and faced by Parliament if the issues were not so clouded by politics, not only the politics of the Opposition and of some teachers, but also the general feeling in the minds of the public that education is no more than a political controversy, which they view with some disgust and cynicism, and some refusal to see the picture clearly. All honorable members must agree that there are issues and deficiencies. Certainly, more finance is needed. If we can agree on that, why can we not show our sincerity by pursuing a bipartisan policy in deciding what can be done? I am sure that the Government is willing to listen to any concrete proposal put forward by the Opposition or the Country Party. I know that the Opposition reply to this, as it has been on many occasions, is "It is not our job as the Opposition to put up the proposals, it is the job of the Government."

Most members who support the Government admit that more finance is needed to overcome deficiencies, but two years ago the Government took the step of proposing a State tax. The Premier clearly stated at the time that most of the tax, about £5,000,000 a year, would go to education. But the Labor Party and the Country Party opposed that proposed move stronger than anyone else in the community—teachers, parents, students. The honorable member for St. Kilda made an excellent speech on this subject and, in summing up

the whole problem, he said, "I believe there are deficiencies in education in this State and that these deficiencies are primarily due to a lack of finance." I agree that teachers, militants among them, have the right to put forward their case. They are responsible members of the community and I would never deny their right to stand up in public, to write to the local press, and even to point out to parents and students what education lacks in this State. But, if they are fully deserving of the responsibility they hold, why should they not come forward and say that if the Commonwealth will not give more money for education the only alternative is for the State to impose some form of taxation?

Mr. PHELAN.—Or more intelligently use the money it gets.

Mr. DUNSTAN.—Why can they not come right out and say that, if the State Government will consider the Vernon proposal of special taxation legislation, they will support it and will use their influence to persuade parents that the tax is necessary? The honorable member for Kara Kara interjected that the money obtained should be used more intelligently. I refer to a letter published in the *Age* of 12th October, 1965. It was signed "Roy Jennings (Hawthorn West Central School, Hawthorn)." Mr. Jennings points out what his school, alone, needs in the way of additional finance. I could tell honorable members what additional finance is needed by all the schools in my electorate, but here is a school teacher, an independent person with no political axe to grind, pointing out exactly what is needed. I should think most honorable members read the letter because there was considerable comment about it at the time. After referring to the amount of extra money needed at his school, Mr. Jennings said—

If you spread this over the whole State the annual expenditure on education rises from approximately £60 million to more than £100 million.

The honorable member for St. Kilda indicated what additional finance he thought was needed, and probably no honorable member disagrees with his estimate. Mr. Jennings summed up his points in this way—

This kind of finance, this kind of thinking, this kind of reorientation is not the job of the Teachers Tribunal. It is not the job of the Minister for Education (Mr. Bloomfield). It is not the job of the Parliament.

I disagree with that.

It is the job of the people. That is where the responsibility lies. They are the people to be convinced. They are the people to decide the aims and to assess the results.

It is the people who are concerned, the parents, the silent voters who speak only through a ballot-box at election times. We are only their elected representatives attempting to speak for them. If we agree with Mr. Jennings, these are the people who should stand up in a body and say that they believe there is a serious and important problem which must be tackled—I do not believe there is a crisis; the word "crisis" has become a cliché.

This problem can be tackled only by the provision of more money. The extra money can come from nothing but increased taxation or increased Commonwealth contributions to the State. If the Commonwealth will not come to the party, then the money must be provided by increased taxation, because no member of this House would agree to money being taken away from any other Government Department, authority, service, or expenditure of any type listed in the Budget, except, perhaps, the honorable member for Kara Kara who, when he is Treasurer, will introduce some rather startling methods of recasting the Budget and making everybody happy by getting twice the value from the money that we now receive—but that is in the distant future.

I shall not comment on the grievances, the campaign and the tactics of the Victorian Secondary

Teachers' Association and its desire to have the Teachers Tribunal reformed. Those aspects have been dealt with by other honorable members. I believe that as this is still a matter of negotiation between the Government, the Victorian Teachers' Union and the Victorian Secondary Teachers' Association, it is not a matter which should be subjected to our views, conjecture and supposition at this stage. I return to the point that teachers have the right to express their views. I have quoted Mr. Jennings. I now quote another teacher, Mr. Peter Tabard, whose weekly column appears at page 23 of to-day's *Herald*. The column is long. I should like to quote it, but no doubt most honorable members will have read it.

I know that honorable members are more likely to read in *Hansard* what I say than they are to obtain a copy of the *Herald*.

Mr. B. J. EVANS.—Is he paid for writing this article?

The CHAIRMAN (Mr. Christie).—Order! I am sorry to interrupt the honorable member for Mornington but he is taking too much notice of interjections. In addition, I should like to direct the attention of those honorable members who are in the Chamber to Standing Order No. 29, which has been breached on several occasions in the past few minutes. It states—

No member shall pass between the Chair and any member who is speaking; nor between the Chair and the Table, nor between the Chair and the Mace when the Mace has been taken off the Table by the Serjeant.

Honorable members have been disregarding the Standing Order recently.

Mr. DUNSTAN.—I credited the honorable member for Gippsland East with less naïveté than he showed by his last interjection.

Mr. B. J. EVANS.—What is the answer?

Mr. DUNSTAN.—I believe this article is worth quoting because in my opinion the author, Mr. Tabard, has no political axe to grind.

So far as I know, he has no alliance with any political party and what he says is factual. The honorable member for Richmond made great play on the number of unqualified teachers, but this is what this author has to say on the subject—

The answer to the charge that children are being taught by unqualified teachers in part depends on what degree of self-interest is being urged by those who make such charges, and also what is meant by "unqualified."

Those who believe that all secondary and technical teachers must have university degrees would assuredly regard many teachers in Forms 1 and 2 as unqualified. But their belief or claim is ridiculous because the work of Forms 1 and 2 has only become generally regarded as secondary in recent years.

Further, scores of fine teachers in secondary and technical schools do not require university degrees; these include instructors in art, crafts, physical education, domestic arts and technical trade subjects. These teachers are fully qualified according to the needs of their subjects.

Great play is made of the ratio of unqualified teachers to qualified teachers, and this is totally misleading. The honorable member for Richmond does this excellently, but without political tact. I have tried to discuss this vital issue without misleading the Committee by quoting figures and without trying to be political. The Government needs the unanimous help of the members of the Opposition on this subject. We will not agree on all points, but if honorable members opposite believe what they have been saying, then let us hear from them about solutions to these problems. I am sure the Government will listen sympathetically. Mr. Tabard in his article continues—

Thirdly, the requirement for entry to the profession is at least leaving certificate; nowadays, practically all applicants have tackled matriculation. Those who have gained either qualifications are certainly not educationally unqualified.

Yet, the Labor Party talks of these people almost as though they are unfit to teach in any school.

Mr. LOVEGROVE.—That is not so.

Mr. DUNSTAN.—That is the inference to be drawn from the remarks that have been made, but not by the Deputy Leader of the Opposition, because he approaches this question with more integrity than some of his colleagues. My knowledge of education and the facets of training, studentships, bursaries and so forth, has been improved by reading this article. It states that those who are successful in obtaining entrance to universities have their fees paid for them for four years and that they receive a living allowance. Is the public aware of this when they listen to the cries of the teachers? Does this apply to undergraduates in law, medicine, engineering or even those studying to enter the church? Are they receiving living allowances? I regret that the honorable member for Brunswick West has already spoken during the debate, because if he had not spoken he would have the opportunity of attempting to deny what I have said in regard to these undergraduates. The only undergraduates who are receiving assistance are those who have Commonwealth scholarships, but with teachers a scholarship is automatic.

The honorable member also claimed that he got a good hearing at the Coburg Town Hall recently, but I understand that this is not correct. When he recovers from that snub, he might revert to a debate on Supply. The writer then states—

Any teacher also has the right to apply for a nominated university course if he has already completed some subjects himself. If he is nominated, subject fees are paid and teaching duties reduced to half-time so that lectures can be attended and studies undertaken.

I agree that we cannot do too much for student teachers to increase their knowledge, but why do we not hear more about this when discussions are taking place about the crisis facing education, and when the militant teachers are continually trying to throw the Government out of office instead of spending their time teach-

ing the students? The author concludes by saying—

While not in any way denying that shortages of teachers in some subject tends to the chronic, I want to show, in all fairness, that many opportunities have been and are available for teachers to gain both basic and higher qualifications.

I am sorry that the honorable member for Richmond did not hear all I had to say.

The sitting was suspended at 6.27 p.m. until 8.2 p.m.

Mr. BLOOMFIELD (Minister of Education).—I have prepared some fairly extensive observations, and I must warn the Committee that I shall detain honorable members for as long as they will listen to me. I also fear that there will be some fairly extensive quotation of statistics which, I hope, if they do not make good listening, will be read. I assure the Committee that I am trying to deal with this matter in as detached a fashion as the situation allows, and that the breadth of the subject is such that I shall not be able to deal with the local matters that have been brought forward in this discussion.

I propose to talk of the status of education in the State's activities in relation to the Supply measure that we are now considering, and then to go on to a brief discussion of what I would describe as the world revolution which has taken place in every country of the world, so far as I know, in relation to the significance and importance of education and its consequences, and how it has affected other countries as well as our own. Then I shall deal with the situation in Australia, because in this country we have some special advantages and some rather unique disadvantages. Following that will come the statistics relating to progress in Victoria, and if there is time left I shall deal briefly with the matter of the Teachers Tribunal.

The Supply schedule relates to a total sum of approximately \$93,000,000 for three months ending 30th September, this year. Of that total, an

amount of \$24,000,000 is related to the Railway Department, which is a business undertaking, and so far as the Budget is concerned is excluded from discussion because there are revenues more or less corresponding to that figure. So for the purpose of supporting the State Departments there remains the sum of \$69,000,000, and honorable members will be aware that of that amount an allocation of \$31,500,000 is devoted to education.

Mr. WILCOX.—And that is for only a quarter of the year.

Mr. BLOOMFIELD.—This is for the period under consideration in this discussion. Of course, that means that all the other activities for which the State is responsible and which appear in this long list of 84 items on the Supply schedule have to be financed for this period out of \$37,500,000, compared with the \$31,500,000 for this one single activity of education. Of course, the list is tremendous. In mentioning education and the expenditure of \$31,500,000 for its purposes, I remind the Committee that the universities' allocation and the charges representing interest and repayment on debts incurred in providing school buildings are not included in that figure. For this period, these two outgoings will represent another \$5,000,000. There is also agricultural education, and I remind the Committee that in addition to this great activity, which takes up almost half of the State's expenditure over this period, as it does over the whole year, the amount does not include provision for the tremendous and costly exertions of the independent schools, which are responsible for about a quarter of the children of this State, nor does it make any reference to the substantial and increasing Commonwealth assistance we are receiving.

So it can be said that, quite apart from these, substantially half the amount referred to in this Supply schedule is allocated to education—that is, excluding the railways. Of

course, the same position is revealed in the Budget which the Premier produced last year. A total expenditure of \$409,000,000 was provided for, excluding the railways.

Mr. LOVEGROVE.—That is, with loan funds.

Mr. BLOOMFIELD.—No. The amount in the Budget excluding railways is \$409,200,000.

Mr. LOVEGROVE.—You are not talking about education now?

Mr. BLOOMFIELD.—No, I am discussing the amount provided for in the Budget. Of that figure, a sum of \$124,600,000 was for the Education Department, an allocation of \$10,000,000 for universities, and an amount of \$13,400,000 for debt charges—a total of \$148,000,000. This is a statistic that I have not heard quoted before. The revenue within the Budget comes from about ten sources, and they are a pretty pathetic list. So far as taxation is concerned, there is one source of income gathered together under these heads: Probate duty, land tax, entertainments tax, motor car third party, totalizator, Tattersall's, stamp duty, registration and inspection fees, and licences. Those are the only sources of State taxation revenue. The other matters come from incomings earned by various activities, whether it is the possession of land, the payment of interest, fees collected at ports and harbors, and for activities of various sorts, but for taxation our income is \$126,950,000. This I point out to honorable members is about \$22,000,000 less than we spend on education in a year.

The point of all this is to make it perfectly clear to this Committee and to any member of the public who might read what is being said just how far this State is going, not only to give first priority to education but also to give it to an extent which I suggest would be very hard to increase. This is one of the points that must be borne in mind when

deficiencies and so on are being discussed. The truth is that the deficiencies in other Departments caused by this high priority to education are not publicized to any extent as they are in my Department. One reason for that is that there are not tens of thousands of public servants engaged in these other activities who feel impelled for one reason or another constantly to bring the inevitable shortcomings to the attention of the public.

I shall now discuss the cause of the present deficiencies in education. I, for one, have never hesitated to admit that we are going through a difficult period. I will not describe it as a crisis because, as I understand the word as it applies to a person who is ill, that person, if he does not survive the next brief period, will expire. However, this is admittedly an exceedingly difficult period.

Mr. HOLDING.—That is a concession.

Mr. BLOOMFIELD.—It is not a novel concession from me; I have never said anything to the contrary.

Mr. HOLDING.—Do you agree with Senator Gorton that the Commonwealth is making a sufficient contribution to education?

Mr. BLOOMFIELD.—I agree with one thing Senator Gorton said, that Victoria is showing more awareness of its responsibilities than any other State. The second world war, as we are all aware, produced a great number of changes. There was a revolt against imperialism; there was a revolt against many preconceived ideas; there was an upsurge of the feeling that every man is entitled to his chance; and there was a realization that one of the great dividing factors which constituted the class system was the possession or lack of education. You and I, Mr. Acting Chairman, can remember the days when a small section at the top of the social strata who had had—in most cases, more by good luck than good management—the advantage of a good education used as an

occasion for would-be humour and constant conversation the grammatical inadequacies of those unfortunate people who, through no fault of their own, had not been educated.

Mr. WILKES.—The Assistant Minister of Education acts in that manner.

Mr. BLOOMFIELD.—That may or may not be the case, but I am not doing so. The world has appreciated, through the complication and the advancement of society, that if a man is going to have a chance, and more so if a nation is going to have a chance, we must develop ourselves in the field of education. No family in this State would not envisage for its children the possibility of their rising to any position in the land. This is all a revolution, and it has occurred everywhere.

When we are discussing our own position, it pays dividends to see what is happening in the rest of the world, to see if there is some inefficiency, inadequacy or disregard that is putting us in an unfavourable position, or whether it is a phenomenon that seems to be universal and with which everyone is trying to cope. I commend to honorable members a book, which is available in the Library, and which is entitled, *The Education Explosion*. I shall inform honorable members in a moment of one or two things that appear in that book. It deals with this phenomenon that I have been attempting to describe. The title arises from three types of rapid expansion.

First, there is a great expansion in numbers of children who are demanding education. There is a great expansion of demand on the part of every individual, because, whereas you and I and many of our contemporaries and many younger people remember the days when the ordinary youngster left school at fourteen or fifteen years of age, we now know positively that that is not good enough. So there is an expansion of numbers because everyone wants education.

Secondly, everyone wants more education; everyone wants to stay on to matriculation.

Thirdly, there is another expansion which is going to lead to something that we cannot forecast; it is the expansion of knowledge itself, of the amount that is to be taught. Teachers face many difficulties in keeping up with these things.

Mr. DIXON.—It doubles every seven years.

Mr. BLOOMFIELD.—I do not quite agree with the honorable member, but I have seen it responsibly stated that half of the knowledge now available to mankind was unknown in 1950. That is a terrifying thought. If the honorable member for St. Kilda's multiplication by two every seven years is correct, of course the position is even more terrifying.

The book I mentioned was edited by professors of comparative education at London University and at Columbia University. It has about 30 distinguished contributors and deals with the situation in nineteen countries. It deals, first, with the acceptance of the principle that everybody is entitled to the best education that he wishes to have and can absorb. It bases this principle on social justice and on the political need to have in our society—a democratic society—intelligent casters of votes, and the need to spread education in every country which wants to survive economically. I hope I need not say it, but we in this Government and those in every other Government in the country accept these principles and try our utmost to serve them. But every country is struggling, and the task is enormous. I do not wish to lay down any challenge to honorable members, but I shall be surprised if any member of this Parliament who studies this book comes to the conclusion that conditions in Victoria are in any way unique at this time. Further, I shall be surprised if he can name any country where the situation is not comparable to our own to a greater or less degree. Of course, I am leaving out of considera-

tion Asia and Africa. Their situation is pathetic. In Africa, there are 700 languages. I invite honorable members to think of trying to build from the ground up in a country with 700 different tribal and racial languages. Another pathetic feature is that in some Asian countries the numbers to be educated have doubled because the infant mortality rate has been halved. What a dreadful thing that is, and what a grisly fact, but I believe it is a fact.

Now I wish to mention one or two points, first, about the United States of America. Unfortunately, the article is not completely up-to-date; it refers to a shortage of 135,000 teachers in 1960. It states that efforts to recruit teachers were unsuccessful and resulted in this shortage. It mentions the universities of America and divides them into two types—those which may admit or reject whom they like and which admit one in ten applicants, and those which are obliged by law to admit everybody, with the result that there are monstrous flunkings of students at the end of their first year.

Mr. LOVEGROVE.—There is a percentage of failures at the University of Melbourne, too.

Mr. BLOOMFIELD.—I realize that. Harvard University admits probably one applicant in twenty. Some other universities are obliged by Act of Parliament to accept all applicants, and they do so for the first year and then sack nine-tenths of them. That is what might happen here if legislation were passed to compel our universities to accept all applicants.

Ours is an advanced country in the sense that it has a high standard of living, and it is a developing country in the sense that a tremendous amount must be done to make use of the country so that we will be enabled to keep it. That means that there is a tremendous number of projects and activities to be financed in addition to education.

Mr. MANSON.—All at the same time.

Mr. BLOOMFIELD.—That is so. It is interesting, although not remarkable, that at present it is being said that we must keep control of the natural gas discoveries. As I see it, the difficulty of retaining that control is a shortage of two things—money, and the necessary technological knowledge. It is difficult to take advantage of these discoveries ourselves without calling in outside corporations which have both finance and technological knowledge as a result of exercising control of natural gas elsewhere. This is an indication of one of the problems related to people who might otherwise have become teachers of science and mathematics and the reason why they go elsewhere. But, of course they are needed elsewhere—to run irrigation projects such as the Ord river scheme, the Snowy Mountains development, and so forth. I point this out to show that education cannot be looked at separately.

The next factor is that, unlike most of the older countries, Australia is taking a large number of migrants. Many migrant adults and many migrant children are received, but there are very few teachers amongst them, and that is a complicating factor.

One reads of the progress in secondary education in older countries, but there is one element in these countries which I do not think has ever existed here; if it did, it is certainly not present now. In the older countries, there is still a traditional feeling that there is an *elite* in the community—that certain people are entitled to certain privileges. According to the book to which I have referred, it appears that in the year 1964, 64 per cent. of the students at Oxford University came from schools that educate only 6 per cent. of the children of the country. Is not that an indication of the existence, if not the acceptance, of an elite class? The book also reveals that the situation at Cambridge was even more unbalanced. Passages throughout this book make it perfectly clear that there

is still an elite class in the older countries. France at this stage is only moving towards universal primary education.

There is also another factor to be considered. Our country and our education system were established at a time when communications were laid down and the population was small, hence things could be governed from the centre, and the Colonies established their education systems in this way. But in the older countries and even in the United States of America, which is a comparatively young country, education was a local responsibility. People were set down in districts and they had to look after themselves. In America to-day, there are still some 20,000 or more different education boards, and 50 per cent. of the finance for education comes from the local people who use the schools. This sort of approach is denied to us in Australia, and it is impossible to go back to it. Instead, financial control is in the hands of a central government, which has no direct responsibility for education, and the State has substantially no taxing powers.

Mr. DIXON.—And this is crucial.

Mr. BLOOMFIELD.—Of course it is crucial.

Mr. FENNESSY.—Do you intend to introduce an income tax?

Mr. BLOOMFIELD.—What sort of reception did the Premier get when he suggested it?

Mr. WILKES.—It was the honorable member for St. Kilda, and not the Premier, who suggested it.

Mr. BLOOMFIELD.—It is well known that the Premier proposed a marginal income tax for education and other purposes. I wish to tender to the Committee some figures which have been prepared in my Department, not at my request or with any political motive. There is now a total enrolment of 530,000 children in Victorian schools. I wish to refer particularly to the fact that in round figures in

1955, 54,000 children were enrolled in our secondary schools and now, eleven years later, there is an enrolment of 139,000, which represents an increase of 160 per cent.

Mr. MEAGHER.—And they have actually got schools to go to.

Mr. WHITING.—In spite of the Government.

Mr. BLOOMFIELD.—I am not talking about what this Government has done. I am quoting the facts. The average size of primary classes in 1961 was 40; in 1965 it was less than 35, and I suppose the position is better this year. Is that not progress? Another way to put it is that in 1961 some 65 per cent. of all classes numbered fewer than 42 pupils, and last year 84 per cent. of all classes in primary schools had fewer than 42 pupils.

Mr. FENNESSY.—That would include all bush schools with one teacher.

Mr. BLOOMFIELD.—No, it does not. I forgot to mention—and I am delighted that the honorable member for Brunswick East reminded me—that these figures relate to schools of more than 100 pupils.

Mr. FENNESSY.—There are 800 pupils in one Brunswick school.

Mr. BLOOMFIELD.—I am speaking of all schools with an enrolment of 100 or more, not the bush schools to which the honorable member referred. I believe that when the Director of Education prepared these figures he had the honorable member in mind. He probably said to himself, "There will be some 'smart Alec' who will say that these figures relate to these little one-teacher schools." From 1955 to 1965, primary enrolments increased by 25 per cent., and qualified primary teachers increased by more than 100 per cent. I mention these facts because the real crisis, if I may misuse the word, is not in the primary schools; it is in the secondary schools.

Between 1960 and 1965, secondary enrolments increased by 42 per cent. but the number of classified secondary teachers increased by 69 per cent.

Mr. WILTON.—How many of them are engaged in actual teaching?

Mr. BLOOMFIELD.—These statistics have been prepared on a common basis by a man who knows what he is about. Another fact which should be of interest is that in the ten years ended June, 1965, the Public Works Department completed 9,645 new class-rooms, which represents an average of one class-room every nine hours for 365 days of the year.

Mr. WILKES.—What has been done for some of the old schools?

Mr. BLOOMFIELD.—We have had to concentrate on putting roofs over the heads of children. Naturally, whilst this is being done some delay must be involved in attending to other matters that we would have been very willing to attend to had we been able to do so.

Mr. FENNESSY.—There is a big lag in maintenance.

Mr. BLOOMFIELD.—I agree, and it is a problem. However, a choice had to be made, and we think we made the right one. At this stage I wish to quote statistics relating exclusively to secondary schools and the secondary division. In 1950, the enrolments in secondary schools totalled 37,019; in 1955, 53,409; and in 1966, 138,773. Does that not give a picture of tremendous growth? Matriculation pupils in 1950 totalled 704; in 1955, 1,095; and in 1966, 6,912. The number of pupils doing leaving in 1950 totalled 1,905; in 1955, 3,031; and in 1966, 14,422. In 1950, there were 48 high schools; in 1955, 84; and in 1966, 222. What is that but progress?

One of the great difficulties is that there is a tremendous shortage of secondary teachers over 30 years of age, and the reason is that persons

in that age group were just not trained. They would have completed their final year at the Teachers' College twelve years ago, if they had been provided for. The number of trainee secondary teachers in 1945 totalled 126; in 1955, 857; in 1965, 3,503; and in 1966, 3,878. It is said by some people that teaching is not a popular profession, that teachers are being so underpaid and so ill-treated that students are refusing to enter it. The number of applicants for secondary studentships over the past five years is of interest.

Mr. WILKES.—Are they all matriculants?

Mr. BLOOMFIELD.—Yes. In 1961, the total was 1,524; in 1962, 1,866; in 1963, 2,340; in 1964, 2,598; and in 1965, 3,521.

Mr. FENNESSY.—What is the wastage?

Mr. BLOOMFIELD.—I replied to a colleague of the honorable member for Brunswick East in the Upper House concerning the wastage. The figures for the pupil-teacher ratio in secondary schools is arrived at by dividing the total number of teachers into the total number of pupils, and this method has been adopted for each year I shall quote.

Mr. WILTON.—It is not a very accurate method.

Mr. BLOOMFIELD.—No, but it is a significant guide. In 1960, the pupil-teacher ratio in secondary schools was 22.9; in 1961, 21.9; in 1962, 21; in 1963, 20.4; in 1964, 20.1; and in 1965, 19.3.

Mr. WILKES.—The position has remained fairly static.

Mr. BLOOMFIELD.—There has been a decrease of more than three per class per teacher in five years, and I think that is pretty good in view of the enormous increase in the number of pupils.

Figures for the number of teachers in secondary schools—I think this is important—are as follows:—

Year (As at March).	Classified Secondary Teachers.	Other Classified Teachers.	Temporary Teachers.
1960 ..	2,767	201	1,443
1961 ..	3,114	300	1,645
1962 ..	3,495	369	1,824
1963 ..	3,842	463	2,062
1964 ..	4,198	510	2,108
1965 ..	4,676	525	2,318

The Chief Inspector of Secondary Schools has supplied me with this note—

As at October, 1965, of all teachers employed in State secondary schools (including both permanent and temporary teachers) 81 per cent. were trained teachers; 11.2 per cent. were qualified for permanent appointment but not trained; 7.8 per cent. had neither teacher training nor sufficient qualifications for permanent appointment, but the great majority of these were teaching trade subjects (metalwork, needlework, &c.).

I propose now to read a statement by the Chief Inspector of Technical Schools, to whom I referred for comment some material published in the *Age* to-day. He reported—

Following a statement in the *Age* by Mr. K. Burns, convenor of the Technical Action Committee of the Technical School Branch of the Victorian Teachers Union it is believed that some denial of the figures used should be submitted to the Minister.

The estimate of 30 per cent. of children starting at technical schools having only reached fourth grade level has no statistical verification. Exhaustive analyses of entrance standards by A.C.E.R. has been undertaken for some years, but no firm conclusion has been reached. Whenever any test is given to students 50 per cent. must by definition be below average. No definite figure can be given of the number reaching only fourth grade level. The academic tests quoted by Mr. Burns refer only to mathematics and English with no reference to a student's vocational aptitude.

With reference to the shortage of qualified teachers of mathematics, science, English and social studies, the figures quoted are without foundation. Statistics for the Technical Division are:

Total teachers	4037	(not including student instructors and studentship holders)
Fully qualified and trained	2784	(Permanent staff)
Primary teachers on loan	255	(Fully qualified)
Temporary teachers	998	

These temporary teachers, all of whom require academic qualifications for permanent appointment, have been given the opportunity of attending the Technical Teachers' College for training and about one-third of them have qualified in this manner. The ratio of trained teachers to the total is thus:

$$\frac{2784 + 255 + 333}{4037} = \frac{3372}{4037} = 83\%$$

It should be noted that staffing in technical schools has improved considerably in the last few years, the student/staff ratio being 19:1.

Much is made of the alleged alarming loss by resignations. In another place, the Minister of Agriculture answered for me questions on this subject only yesterday. The questions were—

(a) Of the 906 secondary teachers who resigned in 1965, how many, whether temporary or permanent, were fully qualified with a university degree and teacher training?

(b) How many such teachers resigned—(i) for reasons of marriage; (ii) by reason of retirement; (iii) to go overseas; (iv) to teach in private schools; and (v) to leave teaching altogether for employment in private industry?

The reasons for the resignations were analysed. To read the newspapers and to listen to agitators, one would

think that there were no prospects in teaching and that those engaged in the profession were desirous of getting out.

Mr. WILKES.—All critics are not agitators.

Mr. BLOOMFIELD.—No, but many agitators are critics. I am trying to correct the impression that there is a wholesale desertion from this occupation on the ground that those engaged in it have no hope for the future, that it is discouraging, and generally that teachers take a very dim view of the situation.

The answer provided to the second question asked is set out in the form of a table. I do not know whether it is within the rules or not, Mr. Acting Chairman, but I suggest that I might have it incorporated in *Hansard* without reading it.

The ACTING CHAIRMAN (Mr. Turnbull).—It is within my rules.

Mr. BLOOMFIELD.—Mr. Acting Chairman, you are adopting a merciful attitude to the Committee!

Leave for the inclusion of the table was granted, and the table was as follows:—

RESIGNATIONS, SECONDARY DIVISION, 1965.

Reason for Resignation.	Men.		Women.				Total
	Perma- nent.	Tem- porary.	Permanent.		Temporary.		
			Single.	Married.	Single.	Married.	
Marriage	..	..	64	..	15	1	80
Overseas and interstate	28	47	57	25	64	31	252
Private schools	4	5	2	2	1	1	15
Other occupations	19	25	5	2	7	4	62
Personal and domestic	7	18	16	53	54	128	276
Further studies	18	39	3	1	5	2	68
Technical schools councils and university staff	6	1	..	1	1	..	9
Incompatibility and non-suitability	1	7	1	1	7	4	21
No reasons given	16	25	17	17	33	15	123
Totals	99	167	165	102	187	186	906

One hundred and five secondary school teachers retired (including nine on account of ill health) during 1965, but these were not included in the figure of 906 who resigned.

Mr. BLOOMFIELD (Minister of Education).—In conclusion, I wish to say something about this regrettable

matter of the Teachers Tribunal. I do not propose to refer to the Victorian Secondary Teachers' Association.

Mr. HOLDING.—Why not? As the Premier said, you are not “playing speaks”.

Mr. BLOOMFIELD.—The honorable member for Richmond tempts me. The Premier has made a statement on this matter, and, on this occasion, I do not choose to say anything.

Mr. HOLDING.—Is the Premier now the Minister of Education as well?

Mr. BLOOMFIELD.—No. The Premier represents the Government of Victoria.

Mr. HOLDING.—And the Government is not speaking to the Victorian Secondary Teachers' Association?

Mr. BLOOMFIELD.—The Government is following the policy made clear by the Premier in which, as I recall it, he used words to this effect, “In view of your continued persistence over many years in one proposal, and one only, and your disinclination to accept any other, and in view of the regrettable methods you have adopted in an attempt to force your will on the Government of this State, I see no point in having further discussions with you.” I am prepared to leave the matter there.

Mr. HOLDING.—What is your policy regarding the Tribunal?

Mr. BLOOMFIELD.—I should like to make two points. First, there would be no quarrel with the constitution of the Tribunal if the secondary teachers had got all they wanted out of the Tribunal as now constituted.

Mr. HOLDING.—That is not true, and you know it.

The ACTING CHAIRMAN (Mr. Turnbull).—Order! I ask the honorable member for Richmond to refrain from interjecting.

Mr. BLOOMFIELD.—I cannot say that I know for a certainty that it is true, but I say that it is a very reasonable deduction that we would not have heard of this agitation if

the Tribunal had been acting as Santa Claus and everybody had received everything he wanted. It is not stretching credulity to ask anyone to believe that.

Mr. HOLDING.—Do you agree with the criticism of the Victorian Teachers' Union about the Teachers Tribunal?

Mr. BLOOMFIELD.—I feel that the same comment applies to both organizations. If both had obtained everything they wanted, I cannot imagine either saying, “We must change this show. It does not suit us.” Can anybody picture such a situation? I cannot.

I have acknowledged from the start—I am now going back ten years, and it was probably an indication of political inexperience—that one could imagine a better set-up Tribunal than the existing one. Since this matter was revived much less than ten years ago, I have ceaselessly sought all the advice I could obtain from every quarter I could think of, with the object of finding some alternative solution. I received advice from within the Department, from discussions with the Tribunal, and from discussions with the late Andrew Garran, formerly chairman of the Public Service Board.

Mr. FENNESSY.—What about the Opposition?

Mr. BLOOMFIELD.—Oddly enough, the Opposition has not been very vocal on this subject. I regret that last night I missed the observations made by the honorable member for Richmond. I do not contend that he took advantage of my absence, but unfortunately I was obliged to be elsewhere and was not present to hear his speech. All the advice that I received was to the effect that the proposal put forward by the Victorian Secondary Teachers' Association was unworkable. It has been proposed that there should be a tribunal of six persons, of whom four would be teachers, all full-time and engaged in research—and, of course, a teachers'

representative on the Tribunal is not a judge; he is an advocate, a representative.

Mr. HOLDING.—What about the Government representative?

Mr. BLOOMFIELD.—He has never been interfered with or directed.

Mr. HOLDING.—Why don't you have a look at the Act and see what it says?

Mr. BLOOMFIELD.—I am referring to the Government representative, not to what the Act says.

Mr. HOLDING.—Are you saying that you have never communicated with him?

Mr. BLOOMFIELD.—I have never communicated any view in relation to his action on salaries.

Mr. HOLDING.—How does he come to know the Government's attitude on salaries?

Mr. BLOOMFIELD.—The Government's attitude is to leave the question of salaries to the Tribunal. A group of six people is envisaged to fix the salaries, of whom four are teachers, one is a Government representative and one is the chairman. It is suggested that they should split up into groups of three, and the proposal sounds reasonable until one wonders what happens if the two constant members disagree. All these salaries are inter-related.

Mr. HOLDING.—Are they?

Mr. BLOOMFIELD.—Of course they are, and that is the basis of this argument.

Mr. HOLDING.—Both organizations have provided a formula, and you know it.

Mr. BLOOMFIELD.—They have provided a formula, and we have provided about seven of them, and agreement cannot be reached.

Mr. HOLDING.—Is that your final decision?

Mr. BLOOMFIELD.—If the two constant members did not agree, there could be hopeless confusion,

and, in quieter moments, this disability is recognized by the Victorian Teachers' Union. The Government is prepared to have further discussions with reasonable people in the hope of arriving at a solution. Honorable members have been kind enough to allow me to speak longer than I had intended. I hope that I have indicated that the Government is engaged in a struggle—the whole world is similarly engaged—to bring about an entirely new social system—for the first time in history, a classless society not divided by education. It is worth attaining, and in this country it is essential that we attain it. Unfortunately, many people who should be giving their whole time to this noble task are distracted by implanted ideas that they are surrounded by nothing but inefficiency, hardship, incompleteness of professional help, indifference and parsimony. I hope that what I have said to-night will persuade this Committee and others that the Government is making noticeable ground in undeniable fashion in the struggle in which we are engaged. This is a time when, instead of disputing about these things, we should be united and working in harmony.

Mr. HOLDING.—How can you get unity when you will not even confer with the teachers?

Mr. BLOOMFIELD.—I have spent at least 100 hours talking to these people. I have put up suggestion after suggestion, and I have heard nothing more than one might hear from a parrot repeating one phrase: "This is what we want, this is what we will get, and we will strike if we do not get it". The time must come when one should say, "It is of no use wasting my time, the Director's time and the Government's time going over your plan again and again. I have told you for five years that it will not work, and we will not accept it". Eventually, this attitude must be made clear. Again I have been led astray; I said that I believe we are engaged in a common struggle. We

have made creditable progress, and it is time for us all to concentrate to the best of our ability on the work of education. Those who complain of shortages must never forget that in Victoria there are people who want water, houses, hospitals, security in their homes and a Government that has proper regard for our relations with other countries. The population is looking forward to our making the best use of our natural resources and of developing them. Education must share in this development. We have no Aladdin's Lamp to turn on unlimited resources of men or money for any one of our State obligations.

The motion was agreed to.

The resolution was reported to the House and adopted.

WAYS AND MEANS.

The House went into Committee of Ways and Means.

Mr. RYLAH (Acting Premier and Treasurer).—I move—

That towards making good the Supply granted to Her Majesty for the service of the year 1966-67 the sum of \$92,891,320 be granted out of the Consolidated Revenue of Victoria.

The motion was agreed to, and the resolution was reported to the House and adopted.

CONSOLIDATED REVENUE BILL. (No. 3).

Leave was granted to Mr. Rylah (Acting Premier and Treasurer) and Mr. Reid (Minister for Fuel and Power) to bring in a Bill to carry out the resolution of the Committee of Ways and Means.

Mr. RYLAH (Acting Premier and Treasurer) brought in a Bill to apply out of the Consolidated Revenue the sum of \$92,891,320 to the service of the year 1966-67, and moved that it be read a first time.

The motion was agreed to, and the Bill was read a first time, and passed through its remaining stages.

THE SPEAKER.

LEAVE OF ABSENCE.

Mr. RYLAH (Acting Premier and Treasurer).—By leave, I move—

That leave of absence for six months be granted to Mr. Speaker as from tomorrow to enable him to visit certain overseas branches of the Commonwealth Parliamentary Association, and to attend, as delegate of the Victoria branch, the general meeting and conference of the association to be held in Ottawa, Canada, later this year.

The motion was agreed to.

TOBACCO LEAF MARKETING BOARD (APPOINTMENT OF MANAGER) BILL.

This Bill was received from the Council and, on the motion of Mr. BALFOUR (Minister of Lands), was read a first time.

Mr. BALFOUR (Minister of Lands).—I move—

That this Bill be now read a second time. This urgent measure provides for the appointment of a manager who will exercise all or any of the powers of the Tobacco Leaf Marketing Board and perform the duties of this Board during his period of manager-ship and until such time as the appointment of Board members can be effected. Honorable members will be aware that on 13th April a poll was taken of producers of tobacco for the election of four producer representatives to the Tobacco Leaf Marketing Board. The position is that the counting of votes cast at this poll has been completed and the returning officer has reported the result of the poll. In the normal course of events, the persons reported to the Minister by the returning officer as elected would be appointed to the Board by the Governor in Council. However, in this instance, the Supreme Court, on the application of one of the parties concerned, issued an injunction staying the appointment of the persons elected as elective members of the Board. Therefore, the appointment of these persons cannot proceed until the outcome of the legal processes which have been put in train has been determined.

The term of office of the retiring Board members expired on the 21st April, 1966, and, as the appointment of the incoming members may be delayed for some time, there will be a period during which the Board cannot function. At present, there is no provision in the Marketing of Primary Products Act to meet the circumstances which have arisen. All tobacco leaf grown in Victoria is vested in the Board, and its prime responsibility is the sale of this leaf. This season's sales have been arranged to commence in Melbourne next month, May. The value of the crop is expected to approximate \$11,000,000. Honorable members will appreciate the necessity to make adequate provision for the satisfactory management of the Board's business during this vital period of the year.

This problem has been exercising the mind of the Government, and it is considered that the only practical way to meet the situation is by the appointment of a manager to be responsible for the Board's affairs until such time as new Board members can be appointed. A similar course of action is already provided for in section 14 of the Marketing of Primary Products Act to meet the situation where members of a Board are removed from office by the Governor in Council. Sub-clause (1) of clause 2 provides for the appointment of Mr. Eric Ivan Meeking as manager of the Board. Faced as it was with a situation that demanded immediate action, the Government sought advice from senior departmental officers familiar with the various people engaged in the tobacco industry. Mr. Meeking was suggested as a suitable appointee, and he has indicated that he is willing to accept the responsibilities that would devolve upon him if appointed under this Bill. For about six years, Mr. Meeking has been manager of the tobacco department of Elder Smith Goldsbrough Mort Ltd., and in that capacity handled the sale of half of Victoria's crop. In 1965-66, Elder Smith Goldsbrough Mort

Ltd. will not be acting as selling brokers to the Tobacco Leaf Marketing Board. Prior to his current appointment, Mr. Meeking had approximately ten years' experience in the industry—for a short term as a leaf appraiser, and for the major part as a buyer with one of the larger tobacco manufacturers. The Government considers that Mr. Meeking is well qualified to discharge the responsibility of manager.

The Bill confers on the manager the right to exercise all or any of the powers of the Board, and imposes on him the responsibility of performing the duties of the Board during his period of managership, which will cease with the appointment of elected members, or on acceptance of his resignation or termination of his appointment by the Governor in Council, as provided in sub-clause (5) of clause 2 of the Bill. Provision is made for him to be paid from the funds of the Board such remuneration and expenses as the Governor in Council may determine. This Bill has been introduced to meet an emergency situation which has arisen in the tobacco-growing industry, and its passage is essential to provide adequate protection for tobacco producers.

In commending this Bill to the House, I remind honorable members that this measure has been transmitted from another place. With the concurrence of the Leader of the Opposition and the Leader of the Country Party, I suggest that it be dealt with now.

Mr. STONEHAM (Leader of the Opposition).—In view of the emergency character of this Bill, the Opposition is prepared to proceed with it immediately, and to offer no opposition to its passage. The Bill is in keeping with the provision of section 14 of the Marketing of Primary Products Act, paragraph (c) of section 2 of which provides that the Governor in Council may—

Appoint a receiver or manager of the Board who, subject to the control of the

Minister, shall have and may exercise all and any of the powers and shall perform the duties of the Board until it is reconstituted.

It is regrettable that the state of the tobacco growing industry is such that the issue of the injunction by the Supreme Court reflects deep conflicts within it. This is probably not an appropriate occasion on which to discuss the factors which have contributed to this unhappy state of affairs. The Government is confronted with a situation which demands immediate action. Apparently, Mr. Meeking is experienced in the tobacco industry. The Opposition assumes that due consideration was given to his capabilities before he was asked to undertake this onerous task. We are prepared to accept the assurance from the Minister of Mr. Meeking's suitability for the office. We trust that, before long, the Board will again be restored to harmony and will function in the interests of the industry it is meant to represent. The Opposition does not oppose the Bill.

Mr. MOSS (Leader of the Country Party).—The Country Party supports this Bill. The Minister referred to it as emergency legislation, and it is submitted in extraordinary circumstances. However, this is not the first occasion on which Parliament has taken immediate action to appoint a manager of a marketing Board. Honorable members, particularly the Leader of the Opposition, will recall that some considerable time ago a Country Party Government actually sacked a Board which was appointed by producers and established by legislation. At the same time, it appointed a manager to run the affairs of the egg producing industry until the situation returned to normal and further legislation was introduced. The present circumstances appear to be different, because the Supreme Court has issued an injunction, which I presume restrains the Governor in Council from making the appointments to the Board, although the poll has been held. In view of the circumstances, the Government has done the

right thing. It asks Parliament to appoint Mr. Meeking, who is experienced in the tobacco industry. He has seen several sides of the industry, not only as an appraiser but also as a buyer. He has managed the tobacco section of Elder Smith Goldsbrough Mort Limited for some time. Consequently, I think he is a suitable person to carry on in the meantime, and I hope the situation that has arisen will soon be cleared up.

Mr. Meeking will have all the powers that are conferred on the Board. Provision is made in the legislation for a salary to be paid to him and for expenses. He will hold office until the new Board is appointed. I believe the Government has taken the correct action in the circumstances, and therefore we support the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Temporary appointment of manager).

Mr. BALFOUR (Minister of Lands).—On behalf of the Government, I thank the Leader of the Opposition and the Leader of the Country Party for the expeditious manner in which they have assisted the Government with this urgent measure.

The clause was agreed to.

The Bill was reported to the House without amendment, and passed through its remaining stages.

VEGETATION AND VINE DISEASES (AMENDMENT) BILL.

This Bill was received from the Council and, on the motion of Mr. BALFOUR (Minister of Lands), was read a first time.

MEDICAL (FOREIGN PRACTITIONERS QUALIFICATION COMMITTEE) BILL.

This Bill was received from the Council and, on the motion of Mr. ROSSITER (Minister of Immigration), was read a first time.

SUMMARY OFFENCES BILL.

This Bill was returned from the Council with a message relating to amendments.

It was ordered that the message be taken into consideration on the next day of meeting.

COMPANIES (DEFAULTING OFFICERS) BILL

This Bill was received from the Council and, on the motion of Mr. STONEHAM (Leader of the Opposition), was read a first time.

STAMPS (MORTGAGES) BILL.

Mr. RYLAH (Acting Premier and Treasurer) presented a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of a Bill to amend the Stamp Act 1958 in relation to subsequent mortgages.

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

On the motion of Mr. RYLAH (Acting Premier and Treasurer), the Bill was brought in and read a first time.

VEGETATION AND VINE DISEASES (AMENDMENT) BILL.

Mr. BALFOUR (Minister of Lands).—I move—

That this Bill be now read a second time.

The Vegetation and Vine Diseases Act 1958, No. 6407, provides the powers under which control is exercised over the introduction and spread of pests and diseases of horticultural and agricultural crops. Its operation is of the greatest importance to farmers and fruitgrowers, especially those sections which relate to the entry of plant materials and products from other States. The power to prevent the introduction of plants affected by pests and diseases resides in sub-

section (3) of section 4 of the Act, which reads—

No person shall import introduce or bring any parasite into Victoria or cause or permit the same to be done except only for scientific purposes and after receiving the consent of the Minister.

Although the legal interpretation of this sub-section is that no parasite can be brought in, whether associated with a plant or otherwise, there have been many examples to show that the layman's interpretation is that it refers not to diseased plants, but to the parasite itself. For this reason, the sub-section needs clarification.

More importantly, the Crown Solicitor has recently given his opinion that the sub-section requires the positive identification of the parasite by an expert such as an entomologist, a pathologist, a nematologist or a virologist, as the case may be. This, of course, would be quite impracticable in the day-to-day operations of the inspection services, which handle huge volumes of fruit and other plant materials from interstate sources every day. An impossible situation would arise if every border check point and every inspection depot had to be provided with an expert and laboratory equipment for him to use, or if each suspected consignment had to be held up while specimens were sent to the Victorian Plant Research Institute at Burnley, where such identifications are normally made. Furthermore, the positive and irrefutable identification of a parasite can sometimes take several months, even though the symptoms are so plain that a layman could make a reasonably certain identification. This applies, for example, in the case of virus diseases, but it also occurs with certain fungous diseases.

The Bill proposes the insertion in sub-section (3), of the words "or any diseased tree plant or vegetable" after the words "any parasite," which would have the effect of bringing into operation the definition of "disease" in section 3 of the Act. The definition provides that any condition reasonably suspected of being

caused by any parasite is a disease, and the term "disease" has a corresponding meaning. As inspectors under the Act are trained in the identification of plant diseases and pests by their symptoms and appearances, and pass an examination in entomology and plant pathology before their appointment to a permanent position, their evidence would be sufficient to satisfy a court that a particular condition of a tree, plant or vegetable was reasonably suspected of being caused by a nominated parasite. This amendment would enable inspectors to proceed immediately with the release, treatment or confiscation of a consignment, with reference to an expert only when they were in doubt about a particular condition.

The proposed amendment to paragraph (b) of sub-section (4) is consequential upon the amendment to sub-section (3), sub-section (4) being the penalty clause which provides for the seizure or destruction of any diseased material. The material can be destroyed only with the Minister's consent. Unless these amendments, or other amendments designed to achieve the same end, are made to the Vegetation and Vine Diseases Act, the protection of Victoria's crops and orchards could be continued only under grave difficulties and with great disruption of interstate trade in fruit and other plant materials. I commend the Bill to the House.

On the motion of Dr. JENKINS (Reservoir), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

STATUTE LAW REVISION COMMITTEE.

FIREARMS ACT 1958.

Mr. WILKES (Northcote) presented the report of the Statute Law Revision Committee upon the proposed amendments to the Firearms Act 1958, together with minutes of evidence.

It was ordered that they be laid on the table, and that the report be printed.

OPTICIANS REGISTRATION (AMENDMENT) BILL.

This Bill was received from the Council and, on the motion of Mr. ROSSITER (Minister of Immigration), was read a first time.

SHEPPARTON ABATTOIRS BILL.

The Order of the Day for the second reading of this Bill was read.

The DEPUTY SPEAKER (Mr. Christie).—I have examined this Bill, and am of opinion that it is a private Bill.

Mr. BALFOUR (Minister of Lands).
—By leave, I move—

That all the private Bill Standing Orders be dispensed with, and that this Bill be treated as a public Bill.

The motion was agreed to.

Mr. BALFOUR (Minister of Lands).
—I move—

That this Bill be now read a second time.

The purpose of this Bill is to deal with a situation which has arisen relating to the abattoirs project of the Shepparton Shire Council. That council has, since 1935, conducted abattoirs catering mainly for the needs of local and district butchers. In 1962, Campbell Soups (Australia) Proprietary Limited commenced operations at a new factory built at Lemnos about 3 miles from Shepparton. The council had previously reached the conclusion that extensions to the abattoirs were warranted, and assured this firm that local killing facilities would be available to assist its demands for fresh meat. Following exhaustive research into the quantity of stock available, the requirements of the Department of Primary Industry, future killing demands and cost structure, the council decided on a project estimated to cost \$600,000—an expenditure greater than had been originally anticipated. Accordingly, tenders were called and the work was put in hand.

Early in 1965, Anderson Meat Industries Limited, a public company, and one of Australia's largest meat

export firms with headquarters in Sydney, advised the council that investigation into the question of the best location in the State of Victoria to establish a new undertaking had led to the choice of Shepparton as the centre which best suits its interests. This firm suggested that, as the council had a large killing centre partially completed, it would be preferable from the practical angle instead of proceeding to build a separate, large and expensive unit to lease the council abattoirs and, at the same time, provide for the needs of the local trade.

Faced with rising costs brought about to a considerable extent by the increased demands of the Department of Primary Production for export standards to be met, the council welcomed the suggestion and proceeded to negotiate with the firm. The result was the signing of an agreement in September last, whereby the council was to make substantial alterations and additions to the building and equipment as designed and in course of erection to suit the firm's requirement and lease the abattoirs and by-products plant to Shepparton Meatworks Proprietary Limited, a subsidiary of Anderson Meat Industries Limited, for seven years with an option to purchase the abattoirs and by-products plant within six years. This agreement was based on a capital expenditure of \$2,300,000.

However, the option to purchase could be effective only if the council had the consent of the Governor in Council to the sale of the property concerned, pursuant to section 236 of the Local Government Act. This consent was sought and given on the 21st December last, after the Minister had satisfied himself that the agreement was in the financial interests of the shire and protected the interest of local firms and butchers who needed to use the killing facilities.

The calling of tenders on revised plans and specifications raised the total cost of the project to \$3,063,698,

including the initial value of land and buildings owned by the council, namely, \$392,000. An amended agreement was signed by the council on the 21st March of this year. The cost of work carried out to the end of March was \$805,072. The over-all cost of the project now in hand far exceeds any figure which the council initially envisaged, and it finds itself in a position where at the present time under the existing provisions of the Local Government Act it is legally unable to raise the whole of the moneys required to finance the completion of the work. It is for this reason that special legislation has been sought.

Under section 394 of the Local Government Act, the council may borrow on the credit of the municipality for permanent works and undertakings a sum not exceeding at any one time the net annual value of all rateable property in the municipal district, as shown on the audited financial statement for the preceding financial year, and up to half as much again for capital works on undertakings. This is known as the ordinary borrowing power. The relevant sum for the Shire of Shepparton at the present time is \$1,898,844. The council's loan liability at the 31st March this year was \$1,890,000, hence less than \$9,000 additional may be borrowed under this head of power. A revaluation of the municipality is in progress, the anticipated effect of which will be to raise the ordinary borrowing limit by approximately \$1,800,000. This increase will not be effective until the 1st October, 1967, because the earliest year of use of the new valuation will be that ending on the 30th September, 1967.

Under section 397 of the Act, a council has what are known as extended borrowing powers. The loans are secured on the income of municipal undertakings, and the maximum sum that may be raised is defined as five times the average income from undertakings over the past three

financial years. The relevant maximum in this case is \$977,180. However, the abattoirs is the only undertaking of the council and the reduced income from it pending the construction of the new works has considerably lessened the amount of security which the council can currently offer. The income from the abattoirs for the year ended 30th September, 1965, was approximately \$58,000, and from the by-products plant \$78,000, but most of this money was required for normal running expenses.

Under section 436 of the Act, for temporary accommodation the council may borrow by way of overdraft an amount not exceeding the total of the money received from rates, plus one third of the income from undertakings for the preceding financial year. The shire's overdraft limit is accordingly \$219,886. Its normal overdraft requirements in any year are approximately \$90,000, and an allocation of \$80,000 has been obtained from the Commonwealth Bank. Thus not more than about \$50,000 additional may be obtained by this means. To date, the council has arranged finance for the project amounting to \$1,930,000, and an additional amount of approximately \$700,000 is required.

It is proposed to raise \$400,000 under extended borrowing powers, and the Commonwealth Bank is prepared to provide an additional \$300,000 overdraft, subject to legislative authority. The Bill merely authorizes the council to borrow by overdraft a sum not exceeding \$300,000 in excess of its normal statutory limit until the 30th June, 1968, and authorizes the council to raise loans under its ordinary borrowing power for the repayment of moneys so obtained, and of the moneys proposed to be borrowed under the extended borrowing power.

The agreement with Anderson Meat Industries Limited provides for a leasing fee based on 6 per cent. of the capital cost, plus depreciation at the rate of 2½ per cent. on buildings

Mr. Balfour.

and 7½ per cent. on equipment. Depreciation is estimated to be \$135,000 per annum which, together with \$180,000, being 6 per cent. of \$3,000,000, will produce a total yearly rental figure of \$315,000. The option purchase price is at cost less depreciation plus 10 per cent., and the terms of sale are 6 per cent. deposit and 40 half-yearly instalments with interest at 6½ per cent. on half-yearly rests. There is no doubt that if the option is not exercised, at the end of the lease the council will have recovered the greater part of its investment and still own the undertaking, and that if option is exercised the council will make a substantial profit.

The council is therefore to be commended on the course of action it has taken. On completion, the undertaking will be the largest meatworks in Australia, being designed for a daily throughput of some 400 cattle, 2,000 sheep, 500 calves and 250 pigs. In addition to the substantial benefit to ratepayers, the industry will have tremendous economic advantages to the Goulburn Valley and the Riverina, and indeed to the State as a whole. I commend the Bill to the House.

Mr. STONEHAM (Leader of the Opposition).—I move—

That the debate be now adjourned.

I understand that the Leader of the Country Party especially seeks a speedy passage of this Bill, so I suggest that the debate be adjourned until Tuesday next.

Mr. MOSS (Leader of the Country Party).—The Bill merely authorizes an increase of \$300,000 on the overdraft of the Shire of Shepparton. I should have thought it would be passed by the House this evening, but I appreciate the point of view of the Leader of the Opposition and suggest that the Government arrange for the Bill to appear at the top of the Government business on the Notice Paper for Tuesday next. Could there be some undertaking on that point?

Mr. BALFOUR.—It will be near the top of the list.

The motion for the adjournment of the debate was agreed to.

It was ordered that the debate be adjourned until Tuesday, May 3.

MEDICAL (FOREIGN PRACTITIONERS QUALIFICATION COMMITTEE) BILL.

Mr. WILCOX (Minister of Labour and Industry).—I move—

That this Bill be now read a second time.

This Bill is introduced to deal with certain changes in conditions relating to the medical schools at the University of Melbourne and the Monash University. In 1957, following a considerable amount of discussion with leaders of the medical profession, the Government introduced legislation to establish a committee to be known as the Foreign Practitioners Qualification Committee, which would examine the medical qualifications of alien doctors in Victoria and issue a certificate of suitability for registration to those who were deemed by the committee to be adequately trained for practice in Victoria. The legislation is now contained in the Twelfth Schedule to the Medical Act 1958. It provides that the Medical Board of Victoria, on the issue of a certificate from the committee that a person is considered suitable, will register that person as a legally qualified medical practitioner. Originally, this schedule was to operate for only three years, but by subsequent amendments from time to time the final date of operation has been extended. As the legislation stands at present, it will cease to operate on the 30th June, 1968.

The Foreign Practitioners Qualification Committee, as originally appointed, was to consist of a chairman and four members, all medical practitioners, appointed by the Governor in Council on the nomination of the Faculty of Medicine of the University of Melbourne with the approval of the Council of the University, and four *ex officio* members, who held professorial chairs in the clinical schools

of the Royal Melbourne, Alfred, St. Vincent's and Royal Women's hospitals. At the time the first appointment was made, there were only four persons holding these professorial chairs.

A committee selected in this manner has succeeded in maintaining a nice balance between the academic, as represented by the professors from the clinical schools, and the practical, as represented by the practising medical specialists nominated by the Faculty of Medicine and appointed by the Governor in Council. Since its inception towards the end of 1957, the committee has examined or is in the process of examining the qualifications of 85 foreign doctors. It has recommended the registration of 59 of these, and five are still under consideration. The remaining 21 are unlikely to be registered, and many have left the State. It is unlikely that the number submitting applications for the consideration of this committee will increase substantially.

As a result of the development of the Monash University, the clinical school at the Alfred Hospital has now ceased to be attached to the University of Melbourne. On the other hand, the University of Melbourne has been able to establish second professorial chairs at both the Royal Melbourne and the St. Vincent's hospitals, so that there are now five professorial chairs at three of the four hospitals named in the Twelfth Schedule to the Medical Act. In consequence of this altered disposition of professorial chairs, it is necessary to select the persons who will become members of the committee.

This Bill seeks to amend the Twelfth Schedule to the Medical Act, so that the whole of any committee appointed will consist of nominated persons appointed by the Governor in Council. The same number of members will be retained, but four of the nine persons to be nominated must be professors of medicine, surgery, obstetrics and gynaecology, or paediatrics. Although the inclusion

of a professor of paediatrics appears to be a new proposal, Professor Collins, who is a professor of paediatrics at the Royal Children's Hospital, has been a member of the committee since its inception in 1957 as a nominee of the University of Melbourne.

The committee has worked very satisfactorily, and it is unlikely that the passing of the Bill will result in any substantial variation in the persons nominated for appointment to the new committee. Should the period for which the Twelfth Schedule is to operate be extended later and should it be considered desirable that the Monash University should participate in the work of examining doctors with foreign medical qualifications, the amendments in the Bill have been drawn wide enough to permit it. However, it is not considered desirable that any Foreign Practitioners Qualification Committee should contain representatives of two or more universities, as it is felt that in such a composite committee there might be a tendency to a cleavage of opinion on university lines, thereby destroying the balance between the academic and the practical which has existed up to the present time.

Dr. JENKINS.—What nonsense!

Mr. WILCOX.—I have been informed that there is some cleavage of opinion between the University of Melbourne and the Monash University, and in the medical faculties, too.

Dr. JENKINS.—As a member of the medical faculty at Monash, I am interested to hear that.

Mr. WILCOX.—The provisions of the Bill as presented to the House are quite brief. When passed, the legislation will come into operation on a date to be fixed by proclamation of the Governor in Council, and on that date the present members of the Foreign Practitioners Qualification Committee will go out of office. Provision is made in this regard in clause 2. A new committee, which may well consist of the present members, will

then be appointed by the Governor in Council under the provisions of the new sub-clause (2) of clause 2 of the Twelfth Schedule to the Medical Act on the nomination of the Faculty of Medicine of a university. The relevant provision is contained in clause 3. In the present case, it will be the University of Melbourne. I commend the Bill to the House.

On the motion of Dr. JENKINS (Reservoir), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

OPTICIANS REGISTRATION (AMENDMENT) BILL.

Mr. MANSON (Minister of State Development).—I move—

That this Bill be now read a second time. This small Bill is introduced to repeal sub-section (4) of section 14 of the Opticians Registration Act 1958. The history of this particular provision goes back to 1953, when representatives of opticians came to the Government of the day and sought assistance towards the cost of conducting the Victorian College of Optometry, then known as the Australian College of Optometry. As a condition of granting this assistance, the Opticians Registration Board was asked to give some practical demonstration of the assistance that opticians themselves were prepared to give. The Board, after consideration, recommended an increase in the annual registration fees from £3 3s. 0d. to £6 6s. 0d. a year and the inclusion in the Opticians Registration Act of a provision that the increased amount collected should be made available to the Victorian College of Optometry. Parliament accepted this proposition, and the necessary changes to the Opticians Registration Act were made by the Opticians Registration (Fees) Act 1953.

Subsequently, in 1964, the Opticians Registration Board approached the then Minister of Health and advised him that, as its general maintenance expenses were rising, it was no

longer able to maintain the payment of 50 per cent. of its annual registration fees to the Victorian College of Optometry and still stay solvent. After examining the matter, the Government agreed to reduce the statutory payment to the college from one half to one third. This was done by the Opticians Registration (Fees and Penalties) Act 1964.

The expenses of the Board have continued to rise without any increase in the fees charged or the number of opticians being registered. In fact, the number registered has decreased over the past five years by more than twenty. The annual registration fees constitute practically the whole of the income of the Opticians Registration Board, and recently it was reported that the money available to it—\$8.40 per head—was insufficient to maintain the routine administration of the Act plus the necessary investigation work associated with the detection and prosecution of persons practising optometry without registration or qualification. An examination of the accounts of the Board has borne out this statement, and the Government has, therefore, decided to permit the Opticians Registration Board to retain the whole of the annual registration fees of \$12.60 per head obtained from opticians.

If there should be any surplus in the Board's funds, it will still be possible for the Board to continue to assist the Victorian College of Optometry under the provisions of sub-paragraph (i) of paragraph (a) of sub-section (2) of section 22 of the Opticians Registration Act, which enables the Board to apply its funds in connexion with the education and training of persons desiring to be registered under the Act. The Board has already demonstrated its willingness to do this, as it has for many years past used surplus moneys to make contributions towards the expenses of the college over and above the payments it has been obliged to make. I commend the Bill to the House.

On the motion of Dr. JENKINS (Reservoir), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

STAMPS (MORTGAGES) BILL.

Mr. MANSON (Minister of State Development).—I move—

That this Bill be now read a second time.

Stamp duty on mortgages was introduced into the Stamps Act in 1964. Honorable members will recall that it was one of a number of changes to the Act which were made as part of the 1964-65 Budget measures. Recently, the Government has had under consideration the application of this duty, in certain conditions, to second and other subsequent mortgages.

Stamp duty on mortgages is calculated on the amount secured by the mortgage. This is similar to the position in England, where the courts have interpreted the "amount secured" as including not only sums definitely and certainly secured but also sums which are contingently secured, that is, which may upon the happening of some event become part of the security. In the case of a subsequent mortgage which secures its own specific amount, it is the practice of a number of solicitors and institutions to include a special clause which enables the mortgagee to cure the mortgagor's default under a prior mortgage and add the amount to his mortgage. The later mortgage therefore secures not only the certain amount of its own particular debt but also, contingently, any amount which might be added under the special clause.

The practical result from a stamp duty point of view is that the subsequent mortgage becomes dutiable both on its own sum and also on whatever is then owing on the prior mortgage. If duty has been paid on the prior mortgage and if the combined totals exceed \$8,000, this results in double duty on the same amount. In addition, of course, the

power conferred by the special clause may never operate. An example will make this clear. The rates of duty on mortgages are such that where the amount secured does not exceed \$8,000, the amount of duty payable is \$4. Over \$8,000, duty increases above \$4 by 50c for every \$200. Thus, duty on a first mortgage for, say, \$8,000 would be \$4 and on a second mortgage for \$2,000 it would be a further \$4 if the special clause is not inserted. This is a total duty of \$8. However, if the special clause is inserted in the second mortgage the total amount secured by it becomes \$10,000 and the duty becomes \$9. This is a total duty of \$13, an increase of \$5.

The proposal in the Bill is that, where such a special clause is inserted in the later mortgage, duty should not be charged in the first instance on anything but the amount actually secured. If the mortgagor should default to the earlier mortgagee and the later mortgagee pay him out and add the amount to the later mortgage, additional duty would become payable at that point only. I commend the Bill to the House.

On the motion of Mr. TURNBULL (Brunswick West), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

BOILERS INSPECTION (AMENDMENT) BILL.

The debate (adjourned from April 19) on the motion of Mr. Wilcox (Minister of Labour and Industry) for the second reading of this Bill was resumed.

Mr. WILTON (Broadmeadows).—This is a Bill to amend the Boilers Inspection Act 1958, and in particular section 12 of that Act. The purpose of the Bill is to extend from one year to a maximum of four years the compulsory period of inspection of air and gas receivers. On Tuesday of last week, when the Minister made his explanatory second-reading speech on this measure, I indi-

cated that the Opposition desired a period of two weeks' adjournment. The Minister replied that he was prepared to agree to an adjournment of one week with the understanding that, if I was not ready to proceed with the debate, additional time would be allowed. The Minister's idea of additional time is one day.

I wish to place on record the Opposition's strong objection to being forced to resume the debate on this Bill after an adjournment of only one week. I am charged with the responsibility of handling this Bill on behalf of the Opposition. I have not been able to do justice to that task in the time available to me because, as a member of the Public Works Committee, I was absent from Melbourne last week for two days while the committee heard evidence at Shepparton. In addition, Anzac Day fell on Monday of this week.

Although it is a small Bill and contains only two clauses, it completely changes the long-standing and accepted principle and practice that, in the interests of safety in industry, there should be compulsory inspection of air vessels every twelve months.

The history of this legislation is interesting. In 1963, the Government introduced an amending Bill which broke away from the necessity of an annual inspection. Up to that time owners of pressure vessels were required to pay a fee after an annual inspection on the basis that industry should pay for services rendered by a Government Department. At that time, members of the Opposition pointed out that this practice of annual inspection should remain in force, and we indicated that, in our opinion, the Government was interested only in the revenue side and was amending the legislation to provide for the collection of annual fees regardless of whether or not the vessels were inspected. Consequently, we opposed the Bill.

Mr. WILCOX.—The safety record has been very good since then, has it not?

Mr. WILTON.—The safety record has been good because of the vigilance of boiler inspectors and the fact that the legislation empowers them to undertake, and in fact charges them with the responsibility of carrying out, annual inspections. The Government apparently assumes that this freedom from accidents will continue indefinitely, despite the amendment of the legislation.

The 1963 amendments departed from the practice of collecting fees annually on the carrying out of inspections, and at that time it was revealed that 9,316 pressure vessels in Victoria were overdue for inspection. It was also indicated that the Government proposed to appoint three additional inspectors, which was subsequently done. Yet to-day, the 27th April, 1966, the Minister of Labour and Industry, in reply to a question that I asked, stated that as at 31st December, 1965, there were still more than 9,000 air and gas receivers overdue for inspection.

In the annual report of the Chief Inspector of Boilers for 1961-62, reference is made to the substantial increase in the number of pressure vessels. In the report, the Chief Inspector stated—

Referring to statistics, it is apparent that some districts contain large amounts of uninspected work contributed in the main to industrial expansion and the inability of inspectors to cope with the volume of work. In such cases districts should be redefined in accordance with a reasonable amount of work to be covered by the inspector. This can only be accomplished by the appointment of additional staff. No additional staff was appointed during the year 1962, although ample work exists for the employment of three additional members. Towards this end I did make application to Mr. Condon, the Secretary for Mines.

Perhaps I should explain that at the time the Boilers Inspection Branch was under the administration of the Mines Department, but it has now been transferred to the Department of Labour and Industry.

In his second-reading speech the Minister referred frequently to a Board of Reference which was appointed for the purpose of examining

the question of annual inspection of air and gas receivers, and he was kind enough to make a copy of this report available to me.

In examining the report, I was interested to note that comments in regard to certain gas containers which are used for the transport of liquefied petroleum gas. It is stated—

With the road tankers and skid tankers the explosion risk is very high. The reason is that the gas contained in these vessels is highly inflammable, together with the fact that these particular types of vessels may be subject to stress cracking owing to the amount of bumping and transport shocks, &c., they receive while in service.

The Board has, therefore, recommended that road tankers (all sizes) and skid tanks (over 1,000 imperial gallons capacity) in all cases be the subject of a very strict annual inspection. This is essential to ensure the safety of these vessels.

Despite this, the Government has brought down this Bill which, in clause 2, provides—

In sub-section (1) of section 12 of the Principal Act for the words "at least once every year" there shall be substituted the expression—

"(a) in the case of air receivers and gas receivers—at least once every four years;

(b) in other cases—at least once every year."

This provision will be very wide in its scope. No reference was made by the Minister in his explanatory speech to the types of gas receivers the Government considers it will be safe to leave for four years without inspection. In the Board of Reference report, a point was made of picking out a particular type of gas receiver which, in the opinion of the Board, would become dangerous in certain circumstances, and, therefore, should be examined every year.

Mr. WILCOX.—And it may well be that they will be.

Mr. WILTON.—I know what is going through the mind of the Minister. He realizes that section 12 provides that the Chief Inspector of Boilers, or a boiler inspector, can require a boiler to be inspected whenever it is considered to be necessary. But let us examine the physical aspect. At

the present time, more than 9,000 vessels are overdue for inspection, so how does the Government propose to overcome this problem?

Mr. WILCOX.—They will not need to be inspected annually in future.

Mr. WILTON.—Is the Minister prepared to give a firm undertaking to this House that gas tankers used for the storage and transport of liquefied petroleum gas will be inspected within the period of twelve months? If the honorable gentleman gives that undertaking, we will be grateful. While it may be the case that some argument can be advanced that inspection of certain air receivers and gas receivers can be delayed beyond twelve months, there are a large number of vessels in existence in Victoria, the inspection of which, in my opinion and in the opinion of my party, should not be delayed beyond that period.

The Government is attempting to overcome the problem of more than 9,000 vessels being overdue for inspection by amending the legislation to provide for the extension of the time period before a compulsory inspection is required. Members of the Opposition will not associate themselves with such a proposal.

I also wish to make reference to another type of gas receiver covered by the report of the Board of Reference. This type of vessel is used to contain air or gas at the low pressure of 30 lb. per square inch and does not come within the scope of the principal Act. In relation to these vessels, the Board states, *inter alia*—

Many of these vessels, although working at low pressures are extremely large and have very thin shells. In the opinion of the Board some of these vessels constitute a greater hazard than large high pressure vessels. The reason for this is that these low pressure vessels have not, at any time, come under the provisions of the 1958 Act and consequently it was not possible for an Inspector of Boilers and Pressure Vehicles to supervise construction which, in a number of cases, has resulted in a vessel of poor construction. These large thin-walled vessels may possibly rupture at any time if they are of poor construction.

It is, therefore, the recommendation of the Board that the Boilers Inspection Act should be amended to include within the definition of an "air or gas receiver" all air or gas vessels which operate above atmospheric pressure and fall within the classification of $PXD = 1250$. (PXD is working pressure (lb. per sq. inch) by diameter in inches.)

This report of the Board of Reference was made on 16th June, 1965, some ten months ago. If the Government is sincere in its attempt to overcome problems associated with the uninspected air and gas receivers, and if in fact a case has been made out and substantiated that certain air receivers can safely be allowed to go beyond twelve months without inspection, in view of what the Board of Reference has said in connexion with receivers operated below a pressure of 30 lb. per square inch why has the Government not done the job properly?

The Bill should have been drafted so as not to provide an open exemption for gas and air receivers in general. There should have been detailed planning by the Government to ensure that the maintenance of the high safety record in industry with regard to large air receiver vessels and certain gas vessels.

A study of the amending Bills brought in by the Government in 1962 and 1963 and the current Bill, as well as the *Hansard* reports of the debates, clearly shows that all the Government is concerned with is the collection of registration fees for these vessels. If there is sufficient time after the boiler inspection staff has dealt with steam boilers and certain other highly dangerous vessels, they may possibly get around to air and gas receivers. The Government does not show any inclination to tackle this problem by ensuring that sufficient inspectors are appointed to cope with the work involved.

I was most disappointed with the answer to a question I put to the Minister of Labour and Industry today, in which I asked for the annual report of the Chief Inspector of Boilers for each of the years 1963 to 1965 to be laid on the table of the

Library. I was informed that no statutory requirement existed with respect to the presentation of any such annual report. I do not know whether the Minister means that no reports have been made. If that is the case, I am most surprised. The previous Minister of Labour and Industry was much more co-operative than the present occupant of the portfolio. When this legislation was last dealt with, I asked for the reports, and they were readily made available by the then Minister. To-day to my amazement, I learnt that, for some reason best known to himself, the Minister has declined to make the reports available. The honorable gentleman may have a reason which he is prepared to disclose to the House during this debate.

Mr. WILCOX.—I gave you the whole of the report upon which this Bill is based.

Mr. WILTON.—I have already expressed my appreciation to the Minister for making available to me the copy of the report of the Board of Reference, but what I was most interested to read were the annual reports of the Chief Inspector of Boilers for each of the years from 1963 to 1965.

Opposition members feel that the Bill in its present form is far too wide, and, in view of the fact that a large number of air and gas receivers in the State are overdue for inspection, it is obvious that the boilers inspection staff is not large enough to cope with the work. In the annual report of the Chief Inspector of Boilers for 1962, some pertinent comments were made about the introduction of pressure pipe-lines, which were becoming prevalent at the time and which have since become more prevalent. If one can take notice of the discussions and writings that have occurred as a result of the discovery of natural gas close to Victorian shores, one can reasonably expect that pressure pipe-lines will become even more used as

a means of transportation. This is what the Chief Inspector of Boilers had to say on this question—

Some of these lines are to 24-in. diameter, are of fabricated materials and sustain pressures to 4,000 lb. per square inch. Unfortunately, difficulty and additional work is encountered in this field of work, through inexperienced or incompetent personnel undertaking the role of consultant or contractor for the work.

It is clear that the Chief Inspector of Boilers was conveying to his superiors his fears that this was to become a problem. These lines are gas containers which operate under extremely high pressure. It is all very well for the Minister to say that the design and construction of these vessels is under the jurisdiction of the Boilers Inspection Branch. What happens when a set of standards fixed by the appropriate association is not adhered to, and when a variation takes place?

Everybody may assume that certain things have taken place, but in actual fact that may not be so, and a period of twelve months may expire before a further inspection is undertaken. Under these circumstances, it could well be that this type of pressure vessel, whether a pipe-line, a steel tank, or an air or gas receiver, could constitute a menace to industry and the general public. It is all very well to assume that certain things will happen, but in this State we have had experience of certain assumptions not proving to be correct, as a result of which a serious accident occurred.

Mr. HUDSON.—How long ago?

Mr. WILTON.—I am referring to the collapse of Kings Bridge. I do not propose to traverse the causes; I merely wish to use it as analogy. High tensile steel was welded, an innovation in the use of that type of steel in bridge construction. People assumed that certain things were done, but they were not, with a result that is well known. Fortunately, no injury to persons was caused, but the State was involved in considerable expense.

The point I am making is that it is dangerous to assume that certain things will transpire. This was demonstrated only too clearly in the instance to which I refer. People were prepared to go along with the idea of certain prefabrication work. I again direct attention to the remarks of the Chief Inspector of Boilers that 24-in. diameter pipes are fabricated materials. In the use of high tensile steel, it was assumed that in the fabrication processes certain tests were carried out, but in fact they were not, with disastrous results. Opposition members accept no responsibility for this Bill.

In his second-reading speech, the Minister referred to liquefiable petroleum gas on farms and said—

Similar large vessels are used to store liquefiable petroleum gas in tank farms and depots; the gas is not corrosive and the vessels are not subjected to impact shock or severe temperature changes.

Anybody who has had experience of liquefiable petroleum gas knows that it is capable of changing in pressure from 185 lb. per square inch to 250 lb. per square inch according to climatic conditions, yet the Minister says that the vessels are not subject to shock or severe temperature changes. The honorable gentleman might like to explain how there can be such a wide variation in pressures and what would cause the gas to increase in pressure from 185 to 250 lb. per square inch. Of course, this is caused by climatic conditions.

In the cold period of the day, the pressure can be as low as 185 lb. per square inch, but under extremely warm conditions—for example, in the northern parts of the State, such as Mildura—the temperature rise could cause an increase to 250 lb. per square inch. Anybody who has had experience of the cold mornings in those parts of the State and the high temperatures during the middle of the day can appreciate

Mr. Wilton.

the point I am making with regard to the variation of temperatures and pressures.

I do not know whether the Minister wrote his speech or whether it was prepared for him, but it is obvious that his knowledge of the legislation is extremely limited. I hope the honorable gentleman will give the matter further consideration. The Opposition is not prepared to accept the Bill in its present form; it proposes to vote against clause 2.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Progress was reported.

ADJOURNMENT.

STATE ELECTRICITY COMMISSION :
DUST NUISANCE FROM PAISLEY
BRIQUETTE DEPOT—THE SPEAKER :
OVERSEAS VISIT.

Mr. WILCOX (Minister of Labour and Industry).—I move—

That the House, at its rising, adjourn until Tuesday next, at half past Three o'clock.

The motion was agreed to.

Mr. WILCOX (Minister of Labour and Industry).—I move—

That the House do now adjourn.

Mr. LOVEGROVE (Fitzroy).—I wish to direct the attention of the Minister for Fuel and Power to the nuisance created by the dust from the briquette depot at Paisley, which is in an area on the southern perimeter of the new Sunshine electorate and is adjacent to the boundaries of the City of Williamstown and the Shire of Altona. In the past few years, this area has become thickly populated, and a great development in housing has taken place.

I received a letter from the Altona East branch of the Australian Labor Party to-day inviting me to a public meeting on Saturday night convened by Councillor MacIntosh, the president of the Shire of Altona, to protest against the thick black dust coming from the briquette stacks at this

depot, and enveloping North Altona and the housing areas within the southern portion of the new Sunshine electorate and also Williamstown, the electorate represented by the honorable member for Williamstown, who has been active concerning this matter. This depot is used by the State Electricity Commission as a bank for the Newport Power House. Private contractors are employed to take briquettes not required for the furnace along North-road and Mason-street to this briquette dump. During the progress of the heavy vehicles, it is not unusual for a high spillage of briquettes on to the road, and there have been cases of briquettes being flipped through the windows of houses and also of cases of narrow misses to persons in the street. The Minister of Transport has no doubt seen what happens when stones become caught between the double tires of heavy vehicles, and are thrown out from the tires to the danger of following vehicles.

The Williamstown City Council has protested to the State Electricity Commission, and to be fair to the Commission I shall read its reply dated 16th March, 1966. The letter reads—

I refer to your inquiry of 11th February, 1966, on behalf of your council concerning the dust emanating from the Commission's Paisley Briquette Depot.

The Commission sincerely regrets any inconvenience caused to the people involved, but on days of extreme wind conditions, which it is believed gave rise to their complaint, it is practically impossible to prevent dust escaping from the depot. This unfortunate situation exists despite our great pains to improve upon dust prevention measures so far implemented. For example, during the past twelve months these measures have included the continuous operation of water sprays on briquette stacks, the paving of working areas with concrete, and the grassing of new areas. Earlier, more than 3,000 trees, some of which are now 30 feet high, were planted along street boundaries. At present the Commission is experimenting with the stacking of briquettes. All briquettes along the northern boundary have been removed and the nearest stack, which, it is hoped, will serve as a wind break, is some 250 feet

from and parallel to Mason-street: new grasses are being established in the intervening area.

There is no doubt, of course, that there are inescapable disadvantages arising from residences being in close proximity to the Paisley depot and, with this in mind, the present site was acquired in 1949 in what was then an isolated area. However, housing development has proceeded in the immediate neighbourhood in spite of the presence of the depot.

The SPEAKER (Sir William McDonald).—Order! The House is becoming a little restive. The honorable member has already exceeded his time.

Mr. LOVEGROVE.—If I had realized that—I assure you I did not—I would not have dreamt of trespassing on the courtesy of the House. The State Electricity Commission concluded its letter by saying that it sympathized with the residents and that it wants to do everything possible to remove the nuisance. I appeal to the Minister to make inquiries as to whether additional measures are possible to those already taken by the Commission to alleviate the cloud of thick black dust falling upon the residents of North Altona, Williamstown and the new electorate of Sunshine.

Mr. G. O. REID (Minister for Fuel and Power).—The new electorate of Sunshine is presumably an area in which the honorable member for Fitzroy will shortly be interested. I shall have inquiries made in this matter and advise him of the result as promptly as possible. If he will make the correspondence available to me, I shall carry the investigation further.

Mr. RYLAH (Acting Premier and Treasurer).—Mr. Speaker, on behalf of all honorable members I wish you a happy journey overseas. Honorable members believe that the Speaker should visit other countries where the Commonwealth Parliamentary Association is active and to have the opportunity of attending its conferences. I wish you, Sir, a happy voyage and a safe return.

Mr. LOVEGROVE (Fitzroy).—Mr. Speaker, On behalf of the Opposition, I join with the Acting Premier in the sentiments he has so ably expressed. We tender to you our best wishes; we hope you will have a good trip and that while you are away you may have time to look at some of the procedures in other Houses of Parliament. I say that with no disrespect to your behaviour in this Parliament. We wish you *bon voyage* and safe return. We trust that this respite from your labours will be of benefit to yourself and Lady McDonald.

Mr. TREWIN (Benalla).—Mr. Speaker, on behalf of members of the Country Party, I join with the Deputy Premier and the Leader of the Opposition in wishing you and Lady McDonald a happy sojourn overseas. I trust that whilst you are away you will avail yourself of the opportunity of seeing some of the wonderful cattle in overseas countries because I know that you are interested in this subject.

The SPEAKER (Sir William McDonald).—Thank you very much, gentlemen.

The motion was agreed to.

The House adjourned at 11.11 p.m. until Tuesday, May 3.

Legislative Council.

Thursday, April 28, 1966.

The **PRESIDENT** (the Hon. R. W. Mack) took the chair at 11.23 a.m., and read the prayer.

EDUCATION DEPARTMENT.

STATE SCHOOLS: FORM I. PUPILS:
ENROLMENTS.

The Hon. J. M. TRIPOVICH (Doutta Galla Province) asked the Minister of Agriculture—

(a) What was the total number of pupils of each sex admitted to Form I. in all Victorian State schools for the 1965 education year and, if available, for this year, defining the respective totals for—(i) metropolitan high schools; (ii) country high schools; (iii) metropolitan technical schools; (iv) country technical schools; and (v) girls secondary schools?

(b) What is the average age of the pupil intake into Form 1?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answers to these questions are detailed, and with the concurrence of the House, I suggest that they be incorporated in *Hansard*, without being read.

Leave was granted, and the answers were as follows:—

(a)

1965.

	STATE.			METROPOLITAN.			COUNTRY.		
	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.
High schools	12,335	16,340	28,675	7,132	9,510	16,642	5,203	6,830	12,033
Technical school ..	10,952	2,050	13,002	6,892	1,335	8,227	4,060	715	4,775
Central schools ..	736	614	1,350	736	614	1,350	..	..	..
Girls' secondary schools ..	..	2,331	2,331	..	1,687	1,687	..	644	644
Higher elementary schools	156	174	330	..	..	..	156	174	330
Central classes	27	19	46	..	..	..	27	19	46

1966.

	STATE.			METROPOLITAN.			COUNTRY.		
	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.
High schools	12,450	18,143	30,593	7,119	10,320	17,439	5,331	7,823	13,154
Technical schools ..	11,129	1,966	13,095	6,704	1,129	7,833	4,425	774	5,199
Central schools ..	613	576	1,189	613	576	1,189	..	..	..
Girls' secondary schools ..	..	606	606	..	606	606	..	..	..
Higher elementary schools	73	86	159	..	..	..	73	86	159
Central classes ..	11	11	22	..	..	..	11	11	22

(b) Twelve years nine months as at 1st August.

LOWER YARRA CROSSING.**DEFINITION OF ROUTE 9.**

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister for Local Government—

What progress has been made by the Melbourne and Metropolitan Board of Works in regard to defining route 9 in respect of the Lower Yarra Crossing?

The Hon. R. J. HAMER (Minister for Local Government).—The answer is—

The Lower Yarra Crossing Authority is at present engaged in designing the bridge, and in conjunction with the Country Roads Board, in defining the approaches, including route 9. Good progress is being made and the Melbourne and Metropolitan Board of Works will be consulted and the final definition of route 9 agreed as soon as practicable.

PLANNING: CONSULTATION WITH MUNICIPALITIES.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister for Local Government—

(a) What planning has taken place in regard to the Lower Yarra Crossing by the Lower Yarra Crossing Authority?

(b) How far has this planning progressed?

(c) At what stage will the municipalities involved in such scheme be consulted as assured by the Minister during the debate in the House on the Lower Yarra Crossing Authority Bill on 9th December, 1965?

The Hon. R. J. HAMER (Minister for Local Government).—The answers are—

(a) and (b) The Lower Yarra Crossing Authority has commissioned Messrs. Maunsell and Partners, in conjunction with Messrs. Freeman, Fox and Partners, to prepare plans and specifications for the crossing and good progress is being made with the preliminary plans.

(c) It is proposed to appoint the liaison committee next week, to include representatives of the municipalities concerned and members of Parliament for the area, and this committee will be kept fully informed of progress with the planning.

MENTALLY HANDICAPPED CHILDREN.

PROVISION OF SCHOOL AT ALTONA.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister of Agriculture—

Has a priority yet been set for the building of the mentally handicapped children's school at the corner of Ross-road and Mills-street, Altona; if so, what is the priority, and when will tenders be called for the building of the school?

The Hon. G. L. CHANDLER (Minister of Agriculture).—The answer is—

Yes. As it is considered that there are numerous school building projects more urgent than the provision of a building for mentally handicapped children on this site, it appears unlikely that tenders will be invited during the 1966-67 financial year. The priority allotted will, however, be reviewed early in 1967 in conjunction with the preparation of the next building programme.

CO-OPERATIVE HOUSING SOCIETIES (AMENDMENT) BILL.

The debate (adjourned from April 19) on the motion of the Hon. L. H. S. Thompson (Minister of Housing) for the second reading of this Bill was resumed.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—This is a short Bill to facilitate the winding up of co-operative housing societies which have completed the job for

which they were formed. Provision will be made for the secretary of a society to act as the liquidator, something which is not provided for under either the Companies Act, or previously under the Co-operative Housing Societies Act. After an examination of the proposal, we have come to the conclusion that the principles associated with it are sound. The reason for the appointment of the secretary of a society as liquidator is that such a man has had experience and knowledge of the operations of the society.

Provision is also made in the Bill for the names of liquidators approved by the Registrar of Co-operative Housing Societies to be recorded, and if it is decided that the secretary of a society to be wound up does not possess the required ability to undertake the job, one of the approved liquidators may be appointed to carry out the duties. The Labor Party offers no objection to this machinery measure brought forward for the purpose mentioned.

The Hon. A. R. MANSELL (North-Western Province).—When I first saw this Bill on the Notice Paper, I felt rather pleased, but when I was told to handle it and I examined its background my pleasure turned to disappointment. Originally I thought the Bill was a machinery measure to make additional finance available to co-operative housing societies, but I soon discovered that it was concerned with the winding up of very successful ventures.

I should like to pay a tribute to the Registrar of Co-operative Housing Societies, Mr. Brodie, and his staff, and also to the former Registrar, Mr. Ebbels, for the manner in which they have carried out their duties. I have had occasion to visit the Registrar's office on a number of occasions, and I could not be better pleased about the reception I have received. Frequently, I was not able to get what I wanted, but I always was given a very fair hearing and nobody could ask for more. In their

official capacity these gentlemen have rendered a great service to the community.

I have also had a great deal of experience in dealing with Mr. Geof. Stephenson, the secretary of a number of societies in the Mildura district. I cannot speak too highly of his efficiency and the manner in which he carries out his duties.

Basing my opinion on experience with secretaries of co-operative housing societies, I have the utmost confidence that this Bill will make it possible for the right men to be appointed to wind up societies, and I commend the Government for introducing the measure. At the same time, I would like to recommend to the Government that it should make further finance available so that new societies may be commenced as these other societies automatically go out of existence. The Country Party supports the Bill.

The Hon. G. W. THOM (South-Western Province).—I wish only to direct the attention of the House to the way in which co-operative housing societies will be terminated prior to the original date provided for in the legislation. The example I shall quote is that of the Geelong Ex-Servicemen's Co-operative Housing Society. Up to April, 1965, it had had nineteen years of operation, and at that stage its overdraft was £6,898 and its interest reserve, that is, a surplus which had been accumulated, was £2,457.

Without making a very detailed examination of the matter, I have estimated that this society will terminate within about 21 years of operation, and, by the use of the interest reserve, members of the society will be relieved of payments for approximately $1\frac{1}{2}$ to $1\frac{2}{3}$ years of the final period of life of the society. The secretary will be enabled, by this Bill, to apply for appointment as the liquidator to wind up the society, utilizing the reserves held by the society to relieve members of their final payments.

The Hon. I. A. SWINBURNE.—That depends on how much the liquidator will get.

The Hon. G. W. THOM.—I do not think the liquidator appointed under the provisions of this Bill will receive very much, as the Registrar will have power to establish the payment to be applied. There will not be any big expenses involved in liquidation. They will be much lower under this method than would be the case if an outside liquidator were employed to do the winding up. I think that the cost of liquidation was a point that was worrying the advisory council in particular.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

FISHERIES AND GAME (AMENDMENT) BILL.

The debate (adjourned from April 20) on the motion of the Hon. G. L. Chandler (Minister of Agriculture) for the second reading of this Bill was resumed.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—The Opposition is pleased that this Bill is before the House, because it seeks to make things easier for sportsmen, who, in pursuance of their sport, happen to cross rivers which form State boundaries. New South Wales, Victoria and South Australia have laws which provide that anybody over sixteen years of age must have a licence to fish in inland waters and must abide by certain conditions in that fish below a minimum size cannot be taken. Unfortunately, the conditions which apply vary from State to State, and a person who lives on the border encounters difficulties at times in that, if he should cross the river, he must have a licence for each State before he can fish.

I assume that the Bill results from considerable negotiations and discussions among the Ministers of the various States with a view to obtaining uniformity in regard to the issue

of licences, their recognition, the size of fish that can be taken from the streams and prohibition periods for the taking of fish.

Clause 2 provides for the amendment of section 8 of the principal Act which gives power to make proclamations for the regulation of fishing. That, of course, is necessary in order to enforce the legislation. Proposed new paragraph (eb) of section 8 provides—

(eb) To provide that pursuant to paragraph (ea) any person having in his possession within half a mile of such specified waters any fish of such specified species during such prohibited period shall, unless he proves the contrary to be a fact, be deemed to have taken such fish from such waters;

In effect, this reverses the onus of proof, but in this case we support this principle. It is quite a fair provision and is similar to the present section 19. If a person has taken a fish, then he should be in a position to advise the inspector where he got it, and, if necessary, give some *prima facie* evidence of his statement.

The remaining provisions are purely machinery to allow the Minister and the Department to alter the legislation to meet the requirements of any agreements that may be reached in the future. Proposed new sub-section (6) of section 41B of the Game Act 1958, as contained in clause 3 of the Bill, provides—

(6) For the purposes of sub-section (5) "named State or Territory" means a State or Territory named from time to time by the Governor in Council by Order published in the *Government Gazette* so long as that name remains unrevoked.

This means that the States can be named by regulation and that is fair enough. I commend the proposal, because in the past I have expressed the view that it is desirable to write these requirements into Acts rather than to leave certain things to be done by the Government by regulation. In this case, where the Minister can obtain agreement, the States can be named by regulation, and when there is a subsequent alteration to the agreement that can be

made by regulation. The Opposition supports the Bill because it believes the amendments will considerably help sportsmen and at the same time ease the burden of bureaucracy in regard to the issue of licences.

Sir PERCY BYRNES (North-Western Province).—The Country Party welcomes this measure because it provides for uniformity in regard to angling licences which cause some difficulty to persons fishing in the River Murray, which belongs to New South Wales. Before a person may fish in the river, he must obtain a licence from New South Wales, but if he fishes in a tributary of the river on the Victorian side he must have a Victorian licence. In addition, the States have different rules and regulations in regard to the size of fish that may be taken, and this causes a considerable amount of difficulty. If a person who does not know much about the regulations goes to the River Murray, he may be under the impression that, because he has a Victorian licence, he is entitled to fish in the river. Thus, he could be caught by an over-zealous New South Wales inspector and suffer penalty.

According to the Minister's explanatory second-reading speech, it is not uncommon for a person to start fishing or shooting in one State, and in the course of the day unknowingly cross into the neighbouring State. I think this is something of a reflection on the mentality of the sportsmen, but I have known it to happen.

Furthermore, the north-eastern border of the State runs between the source of the River Murray and Cape Howe, and frequently a fisherman or shooter does not know which State he is in and therefore does not know what rules he is required to observe. In New South Wales there is no size limit on Murray cod or callop that may be taken, but in Victoria the minimum for Murray cod is 21 inches.

The Hon. F. J. GRANTER.—They are all caught in New South Wales.

Sir PERCY BYRNES.—If a person is wandering around in Victoria with undersized fish in his possession, he could be in serious trouble under the provisions of the Victorian legislation, because it would be assumed that he had caught the fish illegally. This measure applies to licences to shoot duck as well as to fishing licences.

The Hon. I. A. SWINBURNE.—What about black swans?

Sir PERCY BYRNES.—We do not have to worry about black swans in this part of the State. The amendments will be welcome because a good deal of trouble has been encountered in the past. Of course, the application of the present legislation could lead to the confiscation of guns, and possibly this would react somewhat more harshly upon visitors than local residents. Generally, the local residents, who are conversant with the movements of the inspectors, are less likely to be caught for offences against the Act.

This measure could be termed a prelude to what I shall call uniformity in other matters along the River Murray. It seems foolish that, when a river forms the boundary between two States, separate laws should apply on either side of the river. In recent years, the respective Parliaments of the States have done their utmost to minimize difficulties of this type. Not many years ago, a motorist could not cross the river into New South Wales without having a special registration plate fitted to his vehicle. Upon returning to Victoria, the plate was handed back to the authorities.

We are gradually getting rid of those inhibitions which have prevented reasonable intercourse between the two States. Although we do not want to throw away the benefits which we enjoy as Victorians, we are all Australians. There have been so many pinpricks in the past because of the differing laws between the States that it is good that the legislation is being remodelled, streamlined and so drafted that sanity will

prevail. For these reasons, the Country Party supports the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Prohibited periods to be proclaimed prohibiting the taking of fish of specified species from specified waters).

The Hon. G. L. CHANDLER (Minister of Agriculture).—Mr. Tripovich referred to proclamations and regulations under this legislation. I think all members of this Parliament would agree that every endeavour is made to include the substance of the matters concerned in the relevant Bills with a view to keeping to a minimum the powers which may be exercised under regulations. This does not apply in all Parliaments in Australia. In fact, I could name one or two Parliaments where the reverse situation applies and Bills are drafted in skeleton form and the requisite power is contained in the regulations. I should think that the establishment of the Subordinate Legislation Committee has done much to minimize the dangers associated with the placing of too much power in the hands of the Executive. The committee has kept a watchful eye on regulations which are made from time to time.

Sir Percy Byrnes referred to persons who willingly and knowingly, or otherwise, cross from one State to another when pursuing the sport of fishing or shooting. I suppose he was referring more particularly to the constituents of the North-Eastern Province rather than to visitors to that province.

The Hon. I. A. SWINBURNE.—The North-Western Province.

The Hon. G. L. CHANDLER.—I do not think Sir Percy could have been thinking in terms of the North-Western Province, because in that locality the river is too deep to enable persons to wade across it.

The Hon. I. A. SWINBURNE.—In the areas to which Sir Percy referred, the depth of the water is not very great.

The Hon. G. L. CHANDLER.—I shall leave it to Sir Percy Byrnes and Mr. Swinburne to decide where the persons concerned came from.

The Hon. R. W. MAY (Gippsland Province).—I wish to raise a question concerning the definition of boundaries in relation to fishing, particularly as it applies to Gippsland. I have been concerned at the number of prosecutions which have taken place in this area where there is an imaginary point defined by a bearing taken along the eastern coastline. On one side of this imaginary line, spear fishing is permitted, but on the other side, it is prohibited. I consider that the State boundaries should, whenever possible, be defined by some geographical feature rather than by a line of latitude. In East Gippsland, an imaginary line separates New South Wales from Victoria.

The Hon. I. A. SWINBURNE.—So far as the north-east of the State is concerned, the River Murray is the boundary.

The Hon. R. W. MAY.—That does not apply in Gippsland. The imaginary line creates certain problems. Many people from the Latrobe Valley undertake fishing and shooting for recreational purposes but, because they have unwittingly infringed against the legislation, they have been forced to pay heavy fines. This is a difficult problem.

In the interests of good public relations, I ask the Government to give consideration to the use of a geographical feature along the coast as a boundary in preference to reliance on an imaginary line. This has been a matter of concern for many angling clubs in Gippsland. Many good citizens have been caught because they have unintentionally infringed the legislation. Although I live within a few miles of the imaginary line to which I refer, I could not say precisely where it is.

If a geographical feature cannot be used to determine the boundary, perhaps the restrictions could be lifted, because there is only one section along the coastline where the taking of fish is prohibited.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—I thank the Minister of Agriculture for his comments and assurances on the question of regulations. I hope the Minister did not interpret my comments as an accusation against the Government. All members are proud of the record of successive Governments in their insistence on writing as much as possible into Acts of Parliament. This situation does not apply in all States. I should not like to be interpreted as implying that this Government had departed from the practice.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I shall direct the Chief Secretary's attention to Mr. May's remarks. I respectfully suggest that Mr. May should follow up the matter with the Chief Secretary with a view to the trouble he referred to being overcome.

The clause was agreed to, as was clause 3.

The Bill was reported to the House without amendment, and passed through its remaining stages.

MARINE STORES AND OLD METALS (COLLECTORS) BILL.

The debate (adjourned from April 5) on the motion of the Hon. G. L. Chandler (Minister of Agriculture) for the second reading of this Bill was resumed.

The Hon. G. J. O'CONNELL (Melbourne Province). — This small measure proposes to amend section 7 of the Marine Stores and Old Metals Act 1958 which restricts the court, in the consideration of applications for licences to act as a collector, to male persons above the age of thirteen years. The section also contains a proviso limiting the period of any adjournments and a further proviso which declares that no licence shall

be granted to a male or female person who has within five years prior to the day of making the application been in prison in consequence of having been convicted of a felony, notwithstanding that a court may not issue a licence to a female in any circumstances.

This Bill will give the Marine Stores and Old Metals Act a real face lift; it will make provision for females to apply to the court for a licence to collect or carry on the business of collecting special wares—which means old metals and marine stores. Opposition members do not object to this proviso; we believe in equality for the sexes. Perhaps the ladies will add a little charm, glamor, and courtesy to this calling, as they do in other spheres of business. My party believes that once a person has paid his penalty to society for any offence he has committed, it should not react against him in the future. Probably this measure will mean a lot to some people and to organizations that employ women who could carry on this calling. The matter will be left to the court to decide.

Clause 2 substitutes a new section 7 of the principal Act, and sub-clause (1) of that clause reads—

Any two justices sitting in open court of petty sessions may take into consideration an application by a person for a licence to act as a collector and to carry on the business of collecting special wares.

Perhaps the ladies' section of the Liberal Party will be happy; they might want to help their organization by augmenting the party funds. Provision is also made that on the hearing of any application any member of the Police Force or any other person may be heard to show cause to the justices against the granting of the application, and the justices may grant, refuse or adjourn the consideration of any such application as they see fit. As I understand it, the Bill does not affect children who at present collect these wares for such groups

as the cubs, the brownies, and others. Therefore, the Opposition has no objection to the measure.

The Hon. R. W. MAY (Gippsland Province).—As Mr. O'Connell has traversed this subject most effectively, he has not left much for me to say. Members of the Country Party congratulate the Government for introducing such an important measure. We have not been told whether it is introduced as a model for uniformity throughout the Commonwealth. It could best be described as a measure to eliminate an inequality regarding the sexes, because, as Mr. O'Connell has said, it removes the distinction which prevents females from engaging in this apparently lucrative calling. I do not know what the Government has in mind in deciding to remove the age limit of thirteen years. The question of age is now left for determination by the court. Members of the Country Party do not propose to vote against the measure, and accordingly we hope it has a speedy passage.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

COMPANIES BILL.

The debate (adjourned from April 19) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. J. W. GALBALLY (Melbourne North Province).—This is a small Bill which treads a familiar path. We hope it will achieve something. I have said this, for many years now, when dealing with the Government's legislation on companies. We have never placed any obstacle in its path. We have always co-operated with the Government and said, "You must do something about the companies, and you have our encouragement." This is another

such Bill, which was quite adequately explained by the Minister for Local Government. In the circumstances, I shall not offer any criticism of it whatsoever. It would be churlish of me to say, "I suppose it accomplishes just about as much as any other Bill in the past", but I refrain from making that comment, and in the spirit of goodwill I offer the support of my party, and hope that something will come out of the efforts of the Attorney-General and his representative in this House, the Minister for Local Government.

Sir PERCY BYRNES (North-Western Province).—On reading the Minister's second-reading speech on this Bill, one is struck by the fact, which is now common knowledge, that whenever an amendment is made to the company law another series of loopholes seems to be created which provide the opportunity of by-passing the Government's intentions. This measure has arisen from the enactment of Part IX. of the Companies Act 1961. Loopholes having been found, that Part of the legislation is now to be replaced. We trust that the new provisions will achieve their purpose.

According to the Minister, the replacement of the board of directors of a company with an official manager is a feature that has been taken from South African law. Of course, the difficulty is to decide when is the appropriate time to put in an official manager. I think all honorable members agree that, if it is possible to save a company by the appointment of an official manager, this should be done at a stage when there is a reasonable chance of saving the company from utter insolvency. Apparently the machinery has not been used for this purpose, and has not achieved its objective. The Country Party hopes that the improvements to the company law now envisaged will correct this situation.

Another part of the Bill deals with the question of misstatements in prospectuses. This is related particularly to certain companies at present

in the public eye. I suppose it is very difficult to prevent the issue of misleading prospectuses. It is now proposed that, before registering a prospectus, the Registrar will be required to form an opinion that it does not contain any statement or matter which is misleading in the form or context in which it is included. Of course, it is very easy to be knowledgeable after something has happened, and to say that a prospectus was wrong. In the future, a considerable onus will be placed on the Registrar, and I trust the Minister will find that he is able to discharge this and thus prevent a recurrence of some of the calamities that have been occurring.

The Minister referred to the firm of H. G. Palmer. It would be interesting to know whether, in the conditions under which that company operated, the Registrar would have said that a misleading prospectus had been issued. I think that is open to doubt. Of course, the Stock Exchange does not have to quote a company's shares, and that is a serious step to take. I presume that when these things are done the company concerned is almost beyond redemption. The question is whether an official manager can be put in prior to this stage. It has also been suggested that the appointment of an official manager could be made by persons who are interested in another related company. This would put money into the pockets of certain people and would not be in the interests of the creditors or the shareholders.

The Hon. R. J. HAMER.—They have done that in some cases.

Sir PERCY BYRNES.—It is very difficult to stop these things. Apparently as one company fades out the directors continue on the board of another related company, and there are wide ramifications in this field. The Bill is an endeavour to plug up one of the leaks that exists. Although the Bill contains a number of provisions, I understand that it is necessary to draft it in this

way. My party supports any improvement to the Companies Act which will prevent a repetition of some of the occurrences that have caused business to get such a bad name in the past few years. We give the Bill our blessing in the hope that it will achieve what the Government desires.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, relating to transition.

The Hon. R. J. HAMER (Minister for Local Government).—This Bill is going forward with the goodwill and the good wishes of the House and, indeed, of Parliament. I should like to pay tribute to the work of the officers, particularly the draftsmen, who worked for the Standing Committee of Attorneys-General. As is obvious from a perusal of a Bill like this, an immense amount of detailed work is involved in revision and review of the Companies Act and its operations. When a Bill such as this is brought forward, we should not underestimate the amount of work and thought that has gone into it. It represents the combined wisdom of the Attorneys-General and their officers in the light of experience with official management, and we can only hope that the improvements made in this new Part will have the effect that we all desire.

I agree with Sir Percy Byrnes that the additional responsibility cast on the Registrar of Companies will be an onerous one. It would be unrealistic of us to expect him to do more than look at a prospectus in a superficial way. I do not think we could expect him to delve into figures or to seek justification for the statements made in the prospectus or for the way in which the figures relate to one another. All he can do is form an impression, from the way the prospectus is made up and presented, as to whether it is likely to be misleading.

As Sir Percy Byrnes knows, each prospectus is processed in the Registrar's office and some attention is paid to the presentation, wording and layout. Every effort is made to ensure that it includes all the information required by the Companies Act. The Registrar does have some officers who are used to prospectuses, and it will be their expert advice to the Registrar on which he will have to rely in carrying out this additional duty. There is no doubt that the Registrar can act only within the bounds of his own knowledge and experience in carrying out this duty. The real hope is that these provisions will act as a deterrent to anyone who in the future might feel like submitting a really misleading prospectus.

The Hon. ARCHIBALD TODD (Melbourne West Province).—Last night the House debated a private member's Bill relating to companies, which was introduced by Mr. Galbally. In that debate it was suggested that we should not always be bound by the decisions of the Standing Committee of Attorneys-General. On this occasion we are discussing a product of their work. Members of our party naturally support any measure that will bring morality back into business administration. The Minister has referred to the additional work that will be imposed on the Registrar of Companies if this measure becomes law. Obviously, as the commercial activity of this State increases, so the staff of the Registrar of Companies will likewise have to be increased. There should not be a mounting quantity of work with which the Registrar and his staff cannot cope. It must be accepted that, as one of the consequences of amendments to the Companies Act and the expansion of the business world, the staff of the Registrar of Companies must also be correspondingly increased.

The clause was agreed to, as were the remaining clauses.

The Bill was reported to the House without amendment, and passed through its remaining stages.

THE CONSTITUTION ACT AMENDMENT BILL.

The debate (adjourned from April 27) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. ARCHIBALD TODD (Melbourne West Province).—This is a Bill that highlights the increase in costs that are evident from year to year, and almost from day to day. The Bill proposes to increase the amounts appropriated for "The Clerk and Expenses of the Executive Council" and for "The Clerk and Expenses of the Legislative Council." It is proposed to increase the former from approximately \$6,400 to \$8,000, and the latter from \$60,000 to \$80,000. Members of our party recognize the fact that value has consistently oozed out of our monetary system over quite a long period and that inevitably we must accept legislation of this nature. Therefore, we do not oppose the Bill.

Sir PERCY BYRNES (North-Western Province).—This Bill is necessary because, as is pointed out in the Minister's second-reading notes, the salaries and expenses of the Clerk and members of the staff of the Legislative Council are especially appropriated in The Constitution Act Amendment Act. Those for the officers of the Legislative Assembly are only appropriations. The reason for this dates back to the origin of Parliament in Victoria, to that very happy day when there was no Legislative Assembly and the appropriations for the Legislative Council were made under The Constitution Act. That process has been continued to the present day, so maintaining the tradition of this Chamber doing its best to manage its own affairs. I do not know if I should be in order in going further and saying that we in this Chamber are quite prepared to manage our own affairs. It must have been a beautiful and happy period in Victoria's history when there was no Legislative Assembly, when all the brains and in-

telligence gathered in the Legislative Council was uninhibited and undisturbed by that other place.

These conditions should be preserved, and it becomes necessary now and again to raise the ceiling amounts in the Act according to the rises in costs of the Council, and the Country Party supports the measure.

The motion for the second reading of this Bill having been carried by an absolute majority of the whole number of the members of the House, as required by The Constitution Act, the Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6224).

The Hon. ARCHIBALD TODD (Melbourne West Province).—Although there are times when members of this Chamber claim that it has particular merit, the Labor Party cannot agree with the remarks made by Sir Percy Byrnes in his second-reading speech. The historical background of this Chamber is that it was a House of privilege. The Labor Party takes some credit for the fact that it has been “democratized” to a great degree and now is more in keeping with our democratic system of government.

The Hon. R. J. HAMER (Minister for Local Government).—This would be an appropriate occasion for members of this Chamber to say to the Clerk and the staff that, whether their salaries and expenses are fixed by The Constitution Act or by an appropriation, we very much value their services and are glad to have this opportunity of recognizing in a formal way the value of the work they do for this House and the way in which its business is carried on.

HONORABLE MEMBERS.—Hear, hear!

The clause was agreed to.

The Bill was reported to the House without amendment.

The motion for the third reading of the Bill having been carried by an absolute majority of the whole number of the members of the House, as required by The Constitution Act, the Bill was read a third time.

CONSOLIDATED REVENUE BILL (No. 3).

The Hon. G. L. CHANDLER (Minister of Agriculture).—I move—

That this Bill be now read a second time.

As honorable members know, the period for which Supply has been granted expires on the 30th June next and, as the spring session will not commence until September, this Supply Bill is necessary. It is expected that the current session will close in May and that Parliament will then adjourn until early in September, when the 1966-67 Budget will be brought down. It is therefore necessary to pass a Supply Bill this session to cover requirements from the end of June until the time when Parliament re-assembles for the spring session. Accordingly, the period covered by this Bill is from 1st July to 30th September, 1966.

The amount provided in the Bill is \$92,891,320. This is the sum which it is estimated will be necessary to meet expenditure from departmental votes over the first three months of next financial year. Honorable members will have noticed two changes in the Supply schedule which has been distributed. The first and most obvious change is that the amounts included in the schedule are expressed in dollars. The other change is the introduction of four divisions which appear for the first time.

Three of the new divisions relate to the Department of Agriculture and reflect two major changes in the organization of that Department. This is the first substantial alteration in the functional organization of the Department since 1935, when the Division of Dairying was established by bringing together

within a separate division of the Department those activities which served the dairying industry. Over recent years the Government has given consideration to a reorganization of the Department with the view of maintaining the best possible service to our important and expanding primary industries.

In the first of the two major changes the Livestock Division of the Department is to be replaced by the Division of Animal Health and the Division of Animal Industry. These two new Divisions appear on the Supply schedule under Divisions 70 and 71 respectively.

It is proposed that the Division of Animal Health will be responsible for research and practical work in the field of animal diseases and will administer the statutory provisions relating to the control and supervision of stock diseases. It will have the added responsibility of developing the veterinary diagnostic services on a basis which will meet the needs of the rapidly expanding livestock industry. Up to the present time diagnostic services have been provided for the Department by the Veterinary Research Institute of the University of Melbourne. These services are to be supplemented by establishing veterinary diagnostic laboratories in country areas.

A further advance in the control of animal disease has been made with the establishment of the Attwood research station where diseases of animals may be studied with adequate safeguards.

The work of the Division of Animal Industry will be primarily concerned with both the production and the quality of livestock and animal products. This field includes such matters as the management of grazing properties, pasture improvement and utilization, and the nutrition of livestock. Over the past two years the Pastoral Research Station at Hamilton has been expanded and developed. This Station is making a significant contribution to those aspects of primary

industry which will be the responsibility of the new Division of Animal Industry.

The other major change is concerned with the establishment of a Division of Extension Services for which provision is made under Division No. 73. This new division will include the departmental Information Branch which is currently provided for under the vote relating to the central administration of the Department. Furthermore, the increasing demand by primary industries for additional extension services has led to the need to co-ordinate and develop this aspect of the Department's activities.

The other new division which has been included in this Supply schedule is Division No. 79, which provides for the salaries and expenses of the secretariat of the Ministry of Fuel and Power.

In all other respects the Supply schedule is in accordance with the existing pattern of expenditure. The amount shown under each of the Divisions appearing on the schedule is the amount estimated to be necessary to meet payments falling due in the initial three months of next financial year. Although provision has been made in the Supply schedule for the full year effect of policy decisions implemented in the current year's Budget, the amounts included in the schedule do not anticipate any policy matters which it is proper to leave until the Budget for 1966-67 is introduced.

This is a normal revenue Bill and, of course, all aspects of Government administration can be discussed during the debate. No doubt honorable members will avail themselves of the opportunity. I commend the Bill to the House.

On the motion of the Hon. Samuel Merrifield, for the Hon. J. W. GALBALLY (Melbourne North Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, May 3.

The sitting was suspended at 12.45 p.m., until 2.4 p.m.

**EVIDENCE (MEDICAL EVIDENCE)
BILL.**

The debate (adjourned from April 5) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. ARCHIBALD TODD (Melbourne West Province).—It is proposed by this Bill to effect certain amendments to section 28 of the Evidence Act 1958. This interesting section deals with clergymen, on the one hand, and on the other hand, with physicians or surgeons. It might be helpful for honorable members to examine the relevant section, which provides—

No clergyman of any church or religious denomination shall without the consent of the person making the confession divulge in any suit action or proceeding whether civil or criminal any confession made to him in his professional character according to the usage of the church or religious denomination to which he belongs.

Of course, it is not proposed to interfere with this provision. The House is more particularly concerned with the second provision in this section, which reads—

No physician or surgeon shall without the consent of his patient divulge in any civil suit action or proceeding (unless the sanity or testamentary capacity of the patient is the matter in dispute) any information which he has acquired in attending the patient and which was necessary to enable him to prescribe or act for the patient.

This provision has been in the Evidence Act for many years. Recently, the Government's attention was directed by Mr. Justice Sholl to possible defects in the provision. Mr. Justice Sholl pointed out that when a person, who was involved in the main cause of an action, died, it would not be possible for the deceased person's consent to be obtained for the physician or surgeon to give evidence in the action.

The matter was referred to the Statute Law Revision Committee for investigation and report. The committee heard evidence from the late Dr. C. H. Dickson, the Medical Secretary of the Australian Medical Association, and from Dr. A. W. Burton,

the Deputy Medical Secretary of the Association. A good deal of evidence was tendered to the committee, which recommended to the Government that the second part of section 28 should be repealed.

The Government had some doubts concerning the committee's recommendation and the matter was again referred to the committee. Once more, the committee recommended that portion of section 28 should be repealed and that the provision which pertains to persons indulging in actions under the Wrongs Act, and perhaps in proceedings under the Workers Compensation Act, should have effect right throughout the law.

Apparently, the Government was not prepared to accept the Statute Law Revision Committee's recommendation, although it recognized the need for taking some action with a view to overcoming the difficulty to which Mr. Justice Sholl directed attention. Hence, this Bill is now before Parliament. Members of my party have considered the effect this would have on proceedings before the Workers Compensation Board. We are not satisfied with the position, and in the Committee stage we propose to submit an amendment to rectify it. I have circulated copies of the amendment to the Minister and to members of the corner party so that it may not be said that we have suddenly brought it forward. Under the amendment proposed by the Bill, the applicant could not call one doctor who had attended the deceased without destroying the privilege relating to the evidence of all other such doctors. Under section 28 of the Evidence Act, the patient, if he were alive, has the privilege of deciding which doctors should be called for the purpose of proving his case. There may be good reason why some attending doctors would not be called by the worker, as he may not desire to have disclosed factors or opinions which may not assist his case.

There seems to be no reason why the personal privilege vested in the patient by section 28 of the Evidence Act should not pass on his death to his legal personal representative. However, because of the personal nature of the matter, the right to waive privilege should be confined to the personal representative alone. The personal representative would then be in the same position as the deceased patient and be at liberty to waive the privilege existing in respect of a particular doctor whilst retaining the privilege with regard to any other doctor who might disclose factors or give opinions which would be detrimental to the case.

The insurance companies often hold reports from treating doctors which they may wish to use against the claim being made by the patient, but in his lifetime the patient has the protection of section 28 of the Evidence Act, and the insurance company cannot call the doctors who submitted these reports without his consent. If the Bill is passed in its present form, the insurance company could call any attending doctor once the applicant had called an attending doctor to give evidence. When preparing death claims for presentation, the applicant's legal advisers may not know of all doctors who attended the deceased patient and may be met with evidence by an attending doctor called by the respondent, giving evidence of facts of which the legal advisers were not aware in the preparation of the case, and which may be adverse to the claim.

We consider that the proposed amendment would adversely affect the prospect of success in death claims under the Workers Compensation Act and should be opposed in its present form, and that any amendment should be confined to making it clear that the personal representative of the deceased worker, and that person alone, can waive the privilege in the same way as the deceased worker could in his lifetime.

I hope the Government will give due consideration to my circulated amendment so that justice can be given to the parties concerned. The amendment is fair and reasonable, and it will not place any unreasonable hardship on any of the parties defending an action under the Wrongs Act, or place any burden on the insurance companies that may resist a death claim before the Workers Compensation Board.

The Hon. R. W. MAY (Gippsland Province).—Section 28 has been in the statutes from time immemorial. This Bill was considered by the Statute Law Revision Committee which called many people to give evidence. Opinions were expressed that Victoria was one of two States in the Commonwealth to provide that a medical practitioner who attended a deceased person was not able to give evidence in the relevant case. It is interesting to note that Mr. Xavier Connor, Q.C., gave the following evidence to the committee:—

The second argument that I put against ourselves is that only in Victoria and Tasmania is this provision in force. It is not suggested that the absence of it in the other States has had any noticeable effect on the doctor-patient relationship. For instance, we do not hear of people at medical congresses discussing this subject. The New South Wales doctors do not say to the Victorian doctors, "We are not told as much by our patients because they know we can be forced to give evidence in court whereas your patients know you cannot be and therefore give you a much fuller story." The doctors do not suggest this, and therefore it might be said that it does not make much difference that there is a statutory protection.

He then went on to deal with the provision existing in the United States of America. He said that in that country—the States seemed equally divided—about half had such a provision and the other half did not. From the evidence given before the Statute Law Revision Committee, it appeared that there was no real difficulty. In the meantime, apparently there has been some pressure brought to bear on the Government, and in its wisdom it has decided to introduce the Bill which does not go

as far as the recommendation of the committee. It is interesting to note that the Bill goes part of the way, and that part is in line with the position existing in California, which is that—

The bringing of an action to recover for the death of a patient by the executor of his will or by the administrator of his estate or by the surviving spouse of the deceased or if there be no surviving spouse by the children personally or, if minors, by their guardian, shall constitute a consent by such executor, administrator, surviving spouse or children or guardian to the testimony of any physician who attended said deceased.

That is the position that exists in California. This measure is along very similar lines. I felt that I should direct attention to this fact because a difficult situation arises in connexion with court decisions in cases brought under the Wrongs Act. Difficulties may arise when a person's interests may be jeopardized because he is not permitted to call evidence in support of his claim. Where the husband is deceased, there is no one to give permission for the doctor to give evidence. This measure seeks to make provision so that in such cases the personal representative shall have power to give such permission. When the representative of the deceased person elects to call the medical practitioner to give evidence, he does not know what evidence will be given by the person who treated the deceased before he died. The Government is justified in going as far as it has gone in this regard.

I believe the proposal will meet the main problem in so far as it will provide means whereby medical evidence may be given in such cases. Such evidence may be called not only by the representative of the deceased, but also by the defendant. In this way, not only will justice be done but it will also appear to be done. I believe it is only right that if one party decides to call medical evidence, the opposing party should have an equal right to call such evidence. Members of our party feel that, although this measure does not entirely bring our legislation into line

The Hon. R. W. May.

with that of other States, it is a step in the right direction, and accordingly we support it.

The Hon. B. D. SNIDER (Higinbotham Province).—It is agreeable to learn from both Mr. Todd and Mr. May that their respective parties approve in principle the action which the Government has taken to meet a problem which was first pointed up by Mr. Justice Sholl in a case known as *Pacyna v. Grima*, which was reported in *Victorian Reports* 1963. Both honorable members have quite adequately covered the problem that has arisen, but, by way of clarification of something Mr. May said, I add this comment, that the problem arises not just because an action is brought on behalf of a deceased person, but also because the person who brings the action does not happen to be the personal representative in law of the deceased. It is clear from the case that I have just quoted that where the person who brings the action is the personal representative, that representative can waive the privilege to admit medical evidence in the same way as the deceased could waive it if he had been alive and had brought the action. Mr. May has already quoted Mr. Xavier Connor, without having designated the fact that he was giving his point of view on behalf of the Victorian Bar Council. I think that is important to keep in mind, because when evidence was heard on this matter—the Statute Law Revision Committee, to its credit, spent a lot of time in examining this question—not only the Bar Council, but also the Law Institute of Victoria and the Australian Medical Association were opposed to the general waiving of the privilege.

It has already been pointed out that the question of medical privilege has existed in this State for over 100 years and that it exists in Tasmania; it exists also in New Zealand and in half the American States and some parts of Canada. It is interesting to observe that in what is often

described as the American Model Code or the American re-statement of principles which should apply to the Model Code, the general medical privilege has been retained, subject only to a number of exceptions which have been spelled out for specific cases. I think the Government's amendment does well in this respect. The House should be reminded that when we speak about medical privilege, although it is called medical privilege it is really the patient's privilege; it is the patient's privilege to keep confidential the communications made by him to a physician in the course of acquiring medical treatment. So that, although we loosely refer to it as medical privilege, it would be proper to refer to it as the patient's privilege.

When the American Bar Association Committee came to examine the position, it said—

We believe the time has come to consider the situation.

The committee was referring to a situation of the kind to which Mr. Justice Sholl referred in the problem that he came up against in the action brought on behalf of dependants who were not personal representatives. The committee went on to say—

We do not here recommend the abolition of the privilege.

As Mr. May has indicated, in California a particular approach was made to meet this particular situation. One other State in the United States of America, namely, North Carolina, took a comparable stand, leaving it to the discretion of the Judge to decide whether the interests of justice required the use of his discretion that privilege should be waived. The Statute Law Revision Committee came to the conclusion that this might put a litigant at a disadvantage because he would not know, until he applied to the Judge, whether or not discretion was going to be exercised and whether or not the privilege would be waived. Perhaps from that point of view what was done in California might have been more effective.

In summing up the recommendations that are before the House, I think one could do no better than to use the words of Professor Meredith, Q.C., who, in an article in the *Canadian Bar Review* '59, Volume 37, described a similar provision as being "the happy medium between privilege and no privilege." It would be appropriate to leave any detailed debate on the amendment foreshadowed by Mr. Todd until it is moved. However, as he has given a general indication of what is in his mind, perhaps I should remind the House that the right of the widow and children is not an equivalent right which is passed on from the deceased. It is a statutory right, a new right altogether. Prior to the enactment of the relevant section of the Wrongs Act, when a person died, his right of action died with him. It must therefore be remembered that the law already confers on the spouse and dependants this separate statutory right in the event of death, with the proviso that the deceased must have had an actionable right on which a case could be brought.

In considering this Bill, at least one limitation comes to mind. Under the statutory right, for example, neither the widow nor other dependants could obtain damages for the suffering of the deceased himself, as that would be peculiar to the deceased's own action. In debating the amendment foreshadowed by Mr. Todd, honorable members should remember that if an action had been brought by the deceased, he would have been available to assist the court in arriving at the true facts of the case.

The Hon. M. A. CLARKE.—He could not sue for damages for his own death.

The Hon. B. D. SNIDER.—No, but if he lived he could sue because of his injuries. I have already indicated that the right of the widow and dependants is based on the prerequisite that the deceased would have had the right to sue. I merely point out that, in considering whether something more than the

Government is proposing could be done, honorable members must realize that if a person brought an action, in respect of injuries arising from the situation which ultimately resulted in his death, he would be available to assist the court in relation to any evidence which was lacking. This must be a paramount consideration in assessing what is being done. I commend the Government on its introduction of this provision, which amends a law that has stood for a long time. I wish the measure a speedy passage through the House.

The Hon. G. J. NICOL (Monash Province).—As a member of the Statute Law Revision Committee, I express some little disappointment that the Government did not see fit to implement its recommendations. I do not quarrel with the Government for making its decision, because I believe it is the privilege of any Government, any party, and indeed of the House itself, not, necessarily, to accept recommendations of any committee. However, I believe the findings and recommendations of the Statute Law Revision Committee were based on sound premises, and for that reason I regret that the Government did not see fit to implement them. In justice to the committee, I should outline some of the influences which brought about its recommendations. It is true that the Bar Council, the Law Institute, and the Australian Medical Association did not support the recommendations of the committee. On the other hand, they did not vigorously oppose them.

It was shown to the committee that only two States in the Commonwealth had provisions similar to those in section 28 of the Act. Despite all its inquiries, the committee was able to find no evidence to support a contention that the operation of the common law in other States had any influence on the confidences of patients in physicians, nor was there a tittle of evidence to support a somewhat loosely held

belief that patients withheld information from their physicians. The committee also relied greatly on Wigmore, who would be accepted almost universally as one of the greatest authorities on evidence. In dealing with this subject at some length, he came to the conclusion that there was no gain to anybody in retaining the restriction on the free giving of evidence by medicos. On the contrary, while referring to a similar statute enacted in Maryland, he said—

Taking society as a whole, this statute cheats rather than promotes justice. It suppresses rather than reveals truth. This case furnishes a splendid illustration of its consequences.

He was referring to a case in which the action of a widow was dismissed by a court because a statute similar to ours closed the mouth of her late husband's attending physician. It was strongly put to the Statute Law Revision Committee that the needs of justice may be defeated rather than served by the retention of the provision. It was further indicated by the late Mr. Lynch, who honorable members will agree was one of our most competent Parliamentary Draftsmen, that he would be unable to draft an amendment to the section which, in his view, would not probably cause more problems than those already existing. In view of the prestige of Mr. Lynch as Parliamentary Draftsman, I adhere to that line of thinking. It may well be found that this amendment will raise more problems than those already existing, certainly more than it may cure.

Those were the basic reasons which induced two Statute Law Revision Committee's to arrive at the same recommendations. I do not want to canvass Wigmore at any greater length, but I emphasize that in his lengthy dealing with the subject he could find no argument to support the implementation or retention of such a provision. It might be added in passing that the committee endeavoured to find the origin of the provision. It was traced back to an Act of 1875, but no-one has been able

to find the real reason for the introduction of such a provision into Victorian statute law. Even the debates of the time gave no indication of the real reason. I might say that the views expressed by the Australian Medical Association certainly struck me, as a member of the committee, as having very little substance. I do not want to do the medical profession any injustice, but it crossed my mind that one of the main reasons for their opposition to the removal of this provision was that they did not want to be troubled by having to go to court to give evidence.

I think I should mention one other factor. The opinion was again expressed in the committee, and, indeed, not denied by anybody, that there was little danger, if any, in the removal of this provision. It was strongly felt by the legal fraternity, that the danger of calling a physician without knowing what evidence he might tender was so great that few lawyers would risk doing so. Consequently, the calls on doctors to give evidence are likely to be extremely few. The committee finally came to the conclusion that justice would be better served if medical men were permitted under common law to give evidence in civil cases when it was felt that such evidence would best serve the cause of justice.

The Hon. ARCHIBALD TODD.—In divorce cases, too.

The Hon. G. J. NICOL.—In all cases.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, providing, *inter alia*—

Section 28 of the principal Act shall be amended as follows:—

- (c) After sub-section (2) there shall be inserted the following sub-section:—

“(3) Sub-section (2) shall cease to have any application in—

- (a) an action brought under Part III. of the Wrongs

Act 1958 to recover damages for the death of the patient; or

- (b) proceedings brought under the Workers Compensation Act 1958 to recover compensation for the death of the patient—

if the person bringing or continuing the action or proceedings calls as a witness any physician or surgeon who has attended the patient.”

The Hon. ARCHIBALD TODD (Melbourne West Province).—I indicated during the second-reading stage that members of the Labor Party had reservations as to what the Government's proposal would achieve, although we agreed in principle with the objective, which was to give some opportunity to a widow, involved in a case under the Wrongs Act or proceedings before the Workers Compensation Board, to take advantage of the evidence of a medical practitioner if it were likely to be favourable to her. We have given great consideration to the real impact of the Government's proposal and have come to the conclusion that such a provision would not be entirely satisfactory. Consequently, an amendment has been drafted which we believe will more faithfully accomplish what the Government probably set out to do. Accordingly, I move—

That proposed sub-section (3) of section 28, as contained in paragraph (c) of clause 2, be omitted with the view of inserting the following:—

“(3) Sub-section (2) shall not apply to a physician or surgeon who has attended a patient and who is called as a witness—

- (a) by a person bringing or continuing an action under Part III. of the Wrongs Act 1958 to recover damages for the death of the patient; or

- (b) by a person bringing or continuing proceedings under the Workers' Compensation Act 1958, to recover compensation for the death of the patient; or

- (c) by the legal personal representative of the patient bringing or continuing an action or proceedings for the benefit of the estate of the patient.”

It may be claimed that paragraph (c) of the proposed sub-section (3) is already covered under existing law, but we consider that it should be clearly stated that the legal representative of a patient acting on behalf of the estate should have the same right. We do not think our proposal confers any special advantage on a claimant party in any action as against the defendant.

During the second-reading debate, I pointed out why we proposed to move this amendment. Under the Government's proposal, the defendant in an action may be able to spring a surprise on the claimant by producing a witness of whom the claimant has no knowledge. I suggest to the Minister for Local Government that our proposal will not damage the intention of the Government in introducing the Bill, as we believe that our provision is better than that contained in the measure as drafted.

The Hon. R. J. HAMER (Minister for Local Government).—The Government cannot accept this amendment, and I shall explain the reason. Incidentally, this debate has given rise to an interesting exchange of views, and it is proper that that should be the case. This Bill was introduced in this House and probably has received a better airing than it is likely to get in another place, particularly in view of the stage the session has reached.

Although the Government has not gone as far as the Statute Law Revision Committee recommended, this Bill covers the particular problems with which the committee was originally asked to deal. It remedies the disability to which Mr. Justice Sholl referred, and the injustice inherent in a widow or children not being able by any means in their power to call medical evidence if they wish to do so. It was also stated by Mr. Justice Sholl, and I naturally accept this, that the legal personal representative could have waived the privilege. That is relevant

to the last part of Mr. Todd's amendment, which I shall deal with in due course.

The Government has gone as far as it is possible to go without wiping out the second part of section 28, and the reasons for not doing that have been aired. Basically, it was considered that the patient's privilege should still be either in the patient's hands while he is alive to be exercised by him, or in the hands of his widow, children or legal representative after his death and that the gate should not be opened wide to allow any medical evidence to be available in any court at any time whether the original patient, his descendants or personal representative wanted it or not.

There is room for a difference of opinion about this, but Mr. Todd's amendment is even more restrictive than the Government's proposal in the Bill. The amendment is one-sided. It proposes that sub-section (2) of section 28, which is restrictive at the present time, shall not apply to a physician or surgeon who has attended a patient and is called as a witness by the plaintiff, the widow, the defendant or the personal representative. It was surely part of the recommendations of the Statute Law Revision Committee that the court should be able to have before it all the relevant evidence. It seems wrong to me to take away the present restriction to make it one-sided. If it is to be removed, then the court should have the whole of the evidence before it in order to make up its mind.

Mr. Todd's argument is that in his lifetime a plaintiff has this choice and can select certain medical evidence and reject other parts. Mr. Snider replied to the effect that the plaintiff is available for cross-examination and can be made a witness of his own condition. I remind the Committee that the vast majority of cases to which this legislation applies are either claims for damages for injury by motor cars or workers compensation cases, and that in both cases, so

long as the claimant is alive, the insurance company or the defendant has the right by statute to have him examined by a medical practitioner and that medical practitioner may be called in subsequent proceedings. So, in the lifetime of the patient, the defendant has the right to obtain medical evidence and call it before the court.

If the claim is in respect of death, the right is not there. If the defendant has the right of calling as a witness someone who has attended the patient, and if the representative of the deceased has waived this right to call the evidence, the way is right open and any medical evidence can be called by either party.

That is the effect of the Bill, and I consider the amendment moved by Mr. Todd, although it affords some superficial protection, is not really a fair one. If it were accepted, it would certainly be more restrictive than the provision proposed by the Government. Therefore, it is less in accordance with the recommendation of the Statute Law Revision Committee.

The Hon. ARCHIBALD TODD (Melbourne West Province).—I regret that the Minister is not prepared to accept the amendment, which we believe would improve the Bill. I do not agree that it would make the process more restrictive. It would confine the medical evidence to somebody who had full knowledge of the medical condition of the patient and not allow evidence to be given by a practitioner who had only a cursory knowledge of him from attending him on perhaps one occasion. Under the Bill, this would qualify him to attend the court.

Obviously, the Government is not prepared to agree to our proposal, and it is regrettable because we approached the problem sincerely. Although I was a member of the Statute Law Revision Committee which made the recommendation for the repeal of section 28, I do not agree

with Mr. Nicol's contention that the committee's recommendation should have been adopted. I can recall certain actions taken in the courts in which the evidence given by a doctor has led to some unforeseen circumstances.

The Hon. R. J. HAMER.—You are thinking about divorce cases?

The Hon. ARCHIBALD TODD.—Yes, and in proceedings of that nature. Some of these things can be important. I recall proceedings before the Workers Compensation Board where medical evidence was called to show that the worker's condition was due to the fact that in earlier years he had led a dissolute life, but the Board did not accept the evidence and upheld the claim. That shows what can happen. We believe these things should not be thrown wide open to the world at large and that a person should not be entitled to put views before the court after a cursory examination. I do not suppose patients have a score of doctors attending them; they usually have only one. We believe the amendment would confine the medical evidence to somebody who had full knowledge of the condition of the patient at all times. I regret that the Government does not see fit to accept it.

The Hon. B. D. SNIDER (Higinbotham Province).—Primarily, I want to cover one aspect of the amendment moved by Mr. Todd because I think it should already be clear to honorable members that its acceptance would restrict the waiving of the privilege only to the physician or surgeon called by the plaintiff. If it considered that the ends of justice are to be served by getting all the medical evidence, it is obvious that somebody else who has information ought to be called.

The point to which I direct attention in particular is to paragraph (c) of the amendment. The simplest thing to do, I believe, is to quote part

of the head note of the case *Pacyna v. Grima*, heard by Mr. Justice Sholl and reported in 1963 *Victorian Reports*. It refers to the words "consent of the patient". The head note states, *inter alia*—

The consent provided for by the section may be given by the personal representative of the deceased patient in an action brought by such personal representative under section 17 of the Wrongs Act 1958 for the benefit of the relatives of the deceased, or under section 29 of the Administration and Probate Act in 1958, for the benefit of the deceased's estate.

That was the finding of the court.

Mr. Nicol referred to Wigmore, and Mr. Justice Sholl noted Wigmore's comments in his third edition, volume 8, sections 2380 *et seq.*, especially in note 5 where he said—

The personal representative of the deceased may waive the privilege. One who is entrusted with the management of the deceased's property may surely be trusted to protect the memory and reputation of the deceased, in so far as it is liable to injury by the disclosure of his physical condition when alive.

There is no question of what the court's position has been on the ability of the personal representative to waive the privilege, and in this respect and in that aspect of the amendment it would appear to be unnecessary.

The Hon. R. W. MAY (Gippsland Province).—Members of the Country Party have given consideration to the amendment, and have come to the conclusion that there appears to be no provision in the case of a person being treated by a doctor and in addition by a specialist. Therefore, it seems to be somewhat restrictive. I agree with a previous speaker that justice not only shall be done but also shall appear to be done. We believe the amendment would be restrictive to the extent that it would permit the giving of evidence by only one doctor. Therefore, we cannot support it.

The Committee divided on the question that the expression proposed by Mr. Todd to be omitted stand part of the clause (the Hon. W. R. Garrett in the chair)—

Ayes	..	..	17
Noes	..	..	6
			—

Majority against the amendment	..	11
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AYES.

Sir Percy Byrnes	Mr. May
Mr. Campbell	Mr. Nicol
Mr. Clarke	Mr. Snider
Mr. Dickie	Mr. Swinburne
Mr. Gleeson	Mr. Thom
Mr. Granter	Mr. Thompson.
Mr. Hamer	<i>Tellers:</i>
Mr. Hewson	Mr. Byrne
Mr. Hunt	Mr. Gawith.

NOES.

Mr. Merrifield	Mr. Walton.
Mr. O'Connell	<i>Tellers:</i>
Mr. Todd	Mr. Cathie
	Mr. Knight.

PAIRS.

Mr. Chandler	Mr. Galbally
Mr. Grigg	Mr. Elliot
Mr. Gross	Mr. Tripovich.

The clause was agreed to.

The Bill was reported to the House without amendment, and passed through its remaining stages.

DAYLESFORD SPRINGS LAND BILL.

The debate (adjourned from April 19) on the motion of the Hon. V. O. Dickie (Minister of Health) for the second reading of this Bill was resumed.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—This Bill relates to a natural facility in Victoria which, in itself, is not unusual. Possibly, the majority of countries and most States of Australia have within their borders something of a similar character. Nevertheless, it is an unusual natural facility which occupies a prominent place in the recreation and, in some directions, the health preservation of the community. In the area around Daylesford and Hepburn, there are the

natural attractions known as mineral springs. The area has been popular as a spring area almost since the early settlement in the mining era. The facility has been enjoyed by countless thousands of people over the years, and possibly the medicinal benefits have contributed to the welfare of large numbers of people.

The measure relates more particularly to the area known as the Central Lake reserve, which is Crown land permanently reserved for public purposes. The purpose of the Bill is to enable a private company to pipe mineral waters out of the reserve. For some time, a similar type of arrangement has existed at the Hepburn Springs. The Hepburn organization was operated by the Shire of Franklin and the Borough of Daylesford jointly as a committee of management. In more recent years, the committee became the Shire of Glenlyon, jointly with the Borough of Daylesford. There have been many experiences in relation to management at Hepburn Springs. In 1903, a lease of 2 acres was available to any person or persons over a 21-year period. That was more an open form of lease for a private company. That Act was revoked in 1938, and the amending Bill provided no power to make leases except in respect of those then existing. At that time, there was a difference of opinion as to the continuation of a private company to provide facilities at Hepburn Springs. In 1948, a Crown grant, for a limited period of ten years, was granted to the Hepburn Spa Proprietary Limited, for the erection of a bottling plant and for the collection of the waters. In 1959, that lease was extended for a 21-year term.

When I was Minister of Public Works, I received a request from the Shire of Glenlyon for finance to provide water for bottling and other facilities, such as baths. Now there is a request from Spa Area Development Company Proprietary Limited, to reticulate spa water to a privately-owned property adjoining the reserve to enable the water to be bottled.

As the Bill relates only to the use of the water, and as there is no alienation of land involved, members of my party have no objection to the measure. The Mines Department has stated that there are 26,000 gallons of water available each day of which only a fraction is publicly used. Therefore, this facility is not being used to its fullest capacity.

There has always been a ready sale for spa waters to those people who cannot go to Daylesford to enjoy it. From time to time, I have enthusiastically visited the mineral spa area and undertaken my own bottling. On arrival home, I have often found shattered bottles in the car. We learn from our experience, and now the professional bottlers can do a much better job. Although this Bill relates to a profit-making side of the utilization of the spa waters, it is inevitable that they cannot be distributed under a public system. In the circumstances, private enterprise should be permitted to divert the mineral waters to the extent envisaged.

On the motion of the Hon. I. A. Swinburne, for the Hon. A. K. BRADBURY (North-Eastern Province), the debate was adjourned.

It was ordered that the debate be adjourned until the next day of meeting.

The House adjourned at 3.16 p.m., until Tuesday, May 3.

Legislative Council.

Tuesday, May 3, 1966.

The PRESIDENT (the Hon. R. W. Mack) took the chair at 4.24 p.m., and read the prayer.

AIR SERVICES.

VICTORIAN OPERATORS: PERMITS.

The Hon. J. M. TRIPOVICH (Doutta Galla Province) asked the Minister of Agriculture—

(a) What intra-state air services operate in Victoria?