in moving their stock to agistment, the farmers choose agistment areas which are reasonably close to their farms.

However, most of the area which is adversely affected by the drought is not reasonably close to rail transport. Therefore, there are two alternatives. Either the Government allows movement of stock by road to rail heads and then allows a rebate for rail transport to agistment or, if it is worth more to the farmers, it allows the use of motor transport on the terms that I have suggested. Applications should be made to the Rural Finance and Settlement Commission.

The motion was agreed to.

The House adjourned at 5.40 *p.m., until Tuesday, November* 26.

Legislative Council.

Tuesday, November 26, 1968.

The PRESIDENT **(the Hon. R. W. Garrett)** took the chair at 4.24 p.m., and read the prayer.

STATE MOTOR CAR INSURANCE OFFICE.

MOTOR CAR THIRD-PARTY INSURANCE: LOSSES: CASE OF *Denning* v. *Meikle*: "LIABILITY WITHOUT FAULT" SYSTEM.

The Hon. ARCHIBALD TODD (Melbourne West Province) asked the Minister of Agriculture—

(*a*) In relation to the $3,020,410 losses in third-party car insurance revealed in the annual report of the Auditor-General tabled in Paliament recently, is it possible for the public to readily obtain copies of the balance-sheet?

(*b*) Of the total amount merely shown as losses, is it possible to obtain a breakdown of the amount in the following categories:—(i) payments made to plaintiffs after trial of an action; (ii) amounts paid in settlements out of court; (iii) the part of the total expended in investigation costs; (iv) the part of the total expended in legal costs; and (v) the total amount of the sum not paid to road victims?

(*c*) What allotment for "estimated losses" is included (if at all) in the total and what formula is used to arrive at the figure of "estimated losses"?

(*d*) In relation to the State Motor Car Insurance Office and the hearing before the Privy Council of the case *Denning* v. *Meikle*—(i) what legal costs were involved; (ii) what reimbursement (if any) of the costs was received by the State Insurance Commissioner from the insurance organizations; (iii) what arrangements were made to sustain Mrs. Denning throughout her ordeal while awaiting the finalizing of her case; and (iv) what was the eventual amount paid in compensation to Mrs. Denning and her family and when was this finally paid over?

(*e*) Is there any basis for the claim that in matters involving the law of negligence only 40 cents or less in the premium dollar in fact reaches victims of road carnage?

(*f*) If the concept of "liability without fault" were adopted with prompt and automatic payments to all parties, would this prove less costly to car owners in general?

(*g*) Will the Government take early steps to investigate this problem with a view to early appropriate legislation?

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

(*a*) The annual report and balance-sheet of the Insurance Commissioner is in the course of preparation. After being tabled in Parliament, copies will be distributed to the press and to various interested organizations and persons. In addition, copies will be available to other inquirers from the State Insurance Office.

(*b*) The trading figures showed a loss of $3,020,410 after taking into account total payments of $6,234,662. The breakdown of this latter amount into the categories referred to by the honorable member is as follows:—

(i) $742,901.

(ii) $3,590,710.

(iii) $207,146.

(iv) $869,739.

(v) It is not possible to state this figure precisely but the following dissection may assist in presenting a clearer picture:—

	$	$
Paid to road victims	4,333,611	
Plus Government Office's share of nominal defendant claims ..	260,242	
		4,593,853
Paid on behalf of road victims—		
Legal costs	459,750	
Medical costs	218,043	
Hospital costs	290,244	
		968,037
Paid on behalf of insured—		
Legal costs	409,989	
Medical costs	55,637	
Investigation	207,146	
		672,772
		6,234,662

(*c*) Outstanding and unreported claims for the year ended 30th June, 1968, were included at $24,754,888. Taken into account was $6,332,217 representing the difference between this figure and the amount included in the year ended 30th June, 1967.

All outstanding claims are individually estimated and the resultant total amended according to past experience, statistical investigation and trend.

(*d*)

(i) $8,732.

(ii) 90 per cent. will be recovered from other insurance organizations.

(iii) and (iv). $4,000 was made available in August, 1965, and a further $16,242.15 paid in March, 1967, although the Privy Council appeal was not heard until 20th November, 1967.

(*e*) No. Based on the statistics of the State Motor Car Office for the year ending 30th June, 1968, which indicates that for every $1 premium, a debit of $1.306 was incurred, and on the assumption that the victim received the first share of the premium dollar, the victim received $0.962 of the premium dollar or $0.737 of the claims dollar during the past financial year.

(*f*) On the present basis of assessing damages with an unlimited liability, a "liability without fault" system would, I believe, prove more expensive. The eliminating of the contributory negligence defence, absence of the occasional judgments entered for defendants, and including (as suggested) compensation to the owner and/or driver in "one car" accidents must have their influence to that end, despite resultant savings in legal and investigation expenses.

(*g*) This aspect will receive consideration.

HOSPITALS AND CHARITIES COMMISSION.

ALLOCATIONS FROM CAPITAL FUNDS FOR MAJOR PROJECTS.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province) asked the Minister of Health—

What allocations have been made from the capital funds of the Hospitals and Charities Commission on major projects in each of the past five years?

The Hon. V. O. DICKIE (Minister of Health).—The answer is—

The preparation of the answer to this question involves an examination in detail and dissection of a total expenditure of more than $60,000,000.

It is expected that the work will be completed in time to enable a reply to be given on the 3rd December, 1968.

STATE RIVERS AND WATER SUPPLY COMMISSION.

TATURA AND ROCHESTER DISTRICTS: RETRENCHMENT OF EMPLOYEES.

The Hon. ARCHIBALD TODD (Melbourne West Province) asked the Minister of Agriculture—

How many employees has the State Rivers and Water Supply Commission retrenched in the Tatura and Rochester districts, respectively, and in other areas under the Commission's control, giving the location and retrenchment in each area?

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

District.	Retrenchments.	Reasons.
1. Birchip	3	Twelve men engaged on drought relief. Last three to be retrenched after drought relief had finished. All returned to their farms.
2. Boort	2	These men were engaged on seasonal channel maintenance and construction.
3. Camperdown	4	These men were engaged in 1966 to install a reticulation pipeline which has now been completed.
4. Cohuna	2	These employees were engaged for a few months only during winter on drainage construction. This work is of a seasonal nature.
5. Horsham	3	Engaged for drought relief works fencing Dimboola storage. All had jobs to go to when drought relief ceased.
6. Kerang Construction ..	18	Barr creek salinity diversion project, financed by the Commonwealth now completed. These men were engaged in March, 1968, specifically for this project, and were aware employment would only be for duration of the project.
7. Koo-Wee-Rup	1	Insufficient work in the district to keep present strength employed.
8. Merbein	5	Engaged during winter months on channel maintenance. This work is of a seasonal nature.
9. Millewa Pumping Station	4	Employed only for about two months each year on seasonal works. They then returned to working on their farms.
10. Ouyen	5	Drought relief ; engaged on water distribution works until drought relief ceased.
11. Red Cliffs	15	Eight engaged each year during winter to clean channels, and retrenched when irrigation season commenced. Seven also engaged annually at Carwarp as rangers for two months running water. Retrenched when season ended.
12. Rochester	5	These men were engaged on channel maintenance. When the irrigation season commenced there was no other work available. Six men have since been engaged on other work.
13. Swan Hill	12	Eight engaged on seasonal works, with prior knowledge of three months' employment only. They then returned to their farms. Four retrenched due to more money being spent on materials (pipes, &c.) and less on labour.
14. Tatura	11	Loan allocation less than usual. Five men left before they were to be retrenched, having found other employment. One of the eleven later reinstated as a greaser required for a machine.
TOTAL	90	

COUNCIL FOR PUBLIC EDUCATION.

MEMBERSHIP: MEETINGS: ANNUAL REPORT.

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

(*a*) Who are the current members of the Council for Public Education and on what basis are they chosen?

(*b*) How many meetings have been held in the past year and what has been the attendance record of each member?

(*c*) When was the last annual report tabled in Parliament and when is it expected that the next report will be tabled?

The Hon. L. H. S THOMPSON (Minister of Education).—The answers consist of a lengthy table, and I seek leave of the House to have it incorporated in *Hansard* without my reading it.

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

(*a*) and (*b*). The current members of the Council of Public Education and their attendances are—

Present Members.	Meetings Possible.	Meetings Attended.
Representatives of Education Department—		
F. H. Brooks, M.Sc., Dip. Ed., F.R.A.C.I., F.A.C.E. (Director-General and President)	3	3
W. B. Russell, M.A., B.Ed., F.A.C.E.	3	3
J. A. Cole, M.A., M.Ed., M.A.C.E.	3	—
R. A. Reed, B.Sc., Dip. Ed., M.A.C.E.	3	2
Representatives of registered schools—		
T. H. Coates, O.B.E., Ph.D. (Lond.), B.Sc., M.Ed., F.A.C.E.	3	3
The Rev. John A. Keaney	3	1
The Right Reverend Monsignor J. F. Kelly, M.A.C.E.	3	2
Miss E. K. Kirkhope, M.A., Dip. Ed.	3	3
Representatives of University of Melbourne, Monash University, Latrobe University—		
Professor A. G. Austin, M.C., B.A., M.Ed.	3	—
Professor P. J. Fensham, Ph.D., (Bristol and Cantab.) M.Sc., (Melb.), A.R.A.C.I., A.B.Ps.S., A.A.Ps. (Science Education)	3	3
Professor K. D. Cole, D.Sc., Dip. Ed., F.A.I.P.	3	2
Representative of the Victoria Institute of Colleges—		
R. E. Parry, B.Sc., B.Ed.	3	3
Representatives of technical education—		
E. P. Goette	3	2
G. D. Thompson, A.M.I.E. (Aust.), C.Eng., M.A., Mar. E. (Lond.), M.I.B.F. (Lond.), F.A.I.M. (Aust.)	3	3
J. L. Kepert, B.Sc., B.Mech. E., M.E.E., A.M.I.E.E., A.M.I. Mech. E., M.I.E. (Aust.), M.A.C.E.	3	3
Representative of education in music—		
G. Bartle, B.A., B.Mus., Dip. Ed.	3	2
Representatives of industrial interests—		
C. R. Badger, M.A., M.A.C.E.	3	3
J. Nattrass, B.Sc., (Hons.), Dip. Ed., M.A.C.E.	3	3
A. L. Cahill	3	2
C. R. Nichols, O.B.E.	3	1

Members are appointed by the Governor in Council to conform to the requirements of section 8 of the Education Act 1958.

(*c*) The report of the council for 1966–67 was tabled on 21st February, 1968, and the report for 1967–68 is at present in the hands of the Government Printer and will be tabled shortly.

DEPARTMENT OF AGRICULTURE.

ESTABLISHMENT OF FARM MANAGEMENT COLLEGE AT HAMILTON.

The Hon. ARCHIBALD TODD (Melbourne West Province) asked the Minister of Agriculture—

Has the Government received representations from the Hamilton Farm Management College Promotion Committee seeking the establishment of a farm management college at Hamilton; if so—(i) have those representations been considered; and (ii) when is a decision on the matter likely to be made?

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

The Government has not received formal representations from this committee on this subject. However, two senior officers of the Department of Agriculture did attend a public meeting in Hamilton at which a proposal for the establishment of a farm management college at Hamilton was discussed.

It is my understanding that this meeting took place at approximately the same time as the Government's announcement of its intention to proceed with the development of Glenormiston as Victoria's third agricultural college, and that, in view of the Government's decision, no further action was taken by the Hamilton group on its proposal.

MELBOURNE AND METROPOLITAN BOARD OF WORKS

WATER AND SEWERAGE RATES.

The Hon. J. M. WALTON (Melbourne North Province) asked the Minister for Local Government—

(*a*) What is the number of vacant allotments in the metropolitan area to which—(i) the minimum water rate applies; and (ii) the minimum sewerage rate applies?

(*b*) What is the number of houses to which the ordinary water and/or sewerage rates apply but which are not connected to such services?

The Hon. R. J. HAMER (Minister for Local Government).—The Board of Works has advised me as follows:—

(*a*) The number of vacant allotments to which the minimum water rate of $4 per annum applies is 25,000.

The number of vacant allotments to which the minimum sewerage rate of $4 per annum applies is 3,500.

(*b*) It is considered that no houses which are subject to a water rate in the metropolis are not connected. There is no information available to the Board regarding the number of houses which are subject to a sewerage rate but are not connected.

POULTRY PROCESSING BILL.

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

That this Bill be now read a second time.

At its meeting early in 1967, the Australian Agricultural Council was informed by the South Australian Minister of Agriculture that processors of fresh and frozen chickens in Adelaide were complaining about unfair competition on the South Australian market from frozen chickens introduced from interstate sources and containing excessive quantities of water when compared with locally-processed birds.

The South Australian Department of Agriculture purchased from retail stores twenty bird samples of interstate and local brands of frozen chicken. Carcasses were thawed for 24 hours at 68 degrees Fahrenheit, and the loss of water from the interstate brands averaged from 7.8 per cent. to 10 per cent. whereas the local brands averaged 3.1 per cent. to 7.1 per cent. Investigations in Victoria showed that a similar situation existed in this State. Thawing tests on three samples from New South Wales showed average percentage water losses of 9.3, 10.3 and 12.0 per cent.; one sample from Queensland averaged 11.0 per cent., while Victorian brands averaged 6.5, 8.6, 10.8, 3.8, 5.0 and 4.7 per cent. Each of these figures represents the average percentage loss of water on thawing from a sample group of individual frozen chickens. There are wide variations between individual chickens in each of these groups, with some individual packs losing up to 20 per cent. water on thawing.

This situation of excess and highly variable water content of frozen chicken carcasses has created a number of serious problems within the industry. The consumer is being misled as to the actual weight of edible carcass in the frozen pack, and buyer resistance to excess water has become evident. The Victorian processors of fresh chicken which, by its nature, must be presented for sale with a minimum of water, find this product difficult to sell in the face of competition from the frozen product which is subsidized by its excess water content. Those Victorian processors of frozen chicken are at an economic disadvantage compared with some interstate processors marketing high water content frozen birds in Victoria and have inevitably tended to increase the water content of their own products to maintain a competitive position.

The ease of interstate movement of frozen chickens, coupled with the financial advantage if the freight cost is subsidized by excess water, has had distinct repercussions in the broiler growing industry in Victoria. In recent months, partly as a result of the intense competition from large interstate processors, broiler growers in this State have found themselves with empty sheds. It has been obvious for some time, and all sections of the industry have agreed, that control of the water content of

processed poultry was desirable, but considerable investigation has been necessary to establish the most satisfactory way of achieving the desired control. These investigations have shown that it is possible, by altering procedures during processing, to produce frozen chickens with different levels of water content. Further evidence shows that not all this added water can be recovered when the frozen bird is thawed. In other words, the measurement of water content by thawing frozen birds does not disclose the true water content of the carcass, and therefore, the use of the so-called "thaw test", as applied in Tasmania for the past year, is no longer considered an effective yardstick for control, although it may have some use as a check test.

The Bill is therefore based on the measurement of the net gain in weight by dressed carcasses during processing. This net gain in weight is limited to 8 per cent. of the initial or base weight of the carcasses. This principle, and the actual figure of 8 per cent., are used by the United States Department of Agriculture in exercising similar control in that country. The figure has been amply confirmed by measurements made in Victorian and South Australian plants in recent months.

As I indicated earlier, this matter was originally raised in the Australian Agricultural Council by South Australia and, as a result, that State was requested to prepare draft uniform legislation for all States. The Department of Agriculture in South Australia deserves thanks for the considerable effort it has devoted towards resolution of the technical aspects of this proposed legislation. However, due to the importance I place on this matter, my Department has taken over the running, and I am again in a position to present to the House a Bill which is the forerunner of similar legislation in other State Parliaments. This Bill has been drafted after final consultations between the States of Victoria, New South Wales and South Australia, these being the States in which it is expected that similar Bills will be introduced in the current spring sessional periods. It is also known that Queensland, the other major processing State, approves the principle of this Bill, and will act accordingly in the autumn of 1969.

I make this point as it is apparent that uniform State legislation is essential where control is to be exercised by in-plant testing. It is, of course, essential that the degree of control activity must be also consistent as between States, as processors in a State in which such legislation was rigorously policed could find themselves at a disadvantage compared with those in a State where inspectors rarely appeared. It is difficult to arrange for this type of co-ordination by legislation, but it can and will be achieved through the Australian Agricultural Council.

The Bill is arranged in three Parts, which deal with administration, the process of preparing carcasses for sale, and miscellaneous matters, and I shall now refer to the main points. Clause 2 contains the interpretations of words that have a specific meaning within the terms of the Bill. The interpretations of "base weight", "end weight", "the process" and "weight gain" are of special significance having regard to the control procedures proposed in the Bill.

The Minister is empowered by clause 3 to exempt operators or plants from any or all of the provisions of the Bill. The purpose of this provision is to make a distinction between plants producing frozen carcasses as part or all of their operation and plants that produce only fresh carcasses. The provisions of the Bill cover processing of all poultry carcasses intended for sale, but it is proposed that the legislation will

apply initially only to the processing of frozen poultry. As I indicated earlier there is, at the present time, no problem with the water content of fresh poultry.

Clauses 4 and 5 relate to inspection. Provision is made for the appointment of inspectors, and the powers and duties of inspectors in carrying out tests for weight gain on carcasses in plants as specified. A penalty of $200 is proposed where an inspector is obstructed, hindered or disturbed in the exercise of his powers and duties.

The requirements with regard to registration are contained in clauses 6, 7 and 8. Except where an exemption has been granted by the Minister pursuant to clause 3, the operator of any plant processing poultry for sale is required to register that plant. Failure to do so will render the operator liable to a penalty of $500 for each day processing is undertaken whilst the plant is unregistered. Provision is made for registration to be effected on the operator furnishing the prescribed particulars and paying the fee which will be a nominal one to cover administration costs.

Part II. of the Bill comprises clauses 9 to 12 which relate to the processing of poultry. Provision is made for a maximum allowable weight gain of 8 per cent. and for a penalty of $2,000 where the weight gain exceeds 8 per cent. It is recognized that this is a stiff financial penalty, but it is considered that such a penalty is required as an effective deterrent measure. In addition, the court may impose, for a period not exceeding six months, suspension of processing in the plant in which an offence has been committed. The processing of poultry in such a way as to retain water in the tissues of carcasses is prohibited, and inspectors are empowered to give reasonable directions on the processing procedures involved to ensure that the weight gain of carcasses during processing will be not more than 8 per cent. Provision is made for appeal to the Minister against an inspector's direction where this is thought to be unreasonable. Clause 12 sets out the conditions under which an appeal may be made and determined.

Part III. comprises clauses 13 and 14 of the Bill. Provision is made in clause 13 for a certificate from the Minister relating to registration of a plant and a certificate from an inspector as the result of a test to be prima facie evidence of the facts in such a certificate. The Governor in Council is empowered by clause 14 to make regulations with regard to specified matters including the information to be provided on a pack containing a carcass in respect of the presence or absence of giblets or prescribed portions of poultry, the controlling and regulating of the process of preparing carcasses for sale, and the prescribing of tests to be carried out to determine weight gain.

For the reasons I have outlined, the Government considers it essential, in the interests of the industry and the public, that uniform rational control should be implemented to prevent the growth of undesirable practices. Some time has been taken in preparing this Bill for presentation to the House. As I have indicated, there has been much discussion about the provisions of the Bill, not only at the Australian Agricultural Council level, but by officers of the Department of Agriculture and officers of the Law Department. This has been necessary to achieve unanimity in all affected States. The provisions of the Bill are in line with the requirements set in other States except Western Australia and, for the present, Tasmania.

The Hon. A. K. BRADBURY.—Legislation along these lines has operated in Tasmania for some time, has it not?

The Hon. G. L. CHANDLER.—The Tasmanian legislation has not been along the lines of this Bill. The thaw test and not the uptake test is used in that State.

The Hon. I. R. CATHIE.—In Tasmania, the allowable weight loss is set at 5 per cent., is it not?

The Hon. G. L. CHANDLER.—That is so, but it is estimated by those who should know that the 8 per cent. limit on the uptake test is nearly equivalent to the 5 per cent. limit of the thaw test. This position has been examined thoroughly. The figure of 8 per cent. has been established in the United States of America, and it is a figure with which the industry agrees. I commend the Bill 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 Tuesday, December 3.

ALCOHOLICS AND DRUG-DEPENDENT PERSONS BILL.

The Hon. V. O. DICKIE (Minister of Health).—I move—

That this Bill be now read a second time.

Earlier this year, a Bill substantially the same as that now before the House was submitted to another place. That measure was for a purpose similar to that for which the present Bill has been prepared; namely, to provide comprehensive legislation which will enable the Department of Health, principally, to care for and rehabilitate, as far as possible, persons suffering from alcoholism and drug addiction in Victoria. As will be realized, many persons and groups are interested in this matter and the introduction of the earlier Bill, followed by the close of the previous session of Parliament, has enabled those persons and groups seriously to consider the proposed legislation and make a variety of suggestions for its improvement.

Undoubtedly, this has enabled the proposed legislation to be improved. The Bill is being introduced to Parliament as a new measure, although it still contains much of what was in the measure introduced earlier this year. There is little, if any, change in principle, the alterations made being mainly for the purpose of increased clarity.

As has been stated, the purpose of the Bill is to bring up to date Victorian legislation related to the treatment of alcoholics and drug-dependent persons at special centres set up for their care. The history of legislation of a like nature goes back to 1872, when an Act relating to the care of inebriates was passed by the Parliament. It was one of the first in the world for this purpose. The provisions of the 1872 Act, substantially in the form in which they were approved originally, were included in the consolidated statutes of 1958 as the Inebriates Act, 1958. Although some minor alterations had been made to names and titles up until 1958, the original pattern of compulsory committal of alcoholics and drug addicts was maintained and, until the present Bill was prepared, no reference had been made to the possibility of effective out-patient treatment or voluntary admission to a treatment centre.

The service to be set up will provide for comprehensive treatment services on an out-patient basis wherever possible. The extent of the proposed service is set out in clause 4. Institutional care of various types will be available. Generally, admissions to an institution in the first instances will be to an assessment centre where persons admitted will be thoroughly examined by expert medical staff who will assess the treatment needs of the person concerned and, where necessary, arrange for his admission to an appropriate treatment centre. A treatment centre may be either a hospital-type centre, where infirm patients will be nursed back to health as far as possible, or a rehabilitation centre where persons undergoing treatment will be built up with a view to their return to community living.

Persons needing treatment for alcoholism or drug addiction in residential centres will fall into one of a number of categories. They are—

(1) those who realize their need for treatment and will volunteer to receive it;

(2) those who need treatment but are unwilling to admit it although it may be quite obvious to friends and relatives, medical advisers, and so on;

(3) those whose alcoholism or drug addiction has led them into crime; and

(4) those whose alcoholism or drug addiction has placed them in conflict with the law over a long period;

Each of these categories is dealt with in this Bill.

Provision is made in clauses 9 and 10 for the voluntary admission of persons desiring to enter an assessment centre or treatment centre for care and rehabilitation at their own request, and it is expected that the majority of persons admitted for treatment will be received on this basis.

Under clause 10, if the voluntary admission is to a treatment centre, the person volunteering to take treatment must be prepared to remain in the centre for at least three months, unless earlier discharged. If the voluntary admission is to an assessment centre, the person admitted may be held for two clear days after he gives notice of his desire to leave. This is provided in clause 9. This will give the medical officer in charge of the assessment centre, if he thinks the case warrants it, time to arrange for a complaint to be lodged with a Judge or stipendiary magistrate under the provisions of clause 11.

The Hon. J. W. GALBALLY.—Under clause 11, can an order be made against a person for his committal even in his absence?

The Hon. V. O. DICKIE.—I should not think so, but I shall examine the position.

The Hon. J. W. GALBALLY.—It would appear that an order could be made. The clause provides that, upon complaint made to a Judge, if it appears that a person is an alcoholic, a Judge or magistrate may make an order.

The Hon. V. O. DICKIE.—As I have said, I shall examine the matter. Few safeguards are necessary to deal with voluntary admissions; consequently the bulk of the Bill is made up of provisions concerning various aspects of the compulsory admission of persons in categories 2, 3 and 4, to which reference has already been made. The terms "inebriate", "drug addict" and "inebriates' institution" which are used extensively in the Inebriates Act 1958—which provides that an inebriate means a person who habitually uses alcohol or intoxicating liquor or narcotic drugs to excess—will not be used in the proposed legislation, and provision is being made, even in cases where persons are likely to be committed compulsorily for treatment for alcoholism or drug addiction, for the person concerned to be thoroughly examined at an assessment centre before any action is taken to commit him for an extended period.

The Government proposes, initially, to establish the following institutions:—

(1) An assessment centre at Pleasant View, Wood-street, Preston, which is used at present as an annexe to the psychiatric hospital at Royal Park.

(2) A rehabilitation treatment centre on the site of the present Gresswell Tuberculosis Sanatorium, the patients from which will be housed in proposed extensions at the Heatherton Sanatorium to cost more than $350,000.

(3) A treatment centre for infirm alcoholics and drug-dependent persons in premises in South Melbourne to be acquired for the purpose.

(4) A treatment and rehabilitation centre to be operated by the Prisons Division in association with a penal institution. In the Bill this is referred to as a "detention centre".

Clause 3 defines two classes of persons—alcoholics, and drug-dependent persons. In each case a

deciding factor is habitual use to an extent where the person concerned has lost the power of self-control with respect to the use of alcohol or of drugs of addiction, as the case may be, but so far as alcoholics are concerned the definition is extended to include use " to such an extent as to endanger the health, safety or welfare of himself or other persons ".

Some reference has already been made to the extent and form of the treatment services proposed to be established and while, of necessity, many provisions of the Bill relate to custodial care, other provisions will provide a lot more than the custodial type care that was the only thing possible to establish under the Inebriates Act 1958 and corresponding preceding legislation. Research and prevention, day hospital and outpatient services at various different sorts of clinics, as well as short-term residential hostels for the final stages of rehabilitation, are now all envisaged. The particular institutions to which persons may be legally committed are referred to in clause 5. Provision is made in clause 7 for the licensing of private centres.

Admission will be made to the several centres by one of three methods:—First, voluntary admission; secondly, on a complaint made to a Judge of the County Court or the Supreme Court or to a stipendiary magistrate; or, thirdly, by a court direction, when dealing with an offender against the law for some offence with which alcohol or drug addiction is associated. It is accepted that there is a hard core of alcoholics and drug addicts in the community who will be dealt with by the courts from time to time, but this Bill is aimed largely at providing treatment for alcoholics and drug addicts before they reach the stage where they come into the hands of a court.

Provision is made in clause 13, in cases where the court is dealing with a minor offender and is satisfied by evidence on oath that the person concerned habitually uses intoxicating liquor or drugs of addiction to excess, for the offender to be convicted and sentenced and subsequently released on a recognizance on condition of his going into a centre for the treatment of his alcoholism or drug addiction. A court will not release an offender on recognizance in this manner until it has considered a report from the medical officer in charge of an assessment centre and, when making the order for release, may give such directions as to the offender's supervision and treatment as it thinks fit.

The inspector of treatment centres to be appointed under sub-clause (1) of clause 19 may, if he is satisfied that a person in a treatment centre as a result of release on a recognizance no longer needs treatment as an inpatient, report accordingly to the court concerned, and the court can then at its discretion vary the conditions of the recognizance.

Clause 14 will permit courts to deal with alcoholics or drug-dependent persons found guilty of more serious or repeated offences by sentencing them to a detention centre. This type of centre will be under the control of the Director-General of Social Welfare in accordance with the provisions of the Gaols Act. They will virtually be special gaols in which alcoholics and drug-dependent persons may be treated for these conditions while undergoing a gaol sentence.

The Bill will permit persons to be committed to detention centres for periods of between six months and three years. Any period spent in such a centre by the person committed shall be deemed to be the whole or part of any period of imprisonment for which the person committed to a detention centre may have been sentenced. Before committing a person to a detention centre, the court will receive from the medical officer in charge of an assessment centre a report as to that person's mental and physical condition. However, the main forms of admission for treatment will be either voluntary, to which reference has already been made, or after complaint has been made to a Judge of the

Supreme Court or of the County Court or to a stipendiary magistrate as set out in clause 11.

There has been a considerable amount of discussion concerning the use of this provision and the type of alcoholic or drug addict to which it will apply. As has been stated, many persons needing treatment will seek it voluntarily but there are some who will refuse to admit such a need. Such persons might well show all the physical stigmata of drug addiction or of alcoholism, could be often incapable and could be a menace to themselves and endanger the welfare of others.

Clause 11 will permit a near relative, a partner in business, a police officer in charge of a police station or a welfare officer appointed for the purposes of the legislation to make a complaint to a Judge of the County Court, a Judge of the Supreme Court, or to a stipendiary magistrate concerning the alcoholism or drug addiction of the person complained about. This complaint will have to be supported by an appropriate certificate from a legally qualified medical practitioner. The Judge or magistrate will have authority to call before him the person concerning whom complaint has been made with a view to determining if he needs to be sent to an assessment centre for a thorough examination.

Clause 17 gives the person complained of an opportunity of being heard in objection to the complaint and, if he considers it desirable, of examining witnesses and adducing evidence in answer to the complaint. The fact that any person about whom a complaint may be made has such a full right of appeal will go a long way to ensuring that complaints on insufficient grounds will not be lodged. It is expected that the provision of clause 11 will be used only occasionally but, if the problems associated with alcoholism and drug addiction are to be fully covered, a provision such as this is considered necessary.

The Hon. V. O. Dickie.

It is emphasized that because of the difficulty of sustaining any complaint, the persons to whom this clause is likely to apply will not be the regular or even the moderately-heavy drinkers. To be ordered to an assessment centre for examination, any person about whom a complaint was made would almost certainly need to be in such a physical condition, apparently due to alcoholism, as to warrant his being sent to an assessment centre for further examination and preliminary treatment. After a Judge or magistrate has ordered a person to an assessment centre for examination, the medical officer in charge of that centre must decide any further action that may be taken.

In the first instance, a person may be committed for a maximum of seven days, and this period can be extended to fourteen days for further study if the medical officer in charge of the assessment centre so directs. This provision is contained in sub-clause (1) of clause 11.

At any time before the conclusion of the period of his stay at an assessment centre, a person admitted by direction of a Judge or magistrate may be committed, in the manner set out in clause 12, to an appropriate type of treatment centre; that is, to a hospital-type centre or to a centre for rehabilitation. Before the person concerned is committed under this provision, three medical practitioners must be of the opinion that the person is an alcoholic or a drug-dependent person. Sub-clause (5) of clause 11 provides that, if the person directed to an assessment centre by a Judge or magistrate is not committed to a treatment centre, he must be discharged at the end of a period of, at most, fourteen days.

Provision is made in the Bill to ensure that persons are not held unnecessarily as alcoholics and drug-dependent persons in treatment centres. First, under clause 8, official visitors to centres will be appointed, and it will be the duty of those visitors to visit centres at least once

each month and on special occasions, if directed by the Minister. They will have the right to inspect any part of the centre, make any inquiries they deem necessary and question any person, whether employed or detained therein, whom they wish. Regular reports concerning their visits will be submitted to the Minister.

Secondly, a special magistrate will be appointed to whom any person detained in a treatment centre may appeal for a review of his case after he has been in the centre six months, and each 28-day period thereafter.

The Hon. J. W. GALBALLY.—Did you say six months?

The Hon. V. O. DICKIE.—Yes. Several procedures are involved to get them up to this particular point, of course. The special magistrate will have power to inquire into the case of the person who appeals to him, examine documents and papers, interview the person appealing and ask the medical officer in charge of the centre to show cause why the person appealing should not be discharged. After discussing the case with the inspector of treatment centres, to be appointed under clause 19 of the Bill, the special magistrate may discharge the person who has appealed to him.

Thirdly, power is given to the inspector of treatment centres and to the Mental Health Authority to discharge at any time any person detained in a treatment centre unless that detention has been ordered by a court under the provisions of clause 13. In the latter case, if the inspector thinks the detention of a person committed by a court to a treatment centre is no longer necessary, he will be able, under the provisions of subclause (10) of clause 13, to report accordingly to the court which ordered the detention. That court could then, if it so desired, take the necessary action to have the person released.

Penalties will also be established for supplying without proper authority liquor or drugs to persons in treatment centres and on trial leave or boarded out from such centres, provision for which is made in clause 21; publication of any proceedings of a court under the legislation for which the penalty is contained in clause 22; and ill treating persons detained in any treatment centre, the appropriate penalty being provided in clause 23.

Provisions to enable persons detained in treatment centres to be allowed on leave before final discharge and to permit the boarding out of such persons have been included in clauses 24 and 25, respectively, while the transfer of persons detained between different treatment centres is covered by clause 26.

Three other provisions are worthy of special mention. These are, first, provision for committal to a mental hospital or a training centre of persons detained in treatment centres who are found to be mentally ill or intellectually defective, as the case may be. Clause 27 authorizes the inspector of treatment centres to arrange in the manner required by the Mental Health Act 1959 for the admission of the person concerned to the appropriate institution. The usual admission procedures would have to be followed, with the exception that the inspector could act in the place of a relative of the person concerned in requesting his admission to a mental institution or training centre.

Secondly, provision is made in clause 28 for the post mortem examination by pathology staff of the Mental Hygiene Branch of the Department of Health of the body of any person who dies in a treatment centre. Appropriate amendments of the Coroners Act 1958 will also require inquests to be held in respect of the death of persons detained in a treatment centre in the same manner as such inquests are held into the cause of the death of patients who die in mental hospitals.

Thirdly, clause 29 authorizes the Public Trustee to undertake the management of the estate of any

alcoholic or drug-dependent person as if that person were an infirm person under the Public Trustee Act 1958.

In presenting this Bill to the House, I refer honorable members to the Inebriates Act, which this Bill is intended to amend. Most of the provisions of the Bill have been contained in the Inebriates Act since it was enacted in the 1870's. Under the provisions of this Bill, the Government is attempting to afford facilities for the treatment of unfortunate people in the community who are addicted either to alcoholism or to drug taking, and in so doing is providing for the voluntary admission of such persons. However, if there has to be compulsory admission, I believe the provisions will give the maximum protection to any individual who is committed or directed to one of these places.

It should be remembered that, in the interests of a particular individual, the provision that a report on such a person can be made to a stipendiary magistrate by certain relatives, a business partner, a member of the Police Force and so on, already appears in the present Inebriates Act. When this provision is implemented and the unfortunate person is admitted, it is naturally desirable that a system under which he can be treated over a period, so that some good may be achieved, should be established. If the individual believes he is being wrongly detained, his rights will be preserved.

The Hon. J. W. GALBALLY.—But he is inside looking out.

The Hon. V. O. DICKIE.—These people have to be either treated or not treated. In any case, I commend the Bill as a real effort to achieve positive results in relation to this difficult problem within the community.

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

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

FORESTS (AMENDMENT) BILL.

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

That this Bill be now read a second time.

This measure provides for a number of desirable extensions to the Forests Act. It deals with five unrelated subjects, and the most satisfactory way of dealing with them will be to tackle each amendment as it appears in the Bill.

The first group of amendments clarifies the method by which additional land may be acquired by the Forests Commission for forest purposes. Sections 42, 47 and 48 of the Forests Act deal with this important subject. Section 42 provides the method of acquisition whereby forest land is exchanged for other land outside the forest. Section 47 relates to the manner of exchanging lands where the land being exchanged by the Crown is not forest land. Section 48, which is to be amended by clause 4, deals with land that is purchased or otherwise acquired by the Forests Commission. The amendments in the Bill merely clarify the procedures, and the methods proposed in clauses 2, 3 and 4 have been arrived at after lengthy consultation between the Commission and the Lands Department.

The amendment of section 42 and of section 47 by clauses 2 and 3 will facilitate the procedure for the exchange of land by the Forests Commission. Under clause 4, which amends section 48, when forest land is being acquired, it will be necessary, before any Order in Council is prepared, for the recommendation of the Commission to be preceded by consultation with the Minister of Lands. This will include Crown land licensed or leased with an inchoate right of purchase. The word " inchoate " appears to be derived from the Latin verb *inchoare*, which means to begin and suggests the originating right of purchase in the lease. Where the Forests Commission is taking over land which is the subject of a lease, the Minister of Lands must be

consulted. This is to ensure that the lessee will carry out his obligations under the lease and not be excused from these obligations because of a transfer being effected by the Forests Commission. Adjustments may have to be made in individual cases. Generally speaking, the three amendments contained in clauses 2, 3 and 4 clarify the procedure for the acquisition of additional forest land. They also simplify the procedure and ensure that the Lands Department is consulted in certain cases.

The amendment to sub-section (3) of section 50, as contained in clause 5, deals with an entirely different matter. Under that sub-section, land may be set aside as forest parks or scenic reserves. It has been customary to appoint committees of management to control these areas, but there have been occasions when it has been considered desirable to appoint a municipal council as a committee of management. Such a case arose recently at Mildura where the council was desirous of taking over management of Apex Park but did not want to control the land or own it. It was considered that the council was the most suitable body for this purpose, but under the existing Act there is no power for the Commission to appoint a municipal council as a committee of management of a forest or scenic park. The proposed amendment rectifies this position.

The amendment to section 51 contained in clause 6 relates to the snowfields. The first proposal in the amendment is to replace the term "alpine resort" by the expression "alpine reserve". The intention is to have in the Act one description of alpine reserves. The second amendment is more important and substitutes for the words "for the purposes of an alpine resort" the expression "for such purposes (not being for the purpose of grazing of cattle or sawmilling) as on the recommendation of the Commission the Governor in Council in any particular case by Order determines." The Crown Solicitor advised the Forests Commission that in giving a lease for the development of an alpine resort it might be going outside the terms of the Forests Act. For example, if the lease was for the erection of a block of flats in the Mount Buller area, or some other alpine area, strictly speaking those flats should be open to the public. Obviously it would be undesirable for everybody who arrived at Mount Buller to have access to such flats. The amendment will clear up a legal difficulty and will enable the extension of the existing practice, namely, the leasing of land for the erection of accommodation at alpine resorts.

The provisions of proposed new section 56, as contained in clause 7, are allied to the amendment I have just explained. They clear up a possible legal doubt as to whether the lessee has the right to sublet. Frequently, where a person desires to erect flats or other accommodation in alpine areas there is also a desire to sublet this accommodation. The Crown Solicitor considers that there is some doubt whether this can be done under the provisions of the existing Act, and the amendment clarifies that doubt.

A new paragraph (19c) of section 99 is added by clause 8. Approximately three or four years ago, when I was Minister of Forests, representatives of the timber industry sought my approval for the establishment of a Timber Promotion Fund for the purpose of promoting the use of Victorian timbers. At that stage it was suggested that if that Government was prepared to contribute a reasonable sum to start this fund, the timber industry would be prepared to match the Government's contribution on a basis of approximately three to one. The Government made available a sum increasing from $12,000 to $25,000 per annum and over the past three or four years the timber industry has matched this amount on approximately a three for one basis. The Government did not hold it to any hard and fast basis. The fund seems to have performed a desirable function, and its

administration was left in the hands of a committee comprising three representatives from the Forests Commission and three from the timber industry. A doubt has arisen as to the exact responsibilities of this committee and its relationship to the Commission and the Minister. It is considered that this relationship should be more clearly defined, and the proposed amendment will enable recommendations to be made by the Governor in Council to define more exactly the composition of the committee, its responsibilities and its relationship to the Minister and the Commission. I commend the Bill 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.

WATER BILL.

The Hon. V. O. DICKIE (Minister of Health).—I move—

That this Bill be now read a second time.

Its purpose is to make a number of amendments to the Water Act 1958. Several of these amendments make important provisions in line with Government policy and in the interests of a more equitable distribution of the limited water resources of this State. A number of the measures have been requested by the Waterworks Trusts Association of Victoria to facilitate the administration of country town water supplies by local authorities and to place their procedures on a similar basis to those followed by municipal councils, sewerage authorities and the State Rivers and Water Supply Commission under their respective Acts. Other amendments again are of a purely machinery nature to assist the various authorities concerned in the administration of their respective spheres of public service and to clarify and improve certain administrative procedures.

Clause 2 of the Bill adds a new sub-section (3) to section 3 which defines the boundaries of districts adjoining the sea. Several waterworks districts have been constituted with the sea coast forming part of the district boundary. At the time these districts were constituted, the sealed plans under which they were promulgated showed the boundaries as the high-water mark of the sea coast. This line varies continuously to a greater or lesser degree. Legal opinion has indicated that at present the correct line would be the high-water mark at the date of constitution. Hence the constituting plans become inaccurate almost from their inception.

In some places—for instance, Portland—reclamation is being carried out with the effect that land is being created on the seaward side of the constituted district boundaries. This land is invariably being utilized for industrial purposes and requires a water service. Thus, whether from design or from natural causes, the situation arises whereby lands are or could be unintentionally outside the boundaries of a constituted district and therefore not subject to the provisions of by-laws covering the satisfactory and safe installation and maintenance of water and sewerage services.

The scope of the provision now proposed is intended to cover the contingencies referred to and ensure that effective control in the interests of all concerned may be exercised in such cases. This measure will provide the Water Act with a provision similar to that contained in sub-section (4) of section 12 of the Local Government Act.

By clause 3 of the Bill, section 14 of the principal Act is amended to enable the Governor in Council to empower the State Rivers and Water Supply Commission to regulate the times and rates at which water may be taken by riparian rightholders when a shortage of water is likely to exist. The exercise of riparian rights

by landholders during times of shortage can seriously affect the supply of water to other downstream landholders, including other riparian rightholders. This can result in some diverters being unable to obtain an equitable share of the available water for domestic and stock purposes.

The problem occurs on unregulated streams—that is, streams on which there are no State works of water supply. On many of these streams, advisory committees have been formed to advise and assist the Commission in the allocation of water, particularly in times of shortage. However, neither the committees nor the Commission can exercise any control over riparian rightholders and the uncontrolled exercise of these rights can greatly deplete the supplies available with serious consequences to other domestic users.

The problem was highlighted during the 1967-68 drought when rationing was imposed on virtually every stream throughout the State. However, diversion by riparian rightholders could not be controlled so that in many cases downstream domestic users got little or no water. Particular instances are Ferny creek, Diamond creek and the Jumbunna creek, which is a tributary of the Powlett river. However, it is fair to say that the problem arose on practically every stream on which riparian rights exist.

Clause 3 also contains an amendment which is intended to clarify the provisions contained in the Act giving the right of appeal against the register of lands for irrigation districts and areas. The present wording of the Act could place considerable limitations on the time landholders have to lodge an appeal. The amendment will ensure that an appeal can be lodged at least up to 30 days after the end of the period during which the register is required to be available for public inspection.

A new section 198A is added by clause 4 of the Bill. It makes provision for the regulation of restrictions in the districts of a waterworks trust or local governing body where such authorities draw water supplies from a common source. Difficulty has been experienced, particularly in times of severe water shortage, with some authorities which draw water from a common supply system and which fail to apply restrictions within their districts in conformity with prevailing conditions. This situation presents a subsequent threat to the supply of water available to other authorities drawing from the same source.

The measure proposed in this amendment will enable the Governor in Council to declare any such authority as having an actual or approaching insufficiency of water, following which, if the authority itself fails to apply satisfactory restrictions having regard to prevailing conditions, the Minister of Water Supply may direct the level of restriction on water use which shall apply in the authority's district. Any declaration made by the Governor in Council shall remain in force for a specified period not exceeding one year. If the authority fails to comply with the directions given by the Minister, the Minister may direct the Commission to make, apply and enforce such by-laws for the restriction of water usage, other than for domestic purposes, as the Minister thinks fit. Any such action by the Commission would be carried out at the cost of the local authority concerned. Any by-laws made in accordance with the proposals outlined would require the approval of the Governor in Council under the provisions of sub-section (1) of section 330 of the Act.

A new section 124A is added bv clause 5 of the Bill. It revises and clarifies the definition of a ratepayer for the purposes of elections and for other matters relating to waterworks trusts. The expression "ratepayer" at present means the occupier of a property as the person in the first instance liable to be rated as delineated by sections 3 and 346 of

the Water Act. If the occupier so desires he is, therefore, enrolled on the voters' roll of a waterworks trust to the exclusion of the owner, who, unless he is the occupier also, has no vote at elections and polls. This situation is similar to the former provisions of the Local Government Act. The Waterworks Trusts Association has requested that the Water Act be brought into line with the new provisions of that Act. The proposed amendment will bring the Water Act provisions in this matter into conformity with the recently amended Local Government Act, which now gives a franchise to owners as well as occupiers and, in certain circumstances, an owner's spouse. A more equitable situation will, therefore, be brought about.

The provisions of the Act for the making of rates in waterworks districts and in urban districts have been completely revised and are incorporated in clauses 6 and 10 of the Bill.

Clause 6 relates to the making of rates in the waterworks district of a waterworks trust. The principal purpose of the amendments in this clause is to draw a clear distinction between the limited rate which may be levied before water is supplied—known as the "special rate"—and that which may be levied after water is supplied—known as the "water rate". The draftsman has taken the opportunity at the same time to clarify the provisions of sections 161 to 164, all of which relate to the making of rates by waterworks trusts.

At present a trust may make only one rate each year, which may be either a special rate or a water rate, but not both. Trusts usually find that the first properties are connected to the system part way through a rating year, and this poses a problem as to whether they should make a limited rate only for that year and defer notice of supply until the end of the year, or forgo the limited rate and make a full rate on the small proportion of properties which may actually be supplied, but which may not receive their supply until some time after the middle of the year.

The Commission deals with this problem by making the limited rate for unsupplied properties and deferring notice of supply until the end of the year, properties connected during the year being supplied by agreement for the remaining portion of that year. However, the Commission's works are initially charged to the Capital Borne by the State Account and the ratepayers do not carry any of the capital charges so that if a person refuses to take water from the Commission's works, the district is not embarrassed financially. During the development period the loan liability is transferred to the district only to the degree which would not be burdensome on the ratepayers.

The foregoing procedure is not available to a trust, which frequently has to meet annual charges on the full liability of expensive headworks before having sufficient ratepayers connected with water to cover this commitment with a reasonable water rate. The proposed amendments will enable the trust to levy special rates and water rates *pro rata* for those portions of a year before and after supply respectively.

The provisions outlined are similar to the procedure available to a sewerage authority under the Sewerage Districts Act when properties are first serviced and will make better provision to enable the trust to meet its obligations than under the present arrangements.

Included in the new measures is provision for persons liable to pay rates to elect to do so by instalments under specific conditions. These provisions are similar to those recently incorporated in the Local Government Act.

I shall now give details of the individual amendments contained in clause 6, which substitutes new

sections for the existing sections 161 to 164. Proposed new section 161 is the same as existing sub-section (3) of section 161. The new section 162 provides a direct power in lieu of the implied power under the second paragraph of existing section 162. Sub-section (1) of the proposed new section 163 defines the incidence of the water rate. Sub-section (2) is the same as the first paragraph of existing section 162 except for deletion of reference to a rate being made for one year which will now be covered by new section 164A. Sub-section (3) is the same as existing section 163 except for the following amendments :—

(*a*) The first direct provision has had the obsolete and unnecessary reference to irrigation districts deleted ; and

(*b*) The second direct provision has been amended so that it applies to all moneys borrowed by a waterworks trust. When provision was made some years ago for private borrowings by trusts this consequential amendment appears to have been overlooked. The amendment is necessary to authorize a trust to use its revenue from rates for the payment of interest and redemption on private loans as well as Government loans.

Sub-section (4) delineates who shall become liable for the payment of rates. Sub-section (5) provides that a person who becomes liable to pay a water rate only part way through a rating period shall make only a *pro-rata* payment in respect of that period.

Sub-section (1) of proposed new section 164 defines the incidence of a special rate. Sub-section (2) has been adapted from the second paragraph of existing section 162. Sub-section (3) provides that a person liable to make payment of a special rate, and whose property becomes liable for the payment of a water rate shall make only a *pro-rata* payment of the special rate up to the time his liability for the water rate commences.

Sub-section (1) of proposed new section 164A has been adopted from the first paragraph of existing section 162. Sub-section (2) is the same as the last paragraph of existing section 162. Sub-section (4) of section 254 referred to in sub-section (3) of new section 164A is a new provision corresponding to existing section 256A which permits rates to be made in urban districts for periods of less than a year when a trust changes its balance date under section 173. The provision in this regard should be extended to waterworks districts as well as to urban districts. Section 255 also referred to in this sub-section is a new section providing for the payment of rates by instalments. For the comment on the provisions of these new sub-sections of section 254 and 255 I refer honorable members to the notes relating to clause 11 of the Bill. Sub-section (4) is identical with existing section 164. Sub-section (5) is the same as existing sub-section (2) of section 161. Sub-section (6) is the same as the third paragraph of existing section 162.

Clause 7 extends the powers of a local governing body to levy rates for the repayment of all loans borrowed under the provisions of Part VII. of the Act. The existing provisions cover only Government loans, and this consequential amendment was overlooked when local governing bodies were given the power to borrow from private sources some years ago.

Clause 8 provides for amendments which are consequential upon the amendments proposed in clause 9 relating to the payment of fees for the reconnexion of supply where such supply has been discontinued for reasons of waste, misapplication, non-payment of rates, and so forth. The amendments will enable an authority to make by-laws for prescribing fees to be charged for the restoration of any such discontinued supply.

Paragraphs (*a*) and (*b*) of clause 9 provide for the cost of reconnexion of a service subsequent to water being

shut off, as a penalty for waste or refusal of entry, to be recovered from the consumer in accordance with a standard procedure. No provision exists at present specifying who shall meet the cost of reconnexion. The procedure for the recovery of the cost of restoring supply where such supply has been shut off by an authority for non-payment of rates and charges has also been clarified in paragraph (*c*) to bring this procedure into line with that proposed in paragraphs (*a*) and (*b*).

Clause 10 deals with the making of rates in urban districts. The amendments in this clause have been drafted in conformity with the new provisions for the making of rates in waterworks districts set out in clause 6 of this Bill. The general comments made for clause 6 apply equally to this clause. At the same time, the draftsman has taken the opportunity to redraft the provisions of Division 5—sections 250 and 257 —of Part V. relating to the levying of rates in urban districts. There is a similar procedure to that undertaken for sections 161 to 164 contained in clause 6. The over-all result has been to clarify the general provisions of this Part by bringing them up to date and incorporating a number of new measures in line with existing circumstances and Government policy.

Proposed new section 250 is based on present sub-section (1) of section 250. The wording is consistent with sub-section (1) of new section 163. Sub-section (1) of proposed new section 251 defines "water rate", and is consistent with sub-section (1) of proposed new section 163. Sub-section (2) of section 251 is adapted from present section 253 but is restricted to apply only to a water rate. Sub-section (3) is the same as the present section 252. Sub-section (4) is based on the second paragraph of sub-section (1) of existing section 250. Sub-section (5) makes the same provision as is contained in sub-section (5) of proposed new section 163.

Sub-section (1) of proposed new section 252 contains a new provision to define "special rate", and is similar to sub-section (1) of new section 164. Sub-section (2) of the new section is based on sub-section (2) of section 250 and is similar to sub-section (2) of new section 164. The provisions of sub-section (3) are comparable with those contained in sub-section (3) of new section 164.

The provisions of existing section 251 have been slightly revised and the paragraphs renumbered to enable clarification. These are contained in proposed new section 253. Sub-section (1) of proposed new section 254 replaces present section 254. Sub-section (2) of the proposed new section is based on the second part of present section 253. Sub-section (3) of this section is based on the first part of existing section 256. Sub-section (4) is the same as the present section 256A.

Proposed new section 255 provides for payment of rates by instalments. Sub-section (1) of section 255 of the principal Act is re-enacted by proposed new section 256. Proposed new section 256A is a re-enactment of sub-section (2) of the present section 255. The draftsman has taken the opportunity of providing the sub-sections of this section with numerical designations rather than alphabetical designation as in the existing provisions.

The re-enactment of present sub-section (3) of section 255 is contained in proposed new section 256B. The draftsman has also given sub-section numbers to the parts of this section. Proposed new section 257 re-enacts present section 257.

Clause 11 is an important measure which will enable waterworks trusts to capitalize interest and redemption payments. Notwithstanding the provisions in the Act for making a limited special rate before water is supplied, several waterworks trusts with extensive headworks have been embarrassed by the large amount of interest to be met each year before the

reticulation works are producing revenue; the completion of such headworks are also being subject to delay by limitations on the availability of loan funds. The proposed measure will enable the capitalization of interest and redemption during the construction period in such special cases as the Minister deems appropriate. Similar provisions already exist in the special Acts governing the operations of the Geelong Waterworks and Sewerage Trust and the Latrobe Valley Water and Sewerage Board.

Clause 12 repeals the existing provision for securing borrowed moneys by assignment of rates and charges. The practice of securing borrowed moneys by the "assignment of rates and charges" as provided by Part VII. of Division 2 of the Act has rarely been adopted and no such borrowings are at present outstanding. Private borrowings by waterworks trusts or local governing bodies are normally made under mortgage or, occasionally, by issue of debentures. Because of the present wording of the Act, difficulty has been experienced by certain authorities in attempting to raise funds by mortgage. Lenders contend that loans secured on the assignment of rates and charges have priority over loans secured on the revenue of the authority.

The proposed amendment is intended to remove any possible suggestion of ambiguity in this regard. By the removal of the provisions for borrowing by assignment, to which, as pointed out above, recourse is rarely had, and ensuring that all moneys borrowed under mortgage or by issue of debentures are secured by the revenue of the waterworks trust or local governing body, the objections of lenders will be overcome. These bodies will then be enabled better access to the sources of funds normally required for their undertakings.

Clause 13 provides for rating by-laws for a waterworks district of a waterworks trust to be approved by the Minister as are rating by-laws for urban districts of a trust. This matter was overlooked in 1951 when provision was made in the Act to allow the Minister to approve all other rating by-laws made by trusts.

Clause 14 provides for a reduction, from three to six months, of the interest period on unsecured charges for water. Charges for water—for example, water sales in irrigation districts and excess water charges in urban districts—unlike rates and the irrigation charge, are unsecured and the prospect of an authority making significant recovery of amounts owing is minimal in the event of a debtor becoming a bankrupt. The reduction of the interest period, as envisaged in the proposed amendment, would enable earlier action to recover such charges. Rates payable to an authority are a secured charge and, in accordance with section 348 of the Act, the interest-free period will enable earlier action to ensure payment and tend to minimize this problem. The proposed amendment would also streamline the administration of these accounts for unsecured charges by ensuring quicker payment.

Clause 15 provides for the allocation of water rights in the Campaspe Irrigation District. Much of the Campaspe Irrigation District has recently been subdivided by the Rural Finance and Settlement Commission and provided with new and remodelled irrigation supply works by the State Rivers and Water Supply Commission. No provision for the allocation of water rights in the district has been made in Schedule 3B of the Water Act which provides for the apportionment of water rights in accordance with a formula that is deemed to provide sufficient water rights for the reasonable irrigation of any lands under intense culture as defined in section 65AB of the Act.

The proposed amendment is intended to remedy this situation. It has been drafted as an additional part of the schedule, although it basically contains the same provisions as Part

I. which sets out the apportionments for the Goulburn-Murray Irrigation District. However, because of the natural limitations placed on the amounts of water available for distribution in the Campaspe Irrigation District, both at present and under any foreseeable circumstances in the future, variation of any formula apportionment of water rights is not desirable. This district has, therefore, been omitted from the scope of Part I. as possible future variations of the formula contained in this Part could not, for reasons I have already outlined, be extended to the Campaspe Irrigation District.

The word "special" has not been included in the proposed amendment. "Special water rights" are apportioned at the time of revision throughout of the register of lands to compensate for any basic and additional water right lost if the reclassification of the land in any entry at that time reduces the area classified as commanded and suitable land. If such reclassifications are necessary in the Campaspe district, any reduction in basic and additional water rights will be reallocated as extra water rights on application by the landholder. I commend the Bill 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, December 3.

PARLIAMENTARY COMMITTEES BILL.

The debate (adjourned from November 21) on the motion of the Hon. G. L. Chandler (Minister of Agriculture) for the second reading of this Bill was resumed.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—This Bill is designed primarily to remove from The Constitution Act Amendment Act various provisions relating to Parliamentary committees, their functions and their fees. The Bill also proposes certain amendments to the Public Works Committee Act, the Joint Select Committee (Drainage) Act, the Joint Select Committee (Meat Industry) Act and the Joint Select Committee (Road Safety) Act. I must confess that I am somewhat disappointed with the measure. I cannot understand how it was conceived in its present form. I realize that the Government proposes to overhaul and consolidate The Constitution Act Amendment Act, which will finally be effected by means of two amending measures during the autumn sessional period. I can understand the Government's desire to consolidate this legislation, but the Bill which is now under consideration appears to me to relate strictly to functions within Parliament itself. I do not know who advised the Parliamentary Draftsman concerning the measure. It appears that Parliament had no opportunity of considering the matter before it reached the drafting stage.

The Government desires to bring about some degree of uniformity in respect of various Parliamentary committees. If it was desired that some benefit should be derived from uniformity, I would have thought that many other provisions in The Constitution Act Amendment Act relating to Parliamentary committees could have been examined. I realize that, apart from this measure, some of the joint Standing Orders applicable to both Houses of Parliament will continue to operate so far as Parliamentary committee fees are concerned. I consider that it would have been wiser for the proposals in this Bill to be examined by both Houses at some high level. Perhaps the Standing Orders Committee of each House could have examined the matter with a view to ensuring that certain provisions relating to Parliamentary committees could be deleted from the Standing Orders and included in this Bill.

It is proposed to fix certain maximum amounts of expenditure for various Parliamentary committees. Generally speaking, inquiries undertaken by Parliamentary committees are referred to the various committees

by the Government. In other words, the amount of work that is performed by the committees is largely dependent upon the matters that are referred to them by the Government of the day. In my view, if it is necessary for the Government to refer matters to the committees for investigation, the requisite finance with which to meet the costs of the committees should automatically be made available. The members of the committees are entitled to be paid for their services. I cannot envisage the need for inserting in the legislation total amounts of expenditure in respect of Parliamentary committees. If the work is available for the committees, it should be carried out and, if it is being carried out, the members should be paid for their services.

The total amounts allocated for fees in respect of certain committees —an amount of $9,000 will be provided for the Public Works Committee—represents only chicken feed compared with the value of the work that is performed by these committees. I cannot see the need for prescribing maximum total amounts of expenditure for Parliamentary committees. I hasten to point out that I have not been a member of a paid committee for many years; hence I am not vitally concerned by this proposal. However, I believe that, at times, committees are handicapped and hamstrung in total amounts of expenditure being allocated for their use. The time has passed when total amounts of expenditure for Parliamentary committees should be covered by legislation.

The Government has gone out of its way to provide in the Bill that committees shall have express authority to appoint deputy chairmen. It is interesting to note that some committees do not have the right to appoint a chairman. It seems to me that if it is necessary to amend the legislation to enable committees to appoint deputy chairmen, the committees should be empowered by the legislation to appoint chairmen. This is a gross anomaly in the Bill. I can understand why you, Mr. President, are smiling sweetly; your occupancy of the position of chairman of the Joint Library Committee is an illustration of the point that I am making.

The Statute Law Revision Committee and Joint Select Committees are empowered to appoint their own chairmen, but the Joint Library Committee is unable to do so. Usually, of course, the President of the Legislative Council is held in such high esteem that his election as chairman of the committees on which he is a member is assured. Committees of which the President and Speaker are members invariably elect the President as chairman and the Speaker as deputy chairman. Why should this matter not be formalized by a specific provision in a measure of this type?

The PRESIDENT (the Hon. R. W. Garrett).—Before Mr. Merrifield proceeds, I point out that Standing Order No. 191 provides that each committee shall elect its own chairman. The Bill which is now under consideration relates only to the appointment of deputy chairmen.

The Hon. SAMUEL MERRIFIELD. —I thank you for your assistance, Mr. President. It is strange, however, that this Bill should provide for the appointment of deputy chairmen but that the appointment of chairmen should be covered by the Standing Orders. Surely, a uniform approach could be adopted on this question.

The PRESIDENT.—It does appear to be misleading.

The Hon. SAMUEL MERRIFIELD. —Dealing with private committees, the Bill provides that a promoter shall pay certain fees and so forth and that if somebody unsuccessfully objects to the promoter's measure, the promoter may claim sufficient from the objector to pay what is deemed to be the rate of objection. I do not agree with that procedure. I can understand why a promoter, who is obviously deriving some private benefit from a measure which

occupies the time of Parliament in his own interest, should be required to pay certain costs. However, an objector could have a wide public interest in the matter, and I do not understand why he should run the risk of being levied by the committee for any amount to reimburse the promoter to prove his case. After all, Parliament is not a court; it is an institution which governs having regard to the weighted interest of all, whereas a court acts only as between separate parties.

Everybody should have the right of access to Parliament. Irrespective of whether proposed legislation relates to a private matter or a public matter, all persons should have the right to make representations to either a private committee on a private Bill or a committee dealing with a wider public matter. Already, by some law, Parliament has supported the *status quo* of the promoter who is seeking to change the *status quo*. Why, therefore, should a person who is opposing a promoter's claims, in the event of a change, be forced to pay to retain the *status quo*? I do not think that is right, and I consider that the relevant provisions of the Bill should be amended. I do not believe Parliament is acting constructively in passing this measure as it stands. Of course, it comes to this House from another place and, irrespective of what I say concerning it, the measure will be passed by this House. I think the matter has been approached on the wrong basis. Whoever initiated the measure failed to take into account the various parties concerned with the proposals it contains. It was not discussed by many people who have interests in the committee system. Some Parliamentary committees have grown with the years—some of them were established very early in our history—and other committees have grown as the work of Parliament has grown. I can do nothing to stop the passage of this Bill.

The Hon. Samuel Merrifield.

Sir PERCY BYRNES (North-Western Province).—As the Minister of Agriculture pointed out in his explanatory second-reading speech, this Bill brings together all provisions in The Constitution Act Amendment Act relating to Parliamentary committees. I consider that this is a good move. The law will remain as it has been for some time; no new principles are involved. A committee will have the right to appoint a deputy chairman. This is a sensible proposal, because the chairman cannot always attend. The fees payable to members of committees are to be increased in accordance with the existing general atmosphere. The Bill also deals with the question of private Bills.

Members of all committees mentioned in the Bill are not paid—for example, the Library Committee and the House Committee. At one time, members of the House Committee used to hold a meeting at lunch time; that was their fee. I consider that members of the House Committee do an excellent job in looking after the problems connected with the running of amenities in this building, including the refreshment rooms. Members of the Country Party agree with the Minister's statement that the work undertaken by Parliamentary committees is valuable. I believe membership of a Parliamentary committee is a good training ground for embryo Ministers; it gives private members an opportunity to broaden their knowledge of the affairs of the State and to obtain an education which fits them to become Ministers, or at least better members of Parliament.

Parliamentary committees inquire into a variety of subjects. Cabinet Ministers, who have great responsibilties, can refer specific matters to Parliamentary committees for inquiry. Over the years, many important inquiries have been conducted by these committees. For example, the Statute Law Revision Committee held an inquiry into company law. At meetings of Commonwealth and

State Attorneys-General, the Victorian Attorney-General was armed with detailed instructions and was afforded great assistance, which went a long way towards bringing about the introduction of uniform company law throughout Australia. Of course, company law is amended from time to time as it is found necessary.

When I visited England, I had the opportunity of seeing various committees operating in the House of Commons. I understand that Mr. Thom was impressed by the manner in which questions are answered in the House of Commons. I believe a similar system could be adopted in the Victorian Parliament. The committee system as it operates in the House of Commons is different from that which operates in Victoria. I did not attend meetings of all the committees of the House of Commons, but I attended some meetings as a spectator. The Transport Committee consisted of 60 or 70 members; the Minister of Transport was chairman, or if he could not be present he nominated someone to take his place. This committee thoroughly debated a Bill relating to transport and road traffic problems. The press was admitted to meetings, and one could obtain on the radio a report of what occurred at the meeting. This procedure took a great deal of the burden from Parliament. So many Bills have to be dealt with that often they are not fully discussed. I thought it was an excellent idea that such an important measure dealing with transport and road traffic should be examined by this committee. The Victorian Government should examine the possibility of instituting a similar procedure in this Parliament.

It may be found that the committees appointed by the Victorian Parliament are not sufficiently large. I am stating my personal opinion—not the opinion of our party. The Public Works Committee and the State Development Committee are important, but I believe they would be regarded more highly and would be of greater value to Parliament and the State if they were amalgamated and augmented, under the chairmanship of the Minister of Public Works or another Minister. Such a committee could debate Bills fully, as is done under the committee system in the House of Commons. If this were done, the findings of the committees would have greater weight. The recommendations of committees, such as the Drainage Committee and the Public Works Committee, affect the well-being of a great number of citizens, and I consider that they should be given full value. However, in my opinion some Parliamentary committees which consist of only six or eight members—the Statute Law Revision Committee has twelve members—should be amalgamated and enlarged.

The recommendations made by committees of the House of Commons are put into effect almost immediately. In Victoria, the Cabinet often takes no notice of a committee's recommendations although committee members devote a lot of time and effort to their task. Apparently, Mr. Bradbury, who is interjecting, prefers small committees which he contends are more efficient. I believe a large committee would be equally efficient and would carry more authority in the conduct of the affairs of the State. However, 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 (Repeal of No. 6224 ss. 334-392).

The Hon. G. L. CHANDLER (Minister of Agriculture).—As Sir Percy Byrnes mentioned, this Bill simply draws together all provisions currently appearing in The Constitution Act Amendment Act relating to Parliamentary committees. I pay tribute to the work of Parliamentary committees over a long period of

years. The members of the committees devote a great deal of time, effort and study to their work. As Sir Percy Byrnes said, it is a great experience for a member to be appointed to a committee. He has the opportunity of hearing discussions and evidence on a wide variety of subjects. Of course, no Government has accepted all of the recommendations made by committees, although a large number of recommendations have eventually been embodied in legislation. This Bill makes provision for the better working of Parliamentary committees, and I trust that in the future the committees which are operating at present—especially the Meat Industry Committee—will present valuable reports.

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.

BREAD INDUSTRY (LEGAL PROCEEDINGS) BILL.

The debate (adjourned from November 20) on the motion of the Hon. L. H. S. Thompson (Minister of Education) for the second reading of this Bill was resumed.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—This Bill makes a minor but important amendment to the Bread Industry Act relating to prosecutions. The principal Act is concerned mainly with the maintenance of standards in the manufacture of bread. However, powers are conferred on the Minister of Labour and Industry and municipal councils in relation to prosecutions. When an inspector takes a sample of bread and finds an offence against the Act, he is obliged to report it to the council which, by resolution, must empower the officer to take action. This procedure must be completed within 42 days.

Because municipal councils do not meet at frequent intervals, it has been difficult to take action within the required 42 days, and this Bill proposes an extension of the period to 60 days. A similar provision is contained in the Health Act. The Opposition raises no objection to the measure, and hopes it will facilitate the functions of municipal councils in the policing of the bread industry.

The Hon. I. A. SWINBURNE (North-Eastern Province).—The Country Party supports this amending Bill, the purpose of which was outlined by Mr. Tripovich. The amendment seeks to extend the period in which prosecutions may be instituted from 42 to 60 days. Apparently the results of bread analysis often take a long time to be presented, and the Melbourne City Council has asked that the time limit in relation to prosecutions should be extended. To assist that council, the Government has introduced this Bill to bring the provision into conformity with a similar provision in the Health Act. The Country Party offers no objection to the passage of the Bill.

The motion was agreed to.

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

The sitting was suspended at 6.25 *p.m. until* 7.50 *p.m.*

SEWERAGE DISTRICTS BILL.

The debate (adjourned from November 20) 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).—Most of the amendments to the Sewerage Districts Act 1958 effected by this Bill are of a machinery nature. Some of them are completely justified, and while others may not appear to be justified, I have no doubt that there is good reason for them. I shall advert later to clause 2. Clause 3 amends the interpretations in the principal Act and inserts a new interpretation to provide that "Commission" means "State Rivers and Water Supply Commission." This appears to relate particularly to clause 7 of the Bill. The new interpretation of

"sewage" obviously excludes industrial waste, which is subject to agreement with the sewerage authority concerned. My party has no particular feelings about this amendment.

Another provision in clause 3 clarifies district boundaries. The reference to "high-water mark" merely relates to the high-water mark at the time of any action and not necessarily to high-water at a previous time. As the high-water mark varies on a seasonal basis, I considered that it might be better to qualify the expression by adding the word "mean", but as most of the areas within a sewerage district are of an urban character and would not have very flat beach margins, probably there is no merit in my point.

In regard to proposed new subsection (3) of section (3) of the principal Act, inserted by clause 3, I point out that the provision of maps varies between those provided to the water Commission under some sections of the Act and to the Minister of Water Supply and the Commission of Public Health under other sections. In this particular instance only descriptions of district works or land or the boundaries thereto are to go to the water Commission. In relation to other matters, it is provided in the principal Act that copies shall be kept at the offices of the sewerage authority concerned. So there is no particular point involved.

Clause 5 increases the minimum rates for sewerage, and my party is not particularly happy about this. There appears to be an anomaly in the main words of section 87 of the principal Act. Section 87 refers, in the first three sub-sections, to sewered properties and non-sewered properties, while sub-section (4) refers to properties on which there is no building or there is a building. The Minister in charge of the Bill may be able to explain this matter at the Committee stage. Clause 6 removes the provision in section 61 of the Act covering special assignment of rates and charges to individual loans, so that the provisions relate only to general mortgage and general charges. Apparently because of arguments between those proposing to lend money and those who want to borrow—the sewerage trusts—concerning the meaning of the section, the possibility of misinterpretation is now being removed. My party has no views on this matter.

Clause 8, which relates to capitalization of interest deficits, contains important provisions. It provides that interest and loan redemption payments can be funded for what might be the unearning part of major works. I have carefully examined this proposal and have no particular reason to object to it. I appreciate that in many cases there could be a disability on the trust and its ratepayers in a particular year if all of the interest had to be paid on money that was used. My party has no objection to this proposal.

Clause 9 relates to interest on overdue payments and brings the provisions in the principal Act into line with those in the Local Government Act. It increases the interest rate from 6 to 8 per cent. My party offered no objection to that previously and does not object on this occasion. Under clause 10, the interest rates which have been deferred on account of hardship will remain at 6 per cent. By inserting the words "not being a part less than one-quarter" in section 100 of the principal Act, a remission of at least one-quarter of the total amount will be provided in hardship cases. No doubt in many instances more assistance will be required, but this is a matter for the sewerage authority concerned to decide. Of course, any rates that have not been paid will be a deferred charge on the property, and subject to the addition of 6 per cent. interest.

Clause 11 deals with accounts and audit and the way in which the public are notified. The Opposition has no objection to that.

Clause 2 relates to the question of franchise, and brings the Act into line with the provisions of the Local Government Act. That Act, of course, employs rather curious phraseology in that a person becomes entitled to be enrolled and, by the act of enrolment, becomes entitled to vote. This measure provides for the same procedure to be followed. It means that if a person is enrolled under the provisions of the Local Government Act, he is enrolled for the purpose of voting under the provisions of the Sewerage Districts Act.

When the Bill to amend the Local Government Act was before the House, the Opposition objected to this provision, because it provides for an absentee owner to be enrolled in addition to the occupier of the property. The main objection to the provision was that it permitted two sets of votes in respect of a property occupied by a person other than the owner and only one in respect of a property which was occupied by the owner. That is not justified. In principle, the Labor Party believes that, as the occupier pays the rates and taxes on the property by virtue of the fact that he pays the rent from which these outgoings are paid, there is no justification for the owner who resides outside the locality concerned also being entitled to a vote. It could mean that, if he were living in the metropolitan area, an absentee owner might have no interest in the provision of a sewerage scheme yet he would have a say in determining whether or not the scheme should be implemented. As I have said, the Opposition is opposed to clause 2 and may have something more to say about it later. Apart from the comments I have made, Opposition members have no objection to the Bill.

The Hon. A. R. MANSELL (North-Western Province).—The Country Party raises no objection to this measure. It is well aware of the importance of sewerage and the part it plays in community life. I believe that Victoria has made more progress in connexion with the provision of sewerage in rural towns and cities than any other State in Australia. Perhaps not enough has been done within this State, but the situation compares favourably with other States. Sewerage makes an important contribution to decentralization, in that when farmers reach retiring age they do not tend to move to cities such as Melbourne, Geelong and Ballarat if in their own areas sewerage and electricity are provided, because with those facilities they are able to enjoy all the comforts of life.

I believe that Governments of the past, in the granting of subsidies and by utilization of the State Rivers and Water Supply Commission, have played a reasonable part in encouraging the provision of sewerage schemes. Since I have been a member of the Parliament, I do not think enough has been done in this direction, although in moving around the State one is surprised at the number of smaller centres which are about to commence, have already commenced or have completed sewerage schemes.

The plans and specifications for sewerage schemes, although drawn by professional men, must be submitted to the State Rivers and Water Supply Commission for approval and, having regard to the great deal of overtime being worked by officers of that Commission, this does not appear to be a suitable arrangement. In this connexion I should like to pay tribute to Mr. Hal Richmond, a member of the staff of the Commission who, although suffering from heart attacks brought about by overstrain, has played an important part in the provision of sewerage and water supplies in various parts of the State.

By this Bill, the Commission is to become more closely involved with the planning of sewerage works, whereas in the past sewerage authorities have been more closely tied to local government. As the situation now stands, to obtain certain information one has to read three separate Acts.

The members of sewerage authorities are responsible people. In most cases they are members of municipal councils, having been elected to that position by the people. The secretary of an authority is generally the engineer, the shire secretary or the town clerk of the municipality and in view of this it appears to be ridiculous that the authority must submit all accounts to the State Rivers and Water Supply Commission before they can be settled. Under the Local Government Act only works or accounts of a sum exceeding $2,000 have to be approved, but under the provisions of this Bill all accounts must be approved. The names of members of authorities must be submitted to the State Rivers and Water Supply Commission, and I believe that they should be trusted to examine their own accounts and certify as to their correctness. The plans, specifications and estimates are approved, so why should accounts have to be submitted prior to payment? It does not seem to be common sense. The Bill provides that a special meeting must be called to deal with accounts. This involves a meeting of the council to decide when it will hold a special meeting for the purpose of settling its accounts, and causes delays. The Country Party sees no reason for these encumbrances being placed on sewerage authorities. There seems to be too much red tape involved.

The measure now before the House provides for the approval of the Minister to be obtained for the making of a by-law concerning minimum charges instead of the approval of the Governor in Council. This may be a matter of small moment, in that the minimum charge is not applied by these authorities to many people, but when approval has to be sought from the Governor in Council the matter is considered by the Parliament. There may be no harm attached to the proposal in the Bill, because the by-law would be introduced by men with a knowledge of local conditions who would not propose a by-law unless it were worth while, but I do not like to see control of approval taken away from the Parliament. All other forms of approval must be sought from the Governor in Council, and I fail to see the reason for this exception. Perhaps I have misstated the situation; if so, I should like the Minister to correct me.

I do not suppose that many people realize that domestic waste water from drainage from any pigsty, cowshed, stable, fowl-pen, stock-yard or other place where animals or birds are kept come within the definition of "sewage". It is interesting to note that the definition of "sewage" which is contained in the Bill does not include trade waste. With the implementation of modern methods, the progress of science and the introduction of additives which are used in trade today, the removal of trade waste has become a major problem, so much so that the Government has seen fit to delegate authority to a Parliamentary committee to inquire into garbage and waste. One wonders how the huge amount of waste can be disposed of. If it cannot be disposed of by means of sewers, then some other means must be devised. Much of the waste can be treated so that it may be disposed of in sewers, and I think this Bill should permit the disposal of such waste by means of sewers obviating the necessity for approval to be obtained in each case.

The amendment which deals with boundaries of a sewerage district is a necessary one, and the Country Party raises no objection to it. Although it believes that sewerage authorities should have more freedom of action, under the over-riding control of the State Rivers and Water Supply Commission, the Country Party supports this measure.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 4 were agreed to.

Clause 5, relating to by-laws.

The Hon. V. O. DICKIE (Minister of Health).—Mr. Mansell asked why paragraph (*a*) was included in this

clause. With the amendment, section 53 of the Act will be the same as the relevant provision of the Water Act. It is desirable to have similar provisions in the two Acts. Criticism has been levelled at this proposal, but I point out that the same provision is contained in the Water Act. I am advised that the sole reason for the inclusion of this provision is to reduce administrative delays in the making of by-laws for fixing a minimum rate under sub-section (4) of section 87. The provision in the Water Act has worked satisfactorily. As honorable members know, I do not administer either Act, but I understand that there is a tendency to make the administrative sections of the two Acts conform as closely as possible.

The Hon. A. R. MANSELL (North-Western Province).—Sewerage authorities come under the administration of the State Rivers and Water Supply Commission. They are also controlled by the provisions of the Local Government Act. Why does Parliament not do one thing or the other? Two other Bills on the Notice Paper may also be affected. Will they be amended during the current sessional period or the next sessional period? A few weeks ago Mr. Galbally indicated the difficulties with which persons are faced by having to refer to many Acts to obtain a proper interpretation of the provisions of one Act, and I agree with his comments.

The clause was agreed to, as was clause 6.

Clause 7 (Loans).

The Hon. A. R. MANSELL (North-Western Province).—I should like to hear the Government's views on proposed new sub-section (1) of section 74. When a sewerage authority is formed, its constituent members must be approved by the Governor in Council. People who serve on these authorities are responsible citizens. Plans and specifications and tenders must be submitted to the State Rivers and Water Supply Commission and now it is proposed that when accounts are to be paid, they also must be submitted to the Commission. This does not tend towards good management.

The Hon. V. O. DICKIE (Minister of Health).—Again, this provision brings the Sewerage Districts Act into line with the Water Act.

Sir PERCY BYRNES.—That is a very bad Act.

The Hon. V. O. DICKIE.—The provisions work satisfactorily—there are two separate provisions. The proposed amendment would make the responsibility for certification of reimbursement of expenditure by authorities from Government loan funds conform to the arrangements in the Water Act. Under that Act, certification is a general Commission responsibility instead of that of an individual engineer appointed for the task. Such an individual appointment can be embarrassing if the person concerned is not available for one reason or another.

Mr. Mansell has said some of the amendments seem to be of a pin-pricking nature, but I understand that they were suggested by the association of sewerage authorities. Evidently, that body has found that the provisions in the Water Act have worked satisfactorily. Both of Mr. Mansell's criticisms fall into the same category. The Government believes the provisions will be satisfactory.

The Hon. A. R. MANSELL (North-Western Province).—I now understand one reason why a section of the State Rivers and Water Supply Commission has a large build-up of work for new sewerage authorities and water trusts. All these details have to be checked and certified by the Commission. The men concerned have far more important work to do.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—I take it that all accounts not charged against loans could be charged against revenue. This machinery does not prevent their being paid; as I understand it, it only prevents their being

charged against loans without certification. Perhaps Mr. Mansell could give some further information on this.

The Hon. A. R. MANSELL (North-Western Province).—When a sewerage authority is formed, it receives the advice of consulting engineers who draw up the scheme. That scheme is submitted to the State Rivers and Water Supply Commission which, after inquiry, states whether it is satisfactory. The authority then draws up plans and specifications and calls tenders, but it cannot accept tenders until they are approved by the Commission. I believe that is right. All interest over 3 per cent. per annum is paid by the Commission, and as the loan must come from its allocation, the Commission is entitled to know what happens to the money. But that position is met when the Commission approves the plans. If, for instance, certain valves were not placed in position, the sewerage scheme would not work. However, why is it necessary for a sewerage authority to inform the Commission that it intends to pay a firm for so many valves, so many joints, so many pipes, or so many bags of cement, and for the Commission to certify the accounts?

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—It does not appear that there is any ceiling on what must be certified. From what Mr. Mansell says, there is no revenue to which accounts can be charged. Accounts can be paid only from money obtained by loan, and therefore they must all be certified. It seems anomalous that the works are undertaken according to the plans approved by the Commission and that the contractor could, in good faith, carry out some work and then find that, for some reason, the Commission will not certify his account.

The Hon. A. K. BRADBURY.—It not only affects payment of accounts; the delay factor is also important.

The Hon. SAMUEL MERRIFIELD.—That is so, but I was not alluding to that point. It is anomalous that, after the work has been certified as being done satisfactorily by an engineer of the sewerage authority, the Commission has to certify it again as having been done according to the plans. I could understand this being done in relation to some major item about which there was an element of doubt on whether it came within the plans and specifications. But, for items of a small nature, this seems to be a ridiculous provision; it is just red tape.

The Hon. A. R. MANSELL (North-Western Province).—I do not want to prolong this discussion, but municipalities work under the Local Government Act and many sewerage authorities are constituted in the same way as the one of which I am a member. The members of the municipal council form the sewerage authority, because the sewerage scheme embraces the municipality; there are no representatives of wards or ridings. When something is done with money obtained from the Country Roads Board, the municipal engineer certifies the account and the Country Roads Board accepts his certification because he is a responsible engineer and a responsible officer. These men are vetted when they are placed in their jobs. Under this Bill, if sewerage work is to be charged against a loan from the State Rivers and Water Supply Commission, the same engineer cannot certify the accounts; they all have to go to the Commission. I object to sewerage authorities being tied up under two other Acts.

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.

MUNICIPALITIES (COMMUTATION OF LICENSING PAYMENTS) BILL.

The debate (adjourned from November 20) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. G. J. O'CONNELL (Melbourne Province).—Earlier this year, when the Government submitted the Bill which became the Liquor Control Act, no provision was made in regard to payments to municipalities which were known as licence equivalent payments. Municipalities throughout Victoria wrote to their Parliamentary representatives requesting them to take up the matter with the Government. Representations were also made by the Municipal Association of Victoria to the Chief Secretary and the Minister for Local Government. The Government gave an assurance that municipalities would not lose the benefits of these payments. It was considered by the Government that the payments should be provided from a source other than the Licensing Fund. This measure makes that provision.

Historically, the payments go back to the early days of Victoria when licensing of premises for the sale of liquor was a local government function. In 1885, when the Government took over the collection of fees under the Licensing Act, a Licensing Fund was created, out of which payments were made annually to municipalities. It was an amount equivalent to the licence fees, fines and penalties they received in 1884. Essentially, it was compensation paid by the State each year to municipalities to compensate them for the loss of revenue occasioned by the State taking away a municipal function.

Municipalities have provided in their annual estimates for the allocations from the Licensing Fund. A perusal of the Minister's second-reading speech clearly indicates why municipalities were perturbed when no provision was made for such payments to continue under the Liquor Control Act. Pursuant to Part XV. of the Licensing Act 1958, in March, 1968, municipalities received payments totalling $110,704. Of this amount, the eight municipalities in the Melbourne Province received $31,524. Under the lump sum capital payment provided for in clause 2, these municipalities will receive between them $535,908 of the total of $1,881,968 to be provided as set out in the schedule supplied to honorable members.

In his second-reading speech, the Minister for Local Government said—

> The capital sum may be applied by a municipal council for any purpose it thinks fit, but it has been calculated on the assumption that if it is invested in semi-government securities for a long term at current interest rates, it will provide a permanent income to the council broadly equivalent to the level of previous annual payments. Such an investment would have the advantage for a council that its annual revenue from this item would not in future be subject to progressive reduction as licences in the area are cancelled.

If this scheme were carried out by a municipality, a satisfactory position could obtain. Although the number of licences are becoming fewer in some municipalities, the Richmond licensing district contains 39 hotels and the licensee of each one seems to be earning a living. Until 1972, the councils will continue to receive an annual payment equal to the amount they received from the Licensing Fund in 1968 and after this time they will be able to claim the lump sum. I feel sure that any lump sum payment received from this source will be used for the benefit of the ratepayers of the municipality. The Labor Party has no objection to the Bill.

The Hon. I. A. SWINBURNE (North-Eastern Province).—This Bill carries out a promise given by the Government during the consideration of the Liquor Control Bill earlier this year. At that time, honorable members, especially those representing areas which were receiving payments from the Licensing Fund, realized that this provision had been omitted from the Bill and that no indication had been given by the Government that the payments would be continued.

The history of the payments goes back a long way. In the first place, the municipalities received the fees and then the Government took over the licensing functions of the municipalities. The 1876 legislation provided that, whilst fees for licences in existence in 1876 would, in the main, continue to be payable to municipalities, the fees for new licences issued after 1876 would be paid to the Government. A further amendment of the Licensing Act in 1885 provided that all licence fees, whether for existing or for new licences, would be paid into the Licensing Fund and later distributed to the municipalities then in existence. Because hotels have been closed, the amount of the payments has decreased over the years. However, the considerable amount of $110,704 was paid out last year. Municipalities have been used to receiving these payments and have budgeted for them.

This Bill provides that over the next three years, until 1972, capital payments will be made. According to the schedule provided for the information of honorable members, a total of $1,881,968 will be paid to the municipalities in lump sum payments. Each municipality will decide what it will do with the money. Although the Government has suggested that if the money is invested in semi-government securities, over a period of years it will return an amount broadly equivalent to the previous annual payments, it is not mandatory for the municipalities to invest the money because they may use it in any way they think fit. Some municipalities which receive fairly large payments may think it will be more beneficial to provide amenities in the municipality.

This measure honours a promise made by the Government, and members of the Country Party, who, when the previous Bill was before the House, endeavoured to ensure that these payments would continue in some form or another, offer no objection to the Bill. I have received no word of complaint from any municipality about the measure. The matter will resolve itself in 1972 so far as the Government is concerned, and it will then be up to the municipalities to decide how they will use the moneys which are paid to them.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Commutation of payments to municipalities from the Licensing Fund).

The Hon. W. G. FRY (Higinbotham Province).—The payments to municipalities go back to the nineteenth century. Since that time many municipalities in and around Melbourne have been divided into several municipalities. Under the original provisions, the parent municipality acted as the forwarding agent for municipalities which had been subsequently formed from that municipality. Whether this is satisfactory, I do not know. The City of Moorabbin formerly included the areas of the cities of Mordialloc and Sandringham and

the latter two municipalities receive their proportion of the payments through the City of Moorabbin. I feel sure that those municipalities would prefer to receive their money direct, particularly in view of the provisions of sub-clause (3), under which payments will be made on a sliding scale. As Mr. Swinburne mentioned earlier, it will take some time for the Government to raise the money and it will be necessary to make the payments over a long period. The various municipalities will be paid out as the money is found by the Treasury.

The Hon. I. A. SWINBURNE.—Until 1972.

The Hon. W. G. FRY.—That is so. I consider that arrangements should be made for a direct payment to be made to all municipalities, rather than that the payments should be made to the original parent municipality and then transmitted to the subsequent municipalities. This problem affects many areas of the metropolis where separate municipalities have been formed.

The Hon. R. J. HAMER (Minister for Local Government).—Mr. Fry has correctly stated the position. Where there has been a severance of municipalities since 1886 or so, the parent municipality receives the payment. If Mr. Fry refers to the schedule made available to honorable members, he will find that, under this Bill, the City of Moorabbin will receive the payment and that the cities of Sandringham and Mordialloc will receive nothing directly, although, apparently, Moorabbin hands over a certain proportion of the moneys received.

I shall refer Mr. Fry's remarks to the Treasurer. I stress that the entitlement under this Bill is exactly the same as the entitlement over the years—the capital commutation payment will be made to the municipality which has been receiving the annual amount from the licensing fund. Perhaps, by agreement, some scheme can be arranged such as Mr. Fry suggests, namely, that the capital sum will go directly to municipalities such as Sandringham and Mordialloc instead of being transmitted to them by the City of Moorabbin.

A similar position obtains in my province. The municipality of Nunawading was a single municipality and Box Hill was severed in 1925—Box Hill is not mentioned in the schedule. I do not want to malign the City of Nunawading but I believe it keeps all the payments from this fund, whereas the City of Moorabbin might have been generous in handing some of the money over to Sandringham and Mordialloc. Perhaps some arrangement was made when the severance took place.

The Hon. I. A. SWINBURNE (North-Eastern Province).—According to the schedule, some municipalities which have been severed from another municipality appear to receive direct payments. The Shire of Myrtleford was created only eight or nine years ago from the Shire of Bright, but Myrtleford is listed in the schedule. In addition, the City of Wangaratta, the Shire of Wangaratta, the Town of Portland, and the Shire of Portland, are listed separately on the schedule. I do not know whether an arrangement between the original municipality and the new municipality has been recorded under the Licensing Act, but perhaps some negotiation took place. The Minister mentioned Box Hill, but perhaps there were no arrangements between Nunawading and Box Hill in this matter. Some municipalities have been transferred over and have received their just dues in the distribution, whereas in other cases this has not occurred.

The Hon. R. J. HAMER (Minister for Local Government).—Mr. Swinburne's statement is accurate. When there is a severance, agreement is reached between the two severed

parts as to how the assets and the debts will be apportioned, and generally speaking an amicable settlement is reached. It would be prudent and usual for them to make arrangements how to split up the payments made from the Licensing Fund. Perhaps this was not done in some cases. Apparently at Nunawading and Box Hill, there has been no such overt arrangement, and the same thing occurred between the Moorabbin, Mordialloc and Sandringham councils. This Bill can deal only with legal entitlement, but I shall refer Mr. Fry's suggestion to the Treasurer so that when the capital payments are made they can be made direct to the municipalities which have been receiving their proportions of the annual payments.

The Hon. I. A. SWINBURNE.—They may have received a *quid pro quo* during the severance arrangements.

The Hon. R. J. HAMER.—That is possible.

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.

FENCES BILL.

The debate (adjourned from November 13) 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).—This is a Bill to consolidate and amend the law relating to dividing and farmers' fences. Its basis was a report made by the Statute Law Revision Committee which conducted an inquiry as a result of a request from the Master Fencers Association to the Government, which in turn referred it to the Statute Law Revision Committee. There are two types of fences —fences which front roads and dividing fences. In the metropolitan area fences which front roads are governed by the Uniform Building Regulations, but dividing fences are constructed by agreement. The Fences Act was primarily designed to allow neighbours to agree in relation to dividing fences. They could even agree not to have a dividing fence. The Act was drafted with a view to settling arguments and not to starting them.

Certain evidence was submitted to the Statute Law Revision Committee which recommended changes in the law. Residence area rights relate to former mining areas, and under these rights the occupant pays a nominal yearly fee to the Lands Department but is not obligated to pay for the cost of a fence. There are frequently feelings of resentment by people who own properties adjoining residence area rights, particularly in regard to the non-liability of the occupant to meet the cost of fencing. To overcome some of these difficulties the Government has accepted a recommendation of the Statute Law Revision Committee by making a substantive change in the definition of "occupier", and this appears in clause 3 of the Bill. The definition of "occupier" now includes the holder of a residence area right.

The definition of a sufficient fence has caused numerous arguments, and the committee, after considering submissions made to it, recommended the amendment of section 4 of the Act to include a principle which was necessarily flexible to allow the parties to bargain. Section 8 of the Act gave the court power to determine what is a sufficient fence. Witnesses before the committee asserted that these two sections were in conflict, and the committee recommended the repeal of section 4 and the redrafting of section 8 to give

it greater strength. That recommendation has been adopted by the Government and is included in the Bill.

The alteration in the use of land is causing serious problems in the metropolitan area, particularly where land developers are developing residential areas adjacent to rural land. What might be deemed by a farmer to be a sufficient fence—it could be a wire fence—is not a sufficient fence at the rear of a residential block. A recommendation made by the committee in this regard has been accepted by the Government. Provision is being made to allow the farmer to meet half the cost of what would be a sufficient fence for his purpose and for the land developer or the block owner to pay the balance of the cost of the construction of a paling fence or a fence which meets his requirements. The committee believed this to be a reasonable basis to adopt.

It was suggested to the committee that agreements should be enforced by law, but this suggestion was rejected because it was considered that alleged non-compliance could lead to many technicalities and cause more problems than it would settle. The committee recommended that if there was a compliance in substance with an agreement, no proceedings for the recovery of a proportion of the cost of construction of a fence could succeed on a technicality.

The committee was informed that a claim for a share of the cost following an agreement to erect a paling fence with 6-ft. posts failed because the posts actually measured 5 ft. 10 in. or 5 ft. 11 in. from the ground. It was therefore asserted by one of the parties that he would not meet half the costs because the agreement was not carried out. It was deemed advisable, therefore, to have the recommendation of the committee written into the legislation and that has been achieved in sub-clause (2) of clause 8.

The Hon. J. M. Tripovich.

Evidence was also submitted concerning disputes about rural boundaries, and it was stated that every party must be advised when a magistrate or a justice was called in by another party to adjudicate. The committee agreed with that suggestion, recommended accordingly, and the recommendation has been adopted by the Government.

The question of tenants being compelled to advise landlords when they were served with notices to fence was also raised. The committee recommended that when a tenant-occupier was being legally challenged he must notify the owner who might be involved in paying portion of the cost of the fencing. That recommendation has also been accepted and included in the measure. Those are the main principles contained in the report of the Statute Law Revision Committee, and I believe the consolidated legislation will contain the same principle as the existing Act. It will apply to all boundaries whether they are waterways, rivers or creeks. In the case of a natural boundary the fence must be placed at a point agreed on between the two parties. If the parties fail to agree, the legislation provides for them to apply for a judicial settlement.

Perhaps I could re-echo the sentiments of the Leader of the House tonight when he was explaining another Bill. I believe Parliamentary committees are functioning in such a way that they make for better legislation, and even strongly held party political views are resolved by members of these committees on the basis of each giving a little so that legislation in the interests of the people may be enacted.

I am a member of the Statute Law Revision Committee, and I think it has done an excellent job in making recommendations which the Government has considered worthy of incorporating in legislation. My party supports the Bill.

The Hon. C. A. MITCHELL (Western Province).—The Country Party supports this Bill. I agree with much of what Mr. Tripovich has said, but wish to advert to one point which has not been mentioned. The Bill deals with persons who are neighbours. In rural areas, some farmers have the Railway Department as their neighbour and many have purchased their properties on the understanding that the Department would look after the fences. In fact, landowners were not allowed to touch fences which had been erected by the railways. However, today the Railway Department is doing nothing about the fences and people are left in the air, so to speak, as to their responsibilities. I have received a number of letters from farmers who are in this plight, and I feel that the Bill does not go far enough. I point out that in many instances railway lines cut through properties and two fences are required. Farmers whose properties are divided have to pay to get from one side to the other, and now it looks as though they will be called upon to provide all the fencing. Although I regret that this point has been neglected, the Country Party will support the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 3 were agreed to.

Clause 4 (Liability of occupiers of adjoining lands to fence).

The Hon. A. K. BRADBURY (North-Eastern Province).—I support the remarks of Mr. Mitchell concerning railway fences. I should like the Minister to give some indication of the progress the Government is making, through the Liberal Party committee, in its investigation regarding the cost and maintenance of fences dividing railway property and private land. I understand that the Railways Commissioners are prepared to accept some responsibility for the erection and maintenance of fences in city areas, but that in country areas, particularly in rural districts, the Railway Department has refused to accept any responsibility in this regard.

Recently the Country Party asked the Minister of Transport whether the Railway Department would accept its fair share of the responsibility for the construction and maintenance of fences. As Mr. Mitchell pointed out, in many instances the railway line divides a farmer's property, and to give him access to his two adjoining paddocks, as it were, the Department has been good enough to erect gates on both sides of the railway line, but the Department accepts no other responsibility. This is just not good enough because farmers and graziers in rural areas have stock wandering around the paddocks and naturally, after many years, the fences become weakened with stock getting through them and ultimately they are broken down.

The Country Party believes that if it is good enough for an adjoining property owner to be required to accept responsibility for a share of the maintenance of fences, it is good enough for the Railway Department to meet its responsibility. I ask the Minister what progress has been made by the Liberal Party's committee to which I referred and when honorable members may expect a decision on this question, so that country people may be assured that finality will be reached in the very near future.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I have no particular information on the matter which Mr. Bradbury has raised. I cannot add to what I said in the second-reading speech. I know that this matter has been subject to criticism

and investigation for almost as long as I can remember, but if there is an investigation going on at present—the honorable member appears to have some knowledge of it and perhaps has given evidence to the committee—I shall ascertain the position for the honorable member. If Mr. Bradbury wishes to carry the matter further, of course, he may do so, but at the moment I have nothing further to add.

The Hon. A. K. BRADBURY (North-Eastern Province).—I am rather amazed at the answer given by the Minister. I know the honorable gentleman is sincere and genuine, but surely decisions of the Liberal Party are not made in corners of the party room, but are made openly at such meetings.

The Hon. F. S. GRIMWADE.—You seem to know what those decisions are.

The Hon. A. K. BRADBURY.—I certainly do. If Mr. Grimwade wants proof of my knowledge I shall produce it. I have a letter from the Minister of Transport stating that the Liberal Party has appointed a committee to investigate and report to the party on this subject. With all due respect, I am surprised to learn that the Minister is not aware of what is going on in his own party. I am asking whether this is a delaying tactic on the part of the Government because of the pressure being exerted by many farmers in country areas for some definition and acceptance of responsibility by the Railway Department for the erection and maintenance of fences.

The Hon. D. G. ELLIOT.—They are fencing!

The Hon. A. K. BRADBURY.—They are certainly fencing, around corners. I accept the Minister's answer, but ask for an early reply as to when Parliament may expect a report from the Liberal Party committee which is investigating the problem of fences separating railway land and private property.

The Hon. F. S. GRIMWADE (Bendigo Province).—Before Mr. Bradbury gets fully wound up on this question, I should like to state that I am a member of the sub-committee which is investigating this matter. The committee has had several meetings. It is a most complicated matter, particularly when compared, for example with what the Country Roads Board is required to do in connexion with deviations and fences. In the past a considerable quantity of fencing in rural lands was erected and maintained by the railways, but it is difficult to determine future policy. To set the honorable member's mind at rest, I can inform him that the committee is investigating the matter, but it will be a little time before a report is made and the problem can be straightened out.

The Hon. C. A. MITCHELL (Western Province).—In the past the Railway Department always agreed to provide fences, and would not allow farmers to interfere with them. Suddenly, the Department has decided that fences are not its responsibility. This does not seem to be common sense. A farmer may purchase a property on the understanding that the Railway Department is looking after the fences, and suddenly find that it is not, and be left up in the air. Would the Minister explain the situation?

Sir PERCY BYRNES (North-Western Province).—Mr. Grimwade said that complications were preventing the Liberal Party committee from making its report, but the only complication I know of is that the Railway Department resolutely refuses to do anything about the problem. If they will not do anything at all, no matter what is said, why bother to go on with the inquiry? We are up against a brick wall of refusal.

The Hon. G. L. CHANDLER (Minister of Agriculture).—An indication has been given that the Government is sincere in its desire to do something about this matter; otherwise it would not have appointed a committee to investigate it. Tonight I have heard great praise for committees. An honorable member of this particular committee has indicated that it is working on the problem. I hope the committee will make a favourable recommendation in the near future.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—Perhaps I may say something on behalf of the Railway Department. The problem which faces the committee of the Liberal Party is that for many years the Department accepted the responsibility for fencing, but in the meantime it has been saddled with subsidies for this and that, cut prices for this and that, the cost of superannuation, and so on, without any compensation. I should not be surprised if the Commissioners said to the Government, " If you want us to do the fencing, relieve us of some of the other charges you have saddled on to us over the years. The Commissioners now accept the view that they have nothing to get on to the property of the farmer, but the farmer has animals which may stray on to their property. It is the responsibility of the people to keep their stock off the railway line."

The clause was agreed to, as were clauses 5 to 9.

Clause 10, providing, *inter alia*—

(3) Where a tenant is served with a notice order award or certificate under this Act relating to the construction of a fence, he shall within fourteen days serve a copy of the notice order award or certificate on his landlord.

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

That, in sub-clause (3), the words "on his landlord" be omitted with the view of inserting the expression " by registered post on—

(*a*) his landlord at his last known address;

(*b*) the person to whom he pays his rent; or

(*c*) any person who he has reason to believe is authorized to accept service of notices on behalf of his landlord."

This amendment was suggested by the honorable member for Midlands when the Bill was under consideration in another place. The suggestion was examined by the Attorney-General and the Crown Law authorities with the result that it is being incorporated in the measure. This desirable amendment will widen the scope of this sub-clause.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—Sub-clause (4), which could be termed the penalty provision, states that where a tenant fails to serve a notice, order, award or certificate on his landlord within the prescribed time, the whole cost of the construction of the fence shall be paid by him. No doubt, this aspect was in the mind of the honorable member for Midlands in another place when he suggested the amendment which has been accepted by the Government. I thank the Government for including the amendment in the Bill.

The amendment was agreed to, as was a consequential amendment, and the clause, as amended, was adopted, as were the remaining clauses and the schedule.

The Bill was reported to the House with amendments, and passed through its remaining stages.

HOUSING (AMENDMENT) BILL.

The debate (adjourned from November 21) on the motion of the Hon. L. H. S. Thompson (Minister of Education) for the second reading of this Bill was resumed.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—This is a short amending Bill which, I suggest, the Government has brought down following suggestions from both Government and Opposition members in regard to complaints received, particularly in connexion with inner

industrial areas, from people who have purchased homes without knowing that they were subject to demolition or repair orders, or that the properties would be acquired for slum reclamation purposes. Many purchasers of properties of this type, who paid what they deemed to be their value of the house in relation to their requirements, were prepared to effect repairs to the dwellings and live in them for some years. However, they later found that, although they might have paid inflated prices for the properties, they will receive compensation only for the value of the land or what might be termed the demolition value of the properties.

On many occasions in the past, I argued with the former Minister of Housing, who is now Minister of Education, that it should be obligatory on an estate agent or the owner of a property, which is subject to a demolition or repair order or which is likely to be acquired by the Housing Commission, to advise the purchaser or intending purchaser of the circumstances.

Clause 2 of the Bill provides that in section 55 of the principal Act there shall be inserted the following interpretation :—

'"Step" means, in relation to steps taken by the Commission under this Part—

(*a*) a declaration made under sub-section (1) of section 56;

(*b*) the issuing of a certificate under sub-section (3) of section 56 that a house or the land on which such house is situate has been made to comply with the regulations under that section;

(*c*) the taking of proceedings in the county court under section 60 for the purpose of enforcing a charge under this Part;

(*d*) the closing of or directing the closing of any cellar, under section 64;

(*e*) the purchasing by agreement of or the compulsory taking of land under section 66 or section 68;

(*f*) a recommendation pursuant to section 67 that a defined area be constituted a reclamation area;

(*g*) a recommendation to the Governor in Council under section 71 to close a street or part thereof or to extinguish an easement or restrictive covenant.'

The Hon. J. M. Tripovich.

Clause 3, which substitutes a new section 61 in the principal Act, deals with the statement of the amount of charges due in respect of any property. Clause 4, which inserts a new section 119A in the principal Act, is the most important provision in the Bill. It provides—

After section 119 of the Principal Act there shall be inserted the following section :—

"119A. (1) Where the whole or any portion of any land to which a contract of sale relates—

(*a*) is the subject of a declaration that has been made under sub-section (1) of section 56 and in respect of which a certificate under sub-section (3) of section 56 has not been issued;

(*b*) is one in relation to which the Commission has made an order under sub-section (3) of section 64;

(*c*) is an allotment of land referred to in section 66; or

(*d*) lies in an area that has been declared to be a reclamation area under section 67—

the contract shall be voidable at the option of the purchaser unless a true copy of a certificate under section 61 signed by the vendor and by the purchaser is attached to the contract of sale."

I am certain that with the enactment of this legislation, many purchasers will be grateful to the Government for the protection that will be afforded to them. This protection will be provided for a fee of $1, which is reasonable. On behalf of a number of people who have been caught, if I might use the expression, by smart agents and smart vendors, I support the Bill. Although some unfortunate people will contend that the measure has been introduced too late, it will protect people in the future.

The Hon. I. A. SWINBURNE (North-Eastern Province).—The Country Party supports the Bill, which is the result of many representations concerning the sale of properties on which orders of the Housing Commission have been placed, either for demolition, repairs or acquisition for slum reclamation purposes. As Mr. Tripovich stated, in the past many undesirable acts have been committed by agents and

vendors, who have endeavoured to dispose of properties which have been subject to orders of the type to which reference has been made. This measure will protect home purchasers, not only in the metropolitan area where some old homes are situated and in slum reclamation areas of the city but in many country towns where demolition orders have been placed on older dwellings which people have purchased, not knowing of the existence of such orders.

The Bill will make it mandatory for a certificate of declaration to be attached to contracts of sale. Unless a certificate is attached to the contract it will be possible for the purchaser to void the contract. This places the responsibility clearly on the agents and vendors to be sure that the requisite information is supplied to the purchaser. There can be nothing worse than a family, which is struggling financially, purchasing a property only to find that it is the subject of a demolition order or a repair order. The Country Party supports the Bill.

I trust that the legislation will be properly policed because not all persons will know that it exists. It should be realized that demolition or repair orders are sometimes placed on buildings and left there for some time before they are implemented. I do not know for how long the voidance of contracts for the purchase of such properties will be effective. Proposed new section 119A states, *inter alia*—

> . . . the contract shall be voidable at the option of the purchaser unless a true copy of a certificate under section 61 signed by the vendor and by the purchaser is attached to the contract of sale.

No time limit is stated. The purchaser might have handed over a certain sum of money and the vendor might be far away. At that stage it might be difficult to trace the vendor. I believe some time limit should be imposed.

The Hon. J. M. TRIPOVICH.—This comes within the stage when the Housing Commission can say that a plan is in progress.

The Hon. I. A. SWINBURNE.—That might be in order in a slum reclamation area, but if a house has been condemned in a country town and the order has not been executed, a person may sell the house to an unsuspecting victim. The purchaser might have paid part of the contract price when the demolition order was executed. Such an occurrence is more likely to occur in the country than in the metropolitan area. Usually, a demolition or repair order is placed on a dwelling following an inspection and report by the local health inspector to the Housing Commission. If the owner decides to sell the house to a victim, the purchaser may have made some payments before the Housing Commission gets round to carrying out the demolition or repair order. I am aware that some properties have been subject to demolition orders for a number of years, but because they are tenanted no action is taken until the tenants move out. I should like the Minister to explain how a person is to be protected in the circumstances that I have outlined.

The Hon. G. W. THOM (South-Western Province).—There is another angle to notification so far as demolition orders are concerned. Some time ago, one of my constituents was informed that a demolition order had been placed on a property that he had purchased. He was not informed that the Housing Commission officers had inspected the property. I took up the matter strongly with the Minister at the time because the person concerned was not informed that an investigation was made, and apparently the Housing Commission officers forced entry to the house, which was vacant at the time. I

believe the owner is entitled to be informed when an inspection is made of property upon which a demolition or repair order may be issued. The reply I obtained from the Minister —it was probably supplied by the Housing Commission—was that it was considered to be unnecessary for the owner to be informed. I disagree with that contention because I believe the owner should be informed if an inspection is made. I should like to be assured that this policy will be followed in future. A man's property is somewhat sacred in this day and age, and he should be informed if it is to be inspected with a view to its demolition or repair.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, relating to interpretations.

The Hon. L. H. S. THOMPSON (Minister of Education).—I give Mr. Thom an unqualified guarantee that the Education Department will not enter any properties in Corio without giving notice to the owners. I shall direct his remarks in relation to the Housing Commission to the Minister of Housing.

The Hon. I. A. SWINBURNE (North-Eastern Province).—I support Mr. Thom's remarks in this regard. A case was referred to me recently when Housing Commission officers inspected a property in my district. It was a farm property, and the officers inspected it without notifying or interviewing the owner, although he lived only 300 or 400 yards away. They returned to Melbourne and wrote a most scathing report, but they did not know that the occupant was an illegal tenant; they gave him all sorts of rights. I informed the Housing Commission that I hoped a similar case would not occur in my district because I believe it is poor practice to inspect a property without first endeavouring to contact the owner. A person who enters a farm property is really trespassing because he has to cross the land before reaching the house. In this case, the owner took a dim view of the Commission's action, and I agree with him. If the Housing Commission inspects a property, it should at least give notice to the owner or contact him if possible. I fully support Mr. Thom's remarks.

The clause was agreed to, as were the remaining clauses.

The Bill was reported to the House without amendment, and the report was adopted.

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

That this Bill be now read a third time.

I was requested by Mr. Swinburne to comment on one aspect, but the Bill passed through Committee so speedily that I omitted to do so. Mr. Swinburne's point has some weight. Under proposed new section 119A as contained in clause 4, it is possible for a set of circumstances such as he envisaged to occur. It is a much more satisfactory provision than has existed in the past. There is power to void a contract if it can be established that a copy of a certificate under section 61 was not signed by the vendor and by the purchaser and attached to the contract of sale. However, I realize that a situation could arise in which it was intended to place a demolition order on a house and the owner of the property sold it as quickly as possible so that his purchase price might not be lowered by the threat of a demolition order. This section may need to be improved in the light of experience. The Government will be vigilant for cases of this kind and will see how the law can be amended to make it more foolproof. But I am sure the position will be more satisfactory than it has been in the past. Section 61 certificates were usually obtained by conscientious solicitors and purchasers,

but the odd one slipped through. Under new section 119A it will be possible to void a contract where a section 61 certificate has not been attached.

The motion was agreed to, and the Bill was read a third time.

STOCK (ARTIFICIAL BREEDING) (AMENDMENT) BILL.

The debate (adjourned from November 13) on the motion of the Hon. G. L. Chandler (Minister of Agriculture) for the second reading of this Bill was resumed.

The Hon. ARCHIBALD TODD (Melbourne West Province).—This Bill proposes to add to the existing provisions of the Stock (Artificial Breeding) Act 1962. Since that date there has been a considerable increase in the artificial insemination of cattle in Victoria. According to figures supplied by the Minister in his explanatory second-reading speech, approximately 200,000 cows per year are artificially inseminated. When this practice was introduced into the dairying industry, it was necessary to ensure that certain safeguards surrounded the taking of semen from bulls and the storing of it in certain places. Initially, three licensed centres were established. Since then the Department of Agriculture has trained a number of persons in the practice of artificial insemination of cows. Apparently, it is a most acceptable process. Having been encouraged by the use of semen from local bulls in Victoria, it is now proposed that semen should be imported from the United Kingdom. Legislation is necessary to ensure that every care is taken that the semen will be of a high standard and that there are no disabilities or defects among the bulls that can be transmitted through the cows that are artificially inseminated in Victoria.

This is a new departure that may be regarded with interest. If the breeders are sufficiently keen to have imported stock introduced by artificial insemination, my party will not stand in the way of legislation that will ensure that this is done properly. Certain associated matters relating to quarantine are proposed by the Bill. The Chief Veterinary Inspector has power over the sale and use of imported semen. It is natural that someone should be in control and have power over this matter. It is not for me to dispute whether or not this will be a successful procedure.

The results achieved from artificial insemination have been so rewarding that the practice is spreading and the introduction of imported semen in Victoria will cease to be somewhat of a novelty. I hope no breakdown will occur in the machinery set up for this practice. I should have thought the local bulls would be able to fulfil their own tasks without the necessity for semen being imported from overseas. Nevertheless, the Opposition will not object to the passing of this Bill.

The Hon. S. R. McDONALD (Northern Province).—The Minister of Agriculture and Mr. Todd have stated that in recent years a large increase in artificial insemination has taken place in dairy herds in Victoria. This amending Bill is necessary for several reasons, but mainly because of the changes that have taken place in the artificial breeding of cattle. The first change is the desire by some breeders to import semen from overseas. At present semen is imported only from New Zealand. One of the main purposes of the Bill is to control the future importation of semen such as that from the French Charolais beef breed.

During recent years semen from beef breeds has come available in Victoria and is being extensively used. Consequently it has been necessary to effect changes in the principal Act.

Clause 3 amends section 4 and relates to the characteristics to be considered in considering whether a sire shall be deemed approved or not. This enables the results of performance testing of pedigrees to be taken into account.

Clause 5 inserts new section 5A into the principal Act and relates to the sale and use of imported semen. Semen must be kept in quarantine for two years as a protection from disease. If in that time the sire from which the semen was obtained shows signs of foot and mouth or some other disease, action can be taken to protect Australia from a possible source of infection. All these matters are under the strict control of the Chief Veterinary Inspector, and under the amendment to section 10, as contained in clause 6, the stock owner or the herd owner is required to obtain the written approval of the Chief Veterinary Inspector for the use of the semen from sires in his own herd. This will give added protection to ensure that the objective of artificial breeding in Victoria will be achieved and will ensure the over-all productivity of our dairy and beef herds. For this reason, the Country Party supports the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3—

In sub-paragraph (ii) of paragraph (*a*) of sub-section (1) of section 4 for the words "condition and conformation of the sire" there shall be substituted the words "condition conformation pedigree and results of performance test of the sire and".

The Hon. F. S. GRIMWADE (Bendigo Province).—Honorable members know what this clause means, but it would be better if, in sub-paragraph (ii) of paragraph (*a*) of sub-section (1) of section 4 the words "condition conformation pedigree" were separated by commas. The proposed sentence would then read "condition, conformation, pedigree and results of performance test of the sire".

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

That, after the expression "section 4", the words "of the principal Act" be inserted.

If Mr. Grimwade had analyzed this clause he would have noticed that for the words "condition and conformation of the sire" there shall be substituted the words "condition conformation pedigree and results of performance test of the sire. I appeal to the legal members of the House to enlighten me why the Parliamentary Draftsman has left out the commas. I understand it is a matter of drafting. As Mr. Galbally is not in the Chamber, I shall have to look elsewhere for an explanation. The lack of commas does not alter the sense; it is merely a matter of drafting.

The amendment was agreed to, and the clause, as amended, was adopted, as was clause 4.

Clause 5, relating to the sale and use of imported semen.

The Hon. S. R. McDONALD (Northern Province).—Clause 5 adds new section 5A to the principal Act and relates to the sale and use of imported semen. The Chief Veterinary Inspector is required to approve of the importation of semen from the United Kingdom and other places. Sub-section (2) of proposed section 5A requires that the approval by the Chief Veterinary Inspector with respect to any semen imported into Australia shall be deemed to be a declaration by him that the sire from

which the semen was collected is an approved sire for the purposes of the Act. Sub-section (3) then lists a number of aspects which may require the cancellation of the approval by the Chief Veterinary Inspector. I should like an assurance from the Minister of Agriculture that the Chief Veterinary Inspector will apply the same test and qualifications for approval in relation to imported semen as he applies with regard to local beef sires. It is important that the imported semen should conform to the standard required for Victoria.

The Hon. G. L. CHANDLER (Minister of Agriculture).—That position will be safeguarded. The imported semen will be allowed into Victoria only after stringent tests and investigation in other parts of the world. This amending Bill will give the Chief Veterinary Inspector the necessary powers. With the safeguards I have mentioned and the quarantine procedures, I am certain that the fears of Mr. McDonald will be unfounded, and that the Victorian stock will be safeguarded. The matter has been closely examined and the implications of the move were given serious consideration before the decision was taken. However, I shall bring the point to the attention of the Chief Veterinary Inspector.

The Hon. H. A. HEWSON (Gippsland Province).—I should like the Minister to inform the Committee what co-operation has taken place between the breeders and the Department concerning the importation of semen. In formulating a breeding programme, breeders have their own ideas on the type of animals required. Of course, while an animal may be suitable for a particular breeder's purposes, it might not be generally suitable. Therefore, close co-operation with the Department is necessary.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I appreciate the importance of Mr. Hewson's point. I am not sure of the details of the machinery involved, but I shall ascertain particulars from the Department and discuss the matter with Mr. Hewson in due course.

The clause was agreed to, as was the remaining clause.

The Bill was reported to the House with an amendment, and passed through its remaining stages.

The House adjourned at 10.5 *p.m.*

Legislative Assembly.

Tuesday, November 26, 1968.

The SPEAKER **(the Hon. Vernon Christie)** took the chair at 3.7 p.m., and read the prayer.

GOVERNMENT INSTRUMENTALITIES.

EXPENDITURE: LOANS RAISED: LOAN LIABILITY: PERSONNEL EMPLOYED: SALARIES OF MEMBERS.

For **Mr. GINIFER** (Deer Park), Mr. Wilton asked the Treasurer—

In respect of each of the following authorities, viz.:—the State Rivers and Water Supply Commission, Victorian Railways Commissioners, Melbourne and Metropolitan Board of Works, Melbourne and Metropolitan Tramways Board, Melbourne Harbor Trust, and Country Roads Board, what was—(*a*) capital expenditure for the financial year 1967–68; (*b*) revenue expenditure for the financial year 1967–68; (*c*) the amount of loans raised during the financial year 1967-68 (including refinancing); (*d*) the total loan liability at 30th June, 1968; (*e*) the number of personnel employed at the 30th June, 1968; (*f*) the chairman's salary; (*g*) the deputy-chairman's salary; and (*h*) a member's salary?

For **Sir HENRY BOLTE** (Premier and Treasurer), Sir Arthur Rylah (Chief Secretary).—As the answer comprises a lengthy series of statistics, I seek leave of the House to have it incorporated in *Hansard* without my reading it.

Leave was granted, and the answer was as follows:—

——	(*a*) Capital expenditure for the financial year 1967–68.	(*b*) Revenue expenditure for the financial year 1967–68.	(*c*) The amount of loans raised during the financial year 1967–68 (incl. refinancing).	(*d*) The total loan liability at 30th June, 1968.	(*e*) The number of personnel employed at 30th June, 1968.	(*f*) Chairman's salary.	(*g*) Deputy Chairman's salary.	(*h*) Member's salary.
	$	$	$	$		$	$	$
State Rivers and Water Supply Commission	13,224,151	12,004,078	Nil. Capital expenditure is financed from Govt. Loan Fund	291,577,681	3,366	14,650	12,050	11,550
Victorian Railways Commissioners	16,614,092	110,950,623	Nil. Capital expenditure is financed from Govt. Loan Fund	343,132,443	27,430	17,950	15,150	13,850
Melbourne and Metropolitan Board of Works	45,524,569	31,505,475	54,295,850	384,522,692	5,892	13,100	Nil	Nil
Melbourne and Metropolitan Tramways Board	938,351	20,795,221	1,450,000	23,840,432	4,570	13,100	12,050	11,550
Melbourne Harbor Trust	5,204,518	9,678,483	3,075,000	34,483,642	1,645	13,100	No provision in Act for such an appointment	Each Commissioner receives fee at rate of $2,000 per annum
	(Under the Act the Trust's Accounts are prepared on a calendar year basis—answers as set out in *a*, *b*, *c*, and *d* are for the calendar year 1967.)							
Country Roads Board ..	49,940,702 This amount represents expenditure by the Board on road construction and reconstruction.	24,392,833 This amount represents road maintenance and other expenditure of a revenue nature from the Board's funds.	Nil. An amount of $987,000 has been made available from the Loan Fund and is included in the amount shown in column (*a*).	30,978,855	4,456	13,100	12,050	11,550

POLICE DEPARTMENT.

TAKING OF KEYS FROM MOTORISTS.

Mr. WILKES (Northcote) asked the Chief Secretary—

On what number of occasions since January, 1968, members of the Police Force have taken keys from motorists, preventing them from driving their vehicles?

Sir ARTHUR RYLAH (Chief Secretary).—The answer is, "Six hundred".

CLOSURE OF POLICE STATIONS.

Mr. FLOYD (Williamstown) asked the Chief Secretary—

1. Over the last three years, how many police stations have been—(*a*) closed entirely; or (*b*) reduced to the status of sub-stations?

2. Where these stations are located?

Sir ARTHUR RYLAH (Chief Secretary).—The answers are—

1. (*a*) Twenty-one from the 1st January, 1965, to the 22nd November, 1968.

(*b*) Five from the 1st January, 1965, to the 22nd November, 1968.

2. Stations closed: Auburn, Avenel, Ballarat East, Ballarat North, Bealiba, Brown Hill, Brunswick East, *Brunswick West, Chewton, Cowwarr, †Fitzroy North, *Gardenvale, *Ivanhoe, Kew East, Middle Park, Ormond, Talbot, Thornbury, Ultima, West Melbourne, Windsor.

Stations reduced to status of sub-stations: Aspendale, Carlton North, Clifton Hill, †Fitzroy North, Montague.

* Retained as licence testing and vehicle checking stations.

† Fitzroy North was reduced to the status of a sub-station on the 31st August, 1966, and was closed on the 31st October, 1968.

METROPOLITAN STATIONS: HOURS OF SERVICE: ARRANGEMENTS WHEN UNATTENDED.

Mr. FLOYD (Williamstown) asked the Chief Secretary—

1. How many police stations in the Melbourne and metropolitan area do not maintain a 24-hour service?

2. Where these police stations are situated?

3. Whether he would consider establishing, at police stations not maintaining a 24-hour service, a call box with a direct line to D.24 so that the public calling at unattended police stations can telephone for immediate assistance without searching for public telephones which are frequently out of order; if not, whether he could suggest an alternative service to ensure these localities are properly safeguarded against crime?

Sir ARTHUR RYLAH (Chief Secretary).—The answers include a list of names, 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. Forty-nine.

2. Altona, Ascot Vale, Ashburton, Avondale Heights, Balwyn, Beaumaris, Bentleigh, Bentleigh East, Blackburn, Black Rock, Burwood, Chatham, Cheltenham, Clayton, Doncaster, East Melbourne, Eltham, Elwood, Epping, Fairfield, Fawkner, Flinders-lane, Melbourne, Glenhuntly, Glenroy, Glen Waverley, Greensborough, Hampton, Heidelberg West, Kingsville, Laverton, Maidstone, Malvern East, Maribyrnong, Mentone, Mitcham, Moorabbin, Murrumbeena, Newport, Pascoe Vale, Preston East, Reservoir, Richmond South, Royal Park, Sandringham, St. Albans, St. Kilda-road, (1A Bowen-crescent), Thomastown, Westmeadows, Yarraville.

3. No. Where call boxes, with a direct line to a 24-hour police station, are installed experience has shown that very little or, in some cases, no use has been made of these facilities. Apart from public telephones, a large number of private residences have telephone connexions, and it is considered that members of the public are generally aware that attention can be obtained by contacting D.24 by telephone either through the emergency telephone number 000 or the exchange number 34 999 when police are required urgently. As all police mobile units are radio equipped, such calls can be attended to with a minimum of delay.

HORSE-RACING.

ALLEGED MALPRACTICES.

Mr. TREZISE (Geelong North) asked the Chief Secretary—

1. Whether his attention has been directed to a report of a Tasmanian newspaper alleging that horse-racing malpractices have recently occurred in Victoria?

2. Whether there is any evidence of malpractices?

Sir ARTHUR RYLAH (Chief Secretary).—The answers are—

1. I have not seen any such report in a Tasmanian newspaper, but I have read a report accompanied by sensational headlines in a Melbourne newspaper on possibly the same matter.

2. The Chief Commissioner of Police advised me that the report in the Melbourne newspaper is extravagant and substantially without foundation. The Chief Commissioner has no evidence of any racecourse malpractice.

The police are investigating a complaint from Tasmania from which the facts indicate that some person has impersonated a Victorian jockey. I suspect that the investigation of this complaint has formed the basis of the report to which the honorable member refers.

MOTOR VEHICLES.

DRIVING LICENCES: RECORD OF HOLDERS.

For **Mr. LOVEGROVE** (Sunshine), Mr. Wilton asked the Chief Secretary—

1. How many persons licensed to drive motor vehicles—(*a*) are known alcoholics; (*b*) have been convicted of offences against property; and (*c*) have been convicted of offences involving pistols, rifles or guns?

2. Whether investigations have been conducted into motor accidents involving any distinguishable groups holding driving licences?

Sir ARTHUR RYLAH (Chief Secretary).—The answers are—

1. The information requested is not readily available, but where such persons come under notice and the Chief Commissioner of Police considers any such person is unsuitable to hold a licence, action is taken under section 25 of the Motor Car Act 1958 to refuse the issue or renewal of any such licence.

2. Yes. Recent investigations by Government Departments include—

(*a*) A tabulation of age and sex of drivers in accidents by type of accident in which they were involved in 1964—Reference: "Road Traffic Accidents 1964" by Victorian Traffic Commission.

(*b*) The involvement and speeds of drivers in casualty accidents. By experience (By Victorian Traffic Commission, unpublished).

(*c*) Number of drivers killed and injured in accidents. By age groups. By Commonwealth Statistician, 1967.

SOCIAL WELFARE BRANCH.

ANNUAL REPORT.

Mr. WILKES (Northcote) asked the Chief Secretary—

Whether, in view of his answer to question No. 14 asked in this House on 1st October, 1968, that it was the intention of the Social Welfare Department to have its annual report ready for presentation to Parliament during the current session, he can give any further information about the date on which the report will be tabled, particularly when it is clear that failure to table the report is in breach of the Act?

Sir ARTHUR RYLAH (Chief Secretary).—The answer is—

The Director-General of Social Welfare advises that owing to illness completion of his annual report was delayed. It has now been completed and will be presented to Parliament this day.

A copy has been forwarded to the Government Printer for printing.

PRISONS DIVISION.

PRISONERS IN CELLS: DEATHS: MEDICAL EXAMINATIONS.

Mr. MOSS (Leader of the Country Party) asked the Chief Secretary—

1. How many deaths occurred in prison cells throughout Victoria during the last five years?

2. In respect of each deceased prisoner, what was—(*a*) the cause of death; (*b*) the physical condition when first detained; (*c*) the period of detention prior to death; (*d*) the locality where death occurred; and (*e*) the age and occupation?

3. Whether persons detained in cells are subjected to a medical examination?

Sir ARTHUR RYLAH (Chief Secretary).—The answers are—

1. Five prisoners died in prison cells.
Three prisoners died in prison dormitories.
Five prisoners died in prison hospitals.
Four prisoners died in other hospitals.
Five prisoners died in miscellaneous places.

Total 22

3. Yes.

The answer to question No. 2 consists of a lengthy table, and I seek leave of the House to have it incorporated in *Hansard* without my reading it.

Leave was granted, and the answer was as follows:—

2.

Date.	Prisoner.	Age.	Occupation.	Cause of Death.	Locality.	Physical Condition when first Detained.	Period of Detention Prior to Death.
6th December, 1963	Frank L. Wills	54	Laborer	Mycardial degeneration and congestive cardiac failure	D. Div. Hospital	Fit for hospital	2 days
31st December, 1963	Joseph H. Lawson	51	Laborer	Coronary occlusion	Beechworth (in cell)	Good	4 months
22nd January, 1964	Raymond D. Eagles	21	Bricklayer	Accident (explosion)	Laundry, Pentridge	Good	2 months
25th March, 1964	Eric J. Boyd	58	Pensioner	Coronary sclerosis and myocardial degeneration	D. Div. Hospital	Did not require treatment	1 day
25th April, 1964	Edwin T. Hayden	31	Laborer	Suffocation resulting from hanging (self)	Pentridge H Div. cell	Good	2 years 1 month
27th June, 1964	Robert Jacobs	38	Iron Moulder	Coronary sclerosis and myocardial degeneration	D. Div. Hospital	Arthritis and kidney trouble	1 day
14th September, 1964	Donald Brooks	50	Tanner	Coronary thrombosis	Reception Block D. Div.	No signs of illness	2 hours
3rd June, 1965	Arthur Calder	75	Pensioner	Coronary disease and myocardial degeneration	Pentridge (in cell)	No signs of illness	5 days
25th August, 1965	William M. Pirani	49	Laborer	Coronary atherosclerosis and myocardial fibrosis	Pentridge (F Dormitory)	No signs of illness	1 day
2nd June, 1966	Leslie L. Baldwin	49	Laborer	Coronary occlusion	On way to Hospital from Morwell River Reforestation Prison	No signs of illness	4 months
18th July, 1966	Maurice D. Hodgetts	40	Ironworker	Coronary disease	Beechworth Prison (at work on farm)	No signs of illness	10 months
25th August, 1966	Sydney H. McCrae	51	Laborer	Coronary occlusion	Sale Hospital	Cardiac condition	4 years
25th September, 1966	Steven Poole	24	Laborer	Suffocation resulting from hanging (self)	Pentridge H Div. cell	Under treatment for degenerative disease	2½ years
16th October, 1966	Ronald L. Long	31	Salesman	Status asthmaticus	Castlemaine Prison (in cell)	Suffering from asthma	2 months
18th December, 1966	John Grech	27	Driver	Killed by falling tree	Morwell River (in forest)	Good	8 months
5th December, 1966	Ivan Jakac	48	Laborer	Cancer	Caritas Christi Hospital	Good	6 years
17th January, 1967	Norman Bailey	50	Laborer	Myocardial infarct	Royal Melbourne Hospital	Fit for hospital	1 day
27th June, 1967	Michael Bell	47	Laborer	Heart failure	Royal Melbourne Hospital	No signs of illness	5 months
26th January, 1968	Joseph O'Halloran	43	Laborer	Coronary sclerosis and myocardial degeneration	Pentridge F Dormitory	Not yet medically examined	1 day
20th June, 1968	Milton Harrison	49	Driver	Coronary occlusion	Pentridge F Dormitory	No signs of illness	1 day
1st August, 1968	Phillip C. Higgins	76	Laborer	Cardiac failure	Castlemaine Prison Hospital	No signs of illness	3 months
21st August, 1968	Frederick Brainwood	51	Laborer	Awaiting result of inquest	D. Div. Hospital	Suffering from asthma	6 days

PRIVATE ADOPTION AGENCIES.

RECOMMENDATIONS OF INTER-DEPARTMENTAL COMMITTEE.

Mr. WILKES (Northcote) asked the Chief Secretary—

Whether the Inter-departmental Committee of Social Welfare Department and Treasury officials has made any recommendations to the Government in respect of private adoption agencies; if so, what are the recommendations?

Sir ARTHUR RYLAH (Chief Secretary).—The answer is—

The committee has made a number of recommendations concerning adoption agencies to which I am at present giving consideration.

LAW DEPARTMENT.

APPEALS FROM SUPREME COURT TO HIGH COURT.

For **Mr. GINIFER** (Deer Park), Mr. Wilton asked the Attorney-General—

How many appeals to the High Court from the Victorian Supreme Court were lodged and heard, respectively, in 1967?

Mr. G. O. REID (Attorney-General).—The answer is—

During 1967, fourteen appeals from the Supreme Court of Victoria to the High Court were lodged and fourteen such appeals were heard.

CORDITE-AVENUE BRIDGE.

NEW CONSTRUCTION: CALLING OF TENDERS: FINANCE.

For **Mr. GINIFER** (Deer Park), Mr. Wilton asked the Minister of Public Works—

1. Whether the plans and specifications of the proposed Cordite-avenue bridge at Avondale Heights have been forwarded by the City of Keilor to the Country Roads Board?

2. When it is expected these plans will have been checked by the Board?

3. When it is expected the City of Keilor will call tenders for the construction of the bridge?

4. Whether adequate finance has been provided in order that construction of this bridge may be proceeded with during the current financial year?

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

1. Yes, they were delivered by hand to the Board's head office on Thursday, 21st November, 1968.

2. The plans and specifications are being examined by the Board's staff. However, for a bridge of the proposed type and size this examination will take several weeks.

3. The council will be authorized to invite tenders when the plans and specifications have been approved. It is not possible to quote a date at this stage.

4. Yes.

COUNTRY ROADS BOARD.

OVER-PASS AT GEELONG NORTH.

Mr. TREZISE (Geelong North) asked the Minister of Public Works—

1. What stage will be reached by the imminent holiday period in roadway provision for motorists at the over-pass works at Separation-street–Melbourne-road, North Geelong?

2. What provisions are planned for the safety of holiday traffic traversing this point?

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

1 and 2. Traffic at the Separation-street–Melbourne-road railway over-pass will continue to use the old bridge and approaches during the forthcoming Christmas–New Year holiday period. Four lanes of traffic will be able to use the bridge at all times.

The construction of Dunn-street southerly from Edol-street and the new service road connexion from Dunn-street to the Melbourne bound carriageway of the Princes Highway West together with temporary channelization will have been completed. A new road has also been constructed between Dunn-street and Separation-street at the rear of the Ocean Child Hotel to provide access to the hotel and Separation-street.

All pavements available to traffic will be sealed and line marking completed. Warning and direction signs for the guidance of traffic will be erected.

HOUSING COMMISSION.

ESTATE AT SUNSHINE WEST.

For **Mr. GINIFER** (Deer Park), Mr. Wilton asked the Minister of Housing—

What progress has been made regarding the establishment of the Housing Commission estate at Sunshine West?

Mr. MEAGHER (Minister of Housing).—The answer is—

The general layout of the area was approved by the City of Sunshine in July, 1968. Detailed survey working drawings have been prepared for the first group of streets on this estate and, following conferences with the city engineer, designs for street and drainage construction in this first section are nearing completion. Subdivi-

sional plan and final engineering drawings will be submitted to the City of Sunshine for formal approval next month. Negotiations for servicing of the area to match street construction are proceeding.

APPLICATIONS FOR SLEEPOUTS IN GEELONG.

Mr. TREZISE (Geelong North) asked the Minister of Housing—

1. How many applications are at present lodged for the provision of sleepouts in the Geelong Housing Commission area?

2. When it is expected that the applications will be satisfied?

Mr. MEAGHER (Minister of Housing).—The answers are—

1. Twelve.

2. The requirements of these applicants will be met as soon as possible by the transfer of sleepouts from houses where the need no longer exists.

LIQUEFIED GASES.

CONTROL: INDUSTRIAL SAFETY IN MANUFACTURE.

For **Mr. LOVEGROVE** (Sunshine), Mr. Wilton asked the Minister of Mines—

What Act or regulations control the manufacture of liquefied gases and the industrial safety of persons engaged in manufacture?

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

The manufacture of liquefied gases is not subject to any Act administered by the Mines Department, but the provisions of the Labour and Industry Act 1958 and the regulations thereunder apply.

INSPECTION BY MINES DEPARTMENT.

For **Mr. LOVEGROVE** (Sunshine), Mr. Wilton asked the Minister of Mines—

Which firms manufacturing liquefied gases are inspected by the Mines Department, and how frequently they are inspected?

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

The Mines Department does not administer any legislation relating to the manufacture of liquefied gases. Accordingly, no inspections relating to manufacture are made by the Department.

GAS AND FUEL CORPORATION.

GASES MANUFACTURED AND MARKETED.

For **Mr. LOVEGROVE** (Sunshine), Mr. Wilton asked the Minister for Fuel and Power—

What gases are manufactured or marketed by the Gas and Fuel Corporation?

Mr. BALFOUR (Minister for Fuel and Power).—The answer is—

The Gas and Fuel Corporation markets three types of gases.

Manufactured gas is distributed generally in the metropolitan area, Gippsland towns served by the Corporation, and sections of Bendigo.

Gas for the metropolitan area and for Gippsland is generated at Highett, West Melbourne and Morwell and consists of blends of coal gas, gas produced by reforming refinery products, refinery gas and liquefied petroleum gas.

Tempered liquefied petroleum gas is distributed in Kyneton, Castlemaine and a portion of Bendigo.

Liquefied petroleum gas distributed by reticulation system in the Altona-Laverton area and also in bottles and in bulk under the trade name of "Heatane".

EDUCATION DEPARTMENT.

TEACHING OF ENGLISH TO MIGRANT CHILDREN: SUPPLY OF BOOKS.

Mr. EDMUNDS (Moonee Ponds) asked the Minister of Labour and Industry, for the Minister of Education—

In view of the answer to question No. 22 asked in this House on Tuesday, 8th October, 1968, in respect of teaching English to migrant children in Victoria, whether a reply has been received from the Federal Minister for Immigration regarding the supply without cost of teachers' books and the 3,600 sets of student books of the situational English series?

Mr. ROSSITER (Minister of Labour and Industry).—The answer supplied by the Minister of Education is—

A reply from the Federal Minister for Immigration was received on the 18th of November, 1968, stating that the request by the Minister of Education was still under consideration but it was hoped that a decision would be made soon.

UNIVERSITIES.

RESEARCH PROJECTS.

Mr. GINIFER (Deer Park) asked the Minister of Labour and Industry, for the Minister of Education—

Whether any Victorian universities have research contracts with the Victorian Government or its authorities; if so (*a*) what was the date of any such contract and the subject of the research; and (*b*) whether the result of any such research has been published, and in what circumstances a university is free to publish it?

Mr. ROSSITER (Minister of Labour and Industry).—The Minister of Education has supplied the following reply:—

Yes. At the present time two such research projects are being carried out at the University of Melbourne on behalf of the Melbourne and Metropolitan Board of Works.

(*a*) 1. 1st March, 1968; "Environmental Study of Port Phillip Bay."

2. 27th July, 1967; "Studies of Root Growth in Sewer Pipes."

(*b*) These studies are still in progress and research results have not been published. As the studies relate to the Board's administrative functions, the publication aspects are a matter for the Board.

RAILWAY DEPARTMENT.

STANDARD GAUGE SYSTEM.

For **Mr. TREZISE** (Geelong North), Mr. Wilton asked the Minister of Transport—

Whether plans exist to extend the standard gauge facilities to other centres of this State apart from Melbourne; if so, what are such plans; if not, whether he believes such facilities would assist present and future industries to develop in selected non-metropolitan centres?

Mr. WILCOX (Minister of Transport).—The answer is—

No. The present position is that the availability of the bogie exchange method of transferring vehicles between broad and standard gauges gives industries throughout Victoria ready and economical access to the Australian interconnected standard gauge railway system without the heavy cost of further standard gauge extensions in this State.

DEPARTMENT OF HEALTH.

REGISTRATION OF ABATTOIRS.

Mr. GINIFER (Deer Park) asked the Minister of State Development, for the Minister of Health—

If he will lay on the table of the Library the files relating to the registration of the abattoirs or slaughter-houses in each of the following shires:—Orbost, Maffra, Alexandra, Yea, Dimboola, and Karkarooc?

Mr. MANSON (Minister of State Development).—The answer supplied by the Minister of Health is as follows:—

The shires of Orbost, Maffra, Alexandra, Yea, Dimboola, and Karkarooc have not been declared meat areas in the terms of the Health Act 1958, and in these circumstances the registration of abattoirs or slaughter-houses in the shires named is not subject to the approval of the Commission of Public Health and no files relating to the registration of these premises are held in the Department of Health.

Abattoirs and slaughter-houses in parts of Victoria not declared as meat areas are registered as "offensive trades" by the municipalities concerned under the provisions of the Offensive Trades Regulations made pursuant to the Health Act 1958.

STATE RIVERS AND WATER SUPPLY COMMISSION.

STAFF RETRENCHMENTS.

Mr. FLOYD (Williamstown) asked the Minister of Water Supply—

Whether there have been any retrenchments in the staff of the State Rivers and Water Supply Commission; if so, in which districts these retrenchments occurred and why they were necessary?

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

Ninety employees in fourteen districts have been retrenched by the State Rivers and Water Supply Commission since 26th August, 1968.

The districts concerned and the reasons for the retrenchments are set out in a statement which I should like incorporated in *Hansard* without being read.

Leave was granted, and the statement was as follows:—

District.	Retrenchments.	Reasons.
1. Birchip	3	Twelve men engaged on drought relief. Last three to be retrenched after drought relief had finished. All returned to their farms.
2. Boort	2	These men were engaged on seasonal channel maintenance and construction.
3. Camperdown	4	These men were engaged in 1966 to install a reticulation pipeline which has now been completed.
4. Cohuna	2	These employees were engaged for a few months only during winter on drainage construction. This work is of a seasonal nature.
5. Horsham	3	Engaged for drought relief works fencing Dimboola storage. All had jobs to go to when drought relief ceased.
6. Kerang Construction ..	18	Barr creek salinity diversion project, financed by the Commonwealth now completed. These men were engaged in March, 1968, specifically for this project, and were aware employment would only be for duration of the project.
7. Koo-Wee-Rup	1	Insufficient work in the district to keep present strength employed.
8. Merbein	5	Engaged during winter months on channel maintenance. This work is of a seasonal nature.
9. Millewa Pumping Station	4	Employed only for about two months each year on seasonal works. They then returned to working on their farms.
10. Ouyen	5	Drought relief ; engaged on water distribution works until drought relief ceased.
11. Redcliffs	15	Eight engaged each year during winter to clean channels, and retrenched when irrigation season commenced. Seven also engaged annually at Carwarp as rangers for two months running water. Retrenched when season ended.
12. Rochester	5	These men were engaged on channel maintenance. When the irrigation season commenced there was no other work available. Six men have since been engaged on other work.
13. Swan Hill	12	Eight engaged on seasonal works, with prior knowledge of three months' employment only. They then returned to their farms. Four retrenched due to more money being spent on materials (pipes, &c.) and less on labour.
14. Tatura	11	Loan allocation less than usual. Five men left before they were to be retrenched, having found other employment. One of the eleven later reinstated as a greaser required for a machine.
TOTAL	90	

QUESTION OF PRIVILEGE.

COMPLAINT: STATEMENT BY PREMIER.

Mr. HOLDING (Leader of the Opposition).—I move—

That this House dissociates itself from the statements attributed to the Honorable Sir Henry Bolte, which statements were the subject of publication to members of the press and were broadcast over radio news services at Station 3AW and this House is of the opinion that the Premier having admitted the accuracy of part of the statement, this House is of the opinion that as to that part the Honorable the Premier has failed to comply with the Standing Orders, and is guilty of a breach of privilege.

In order to clarify a few simple procedural matters, I shall state at the outset that in accordance with usage in this House when one honorable member challenges the accuracy of another honorable member's comments, he is bound as a matter of

courtesy to accept the accuracy of the statements and explanations given by the honorable member so accused. Accordingly, in directing the attention of the House to the substance of this charge, I shall base my allegations—and ask the House to support the motion on that basis—on the explanations made to the House by the Premier.

Approximately three or four ingredients are involved in this offence. First, I shall allege and prove that the statements made by the Premier, and his explanation to the House last Thursday, are a gross misrepresentation of the debate that took place in the House with respect to the contempt proceedings which involved Mr. Cahill, the chairman of the Public Service Board, and are a gross misrepresentation of the decision of this Assembly.

Secondly, I shall allege and prove that such misrepresentations, in fact, constitute a serious reflection on the proceedings of this House and, as such, are clearly contrary to established Speakers' rulings and are equally contrary to the Standing Orders.

Finally, I shall allege and prove that the misrepresentations are so gross and so contrary to the actual decision made that one could only reasonably suppose that they were made *mala fide* and to achieve the narrow political purposes of the Premier and, as such, constitute a breach of privilege.

In adverting to this matter, the first question about which I believe the House must satisfy itself is the actual decision which was made by this Parliament on Wednesday, 20th November, 1968. Item No. 3 of the Votes and Proceedings of the Legislative Assembly of that day reads as follows:—

> COMPLAINT.—Mr. Taylor, pursuant to *amended* notice of motion, moved—That the refusal of the chairman of the Public Service Board to provide a copy of the P.A. Management Consultants Pty. Ltd. report on Phase 1 of their investigations into the Public Works Department, sought by the Public Accounts Committee of this House pursuant to the powers conferred by Standing Order No. 169A, constitutes a contempt of this House of Parliament but, having regard to the prompt supply of the Report and to the letter tendered by the chairman of the Public Service Board, this House now feels there may have been some misunderstanding and will now proceed to the consideration of the Orders of the Day.

I should have thought that as an elementary exercise in legal interpretation, if one were to look at the phrasing of that motion and did not care to advert to your rulings in the course of the debate, Mr. Speaker, or to advert to the course of the debate itself, and if one were to rely upon the simple literal interpretation of what the House decided, its meaning is beyond argument.

I refer honorable members to what is embodied in the decision of the House. Referring to the refusal of the chairman of the Public Service Board to provide a copy of the report sought pursuant to powers conferred by Standing Order No. 169A, the motion adopted stated that it—

> constitutes a contempt of this House of Parliament. . . . .

That is the ingredient. I shall deal with the substance of the argument later, but what is embodied in the phraseology? In interpreting the proceedings of the House, a first year law student would be entitled to conclude—and properly conclude—that the House found that a contempt had been committed—it is as simple as that—but, having regard to other matters which were then adverted to in the motion, the House decided, as it has the power to do, not to take any action but to proceed to consideration of Orders of the Day.

That brings me to the first aspect of the explanation of the Premier, and the first issue on which I take issue with the honorable gentleman. I refer to page 2028 of *Hansard.* The Premier read the transcript of the broadcast which stated, *inter alia*—

> Sir Henry said that the Legislative Assembly did not debate whether Mr. Cahill had been in contempt of Parliament.

From an examination of the findings of this House as recorded in the Votes and Proceedings of the Legislative Assembly there is no way in which one could justify the Premier's statement. Let me go beyond the simple, literal interpretation of what occurred in this Chamber. No fewer than twenty honorable members contributed to the debate. In various ways, seventeen of them indicated their opposition to the motion. Eleven of the speakers were members of the Opposition, six were members of the Country Party, and three were spokesmen from the Government side of the House. Of the twenty speakers, seventeen objected, in various ways, to the motion and the procedures which were being adopted by the House because, as they pointed out quite specifically, those procedures involved finding Mr. Cahill guilty of contempt without his ever being given an opportunity to state his case to the House.

I shall refer to specific statements made on the matter. I choose the statements of certain honorable members at random, as samples of the nature of the debate. As reported at page 1897 of *Hansard*, the Deputy Leader of the Country Party said—

> The House has before it a motion to the effect that a certain public servant is in contempt of this House, because of alleged actions with regard to a demand made upon him by the chairman of the Committee of Public Accounts.

As recorded at page 1898, the honorable member stated—

> If the House agrees to the motion moved by the honorable member for Balwyn, Mr. Cahill will be judged guilty without any evidence being produced, and then the House will deal with other business.

That was the view of one honorable member. I turn to statements of the honorable member for Brunswick West recorded at page 1904 of *Hansard*. The honorable member is well versed in the procedures and practices of the law, and he was quite clear about the position. He said—

> Because the motion includes the words "constitutes a contempt of this House of Parliament" the matter falls within the jurisdiction of this House.

The honorable member also said—

> . . . it appears that the honorable member—

he was referring to the honorable member for Balwyn—

> feels that Mr. Cahill is guilty of contempt, but that because certain extenuating circumstances exist there is no need to punish him.

Throughout the whole course of the debate, the honorable member for Benambra and other honorable members of the Country Party and of the Opposition reiterated that they were opposed to the procedures being adopted and the terms of the motion because, in their view, the carrying of the motion would involve a finding of contempt against Mr. Cahill without his ever being given an opportunity to be heard. The honorable member for Albert Park made his position clear. When supporting those propositions, he moved that the matters be expunged from the record because he objected to the procedures which were being adopted.

If any honorable member were to say that I had referred to statements of members of the Opposition and members of the Country Party who voted against the motion, and that if we wanted to know what the Government thought about this, we should really advert to what the Premier said, I would suggest to him that there is one other person sitting in this House to whom we are entitled to look on the question of what the resolution meant. With respect, that is you, Mr. Speaker. During the course of a very hectic debate, you, Sir, were constantly being asked by honorable members to rule on the motion before the Chair. *Hansard* reports at page 1894 that as a result of a matter raised by the Chief Secretary, you, Mr. Speaker, stated, *inter alia*—

> I particularly direct attention to this —the first part of the motion, which stood as a notice of motion, refers to a contempt of the House. There is an addition to that, and I take it that the Chief Secretary is speaking about whether it is contempt or not.

Then the Deputy Leader of the Opposition, as recorded at page 1895 of *Hansard* specifically raised this matter with you—

. . . the House is discussing a contempt motion, moved by the honorable member for Balwyn,

. . . . . .

Do I understand that the House is also considering an amendment to the motion?

To that question, you, Mr. Speaker said, *inter alia*—

The motion has been extended by an addition.

Having specifically referred to the question of contempt and having been asked by the Deputy Leader of the Opposition for an explanation, you were quite clear and specific in your ruling. At page 1905 of the current *Hansard*, when the matter again arose, you, Mr. Speaker, stated—

. . . I have ruled that the amended motion becomes the motion before the Chair, because the original notice declares a certain party to be in contempt of this House and the words added—

they were the words added by the honorable member for Balwyn—

do not exceed the contention. There is also before the Chair the amendment moved by the honorable member for Albert Park.

Whatever might be said about the view taken by honorable members in debating this matter, you were quite clear in your ruling, Sir. The first thing you specifically pointed out to the House—this appears at page 1894 of *Hansard*—was—

. . . the first part of the motion . . . refers to a contempt of the House.

The SPEAKER (the Hon. Vernon Christie).—That was on a point of order, was it not?

Mr. HOLDING.—That is so. All of these matters were raised under points of order.

The SPEAKER.—That should be read in conjunction.

Mr. HOLDING.—All of these matters arose from points of order. Subsequently, having indicated to the Chief Secretary that the first part of the motion dealt clearly with contempt, as a result of matters raised in the course of the debate, and as a deliberative ruling—because you interrupted the debate to avail yourself of an undertaking that you had given to the House earlier that you would refer the House or the Leader of the Opposition to certain precedents—you, Mr. Speaker, ruled—

. . . because the orginal notice declares a certain party to be in contempt of this House and the words added—

That is, the words added by the honorable member for Balwyn—

do not exceed the contention.

Therefore, we had a situation where there was before the House a motion clearly dealing with contempt, and then words were added to it. But, as the Deputy Leader of the Opposition pointed out, if those words were a negation—that is to say, they were opposite to the allegation of contempt—then there would have been some question of propriety in the honorable member for Balwyn moving that they be added.

You, Mr. Speaker, ruled quite specifically that there was nothing in the suggested wording of the addition proposed by the honorable member for Balwyn which in any way subtracted from or negated the original proposition that there was a contempt of this House. If that were so, I should find it difficult to imagine how the Premier, if he had checked the record or if he had participated in the debate, could possibly come to the conclusion that the Legislative Assembly did not debate the question whether Mr. Cahill had been in contempt of Parliament. You, Mr. Speaker, had ruled that what the Assembly was dealing with was a contempt, and no fewer than sixteen speakers in this House specifically dissociated themselves from the terms of the motion because they considered that it was, as you pointed out, dealing with the question of contempt and that the procedures which had been adopted by the Government were completely erroneous.

I move to the second extraordinary assertion by the Premier. The allegation, as it originally stood, was—

> He said Parliament voted that there had been a misunderstanding between the chairman of the Parliamentary Public Accounts Committee, Mr. Taylor, and Mr. Cahill, and that the matter should be dropped.

The Premier interposed that it was his view that he had said "Liberal Party" and not "Parliament". As I have indicated previously, I do not propose to do anything other than rely on the Premier's own statements to this House. If the Premier asserts that he said to the press conference and to the people who were entrusted with reporting the honorable gentleman's press conference, "Liberal Party" and it appeared in the report as "Parliament", then I accept what the Premier said. Although I am bound to rely on it I am also bound to concede that if anyone can speak for the collective mind of the Liberal Party, whatever it might be, that person is the Premier. What I find extraordinarily difficult to reconcile is the Premier's further explanation. He was perfectly candid about it. He said, "The Liberal Party, as a party, came to a decision without deflection" and that members of the party came to a decision as to what they were voting upon.

What I find difficult to reconcile in the Premier's statement to the House on Thursday last is how that statement compares with statements which are to be found on pages 1907, 1908 and 1909 of the current *Hansard* where the honorable member for Malvern, a former distinguished Minister of this Government and a distinguished member of this House, referred specifically to the amendment moved by the honorable member for Albert Park and stated that the reason he was voting against it was that it contained the words "In view of the procedures adopted and a decision made by members of the Liberal Party to decide this issue on party lines". Honorable members will recall that the basis of the amendment moved by the honorable member for Albert Park was simply that an allegation of contempt against any citizen of this realm is a serious matter.

Like the honorable member for Balwyn who initiated the motion, the honorable member for Albert Park believed that it was a matter that ought to be dealt with by the Parliament—not by the Liberal Party: that it was one with which this Parliament conscious of its roles and prerogatives on the whole question of contempt ought to deal; and that it was a matter essentially for a committee. But having found, as other members of this House found, that this issue was not going to be decided by Parliament or a committee set up by Parliament, but that it was going to be decided by the Liberal Party behind closed doors, the honorable member for Albert Park and other honorable members said, in effect, "We will not have a bar of it; we will not be a party to these procedures". In his amendment, the honorable member for Albert Park adverted to the procedures adopted and the decision made by members of the Liberal Party to decide the issue on party lines. The honorable member for Malvern, who was one of the few speakers from the Government side of the Chamber to enter this debate, referred to this point accurately. With the honorable member's capacity for handling the English language, he said—

> This is a succinct, extremely powerful and unambiguous statement of a condition of affairs which has never existed.

The honorable member for Malvern said that it was quite wrong to suggest, as had been suggested by many speakers, that any decision on the matter had been made by the Liberal Party behind closed doors; that it was shocking to suggest that members of the Liberal Party had voted on this issue and reached a decision before it was dealt with by Parliament.

I have always found the honorable member for Malvern to be an honorable man, and I do not believe he would deliberately mislead the House. I am not allowed to attend Liberal Party meetings. It is therefore understandable why I and other members of the House, and any member of the general public reading *Hansard* and comparing the statement made by the Premier that the Liberal Party as a party had reached a decision without deflection with that made by the honorable member for Malvern might be entitled to think that someone was not telling the truth.

The basis of the Premier's defence was that he did not say that Parliament had voted on this matter. He said that he told the press that the Liberal Party as a party voted on it; that it had made a decision which the Premier proudly admitted was a decision made without deflection. This statement was made within 24 hours of a statement in the House by the honorable member for Malvern that no decision had been made by the party. As I say, any observer, when confronted by those statements as they appear in the records of this House, would be entitled to say that someone had erred or that someone was not telling the truth. I do not put it any higher than that.

I turn to the third allegation made by the Premier. The honorable gentleman admits that he said—

> . . . any legal interpretation that Mr. Taylor's motion concerning Mr. Cahill resulted in Parliament finding Mr. Cahill in contempt of the House is completely contrary to the spirit of the motion and the spirit of Parliament. It is the spirit that counts.

Whatever are the merits of those statements, they constitute a grave reflection on a decision of the House. The Premier is well versed and learned in the procedures of the House and he would know that Standing Order No. 90 provides—

> No member shall reflect upon any vote of the House, except for the purpose of moving that such vote be rescinded.

I have been in the House on many occasions when the Speaker has, in the course of a debate, had occasion to limit statements made by honorable members and to point out the impropriety of members casting reflections upon decisions of Parliament. If it is an impropriety to do this in Parliament, is it any better to do it, within a matter of hours of a decision being made in the House, outside Parliament and to the press for the purpose of conveying, per medium of the press, the Premier's view of a decision of the House? I shall deal later with the substance of the honorable gentleman's view, but I am now concerned to deal with the impropriety of his action.

If the Premier felt that Mr. Cahill had been aggrieved and that somehow or other the daily press had misinterpreted a decision of the House, the honorable gentleman had available a simple remedy, which was to move a substantive motion in the House. The honorable gentleman knows of the existence of Standing Order No. 90 and it is beyond argument that the Standing Order is clear that no member shall reflect on any vote of the House except for the purpose of moving that such vote be rescinded. That course was clearly open to the Premier, if he had wished to avail himself of it.

I would be the first to concede that a breach of the Standing Orders does not of itself constitute a breach of Parliamentary privilege, although it may be a cause for reflection on the propriety of the action. The motion I have moved deals specifically with the breach of the Standing Orders.

Just as I concede that a breach of the Standing Orders does not constitute a breach of privilege, I concede also that bona fide statements which unwittingly cast reflections upon decisions of the House do not involve a breach of privilege. Indeed, I am bound to say that if, having looked at all the events in this case, I had taken that view, I would not have moved the motion now under discussion.

However, I do not believe any reasonable man who was concerned to recount accurately the proceedings

of Parliament in what has become known as the "Cahill affair", and who examinined the *Hansard* report, your rulings, Mr. Speaker, and the proceedings that took place, could reach the conclusion drawn by the Premier. If the statements of the honorable gentleman were made bona fide to the press for the purpose of righting a wrong or pointing out that some injustice had been done, although this in itself involved the use of unparliamentary procedure, I would be the first to let the matter rest there.

However, when one looks at the record of what has taken place and the Premier's statement, I believe one can only reach the conclusion that the Premier made the statement to the press for the purposes of publication. As a result of notice of this motion being given last Thursday, further extensive publicity on the matter was prevented. By making statements to the press for the purposes of publication, I believe the Premier involved himself in a deliberate and calculated forgery, which was ultimately designed to protect him in the eyes of the Public Service. Throughout the debate no honorable member impugned the integrity of the honorable member for Balwyn in raising the issue, but the Premier did not care what damage he would do to the reputation or integrity of the honorable member for Balwyn and Mr. Cahill and, more importantly, what damage he would do to this institution.

Without canvassing the issues again, I shall briefly recount the facts of the case. The honorable member for Balwyn, who is the chairman of an important Parliamentary committee, interrupted a debate on Thursday, the 14th of this month, for the purpose of raising a matter of privilege and of making an allegation of contempt of Parliament against the chairman of the Public Service Board. That matter was extensively reported by the press, radio and television, and the notice of motion given by the honorable member for Balwyn was listed for debate on the following Tuesday. On that day, the Chief Secretary, who waxed eloquently last Thursday in regard to the need for urgency in matters of contempt, moved that the House should proceed to the next item on the Notice Paper. On that occasion it seemed that the Chief Secretary cared more about the reputation of the Premier than he did about Mr. Cahill.

Be that as it may, the debate was adjourned on the Tuesday, and during last week I expressed my opinion why it had been adjourned—because of the date that ultimately appeared on Mr. Cahill's letter. Instead of the matter being dealt with expeditiously by a tribunal established by Parliament to act judiciously in the matter for the purpose of determining the facts and of protecting Mr. Cahill, the honorable member for Balwyn and Parliament, that procedure was thrown to the winds while the Premier decided that he would deal with it in his own manner, and within the Liberal Party room. As Mr. Cahill had not then produced a letter, the matter had to be stood over and the debate was resumed on the following day. When the honorable member for Balwyn moved to amend his motion, you gave a ruling, Sir, and then there was a prolonged debate.

I shall examine some aspects of that debate. You ruled, Mr. Speaker, that the House was dealing with a matter of contempt. A number of amendments were then proposed, but there were only three speakers from the Government benches—the Chief Secretary, the Minister of Transport and the honorable member for Malvern—none of whom at any time —I invite honorable members to check the record—denied the allegation that was made by other honorable members that if the motion were passed there would be a finding of contempt against Mr. Cahill. That allegation was specifically ignored by the Government speakers. Why? Because at that stage their task was to get rid of the matter as quickly as

possible. The Premier, who was anxious to say all sorts of worthy things about Mr. Cahill, did not appear in the Parliament to enter the debate. He was outside acting as some kind of cross between "Mr. Political Fixit" and Whelan the Wrecker.

The Premier might have hoped that the Chief Secretary would do a better job than he did, and that the honorable member for Malvern might not have denied that a decision was made by the Liberal Party on party lines. He might have hoped for some measure of competence in the handling of this matter by the Chief Secretary or the Minister of Transport. It is incredible that the Premier is now denying the context of a motion which was hatched in the Liberal Party room. It was the party's motion, and the present situation is entirely of its creation. Although Parliament was told on that occasion that there was no decision by the members of the Liberal Party, the Premier now blatantly asserts, "Of course there was, and they are all agreed".

Surely it must be worrying honorable members why the Premier did not intervene in the debate. After all, Mr. Cahill is a senior public servant in the Premier's Department, and he is the Ministerial head responsible for the actions of Mr. Cahill. Does anyone think the Premier stayed on the sidelines and remained silent while all this was going on? Of course he did not! In his explanation he admitted that he had written statements from Mr. Cahill, Mr. Durrant and other members of the Board. When the matter was debated in Parliament, why did the Premier not enter into the debate to give the House the benefit of his researches and his knowledge so that it could not err in the way in which he feels it has erred? If he was concerned vigorously to protect the integrity and the ability of Mr. Cahill, surely that was the occasion to do it.

An examination of the debate will show that no allegation was made against the integrity or ability of Mr. Cahill. The question is whether or not he committed contempt. That was the question which the Premier deliberately designed that the Liberal Party should circumvent. What was the course of action decided on by the Premier? I doubt whether it was a course which ultimately could have been said to protect the integrity and ability of Mr. Cahill. It certainly was not a course of action to protect the reputation of the honorable member for Balwyn and this Parliament. The honorable gentleman was concerned to substitute the political processes of the Liberal Party for those of Parliamentary democracy. He was not prepared to concern himself with the merits of the argument.

Where was the Premier when the debate on the motion moved by the honorable member for Balwyn was taking place? I do not recall having seen him. He was certainly not in the Chamber, although he said he heard most of the debate. If he did so, and he heard the course which the debate was taking, why did he not enter into the proceedings? As the House proceeded to its deliberations, members of the Government party voted in accordance with the decision made in the party room, which in fact was that Mr. Cahill was guilty of contempt of this Parliament.

I am reminded of a situation well known in the law where a learned, senior and eminent counsel was substanially and publicly rebuked by a Judge from the bench who afterwards met him in the toilet and apologized. Learned counsel replied, "That is about your form; you will abuse a man in the court but you apologize in the toilet". That is the form of this Government. It allows a motion of contempt to be passed in respect of a senior public servant and then the Premier calls a press conference and states, "We did not mean it; we meant something different; it was the spirit of the thing". I do not believe that he did

not know the nature of the motion, because it emanated from within the Government. It clearly referred to contempt, upon which you ruled, Mr. Speaker. Does anyone believe that the Premier did not understand that? The honorable gentleman decided what he would do; he would let the matter run its course and then apologize outside Parliament for actions taken in the Parliament. That is what occurred. Having committed members of his party to vote to find Mr. Cahill guilty of contempt, he then said to Mr. Cahill. "We did not mean it". So he grossly, wilfully and falsely misrepresented the decision made by this House, and the nature of the debate, and by implication misrepresented your ruling on the matter, Mr. Speaker.

Of course, that assertion founds a breach of privilege. I refer honorable members to the following passage on page 118 of the fifteenth edition of *May*, which refers to reports of the proceedings in Parliament—

> So long as the debates are correctly and faithfully reported, the orders which prohibit their publication are not enforced; but when they are reported *mala fide*, the publishers of newspapers are liable to punishment.

This section goes on to quote authorities for the proposition after stating—

> The following are instances of misconduct in connexion with the publication of debates which have been treated as a breach of privilege.

There is a substantial list of examples, a number of which would cover the actions of the Premier in this case. To simplify the matter, I rely on the introductory statement that if a publisher *mala fide* reports inaccurately the proceedings of Parliament, he is liable for a breach of privilege. In my view, if this attitude is good enough for a newspaper publisher it is good enough for a Premier.

From time to time, we have been told how inaccurate are the reports of some journalists in this city. That might be true in some cases, but if there is anything worse in our community than a journalist who consciously misrepresents the statements of a man in public life, it is the figure in public life who, after having made a statement to the press, and reading it in the newspaper the next day, runs away from it and in so doing blames the press. It is clearly established that when debates or proceedings are the subject of gross misrepresentation and are reported *mala fide*, a breach of privilege is constituted. I refer honorable members to the simple explanation of that given in *May*—

> Publishing a false account of proceedings of the House of Lords.

and the subsequent references thereto.

The question, therefore, which honorable members have to ask themselves is whether, when the Premier made his statement to the press conference, he was consciously misrepresenting the debate, the proceedings and the decisions of this House. I believe, and I have already argued, that the Premier not only did that but did it grossly, wilfully and falsely, because the honorable gentleman knew what was involved in the motion of the honorable member for Balwyn and what had taken place in the House. The Premier's party had held about three meetings on the matter. Does anyone believe that a man possessing the political experience of the Premier cannot read the proceedings of this House and in a simple exercise in statutory interpretation appreciate what the decision of the House was, and recall your own rulings, Mr. Speaker? Does any honorable member seriously believe that for one moment? Of course he does not.

The Premier tried to explain away, to "square off" to sections of the Public Service, the actions of his party in this matter. The only way the honorable gentleman could do that was to deliberately and falsely misrepresent the decisions made in this House. As I have said, if it is good enough for a journalist, or for any

citizen, to be adjudged guilty of a breach of privilege for the wilful misrepresentation of the deliberations, debates and proceedings in this House, it is good enough for the Premier to be treated similarly in like circumstances.

The Opposition believes there can be no double standards in connexion with the matter, and I am bound to inform the House that, consistent with its view on the issue in respect of Mr. Cahill, the Opposition has decided that the present motion should be judged by its members in terms of their individual judgment. If such a procedure is good enough for Mr. Cahill, it is good enough in the case of the Premier. On that basis Opposition members will again vote in accordance with their own views on the merits of the motion. We believe that in doing so we are upholding the traditions of Parliament. I remind the House that throughout the world today and, indeed within our own community, the whole processes of Parliamentary government are under attack, and in a plural democratic community such as our own all members of Parliament, irrespective of their political affiliations, are under a special duty to preserve the privileges and prerogatives of Parliamentary Government.

I remind honorable members that Parliamentary privilege and the concept of Parliamentary privilege are aptly named. This privilege is contained in the exercise of enormous power by this Parliament, which is to be used prudently, carefully and, above all judiciously, because only by the judicious exercise of Parliamentary privilege can Parliament carry out its obligations to itself and to the community. If any individual in the community is charged with contempt or with a breach of privilege, every citizen in the community must know of it, and, what is more important, must understand that the charge, which is a serious matter, can carry penal consequences.

As the honorable member for Sunshine has pointed out, some Parliaments view the matter so seriously that they have given the exercise of this power to the courts. In Victoria, Parliament has insisted on retaining it. However, the average citizen must know that when this power is wielded by Parliament it will be wielded in a judicial manner, and with the same impartiality and regard for the legal processes as operates in the courts. Citizens must believe that the power of Parliament to deal with the average citizen for breach of privilege or contempt will not be used in the political armoury of the Government of the day, because such a usage leads to destruction of Parliamentary government and to the establishment of totalitarian régimes.

I regret that in the Cahill case the Government, by the use of its numbers, used its power to abrogate the judicial exercise of an important power, and that instead of Parliament acting in accordance with some of the finest traditions of Parliamentary government in the world it saw a sordid exercise of the Premier's ego, and an arrogant assumption by the Premier of the privileges of Parliament. If that was not bad enough, what was worse was to see how far Liberal Party back benchers would go in acquiescing to the subjugation of their privileges and conceding to the overwelming arrogance and mendacity of the Premier. I commend the motion to the House as an attempt to restore this balance and as an attempt, in the final analysis, to restore honour to this institution.

Sir ARTHUR RYLAH (Chief Secretary).—Mr. Speaker——

Mr. MOSS (Leader of the Country Party).—I rise to a point of order, Mr. Speaker. I was first on my feet. I am wondering what reason caused you to give the call to the Chief Secretary ahead of me.

The SPEAKER (the Hon. Vernon Christie).—Order! It is customary for a representative of the Government

to reply before the Leader of the Country Party makes his contribution to the debate.

Sir ARTHUR RYLAH (Chief Secretary).—I do not wish to have an argument with the Leader of the Country Party, but the Government is being attacked by the Opposition and it seems to me only reasonable that I should have an opportunity to answer the case put forward by the Leader of the Opposition, particularly as, in accordance with custom, the Premier is excluded from this debate.

The SPEAKER.—Order! The Chief Secretary will continue.

Mr. Moss.—Who is to answer me?

Sir ARTHUR RYLAH.—Four or five of my capable colleagues will be only too happy to do so. Mr. Speaker, I listened with great interest to the Leader of the Opposition and for a while thought he was submitting a good legal argument, but by making a personal attack on the Premier he destroyed the whole effect of the case he was endeavouring to put that the House should uphold the privileges of Parliament. Not content with attacking what the Premier had done and the words that he used in the radio statement, the Leader of the Opposition accused him of mendacity and arrogance, and of grossly, deliberately and falsely misstating the position.

When the Leader of the Opposition began his speech, he stated that he was going to make charges and then prove them, but he has destroyed his case by indulging in a personal attack, which was completely unjustified. At one stage, he said, "The Premier was attempting to right a wrong", and then he went on to say that he did it dishonestly. I frankly believe the Premier was endeavouring to right a wrong, and I want you, Mr. Speaker, to examine the circumstances of what happened in this House. First, the motion is unique because it is based on a radio statement, which must necessarily be a condensation of what took place—no one would expect it to be a word for word statement of the interview. So far as I can find out, a motion of this sort based on a radio statement is unique in the English speaking world.

Secondly, it is based on a statement which the Leader of the Opposition has admitted is partly true; I believe a close examination of his argument will show that it is very largely true. I shall take each point, one by one, to indicate this. The Premier said that the Legislative Assembly did not debate whether Mr. Cahill had been in contempt of Parliament. Of course it did not. In fact, several members of the Opposition referred to the fact that Parliament did not have the opportunity to debate whether Mr. Cahill was in contempt or not. The Leader of the Opposition said that the Liberal Party had voted that there had been a misunderstanding between the chairman of the Committee of Public Accounts—the honorable member for Balwyn—and Mr. Cahill, and that the matter should be dropped. I invite honorable members to examine the motion passed by the House. I admit that it is an unsatisfactory one. I freely admit that, perhaps owing to pressure of time, I did not look closely enough at the motion at the time.

Mr. PHELAN.—You had three hours in which to do so.

Sir ARTHUR RYLAH.—There is no question of a period of three hours being involved. At about 1.25 p.m., I looked at the words of the amendment and they appeared to me adequately to express what the Government believed to be the position. In fact, the Government rather thought that the Opposition and the Country Party would welcome the opportunity of determining the matter on that basis.

It was quite clear from what the honorable member for Balwyn said when he moved his motion, with the

additional words which you, Mr. Speaker, admitted, that he understood that there had been a misunderstanding. I said very little in support of the motion because I believed it was abundantly clear that there had been a misunderstanding. Admittedly, the honorable member for Balwyn said more than I did, but his concluding words made it clear that, in his view, the members of the Government party believed there had been a misunderstanding. The concluding words of the motion were drafted in the normal form which is adopted in the House to dispose of a matter of privilege, namely, that the House "will now proceed to the consideration of the Orders of the Day". The combination of the misunderstanding and those words is exactly what the Premier meant when he said that there had been a misunderstanding and that the Liberal Party had voted on it and believed that the matter should be dropped. The Premier has been attacked very viciously by the Leader of the Opposition for endeavouring to express a layman's view on what he believed was the spirit of the debate. The Premier's statement concluded with these words—

> . . . any legal interpretation that Mr. Taylor's motion concerning Mr. Cahill resulted in Parliament finding Mr. Cahill in contempt of the House is completely contrary to the spirit of the motion and the spirit of Parliament. It is the spirit that counts.

This is fundamentally true. I do not think there is one member of this House who believes that we found Mr. Cahill guilty of contempt. I should be horrified if any member were prepared to rise in his place and say that this House found Mr. Cahill in contempt without trial.

Mr. HOLDING.—It has already been said.

Sir ARTHUR RYLAH.—The Leader of the Opposition has stated that the privileges of Parliament are very important, and I agree with him, but nothing would drag them down further than if a member were prepared to claim that the House had found a public servant or anybody else guilty of contempt without trial. That is obviously the way in which the Premier was referring to the matter. The Premier did not use legal language, but layman's language that a layman could understand.

The Opposition is now in the position as a result of a ridiculous motion moved to gain some temporary political advantage whereby a vote in support of it represents a vote against the Premier's statement that Mr. Cahill was not found guilty of contempt without trial. This is a situation which the Government could not contemplate. Therefore, I move—

> That all the words after "that" where first appearing in the motion be omitted with the view of inserting in place thereof the word "this House having heard the Honorable the Premier in explanation of the published statements and believing that the actions of the Premier were right do now proceed with the business of the House as set down in the Notice Paper".

Mr. PORTER (Minister of Public Works).—I second the amendment and I reserve my right to speak later in the debate, if it is necessary for me to do so.

Sir ARTHUR RYLAH (Chief Secretary).—I do not propose to refer in detail to your rulings, Mr. Speaker. I wish to express some sympathy for you, Sir, in having to make so many rulings so quickly on this matter. Apparently, the honorable member for Kara Kara, who is now interjecting, so little understands the procedures of the House that, if I say something complimentary to the Speaker, I am apparently disagreeing with some ruling he made or did not make. Of course, I do not contemplate anything of that sort.

The Leader of the Opposition made great play of the ruling in which you, Mr. Speaker, said in effect that the amendment did not exceed the contents of the motion. Of course, that was the position. It may be fair to

say that the amendment in some way contradicted the form of the motion, which, I agree, was an unsatisfactory one. The honorable member for Sunshine summed up the matter excellently when he said that he was completely dissatisfied with the motion moved by the honorable member for Balwyn and the amendment moved by the honorable member for Albert Park, and in that regard I agree with him.

I wish to make it abundantly clear to the House and to the public that the Premier was not dishonest, was not mendacious and was not grossly misrepresenting anyone ; he was giving what he believed to be a layman's interpretation of the somewhat unsatisfactory proceedings that took place in the House on Wednesday of last week. He believed he was righting a wrong and, in fairness to Mr. Cahill, I believe that wrong should have been righted. It was an exceptional wrong, but it was righted in the only possible way. I am certain that there has been no breach of privilege and no reflection on the proceedings of this House. Accordingly, I ask all members of the House to support my amendment.

The SPEAKER (the Hon. Vernon Christie).—Honorable members who now participate in the debate will be speaking to both the motion and the amendment.

Mr. LOVEGROVE (Sunshine).—The motion moved by the Leader of the Opposition rests, as stated by him, on one of the Standing Rules and Orders of the House—No. 86—which states that no member shall reflect upon any vote of the House, except for the purpose of moving that it be rescinded.

The SPEAKER.—The honorable member is now quoting Standing Order No. 90.

Mr. LOVEGROVE.—I thank you for your correction, Mr. Speaker—it was Standing Order No. 86 in the Library edition of the Standing Rules and Orders. I direct attention to the precise nature of the Standing Order on which the Leader of the Opposition correctly founded his case. The first observation I shall make is that in this Standing Order resides a cure for a situation occurring in Parliament in which a party, a member of Parliament or a Government may take the view, so directly expressed by the Chief Secretary and Deputy Premier during his speech when he stated that the motion sponsored by the Government last week was unsatisfactory.

Although the rule provides that no member may do what the Premier did unless he proposes to move that a vote of the House be rescinded, the Chief Secretary has not moved for rescission of the motion of this House which the Premier criticized last week, although the Chief Secretary admits, as the Opposition and Leader of the Country Party have stated, that the motion that was carried was unsatisfactory and, in effect, wrong. I direct the attention of the House to a paragraph entitled, "Reflecting upon votes of the House", in the seventeenth edition of May's *Parliamentary Practice*. It states—

> The objections to the practice of referring to past debates apply with greater force to reflections upon votes of the House, unless made for the purpose of justifying a motion that the vote be rescinded. Those reflections not only revive discussion upon questions already decided, but are wholly irregular, inasmuch as the Member is himself included in, and bound by, a vote agreed to by a majority.

The significance of the observation in *May* is that the Premier is in contempt of the House for two reasons : First, he was bound by a majority decision of the House—in this case, a decision sponsored by his own Government ; secondly, he made his criticism of a decision of the House without in any way seeking to move for a rescission of the offending motion.

Why was the motion submitted by the Government? I do not propose to attempt to ascertain what was in the minds of Government members, but

the House may well look at the historical side of the incident for the purpose of ascertaining, if it can, what might have been in the mind of the chairman of the Committee of Public Accounts and the chairman of the Public Service Board. On the 25th September of this year—more than two months ago—the Committee of Public Accounts submitted a report to Parliament in which at page 5, after castigating at some length the administration of the Public Works Department, it stated—

> At the same time, your committee proposes to examine the progress reports of the management consultants.

The committee referred to the fact that management consultants had been called in to investigate the Public Works Department. Who called in these consultants? I invite honorable members to consider the statement made by the Committee of Public Accounts at page 4 of its report—

> The present secretary of the Public Works Department, who was appointed on 16th February, 1967, is aware of many of the problems and shortcomings of his Department and is taking steps to improve the situation. He realizes, however, that some of the more radical changes necessary require time and co-operation, not only from his own staff——

The SPEAKER (the Hon. Vernon Christie).—Order! I find that the honorable member for Sunshine is now taking the debate into the realms and activities of the Committee of Public Accounts, and the debate so far has been fairly firmly held on the recent happenings on the motion that was passed by the House last week. I ask the honorable member not to go into matters which are not relevant to the strict confines of this debate.

Mr. LOVEGROVE.—May I make a quotation for the purpose of endeavouring to show that the Government party in this House voted consciously to find Mr. Cahill guilty of contempt?

The SPEAKER.—That would be relevant—briefly, I suggest.

Mr. LOVEGROVE.—That is my purpose. The quotation is germane to the point I wish to make. It continues—

> He realizes, however, that some of the more radical changes necessary require time and co-operation, not only from his own staff but also from the Treasury and Public Service Board. As a first step he had, with the support of the Minister of Public Works, proposed that the Department be surveyed by a firm of management consultants. Your Committee examined the format for the proposed investigation which covered two phases.
>
> . . . . . .
>
> . . . The Public Service Board and Treasury agreed to the Public Works Department's proposal and approved the engagement of consultants for phase I with the understanding that the investigation be co-ordinated and controlled by the Public Service Board and that the matter be reviewed before approving phase II.

The first point I make is that it was not the Public Service Board or the Committee of Public Accounts which initiated this inquiry; the secretary of the Public Works Department, supported by the Minister of Public Works, initiated it. This poses the question, entirely on the procedural basis, whether, in fact, the committee should have requested the Public Service Board for the document or whether it could have, with equal justification—I am not substracting from its right to ask the Public Service Board for a document—required the Minister or the secretary of the Department to deliver the survey.

The Committee of Public Accounts presented its report on the 25th September. Therefore, everybody in the Public Service in Victoria, and in particular everybody in the Public Service Board who had been a party to the investigation, everybody in the Public Works Department and everybody in the Government knew two months ago that this matter was going to be examined by the Committee of Public Accounts.

I emphasize that, when the motion was carried by the Government majority in this House, it was carried in its present form, consciously. Why should it not be, unless members of

the Government party were completely irresponsible and completely unintelligent? On the 1st October—that is, one week after the Committee of Public Accounts had made its report—the Opposition moved a motion for the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, the failure of the Government to ensure efficient administration and Ministerial supervision of the Public Works Department. That motion was debated by the Leader of the Opposition and the Deputy Leader of the Opposition with such ability and so effectively that when the Minister of Public Works replied, as reported at page 429 of the current *Hansard,* he stated, *inter alia*—

> The report published in the *Herald* of Thursday, 26th October of this year stated—
>
> "Mr. Porter said today he did not feel the report criticized him as Minister.
>
> He said most of the improvements recommended by the Committee were already "in train."
>
> Mr. Porter said weakness in the Department had been well known for some years."
>
> That, of course, is true.
>
> "But he said a Minister was powerless to make appointments in a Department."

The SPEAKER (the Hon. Vernon Christie).—Order! If the honorable member for Sunshine continues to debate the Public Works Department, I must rule him out of order.

Mr. LOVEGROVE.—I wish to quote only two more lines, Mr. Speaker. The report continues—

> The Public Service Board often overruled recommendations by Department heads.

Therefore, not only the Committee of Public Accounts was aware of what it had in mind, but the Minister was also aware. As I said last week, in addition to some of the other observations which were made and which are relevant to the doctrine of Ministerial responsibility, the Minister of Public Works pointed out, as other Ministers have pointed out, the limitations placed upon Ministerial responsibilities in Victoria by the Public Service Board and the Public Service Act. I am not in any way doubting the integrity of the Chief Secretary when he said that the motion that was carried last week was prepared hurriedly. I do not wish to misquote the honorable gentleman, but the effect of his statement was that the motion was prepared under difficult circumstances in a hurry in an attempt to resolve a situation which had crystallized overnight. Of course, it had not crystallized overnight because everybody in the Public Service was talking about this Department which had been the subject of attack in the House during the adjournment debate. In defence of the Department—I make this observation from personal knowledge——

The SPEAKER (the Hon. Vernon Christie).—Order! The honorable member may not debate the Public Works Department.

Mr. LOVEGROVE.—Very well, Sir, I shall not do so, but I think I have established irrefutably that for two months at least the Public Service Board knew that the Committee of Public Accounts required the report on the Public Works Department as soon as it was available. The position has been known to the Committee of Public Accounts and to all members of the Liberal Party. With the greatest of respect to the Chief Secretary, I point out that the motion submitted to Parliament by the Government last week might have been eventually drafted in a hurry, but the circumstances under which the majority of members of the Liberal Party decided to stand behind the chairman of the Committee of Public Accounts was the dominating factor in the motion that came before Parliament last week. Because the majority of the members of the Government party were aware that what I am saying is true, with consciousness and deliberation and in a calculated manner, they voted to declare Mr. Cahill in contempt of Parliament.

It is true that, as the Opposition pointed out, the procedure adopted by the Government was wrong. I do not desire to labour the point because the Chief Secretary admitted it in reply to the case so effectively put today by the Leader of the Opposition. Therefore, it is no longer in dispute that the motion which was adopted by the Liberal Party and eventually forced on Parliament last week, in defiance of the judicial procedures that should have accompanied such a motion, was badly worded, incorrectly conceived, and unsatisfactory in every way. The only matter now in dispute is whether or not, once a majority of the Liberal Party, which is a majority of the Parliament, had decided upon this course of action, conscious of what it was doing and imposing its will upon the Parliament, any member of Parliament has a right to reflect on the majority decision of Parliament.

I suppose excuses could be found for members who disagreed entirely with the lack of judicial procedure that preceded the motion that was carried by Parliament. Excuses could be found for those members who tried to insist last week that Mr. Cahill should be given the opportunity by Parliament that he would be given by any other judicial body or court —the opportunity to defend himself; not through the columns of the newspapers, but by his appearance in Parliament if necessary. Excuses could be found for other honorable members who felt so strongly about the dereliction of Parliamentary duty that they reflected or felt inclined to reflect upon the decision. Excuses could be found for those members who felt that a committee should have been appointed, as has been done in other Parliaments, to ascertain the facts and to report back to Parliament. However, none of the people who objected to the motion have in any way reflected upon the majority decision of the House. The reflection has come from the Leader of the Government party.

Despite the Chief Secretary's admission today, that reflection is not accompanied by the provision for a cure provided under Standing Order No. 90, because the reflection has not been followed by a motion that the motion carried last week be rescinded. On the contrary, to the motion proposed today by the Leader of the Opposition, the Chief Secretary has moved an amendment which is to the effect that—

> this House, having heard the Honorable the Premier in explanation of the published statements and believing that the actions of the Premier were right, do now proceed with the business of the House as set down on the Notice Paper.

Because that amendment has been moved by the Chief Secretary on behalf of the Government, the House has now been placed in an incomparably worse position than it was placed in last week. Since the Premier made his statement, another situation has been precipitated—equally stupid, equally damaging, but far more derogatory to the powers of this House than the situation that was created by the Government last week. This situation should lead anybody seized of the importance of what has occurred in the past few days to reject this proposal out of hand without further consideration.

As a result of the Government's failure to observe democratic procedures last week, an organization known as the Public Service Association, allegedly—because no member of Parliament, so far as I know, has been furnished with a copy of its decisions or deliberations—according to the press, claims that the manner in which Mr. Cahill has been treated by Parliament is a threat to the independence of the Public Service. The Government must do something to cure this situation.

When referring to the "spirit of Parliament" last week, the Premier made a statement. I am not interested in what the honorable gentleman said over the radio or to the newspapers or to any other public media;

I take no notice of them in considering what a member may be tried on in Parliament. But it is reported in *Hansard* that the Premier, in Parliament, said—

> that any legal interpretation that Mr. Taylor's motion concerning Mr. Cahill resulted in Parliament finding Mr. Cahill in contempt of the House is completely contrary to the spirit of the motion and the spirit of Parliament.

He said that he stood by that assertion and that he would explain why he did so. Because he failed to get a majority for his own point of view in the party room, the Premier was confronted with the possibility that, because judicial procedures had been neglected by Parliament, the matter might be taken further either under a certain section of existing legislation or by virtue of other remedies which are familiar to those who have read the most extensive literature on this subject. The Premier then sought to appease Mr. Cahill and those who felt deeply that he had been done a judicial injustice by Parliament. If it is correctly reported, the result of that effort has stimulated an assertion that the actions of Parliament last week constituted an attack on the independence of the Public Service Board. I reject that assertion. The Public Service of Victoria owes 99 per cent. of what it has got to the Labor Party and not to any other party. The Public Service Association should not be looking at what this foolish Government has done.

The SPEAKER (the Hon. Vernon Christie).—Order! The honorable member for Sunshine may refer to the Public Service as he has done to date in reference to the motion before the Chair, but not to the operations of the Public Service Association.

Mr. LOVEGROVE.—I accept your ruling, Sir, but I feel I am entitled to criticize the events which immediately followed the Premier's statement last week.

The SPEAKER.—The honorable member has done that, and it is in order, but it is not in order for him to discuss the affairs of the Public Service Association.

Mr. LOVEGROVE.—Would it be in order if I related the relationship of the Public Service Association to Governments before the Labor Party gave it a tribunal?

The SPEAKER.—No, I would rule that out of order.

Mr. LOVEGROVE.—I shall not pursue the matter any further. The case put by the Leader of the Opposition has been proved not merely by the statement he made on behalf of the Labor Party last week but also by the events which have flowed from the statement made by the Premier, and the admissions just made by the Chief Secretary.

Mr. MOSS (Leader of the Country Party).—I do not know how many members of the Liberal Party were in favour of the motion moved by the chairman of the Committee of Public Accounts, but I am told that just over a simple majority was a fairly accurate assessment of the situation. I am sure that, as the result of the motion that he moved and subsequent events inside and outside the House, there is unanimity amongst members of the Liberal Party that they are very sorry this matter ever started.

Today the Leader of the Opposition moved a motion and submitted several valid arguments to support it. The Deputy Premier—the Chief Secretary—was most anxious to answer him, but I was amazed at the manner in which he addressed you, Sir, because on not one occasion did he argue the contentions of the Leader of the Opposition. Most notably, he said that he believed no member of the House believed that he voted to find Mr. Cahill guilty of contempt. That is one of the most disgraceful statements ever made in the House. It has been stated by the Leader of the Opposition and it is

also my belief that Parliament makes decisions by majority vote. Apparently the Premier decided to make a statement contrary to the decision of Parliament. In the face of the facts, the Chief Secretary stated that he did not believe anyone felt that the House had voted to find Mr. Cahill guilty of contempt. That is an extraordinary statement. The motion moved by the honorable member for Balwyn is as plain as a pikestaff, and I cannot understand how it can be construed other than as a finding of guilty of contempt. The notice of motion stated—

> That the refusal of the chairman of the Public Service Board to provide a copy of the P.A. Management Consultants Pty. Ltd. report on Phase 1 of their investigations into the Public Works Department, sought by the Public Accounts Committee of this House pursuant to the powers conferred by Standing Order No. 169A, constitutes a contempt of this House of Parliament.

I emphasize the expression, "constitutes a contempt of this House of Parliament". The honorable member for Balwyn then added these words—

> but, having regard to the prompt supply of the report and to the letter tendered by the chairman of the Public Service Board, this House now feels there may have been some misunderstanding and will now proceed to the consideration of the Orders of the Day.

In my opinion, the Liberal Party members of this House voted to a man to judge Mr. Cahill guilty of contempt. The members of the Labor Party and the Country Party voted against it. The motion having been carried, its effect was to find Mr. Cahill guilty of contempt with mitigating circumstances, because there could have been a misunderstanding. It means, in effect, "He is guilty of contempt, but do not be too hard on him". That is not what the Premier admitted when he was challenged by the Leader of the Opposition. I shall quote a report published in the *Age* newspaper of Thursday, 21st November. The front page carries the headline "PS Chief Guilty of Contempt of Parliament", followed by two paragraphs stating—

> The Legislative Assembly last night found the chairman of the Victorian Public Service Board (Mr. F. E. Cahill) guilty of contempt of Parliament.
>
> In a decision without precedent in Australia, Government members pushed through the House—against Labor and Country Party opposition—a motion declaring that Mr. Cahill's refusal to provide documents to the Public Accounts Committee constituted contempt.

That is as plain as daylight, and if any further evidence is required I quote the remarks of the Deputy Leader of the Country Party at page 1898 of *Hansard* of 20th November, 1968, as follows:—

> For the honorable member for Balwyn simply to say, that, in view of what has happened, he feels that the House should judge the man guilty, without any evidence being presented to it, and then proceed to the consideration of the Orders of the Day, is no way out. The House should establish the fact one way or the other. Either the chairman of the Public Service Board is guilty of contempt, and should be reprimanded, or he is not guilty of contempt. That is clearly the decision that must be made.
>
> If the House agrees to the motion moved by the honorable member for Balwyn, Mr. Cahill will be judged guilty without any evidence being produced, and then the House will deal with other business. It is the responsibility of the mover of the motion or, if he has already spoken, of some of his supporters, to prove to the House that this gentleman is in fact guilty of contempt. If he is not guilty, the House must vote against the motion. If he is guilty, I presume the House must then decide on a penalty. The present proposal is innocuous and will not satisfy anybody. I suggest that Mr. Cahill will not be at all satisfied with a motion of this nature because it will in fact convict him of contempt of Parliament.

That is plain enough.

Mr. WHITING.—Government members will not listen.

Mr. MOSS.—They were probably out of the Chamber. The Premier said—

> The Legislative Assembly did not debate whether Mr. Cahill had been in contempt of Parliament. Parliament voted that there had been a misunderstanding between the

chairman of the Parliamentary Public Accounts Committee, Mr. Taylor, and Mr. Cahill and that the matter should be dropped.

You bet he suggested that! He continued—

Any legal interpretation that Mr. Taylor's motion concerning Mr. Cahill resulted in Parliament finding Mr. Cahill in contempt is completely contrary to the spirit of the motion and the spirit of Parliament.

Is there anything more deceitful than a statement of that nature? It is equalled only by the stupid utterance of the Chief Secretary when he suggested a few minutes ago that everyone was in agreement with the statement of the Premier. If the members of the Liberal Party keep repeating this they may be able to fool themselves, but members supporting the motion moved by the Leader of the Opposition will not be fooled. The people of Victoria will be somewhat puzzled but certainly not fooled as a result of the debate today.

The motion moved by the Leader of the Opposition suggests, first, that this House should dissociate itself from the statements attributed to the Premier, and I support that principle wholeheartedly. Secondly, it suggests that the Premier has failed to comply with the Standing Orders and is guilty of breach of privilege. I believe that to be the case. The Premier has not told the truth with regard to what happened in Parliament. It is disgraceful that the case put by the Leader of the Opposition has not by one tittle been answered by the Government spokesman. However, because the Government has the numbers, the amendment which the Chief Secretary has moved simply says in effect, " Let us get on with the business of the House ". This indicates the sorry state to which the House has been reduced under Liberal domination.

Mr. TURNBULL (Brunswick West).—At this stage I expected to hear something from the Government side of the House, but as no Government speaker has risen I shall proceed to support the motion. The Leader of the Opposition suggested that the reflections made by the Premier were made *mala fide*—in other words, that the honorable gentleman knowingly made a false comment concerning a motion that had been dealt with by the House. Throughout the discussions on this matter, I have taken the view that Mr. Cahill was not guilty of contempt. I base my view mainly on the fact that not a scintilla of evidence has been presented to the House to justify the Liberal Party's support of the motion that was before the Chair last Wednesday. So far as my party is concerned, there was not only no reflection on the chairman of the Public Service Board, but no reflection on the Public Service as a whole ; nor was there any reflection on the honorable member for Balwyn.

In order to submit my case briefly, I shall discuss the history or background of the present motion. In my opinion, the motion which was before the House last week did no justice whatever to Parliament. I trust the motion was not drafted by a lawyer because in many ways its terms were contradictory. At page 1744 of the current *Hansard,* it is reported that the honorable member for Balwyn said—

With your permission, Mr. Speaker, I interrupt the debate to raise a matter of Parliamentary privilege.

The honorable member made allegations concerning the chairman of the Public Service Board, and then gave notice of a motion to the effect that the refusal of the chairman of the Public Service Board to provide a copy of a document constituted a contempt of this House of Parliament. Irrespective of the wording of the motion or the additions made to it, it is clear that its whole central point was that the chairman of the Public Service Board was guilty of contempt of Parliament. I hope a little more evidence than that would be required in a court of justice before such a conclusion was reached.

No one has informed the House of the facts of that case. Was there a resolution by the Committee of Public Accounts that a subpoena should be sent to the Public Service Board? The Standing Orders of the House state that the Committee of Public Acounts shall consist of seven members, that its duties shall be to examine the public accounts, and that it shall have power to send for persons, papers and records. If I were defending Mr. Cahill, the first question I should ask is whether the Committee of Public Accounts passed a resolution to send for Mr. Cahill. Apparently the committee sent a letter to Mr. Cahill asking him to deliver a document. I do not know who owned the document or whether Mr. Cahill had control over the document. Was the document his to hand over to a messenger? The legalistic way of handling this——

The SPEAKER (the Hon. Vernon Christie).—Order! The honorable member is getting slightly out of order.

Mr. TURNBULL.—Mr. Speaker, I am trying to point out that, if one traces the history of this matter, it is clear from the debate and its background that the Liberal Party knew that Mr. Cahill was being found guilty of contempt, which is a very serious matter. I understand that contempt means defying the law or some lawful authority. This Parliament should have heard some evidence, some facts, which affirmed that Mr. Cahill was defying authority. Does it mean that when a person is sent for he must drop his tools and immediately hand over some document?

Mr. G. O. REID (Attorney-General).—I wish to raise a point of order, Mr. Speaker. I think the honorable member for Brunswick West is becoming slightly irrelevant in traversing the procedures which gave rise to the motion which was debated last week.

The SPEAKER (the Hon. Vernon Christie).—I uphold the point of order. The honorable member for Brunswick West may refer to those proceedings only briefly by way of illustration.

Mr. TURNBULL (Brunswick West).—I have covered the point, Mr. Speaker. I am confirming my personal attitude and that of my party that no basic legal evidence was provided which could justify members on the Government side of the House finding Mr. Cahill guilty of contempt of Parliament. When you, Mr. Speaker, permitted the addition to the motion, you said that there was no subtraction from the substance of the motion.

The SPEAKER.—I used the words "no addition".

Mr. TURNBULL.—I am putting my own construction on what was said. As I said during the other debate, there might have been some justification to deal lightly with the gentleman concerned, but there was no doubt in the minds of Opposition members that, if passed, the motion presented to the House would find Mr. Cahill guilty of contempt. I do not know whether members of the Liberal Party are justices of the peace, but I trust that if such members served in the law courts they would require more evidence before convicting this unfortunate man, who has no right to appear before this House. The Government, which appointed Mr. Cahill, was not bold enough to allow him to justify his attitude in this matter.

Mr. WILKES.—It denied him the right.

Mr. TURNBULL.—That is so. No member of the Government party spoke. Would it not have been possible to ask Mr. Cahill to prepare a document justifying his attitude in the matter, to be read to the House by a Minister of the Crown, preferably by the Attorney-General? All we had was member after member saying, "This is a motion which, if it is passed, will condemn the chairman of the Public Service Board of being

guilty of defiance." Did any member of the Government party suggest an amendment to the motion that was before the House? No one did that because those honorable members realized that they had been defeated. Belatedly today an amendment has been moved to the motion now before the Chair. The Government knows that the amendment will be passed because it has the numbers. The Liberal Party is coming out of this matter very badly.

I shall comment on one aspect of the Premier's statement which I do not think has been adverted to. The honorable gentleman said—

> I said that the Liberal Party agreed that, as a party, we were supporting the amended motion because we believed that there had been a misunderstanding.

Of course, the Liberal Party includes members of another place. Did they vote on the matter which was before this House? As I said earlier, I hope the motion was not drafted by the Attorney-General, or by the Chief Secretary or Minister of Transport. I am sure that it was not drafted by the honorable member for Malvern. It is a disgrace to draftsmanship, whoever drafted it. It is clear from the history of the whole matter that the Liberal Party knew that it was finding this man guilty of contempt, but thought this was a way of short-circuiting the whole subject. The members of that party did not want to justify the motion by calling evidence. Their view was, "We will dispatch it in this airy-fairy way." I do not want to make any reflection on the Chair, although of course I was surprised that the motion moved by the honorable member for Balwyn was amended without leave of the House.

The SPEAKER (the Hon. Vernon Christie).—Order! I gave three rulings on that matter during the relevant debate, and I invite the honorable member not to query a ruling a week after it was given. I recommend the honorable member to read the rulings I gave last week.

Mr. TURNBULL.—I have read the rulings and respect them, Mr. Speaker, but I was a little surprised at them. After all, the Premier is a very experienced politician. The honorable gentleman has been a member of this House for a number of years and is an expert spokesman. It is obvious that, after reading the *Age* report, the Premier knew that he and his party had erred. The Leader of the Country Party has read to the House the captions which appeared in that newspaper. Does any honorable member think the *Age* would publish these various matters without seeking legal advice? Of course, that newspaper sought such advice.

Only three conclusions could be reached, the first being that this House had found, against the objections of the Opposition and the Country Party, that Mr. Cahill was guilty of contempt. Members of the Liberal Party knowingly and wittingly did that. I suppose, on reflection, the Premier realized that he was wrong. Finding that he and his party had erred, the honorable gentleman was trying to short-circuit the matter. He said that the spirit of the motion was not that this House had found Mr. Cahill guilty. I do not know what kind of spirit was abroad that moved the Premier to use that phraseology. The Premier is an experienced statesman, probably the best known in Victoria, and he knew that he was reflecting on a motion which had been carefully debated in this House. He also knew that this House had knowingly come to a conclusion that Mr. Cahill was guilty of contempt.

As the honorable member for Sunshine has said, the Premier tried to appease everyone concerned. I know that the Government has the numbers to carry the amendment, but it has displayed little elegance in its conduct in this matter. Numbers do not always count; conduct and behaviour are the things that count. I suggest that the behaviour of the Labor Party and the Country Party

has been most proper and that, on the contrary, the attitudes and behaviours of the Liberal Government have been most improper.

Mr. SUGGETT.—Is there another marriage coming up?

Mr. TURNBULL.—Since he is not married, the honorable member for Bentleigh would not know anything about that. I turn to the amendment now before the House, which proposes—

> That all the words after "That" where first appearing in the motion be omitted with a view to inserting in place thereof the words "this House having heard the Honorable the Premier in explanation of the published statements and believing that the actions of the Premier were right do now proceed with the business of the House as set down in the Notice Paper.

If that amendment is carried it will be a miscarriage of justice, and while the subject of this debate may soon be forgotten the conduct of this House will be remembered for many years to come.

Mr. BORTHWICK (Minister of Water Supply).—The terms of the motion are such that if it is agreed to the House will in fact be finding Mr. Cahill guilty of contempt. I believe that the exercise upon which the House is engaged tonight very clearly demonstrates the attitude of the Labor Party and the Country Party towards obtaining political advantage. The debate to this stage has highlighted the fact that members of those parties have complete disregard for the standing of Mr. Cahill, and are concerned to bring this matter forward merely for the purpose of gaining political advantage. The whole tenor of their remarks is to attempt to drive a wedge between the Executive Government of this State and the Public Service. That is the sole reason for bringing this matter forward, and there is no doubt that every speaker opposing the Government has attempted to achieve that object.

The question at issue is whether the Premier was right or wrong in speaking as he did to the press last Thursday morning.

Mr. SUTTON.—In which role did he speak?

Mr. BORTHWICK.—As a layman dealing with a legalistic interpretation. I shall demonstrate that by quotations from *Hansard*. Today many quotations have been directed against the Government. I intend to quote the remarks of Government supporters which clearly indicate the Government's attitude towards any charge of contempt against Mr. Cahill.

Mr. WILKES.—They are hard to find.

Mr. BORTHWICK.—They are not hard to find. At page 1893 of *Hansard* No. 10, the Chief Secretary said—

> The honorable member for Balwyn, who raised the matter, has now given the House an assurance that there was a misunderstanding. The honorable member, who could be regarded as the complainant, is satisfied. Mr. Cahill, who in terms which would be understood by the Leader of the Opposition could be regarded as the accused, is satisfied.

A reading of *Hansard* amply demonstrates to the House the attitude which was adopted by all members of the Government. The Premier and all other members of the House have the right to speak of the attitude that was adopted in relation to the resolution that was carried. Mention has been made of sloppy resolutions, but how many times have sloppy motions been put forward by the Opposition in moving the adjournment of the House? The fact that an error is made in legalistic interpretation when a motion is framed is not something unique or peculiar to the resolution which is now being discussed. Many Acts of Parliament are passed after long debate and have to be amended in a subsequent session. Section 92 of the Commonwealth Constitution has been the subject of argument between lawyers for 67 years. The Chief Secretary admitted to the House today that the resolution was not worded as accurately as it might have been, but he also said that the legalistic interpretation which was placed on it next morning by the

press did not accurately reflect the attitude of the Liberal Party and the Government when the vote was taken.

I believe that the Premier, as the Leader of a responsible Government and of a great party, has not only the prerogative but also the responsibility, if he believes that the Government's actions have been incorrectly interpreted, to make that fact publicly known. I shall never understand how a comment outside of the House by the Leader of any party can ever be held to be in contempt unless he says something which disparages Parliament itself. If an honorable member suggested outside the House that the Parliament was slip-shod, or made some equally disparaging statement, I would agree that it could involve a breach of privilege and a contempt of the House ; but nothing like that has been said. All that the Premier did was to advise the public of Victoria what was in the mind of the Government when it supported the motion.

Unless his statements reflect upon the House, it can never be suggested that the Leader of a political party is not entitled to make public comments concerning the affairs of the House. If this is not the attitude to be adopted, I suggest that in future many members of Parliament—not only party Leaders—could be challenged on a question of contempt ; in fact, if the terms of this motion are adopted, the ludicrous situation could arise in which the actions of Parliament might need to be tested in the courts before a member could comment upon them.

The report with which the House is concerned stated—

Sir Henry said the Legislative Assembly did not debate whether Mr. Cahill had been in contempt of Parliament.

In support of that statement, I ask honorable members these questions : Was any prosecution launched against Mr. Cahill? Can any member of the House say that there was? Was a defence called for or proferred? Of course there was not.

Honorable members interjecting.

The SPEAKER (the Hon. Vernon Christie).—Order! There are far too many interjections. Members of the Opposition have been heard in almost complete silence. I ask them to moderate their interjections.

Mr. BORTHWICK.—If no defence was called for or proferred, and if no prosecution was launched, how could it be said that the House debated whether Mr. Cahill had been in contempt of Parliament? There was no debate at all upon that question. It could be true that, on a legalistic interpretation, the House voted on it, but if that interpretation is correct members of the Government acted unwittingly.

Honorable members interjecting.

Mr. BORTHWICK.—It serves the purpose of members of the Labor Party and the Country Party to howl like jackals, for they do not want the public of Victoria to realize that members of the Government party in no circumstances deliberately found Mr. Cahill to be in contempt ; I intentionally use the word " deliberately. "

The statement continued—

He said Parliament voted that there had been a misunderstanding between the chairman of the Parliamentary Public Accounts Committee, Mr. Taylor, and Mr. Cahill and that the matter should be dropped.

In fact, that was in the motion itself and there is no dispute about it. Members of the Liberal Party in Parliament voted that way and that is what the Premier was pointing out. In view of the fact that members of the Liberal Party were the only ones to vote in that way, the Premier is the only person entitled to explain the situation.

The report continued—

Sir Henry said that any legal interpretation that Mr. Taylor's motion concerning Mr. Cahill resulted in Parliament finding Mr. Cahill in contempt of the House is completely contrary to the spirit of the motion and the spirit of Parliament. It is the spirit that counts.

I believe that the only members who can speak on that subject with any accuracy are those who sit on the

Government benches. There have been many innuendoes and misleading statements to the effect that members of the Government party deliberately voted in the way they did. I voted for the motion, and my reason for doing so was that I believed there had been a misunderstanding and that the matter should be dropped.

Honorable members interjecting.

The SPEAKER (the Hon. Vernon Christie).—I invite the Minister of Water Supply not to be so provocative.

Mr. BORTHWICK.—As set out on the Notice Paper, the notice of motion of the Leader of the Opposition states, *inter alia*—

> Mr. Holding: To move. That . . . the Premier has failed to comply with the Standing Orders, and is guilty of a breach of privilege.

I maintain that for the Leader of any party, or for any honorable member, to comment on the affairs of this House, outside the House, cannot be in breach of Standing Orders, unless, in some way, he brings this House into severe or grave disrepute.

Mr. Moss.—Hasn't he done that?

Mr. BORTHWICK.—No, he has not done that. I believe that, in this case, the Leader of the Opposition has allied his argument with Standing Order No. 90. Many rulings have been given in this distinguished House over the years and, of course, I do not know them all. The Standing Orders should be read in context. Chapter 7 is headed "Debate", and every Standing Order from No. 73 to No. 107 deals with matters appertaining to debates in the House. In referring to this subject, the Leader of the Opposition said that many times previously you, Mr. Speaker, had ruled out of order comments by an honorable member. He went on to say that if that was good enough inside the House, it was good enough when an honorable member made statements outside the House. That may not be a verbatim report of what the honorable member said, but it is accurate to the best of my memory.

Interpretations of the Standing Orders are published in May's *Parliamentary Practice*. Page 451 of *May* has already been referred to today. At that page, the sub-heading "Reflecting Upon Votes of the House" appears under the heading, "Rules Governing Contents of Speeches". At page 448, there is a heading, "2. Rules Governing Contents of Speeches". Under that heading, on page 448 and the following pages, there are these sub-headings—"Summary of Rules"; "Relevancy in Debate"—with paragraphs on "Debate on dilatory motions", "Motions for adjournment of the House" and "Motions for withdrawing Bills, &c." —"Reference to Prior Debates"—with a paragraph on "Reading extracts from speeches, &c."—and "Reflecting upon Votes of the House".

I realize that the House must decide matters of privilege, but I suggest that all honorable members should closely examine the Standing Orders and the relevant parts of *May*. A common-sense interpretation of Standing Orders, in conjunction with what is said in *May*, indicates that the matters dealt with peculiarly refer to speeches made inside the House and do not refer—as has been suggested by the Leader of the Opposition—to comments about the House made outside the House.

Mr. FENNESSY.—You do admit he said it?

Mr. BORTHWICK.—The Premier himself has admitted to three sections of the transcript. If this House allows its members to be restricted and confined, in the manner in which the Leader of the Opposition suggests they should be, Parliament itself and the activities of its members will be brought to a very low state. The colleagues of the Leader of the Opposition in other Houses of Parliament in this country reflect on decisions made in Parliament day

after day, and make it clearly known to the public of Australia as a whole that they disagree with some action of the Parliament——

Mr. SUTTON.—The effects of it?

Mr. BORTHWICK.—Or the effects of it. Members of Parliament frequently interpret decisions made by Parliament, and publicly interpret them. In many cases, members can be just as much in dispute as lawyers are when interpreting the actions of Parliament in courts of law. If this House has been used for some form of political cynicism, it has been so used by the introduction of this motion today.

I was leading up to the question of intent and the crude allegation that the Premier deliberately or cynically misled the public. It has been stated that, after taking one action one day, he deliberately took another action on the next day. The attitude of the Government and of those who voted for the motion last Wednesday are shown in *Hansard*, and I shall quote them again. The Premier made his statement last Thursday morning because he knew in his heart and in his mind that the members of the Government did not vote to find Mr. Cahill in contempt of this House.

Honorable members interjecting.

Mr. BORTHWICK.—Mr. Holding has some legalistic interpretation.

The SPEAKER (the Hon. Vernon Christie).—Interjections will be cut down, and the Minister of Water Supply will address the Chair, not members of the Opposition.

Mr. BORTHWICK.—The attitude of the Government to the motion which was dealt with by the House last week is shown by the remarks of those who spoke for the Government side of the House. As reported at page 1893 of *Hansard*, the Chief Secretary said—

> The honorable member for Balwyn, who raised the matter, has now given the House an assurance that there was a misunderstanding. The honorable member, who could be regarded as the complainant, is satisfied. Mr. Cahill, who in terms which would be understood by the Leader of the Opposition could be regarded as the accused, is satisfied.

The Minister of Transport, as reported at page 1903 of *Hansard*, said—

> In view of the fact that he received this letter, and having regard to the prompt supply of the report in question, the honorable member for Balwyn amended his original motion to read that the House "will now proceed to the consideration of Orders of the Day". In other words, the honorable member who raised the question of privilege has stated quite clearly in his motion that he is satisfied for the House to proceed with other business.

In his contribution to the debate, as reported at page 1909 of *Hansard*, the honorable member for Malvern said—

> The honorable member for Balwyn is satisfied that the chairman of the Public Service Board did not intend any contempt of Parliament and he recommends to this House that it should proceed to other business. That is a recommendation which I am glad to accept.

Those honorable members were the three speakers for the Government in the debate on the privilege motion last Wednesday. Each amply demonstrated the attitude of the Government. Any honorable member who cares to do so, and perhaps does not mind becoming a little tired and bored, might read the two speeches of the Leader of the Opposition in last Wednesday's debate. Today, by innuendo, the Leader of the Opposition suggested that sixteen or seventeen members who voted against the motion drew the attention of the Government to this legalistic interpretation of the motion. It is strange that at no time, either in his first speech or in speaking to the amendment, did the Leader of the Opposition do that.

Mr. HOLDING.—That is not true.

Mr. BORTHWICK.—It is true; I cannot find it. The Leader of the Opposition certainly did not suggest that in this first speech, and, although I have searched, I have failed to find any reference to it in his second speech. If he will show it to me, I shall withdraw what I have said.

Mr. B. J. EVANS.—Did you give me any credit and read what I said? You obviously did not hear it.

Mr. BORTHWICK.—I did hear it

The SPEAKER.—There are too many interjections, and the Minister should address the Chair.

Mr. BORTHWICK.—Like many others, I heard what the Deputy Leader of the Country Party said, but I did not agree with his interpretation.

Mr. B. J. EVANS.—You did not say so.

Mr. BORTHWICK.—If afterwards, in some legal circles, the legalistic view of the Deputy Leader of the Country Party is upheld, I shall congratulate him. I congratulate any honorable member who thought there was a legalistic interpretation of the motion which was not obvious to all honorable members.

Mr. B. J. EVANS.—It was a logical interpretation, not a legal interpretation.

Mr. BORTHWICK.—However, I suggest that members should be prepared to acknowledge the sincerity of the Premier and the Government when they say categorically that at no time did they deliberately vote in a manner which would have the effect of finding Mr. Cahill guilty of contempt.

I have given my interpretation of Standing Order No. 90, backed up by references in *May*, under the heading "Reflecting upon Votes of the House", which comes under "Rules Governing Contents of Speeches in the House". In my opinion, on ethical and moral grounds, on the Standing Orders of the House, and on the authority of *May*, there is no case to answer. I recommend the House to vote for the amendment.

Mr. SUTTON (Albert Park).—Before the Minister for Water Supply makes another emotional speech, I hope that he will consult a dictionary to find out the meaning of the word "legalistic".

Mr. SCANLAN.—Would you like to define it for the House now?

Mr. SUTTON.—I do not intend to provide a lesson for members of the Government party. Charged with a breach of privilege, the Premier relied upon spirits to help him in defence. He is sometimes, though not often, flat-footed in debate, but his incorporeal allies are very hard to catch up with.

As reported by a news service, the Premier said—

> Any legal interpretation that Mr. Taylor's motion concerning Mr. Cahill resulted in Parliament finding Mr. Cahill in contempt of the House is completely contrary to the spirit of the motion and the spirit of Parliament. It is the spirit that counts.

That was an edifying utterance, but it was completely contrary to the facts. It is the facts, literally interpreted, and not subjectively or esoterically interpreted, that count. The facts are recorded in Votes and Proceedings of the Legislative Assembly, No. 23, 20th November, 1968. That is the official and permanent record of proceedings and decisions. It shows unmistakably that Mr. Cahill was found guilty of the charge preferred against him.

When the sentence of death is passed on a person accused of murder, there is nothing allegorical in the words used by the Judge. No appeal is made against the judgment on the ground that he did not mean what he said, or did not say what he meant, or did not take sufficiently into account the spirit of the law or of the court.

Similarly, when the Assembly goes on record with the finding that Mr. Cahill's refusal to produce to the chairman of the Committee of Public Accounts a document required of him "constituted a contempt of this House", the finding is unaltered by a rider to the effect that there was a misunderstanding between the two men. No lame indication of a forgive-and-forget, let-bygones-be-bygones

attitude, no profession of magnanimity, no fine inner feelings on the part of the accuser, can qualify it in any way. And very properly.

Because if objectivity is no longer the criterion, if words have to be probed for hidden meanings, every acknowledged principle of interpretation will be jettisoned, with disastrous results, in favour of subjective judgments. Realism will flee the Parliamentary scene.

In justice to the Premier, I think that by way of relaxation he has been reading *Alice Through the Looking Glass* and has come upon the dialogue between Alice and Humpty Dumpty. " When I use a word ", said Humpty Dumpty, " it means just what I choose it to mean—nothing more nor less ". The Premier seems to have adopted that comfortable maxim.

By endorsing the charge that there had been a " refusal " by Mr. Cahill, members of the Liberal Pary, to whom and not to members of the other parties some explanation of this conduct has been made, have proclaimed him to be a guilty man in the eyes of Parliament, and so of the public.

Members of the Opposition are left to wonder whether the misunderstanding was mutual or was on the part of only one of the persons involved, who could have been the honorable member for Balwyn. Enlightenment on that aspect would be valuable.

The Premier alleges that he was misreported, that he said that it was the Liberal Party and not the Government which had voted on the misunderstanding issue. Here we meet two other friends of Alice, Tweedledee and Tweedledum. This sort of hair-splitting in the name of the spirit would have delighted the medieval philosophers who pondered how many spirits could be accommodated on the point of a needle.

If there is indeed a spirit of interpretation such as the Premier has invoked, it is a malign one and should be exorcised as speedily as possible. At the first opportunity available to them, the electors will ensure that that is done.

If the House accepts the Premier's version of what has happened, it will establish a precedent that will strike at the very basis of law-making and will exhibit Parliament as a sham, a thing deserving of contempt.

Sir WILLIAM McDONALD (Minister of Lands).—I believe this is not an occasion for such long speeches as the House has heard from the Leader of the Opposition. I congratulate him on the longevity of his speech, if nothing else. The honorable member employed every device of legalistic jargon pertaining to his profession. He is entitled to do this —the forms of the House allow him to do it and the training which he has received has fitted him to do so. However, I do not believe the forms or usages of the House ought to allow the Leader of the Opposition or anyone else to indulge in a vicious personal attack against the Premier or any other member. I do not claim any special privilege for the Premier.

Mr. HOLDING (Leader of the Opposition).—I rise to a point of order. I object to the allegation that I indulged in a vicious personal attack. If I had, it would have been open for any honorable member, including the Minister of Lands, to take a point of order and ask me to withdraw my remarks. I find the term offensive and I ask for a withdrawal.

The SPEAKER (the Hon. Vernon Christie).—In the circumstances, I find no point of order.

Sir WILLIAM McDONALD (Minister of Lands).—I shall just complete what I was saying. Possibly the Leader of the Opposition deduced what I proposed to say and attempted to deter me from saying it by taking the point of order. I have said that I do not believe the forms of the House were designed to provide an opportunity for a vicious personal attack in such circumstances. I believe it is

a very poor act of faith when the Premier was doing his utmost to set aright what appeared to be a wrong.

I understand that there was no moral justification for the Leader of the Opposition to move the motion, and also that he has failed lamentably to convince any member of the House that what the Premier did was basically wrong; certainly he has not convinced anybody that there was a breach of privilege.

Mr. PHELAN.—You can put it on the record that I am convinced.

Sir WILLIAM McDONALD.—In order to establish that there had been a breach of privilege, the Leader of the Opposition should have proved that the words used by the Premier were a reflection on this House.

Mr. HOLDING.—That is what I did.

Sir WILLIAM McDONALD.—The honorable member did not prove that. Every honorable member who views this question in its entirety will realize that not only was a breach of privilege not committed, but that it was not intended to be committed.

The case which has given the Leader of the Opposition an opportunity, under the forms of the House, to move his motion is one of the most unfortunate series of misunderstandings and partial understandings of mistakes that either you, Mr. Speaker, or I have been aware of in this House for a very long while. Not the least of these has been the wording of the amended motion on which the House deliberated last week.

Mr. HOLDING.—Who drafted it?

Sir WILLIAM McDONALD.—I am not being critical of the motion for the sake of being critical. The Chief Secretary said earlier today that he took the responsibility for the wording of the motion. I do not believe the Chief Secretary needed to have been so generous—he did not need to take this responsibility because all honorable members were in a position to object to the motion as amended.

Mr. HOLDING.—The Opposition did, but Liberal Party members did not.

Sir WILLIAM McDONALD.—Irrespective of the rights and wrongs of this case, there can be no doubt in my mind, or your mind, Mr. Speaker, that the honorable member for Balwyn acted in good faith in requesting the papers, and there can be no question of his being allowed to do so. It is also apparent that Mr. Cahill was in the process of producing these papers when the notice of motion was given the week before last.

Mr. HOLDING.—How do you know that? Who told you?

Sir WILLIAM McDONALD.—Mr. Speaker, it is obvious from what we know now that what I say is right.

Mr. HOLDING.—It is not at all obvious.

Sir WILLIAM McDONALD.—It is obvious to me, and the fact that honorable members opposite find it necessary to continue a barrage of comments induces me to believe they know that this is the case. What is now known to them was not known to the honorable member for Balwyn when he gave notice of the original motion. When it became known to him, he took the action which I believed he would.

Mr. FLOYD.—Are you condemning him now?

Sir WILLIAM McDONALD.—I am not condemning him; I am trying to explain the sorry set of circumstances. When the honorable member for Balwyn was acquainted with the facts he——

Mr. HOLDING.—When was he acquainted with them?

Sir WILLIAM McDONALD.—He moved in this House——

Mr. HOLDING.—When was he acquainted with them?

The SPEAKER (the Hon. Vernon Christie).—Order! The Leader of the Opposition has made the same interjection a number of times. He was heard in silence, and I invite him to give the same reception to the Minister of Lands.

Sir WILLIAM McDONALD.—It is clear that it was the intention of the mover of the motion to recognize the misunderstanding and to accept the explanation. If his intention had been otherwise, the additional words—

> but, having regard to the prompt supply of the report and to the letter tendered by the chairman of the Public Service Board, this House now feels there may have been some misunderstanding and will now proceed to the consideration of the Orders of the Day.

would not have been added to the original motion.

Mr. B. J. EVANS (Gippsland East).—I rise to a point of order. I should like to know whether the Minister of Lands is quoting from a document and, if so, whether he will table the document for the benefit of the House?

The SPEAKER (the Hon. Vernon Christie).—I uphold the point of order. The Minister of Lands will let the House know what he is quoting from.

Sir WILLIAM McDONALD (Minister of Lands).—The House is entitled to know.

The SPEAKER.—Is the Minister quoting?

Sir WILLIAM McDONALD.—No, Sir, I am not quoting. I have a few notes here and I did propose, at one stage, to quote from *Hansard*, but it will be in order and you will not rule against it, Sir.

Mr. B. J. EVANS.—That is a presumption.

Sir WILLIAM McDONALD.—There is no presumption because you know, Mr. Speaker, that I would not wittingly offend against any ruling you gave. The other point I should like to make is that if it had been intended by the Government, by the Liberal Party or by members on the Government side of the House to lay stress on the first part of the motion, most certainly the case would have been led by a member from the Government benches. From the fact that no evidence against Mr. Cahill was led by a member from this side of the House, it is obvious that members of the Liberal Party were placing their reliance on that part of the motion I have just read. If it had not been for what I believe was a misinterpretation of the spirit of the motion as amended, the Premier would not have found it necessary to set the matter right. Clearly it was not only the right of the Premier to offer this explanation but also his duty to do so, and therefore there has been no breach of privilege.

The Opposition has made a great deal of play about the forms of the House. I believe it is competent to reflect not only on the wording of the forms of the House but also on what they are intended to convey. It is clear that in this case the Leader of the Opposition has used the forms of the House to obtain a political advantage. I believe that is the last thing the forms of the House were designed to do. In fact, the Leader of the Opposition, as reported at page 1891 of *Hansard*, made his case perfectly clear when he said—

> I wish to reiterate the Opposition's position concerning this matter. It was not any action taken by the Opposition which caused this matter to be raised in Parliament in the first instance; it was, as I pointed out in this Chamber yesterday, an action taken—quite properly, I believe—by a member of this House in his capacity as chairman of an important committee of Parliament, who felt himself aggrieved and his committee affronted in such terms that he believed a contempt of Parliament had occurred. The honorable member quite properly moved, as he was bound to move as a matter of urgency in this House, to have the matter brought to the attention of Parliament; and you, Mr. Speaker, ruled that a prima facie case of breach of privilege had been established.

I find this a strange set of circumstances. On the one hand, the Leader of the Opposition is supporting the view of contempt, and, on the other hand, the Premier is doing his utmost to interpret in its proper perspective an action taken by the House. Today the Leader of the Opposition has castigated the Premier for what he has done in what I believe was an attempt to undo——

Mr. HOLDING.—Undo—you said it!

Sir WILLIAM McDONALD.—I withdraw the word "undo". I believe the Premier was doing his utmost to put in its proper perspective what the House had done, and in doing so he did what was obviously his duty. I believe all fair-minded people inside and outside of this House believe the honorable gentleman did his utmost to convey a reasonable and accurate explanation of the intention of Parliament, and in so doing he created no breach of privilege. For this reason I believe the House should accept the amendment moved by the Chief Secretary and reject the motion moved by the Leader of the Opposition.

The sitting was suspended at 6.21 *p.m. until* 8.3 *p.m.*

Mr. B. J. EVANS (Gippsland East).—If any good is to come out of this debate and the circumstances which led to it, I sincerely trust that the public realizes what a parlous state the Government has reached and the complete contempt that the Liberal Party has not only for Parliament but for the people of Victoria. I cannot help but think that many members of the Liberal Party must have some sort of contempt for themselves. During the debate today Government members have offered all sorts of excuses. They have said, "We really did not know what we were doing", or, "We did not think we did what we are alleged to have done", or, "Probably, there was a misunderstanding". They have submitted no positive arguments to the House.

The Minister of Water Supply relied basically on his claim that Standing Order No. 90 did not fit this situation and that therefore, the Premier had no case to answer. The honorable gentleman suggested that if honorable members perused the Standing Orders carefully they would agree with his viewpoint. I suggest that the Minister himself should examine the Standing Orders, particularly Standing Order No. 285, which states—

> That in all cases not herein provided for resort shall be had to the Rules, Forms, Usages, and Practice of the Commons House of Parliament of Great Britain and Ireland, which shall be followed so far as the same may be applicable to this Assembly and not inconsistent with the foregoing Rules.

Of course, the "bible", as it is known, of the rules, forms, usages and practice of the House of Commons is Sir Erskine May's *Parliamentary Practice*. At page 126 of the sixteenth edition under the heading, "Breaches of Privilege and Contempts", there appears a subheading entitled, "Misrepresenting Members' Proceedings", under which *May* states—

> Wilful misrepresentation of the proceedings of members is an offence of the same character as a libel.
>
> On 22 April, 1699, the Commons resolved, "That the publishing the names of the members of this House and reflecting upon them, and misrepresenting their proceedings in Parliament, is a breach of the privilege of this House, and destructive of the freedom of Parliament."

Honorable members will agree that this passage from *May* disposes of the proposition advanced by the Minister of Water Supply that there is no case for the Premier to answer. There is definitely a case which must be answered, but so far the Government has failed miserably to answer it.

As an example of the duplicity of the Government, I quote from page 1893 of *Hansard* the opening remarks of the Chief Secretary who, in debating the question of privilege in this House last week, stated—

> On one matter—and I make it clear that it is on one matter only—I agree with the Leader of the Opposition. This is not a question for a political party, whether it is the Opposition party, the Country Party, or the Government party.

In his defence against this charge, the Premier stated, and I quote from page 2028 of *Hansard*—

> At my press conference, I said that the Liberal Party, not Parliament, voted that there had been a misunderstanding between

the chairman of the Committee of Public Accounts and Mr. Cahill. It has been changed to indicate that I said Parliament. I think that is an important point.

The Liberal Party might have voted that there was a misunderstanding between Mr. Cahill and the honorable member for Balwyn, but Parliament voted that there was a breach of privilege by Mr. Cahill. In this regard, I wish to refer to your ruling, Mr. Speaker, as reported at page 1905 of *Hansard* in reply to a point of order raised by me. You, Sir, stated—

> I permitted the change, and I have ruled that the amended motion becomes the motion before the Chair, because the original notice declares a certain party to be in contempt of this House and the words added do not exceed the contention.

You, Mr. Speaker, made no reference to the added words diminishing the contention. I should imagine that it would not be competent for you to accept an addendum to a motion which in any way diminished the consequences of the motion. I believe that the amendment which is now under consideration is in direct contravention of your previous ruling, Mr. Speaker. In view of your ruling, I should like to ask whether the amendment moved by the Chief Secretary, which seeks to negate the ruling that you gave from the Chair, is out of order. This is an important matter.

THE SPEAKER (the Hon. Vernon Christie).—The honorable member for Gippsland East has raised a point of order. On 20th November last, I ruled that a notice of motion may not be amended to extend or exceed the contention in the notice of motion. My ruling on that occasion was that the amendment or the addition did not exceed the contention. The amendment which has been moved by the Chief Secretary is a very different matter; he has moved an amendment to the motion moved by the Leader of the Opposition.

Mr. B. J. EVANS.—With respect, Mr. Speaker, that is not quite the point I raise. If the amendment moved by the Chief Secretary were agreed to it would mean that the House confirmed that the press statement made by the Premier was in fact true and correct. If the House did this, it would be in direct contravention of your ruling last week because you, Sir, ruled that a certain motion clearly declared a person to be in contempt of this House. If the House supports the amendment moved by the Chief Secretary, it will be supporting the Premier's statement to the effect that the House did not determine that the chairman of the Public Service Board was in contempt of the House. I submit that this is in direct contravention of your earlier ruling from the Chair, and that therefore, the Chief Secretary's amendment is out of order.

The SPEAKER (the Hon. Vernon Christie).—The honorable member for Gippsland East has raised another point of order. There are two very separate and distinct matters to be considered. The honorable member who submitted the notice of motion last Thursday week, by usage of this House, amended his motion. Tonight, the Leader of the Opposition has moved a motion to which an amendment has been moved by the Chief Secretary. It is an entirely different matter from that which was under consideration last week. I rule that the proceedings on this matter are quite in order.

Mr. B. J. EVANS.—I am afraid, Mr. Speaker, that I do not quite relate your ruling to the specific question I asked. The point that I want elucidated is whether the amendment which has been moved by the Chief Secretary will, in fact, negate the ruling given by you last week.

The SPEAKER.—The answer is that it will not negate my ruling.

Mr. B. J. EVANS.—I thank you for your ruling, Mr. Speaker. It appears that if the amendment moved by the Chief Secretary is carried, the resolution to the effect that the chairman of the Public Service Board is in contempt of this House will stand.

The SPEAKER.—Those are separate matters.

Mr. B. J. EVANS.—They may be separate so far as the debate is concerned, but to me they are very closely allied. It is most unfortunate that a resolution of the House should stand when there is apparently so much doubt as to its validity and meaning. I understood that the debate today was to determine for the benefit of the public at large the meaning of the resolution carried by this House last week. I am at a loss to understand how anybody can give it any other interpretation than that which has been given to it by members of the Opposition and members of the Country Party during the course of this debate.

I can find no reason why the *Age* newspaper, in its report of the proceedings of the House on Thursday, the 21st November, could come to any conclusion other than the one published in its report. Therefore, it seems to me that it will be unfortunate if, in years to come, people without the benefit of the knowledge of this debate examine the proceedings of this House and find that a certain individual has been convicted of contempt of the House. No matter what we do after the event, I imagine that that situation remains until the resolution is expunged from the record. If the Liberal Party did the right thing it would take action to remove from the record the resolution passed by this House last week.

However, to return to the point I was making, it is extraordinary that the Chief Secretary emphasizes to this House that the question of privilege is one which must be decided on a party basis; yet, in rebuttal, if one may term it such, to the notion gained by competent people who prepare our daily newspapers, we have the situation where the Premier says, "This was not a decision of Parliament; it was a decision of the Liberal Party." This was the sole defence advanced by the Premier last week. Although members of the Liberal Party might have decided within the party machinery that the chairman of the Public Service Board was not guilty of contempt, they were apparently so incapable of understanding the situation that they were prepared to come into this House and vote the other way when it came to the point.

Members of the Opposition have made a good case; they have made it clear that the Premier has breached the Standing Orders of this House. As I stated at the outset, when there is no precedent or Standing Order to cover a particular situation, this House relies on the practice adopted by the House of Commons. *May* clearly states that misrepresenting the proceedings of this House is an offence, a breach of privilege and contempt. I contend that the case has been substantiated by both Opposition and Country Party speakers and that the Government has failed miserably to answer this charge; it has relied entirely on excuses. It is time that individual members of the Liberal Party examined their consciences and voted the way they believe they ought to vote in the circumstances. If they did so, the result would be different from what it most likely will be when the division is conducted on party lines.

Mr. ROSSITER (Minister of Labour and Industry).—This debate seems to me to revolve round an interpretation of the words of the motion. In order to bring the debate back to the original concept, I propose to read the original motion, which stated—

> That the refusal of the chairman of the Public Service Board to provide a copy of the P.A. Management Consultants Pty. Ltd. report on Phase I of their investigations into the Public Works Department, sought by the Public Accounts Committee of this House pursuant to the powers conferred by Standing Order No. 169A, constitutes a contempt of this House of Parliament but having regard to the prompt supply of the report and to the letter tendered by the chairman of the Public Service Board, this House now feels there may have been some misunderstanding and will now proceed to the consideration of the Orders of the Day.

I refer to your ruling, Mr. Speaker, which is reported at page 1898 of *Hansard*—not the ruling referred to

by the honorable member for Gippsland East—following upon a statement made by the honorable member for Kara Kara, when you said—

> Yes, I have ruled twice on that. The honorable member for Balwyn amended his motion and it is now an entirely new motion with the addition of the words at the end. It is not an amendment of the motion, but a complete motion in itself, and I so rule.

That is the last ruling you gave on the matter, Mr. Speaker. If that ruling, as you have indicated, means that the amended motion was an entirely new motion, the interpretation made by this House must revolve round the meaning of the word "but". The adversative conjunction "but" is a link between the original notice of motion and the part of the motion which was added to it.

I refer to Nesfield's *Manual of English Grammar and Composition* which states that by the use of adversative junctions one thought is contrasted with or set against another. When interpreting this motion and the action taken by this House to the public at large, the Premier indicated that there was a change in the motion passed by this House compared with the previous part of the motion. He indicated that this House changed the original concept into a motion depending on the vital misunderstanding that occurred.

I now wish to examine the notion of privilege. At page 42 of the seventeenth edition of *May* it is said—

> Privileges of Parliament are rights which are absolutely necessary for the due execution of its powers.

At page 44 *May* states—

> The reason of that privilege is, that members of the House of Commons may freely attend to the public affairs of that House, without disturbance or interruption.

The Premier has been charged with a breach of that privilege. I support the statements of the Minister of Water Supply that a breach of privilege as a concept relates to the motions taken in this House, or in a House of Parliament in the British Commonwealth of Nations, which would endanger the existence of the House or take away the ancient rights and privileges of the House. It is our submission that the Premier has not in any way breached that privilege. Certainly, this institution should be protected; certainly we should inveigh against contempt and guard against the erosion of the rights of Parliament; we should be ever vigilant against behaviour which attacks this privilege. But this House and members of the House should not be hasty, mischievous, meretricious or political in the motions or actions taken against a member of this House.

If it is assumed that the Premier is guilty of a breach of privilege by having interpreted an action taken in this House, what is the position during an election campaign, when a member of Parliament, a Minister, the Leader of the Opposition, the President of the Legislative Council or the Speaker is asked a question on something that has occurred within the House—perhaps relating to a Bill that has been passed by Parliament? Is a member who answers questions in those circumstances reflecting on the House if he criticizes the Act? Is he guilty of a breach of privilege if he answers questions and mentions some of the actions that he does not agree with? Where would the Leader of the Opposition be in relation to his tirades against the Government at election time? The Leader of the Opposition will continue to act in this way for many years to come during election campaigns. Would he lay himself open to a charge of breach of privilege if he disagreed with some of the actions of this House and tried to interpret them in order to guide people who might vote for him?

In his opening remarks, the Leader of the Opposition was guilty of such a vicious personal attack on the probity of the Premier that he destroyed the Opposition case. The Leader of the Opposition stated that the Premier was mendacious and that the honorable gentleman had perpetrated a deliberate and calculated

fraud. These phrases in themselves brought the whole Opposition case down into the gutter, into the area of smear and political insinuations—a level to which this debate should never have sunk. This reveals the weakness of the case advanced by the Leader of the Opposition—a mere youth, an inexperienced leader, who for some reason or other has become Leader of Her Majesty's Opposition. These are at best *gauche* actions taken by the Leader of the Opposition and at worst frivolous, and this House should reject them out of hand.

The Premier, in pointing out at five minutes' notice the reasons why he made these statements, interpreting for the public the ideas within the context of the motions, discussions and the decisions of this House, was standing up to his responsibility as the head of a Department in which a senior member of the Public Service had been attacked. By his actions, the Premier showed that nothing in his career to this point became him more than his defence of his senior public servant. As a responsible Premier and Leader of his party, throughout his career the Premier has never impugned the honour of Parliament. The motion must be defeated.

Mr. WILKES (Northcote).—The House is becoming used to listening to the semantics of the Minister of Labour and Industry. The speech made by the Leader of the Opposition will go down in the records as one of the best contributions made in recent years on a subject so vitally important as a breach of privilege by a Premier of this State. Last Thursday, three Ministers spoke on this matter and now the House has heard the second edition trying to justify something that is unjustifiable, not because of any malicious intent by the Premier but because of a stupid, doctored-up, resolution.

Mr. DIXON.—It is different from your motion.

Mr. WILKES.—The honorable member for St. Kilda is ambitious. I can understand his anxiety, just as I can understand that of the back-bench members of the Government who have seen the culpable incompetence of members of the Cabinet. The Premier may not have maliciously misinterpreted the amendment before the House last week, but he acted stupidly; although you ruled it was not an amendment.

The SPEAKER (the Hon. Vernon Christie).—Order! It was an amended motion.

Mr. WILKES.—An amended motion was trotted into the House at the last minute on Wednesday last in an attempt to get the honorable member for Balwyn, the chairman of the Public Service Board or the Government off the hook, but it did not achieve that result. The stupidity of the Government made the situation intolerably worse. Whether or not the honorable member for Balwyn was correct, the House accepted his motion, which meant that a breach of privilege had been committed by the chairman of the Public Service Board. You ruled, Mr. Speaker, that the honorable member had made out a prima facie case of contempt. The honorable member for Balwyn must be given credit for his point of view that if he believed there was a breach of privilege on the part of the chairman of the Public Service Board, Mr. Cahill, he was in duty bound to raise the matter in this House.

However, when the honorable member for Balwyn raised the matter, it did not suit the Liberal Party. Events have shown clearly that his action was not accepted by members of his party; they were astounded and they did not know what to do about it. Unlike the members of the Labor Party and the Country Party, they were not allowed to judge the issues on their merits. Members of the Liberal Party discussed the question of privilege behind closed doors on no fewer than three occasions. From what honorable members have heard

tonight, they have now tried to judge the issue on four occasions. On each occasion they got farther into the mire. Now Mr. Cahill does not know whether he is or is not guilty of contempt of Parliament. Members of the Liberal Party have romped along from one meeting to another in an attempt to find a solution.

First, the House was confronted with the puerile amendment that followed a letter purported to have been written by the chairman of the Public Service Board freely and without duress, after he had been dragged back from Canberra to get the Liberal Party out of the mess in which it found itself. It was a disgrace to Parliament. The amendment moved by the honorable member for Balwyn did not expunge his original motion, which was an indictment of the chairman of the Public Service Board. Today the Chief Secretary said, in effect, "It was not a good amendment; it was done hurriedly. You know how it is; I had it pushed under my nose at such and such a time and I did not have time to consider it". This was not an ordinary amendment; it was an important matter, with the reputation of a senior public servant at stake. The Chief Secretary had the audacity to state, "I did not have time to examine it and events have proved that it was not a good amendment." He has dissociated himself from it. Honorable members have not heard who was responsible for drafting the amendment; it is difficult to hazard a guess.

It appeared from the remarks of the Ministers who spoke on Thursday and again today that they are not too happy about accepting responsibility for drafting this amendment. I do not suggest who drafted it; perhaps it was one of the backward members of the Liberal Party. Common decency prevents me from suggesting who that may be. Nevertheless, the amendment was a disgrace not only to the Liberal Party but to Parliament. It left the situation as it was before the amendment was moved.

Eleven speakers from the Opposition and the Country Party stated clearly and concisely that the amendment would achieve nothing. It left the chairman of the Public Service Board in exactly the same position, but the Government said, "Oh, no, that is not right at all." Today, the Minister of Water Supply waffled on and tried to tell the House that the amendment did not mean this at all, but if we read that into it, it would not look so good. There is no doubt what the motion meant. There is also no doubt as to the position of the chairman of the Public Service Board, the honorable member for Balwyn and the Government.

The daily newspapers on Friday morning expressed the same views as those expressed by the members of the Opposition and the Country Party, that there was no doubt that Mr. Cahill had been found guilty of contempt of Parliament.

Mr. FENNESSY.—According to the resolution.

Mr. WILKES.—That is so. The Premier and the Government panicked; they said, "It could not mean this; we will have to have another look at it". They did, and to their amazement that is exactly what it meant. Then the Premier called his press conference. In spite of the lesson that he and the Government should have learned from the day before, the Premier went off half-cocked to the press and said, "That is not what Parliament meant at all. Parliament did not debate whether or not the chairman of the Public Service Board was guilty of contempt". In spite of the evidence adduced to Parliament in debate, the Premier distorted to the press what had actually happened, and in the view of the Opposition and the Country Party this constituted a breach of privilege on the part of the honorable gentleman.

It is all very well for the Minister of Lands and several of his colleagues to say that the Premier would not do this. The Minister of Labour and Industry said that the Premier had

never done it. Of course he has. In 1958 the Premier found himself in a similar position to that in which he is placed today. On that occasion he said, "Yes, I said it" and that was the end of the matter. The Premier should be experienced enough; as you and I know, Mr. Speaker, there are certain methods and guidelines for doing what the honorable gentleman wanted to do. If he wanted to dispute what took place in Parliament or if he wanted to go off half-cocked and suggest that he did not do what he did, he could have moved a substantive motion on Thursday. As the Leader of the Opposition pointed out, he chose to do it in a way that is not becoming of the Premier—he denounced and wilfully contradicted what this Parliament had done. The word "wilfully" is important because a breach of privilege must be a wilful breach. The Premier wilfully distorted the position to the press last Thursday morning instead of moving a substantive motion as to how Parliament should deal with that situation. This led the Leader of the Opposition to move—

> That this House dissociates itself from the statements attributed to the Honorable Sir Henry Bolte, which statements were the subject of publication to members of the press and were broadcast over radio news services at Station 3AW and this House is of the opinion that the Premier having admitted the accuracy of part of the statement, this House is of the opinion that as to that part the Honorable the Premier has failed to comply with the Standing Orders, and is guilty of a breach of privilege.

I shall not weary the House by repeating what the Premier said because it is all on record. Honorable members are not interested in what he was reported to have said; it is what he said in Parliament that counts. His statements are reported in *Hansard*.

Mr. STEPHEN.—Who gave you the transcript?

Mr. WILKES.—It is not a question of the transcript; it is a matter of what the Premier said in this House. I refer the honorable member to page 2029 of *Hansard*, and he can read what his Leader said. It would be a sheer show of disloyalty if the honorable member did not defend his Leader, but he must concede that the Premier acted wrongly in this case and hence the necessity for the motion. Surely the Government could have got better legal advice when it prepared its amendment. Today the Chief Secretary moved the following amendment to the motion of the Leader of the Opposition:—

> That all the words after "That" where first appearing in the motion be omitted with a view to inserting in place thereof the words "this House having heard the Honorable the Premier in explanation of the published statements and believing that the actions of the Premier were right do now proceed with the business of the House as set down in the Notice Paper".

Who said that the House believes that the actions of the Premier were right? Does the honorable member for Balwyn believe that to be so? Does Mr. Cahill believe it? Does the Government believe that the actions of the Premier were right in the face of the evidence placed before it today? This amendment is no better than the previous one. It does not answer the situation. It leaves a hiatus, as has the other motion, although it did not have the tag on the end which left no doubt as to the position of the chairman of the Public Service Board. This amendment is not good enough to resolve the situation.

Mr. DIXON.—It is better than yours.

Mr. WILKES.—It is now beginning to emerge that certain back-bench members of the Liberal Party had something to do with the first motion and the amendment to it. If this is the best we can look forward to from the honorable member for St. Kilda, heaven help this Parliament in future. Let us consider what the amendment will do if it is carried. It merely says, in effect, that, having heard the Premier's explanation of the public statements, the House believes that the Premier's actions were right. Which public statements are referred to? The Premier has made a multiplicity of public statements. There

were even several about the proceedings of last Thursday. The most important of them was that the Premier believed that the House did not debate the question and, of course, having debated it the House did not find the chairman of the Public Service Board guilty. Who believes that? The House has not heard any back-bench members on the Government side say that they believe that. We have heard Ministers skating around the matter, but deliberately avoiding the question whether they believe the Premier was right or wrong.

I suggest to you, Mr. Speaker, that the situation which will obtain after the amendment is dealt with by the House will not resolve the existing position. It will not determine the position of the chairman of the Public Service Board or that of the honorable member for Balwyn. The Liberal Party cannot have it both ways. Its members must either support the honorable member for Balwyn, whom I believe they are morally obliged to support, or be sincere and support the chairman of the Public Service Board. However, in the miserable amendments that have been moved in this House, members of the Liberal Party have made no effort to do this. To say the least, these proposals are an insult to the intelligence of Parliament. They represent the only action by Government supporters to absolve the actions of the honorable member for Balwyn or to establish the position of the chairman of the Public Service Board. If the amendment is agreed to the situation will remain as it is. As I said last week, Mr. Cahill will not know whether he was guilty of contempt of Parliament or not. Up till now, by the very actions of this Government, Parliament has made it abundantly clear that he is guilty.

Mr. B. J. EVANS.—He has been convicted of it.

Mr. WILKES.—Mr. Cahill has been convicted without a fair trial. He has not been brought before the Bar of this House and given an opportunity to submit his own case. Consequently, the honorable member for Balwyn has been placed in a very invidious and somewhat humiliating position by the actions of the Government, which have not determined the situation one way or the other. This is a disgrace to Parliament. It is the first time in Victoria that a Government has acted in this way when a member of this establishment has been prepared to move a substantive motion challenging a senior public servant. It is a disgrace that the Government should have handled this matter on a political basis and only time can expunge this disgrace from the records of this Chamber. I urge the House to disregard the amendment moved by the Chief Secretary and to support the motion moved by the Leader of the Opposition.

Mr. G. O. REID (Attorney-General).—At this stage of the debate, I think it is appropriate to direct the attention of the House to the terms of the motion and the amendment which we are debating, because so far a good deal of the discussion has been a re-hash of the debate which took place last week on an entirely different motion and amendment. I shall not read the terms of the motion moved by the Leader of the Opposition which have already been read in detail, but I emphasize that it is designed to call the Premier to account for an alleged breach of privilege based on the allegation that the honorable gentleman made a statement to the press and to representatives of radio stations which criticized and sought to interpret a resolution of this House last week on a motion moved by the honorable member for Balwyn. Today the Chief Secretary has moved an amendment to the effect that the actions of the Premier in this regard were right and proper and that, in effect, there is no case for the Premier to be held accountable for a breach of privilege.

My first point is that all honorable members should consider the effect of passing the motion propounded by the Leader of the Opposition. I affirm that it is in the interests of the members of this House to support the amendment moved by the Chief Secretary. The importance of the motion relates not only to the Premier but to every member of this House. Let us examine what is alleged against the Premier. Last week, a motion was passed in the House, and at a press conference the following day, the Premier saw fit to point out that the resolution was ambiguous and that, although it was in a certain form, it did not envisage the intention of this House. It is perfectly correct for any honorable member to explain the terms of some resolution in which he was concerned in Parliament.

Mr. SUTTON.—So long as he does it correctly.

Mr. G. O. REID.—The honorable member for Albert Park, a former Speaker of this House, agrees with my proposition. I shall deal with the other proposition later. Surely it is open to any honorable member to expand or amplify the terms of a resolution passed in Parliament to representatives of the press. Let us take a simple illustration of this. Every night when this assembly finishes its business for the day the Minister in charge of the House moves a motion, "That the House do now adjourn". As you know, Mr. Speaker, on that motion it is the custom in this House for honorable members to raise matters of Government administration. Suppose the Leader of the Opposition asks me a question of some importance affecting the administration of the Law Department and makes a telling speech on the subject. Suppose I reply, I hope also in a telling fashion, to the honorable member. Subsequently the press reports that the Leader of the Opposition and the Attorney-General supported a motion that the House do now adjourn. Surely it is our right and duty to make a statement to the press the next day stating the real substance of what was discussed on the motion dealt with in the House.

Mr. B. J. EVANS.—That is the "reddest herring" I have heard.

Mr. G. O. REID.—That is an elementary illustration for the benefit of the vocal Deputy Leader of the Country Party. The second point I should like to make is that it is perfectly in order for any member of this House to be critical of the terms of some resolution that has been passed. If it were not permissible to utter such criticisms many members of both the State and Federal Parliaments would be held accountable for breaches of privilege because it is common for members of all parties to make statements in criticism of something that has been transacted in the House on the previous night and to which they have been parties. I can recall many instances of members opposing the Government in office stating, when legislation has been passed, that such and such a Bill was a monstrous piece of legislation, a travesty of justice or an invasion of the rights of the public.

Mr. FENNESSY.—This is a question of privilege. You cannot compare it with a Bill.

Mr. G. O. REID.—The honorable member for Brunswick East asserts, that this is a question of privilege, a question of criticism of business transacted in the House, and that a member can be held accountable for statements that he has made in criticism. If that is so, then as far as Parliament is concerned we might as well cut off all associations with the press, the organs of public opinion. Surely it is the right and duty of every member of Parliament to make public statements outside the House if he so desires.

Mr. HOLDING.—That is a truism.

Mr. G. O. REID.—So far as that is concerned the Leader of the Opposition goes along with me. In this

case the Premier had a particular interest in making a statement on this matter because he is the Minister responsible for the Public Service Board. It is important to bear in mind the terms of the Public Service Act 1946, which is the main charter of the Public Service. That Act makes three things clear: First, that the Public Service Board is an organization independent of the Executive; secondly, that it is a body which is accountable to Parliament; and, thirdly, that the Premier is the Minister responsible for passing representations made by the Board publicly to the Parliament. It is clear, therefore, that under the terms of the Act the Premier is responsible for making any statement concerning the Board, and he had a particular duty to make the statement that he did.

However, this matter goes a good deal deeper than the question of the rights or privileges of the Premier; I repeat that it is a matter which affects every member of Parliament, because if this House passes the motion in the terms stated by the Leader of the Opposition, in future every member of Parliament will be shackled from making some statement to the press.

Mr. B. J. EVANS.—Not if he tells the truth.

Mr. G. O. REID.—The Deputy Leader of the Country Party is referring to the question of the Premier telling the truth. Although the speech of the Leader of the Opposition was a very vigorous pronouncement, it contained many allegations concerning the lack of veracity of the Premier and allegations that the honorable gentleman had spoken fraudulently, and so on. However, although speaking very vigorously, the Leader of the Opposition, was displaying the arts of an advocate. I say that because what he was really trying to do was to make an allegation of falsehood against the Premier in order that he could make a comparison between *Hansard* of last week and his allegations today. The Leader of the Opposition made the most of his opportunity by quoting at large from the *Hansard* report of the debate last week, not because he was really making any charge against the Premier's veracity, but because the honorable member wanted to have a further debate along the lines of that which took place in the House last week. That is the reason for the honorable member's attack on the veracity of the Premier. It was purely a tactical move to contrast two situations and to give the Leader of the Opposition the opportunity of having the debate all over again.

Mr. WILKES.—What is wrong with that?

Mr. G. O. REID.—What is wrong is that, in so doing, we lose sight of the motion before the Chair and its effect, because although we have been very conscious—many references have been made to it—of the privileges of Parliament, the effect of the motion would be to curb greatly the privileges of every member of this House. For that reason, I believe the amendment moved by the Chief Secretary, affirming that the action of the Premier in making this statement was right, concerns each member of the House and vindicates the right of every member to make such statements as he chooses.

In the course of this debate, much has been said about the privileges of Parliament. At the conclusion of his speech the Leader of the Opposition pointed out that this Assembly, in dealing with these matters of privilege and contempt, should act in a judicial manner. I agree with the honorable member's statement, although I do not agree with him on most things. I point out that, in dealing with matters judicially, this House should have some regard to the outlook of the courts in dealing with situations of this kind in relation to contempt of court. Of course, cases of contempt of court come before courts much more frequently than

questions of contempt arise in Parliament; in fact, the last case similar to the present occurred ten years ago. It is obvious, therefore, that such cases are a fairly rare occurrence.

The courts have very much more experience than Parliament in these matters, and I submit that the courts hesitate to use these remedies for privilege and contempt too lightly and too frequently. To reinforce what I have said, and what I submit should be the proper attitude of this House to this matter, I refer to a very recent case which was decided by the Court of Appeal in England presided over by Lord Denning who, incidentally, as a member of the House of Lords, brings to his judicial experience a certain amount of political experience. In addition, he has some practical acquaintance with Parliamentary matters.

In this case a leading barrister—a Queen's Counsel—took it upon himself to make a very scurrilous attack upon decisions of the Court of Appeal. He was brought before the court on a charge of contempt. The barrister had written an article in which he said that the Gaming Act was rendered unworkable by the unrealistic, contradictory and, in the leading cases, erroneous decisions of the courts including the Court of Appeal.

Mr. HOLDING.—He ought to know.

Mr. G. O. REID.—The Leader of the Opposition says that he ought to know but he was mistaken as to some of the facts, just as some other lawers may be mistaken in their facts at times. In dismissing the application, the Court of Appeal held—

> that the criticism of the court and of judicial decisions, however rumbustious, whether or not in good taste, and despite its inaccurate statement of fact, was not a contempt of court but was within the limits of the inalienable right of every individual to freedom of speech which the courts had always unfailingly upheld.

I think it is of great significance that this particular article, which was one contributed to the London *Punch* and was very critical of the courts, was the subject of this comment by Lord Denning.

The SPEAKER (the Hon. Vernon Christie).—Is this relevant?

Mr. G. O. REID.—Yes, Mr. Speaker, it is relevant to Parliament's attitude in a matter of this kind. The report of the case contains the following passages:—

> This is the first case, so far as I know, where this court has been called on to consider an allegation of contempt against itself. It is a jurisdiction which undoubtedly belongs to us but which we will most sparingly exercise: more particularly as we ourselves have an interest in the matter.
>
> . . . . . .
>
> It is the right of every man, in Parliament or out of it, in the press or over the broadcast, to make fair comment even outspoken comment, on matters of public interest. Those who comment can deal faithfully with all that is done in a court of justice.

I aver that in determining a matter of privilege, whether it concerns the Premier or any other member of Parliament, the House would do well to follow the discretion and wisdom of the higher courts of the British Commonwealth in the restraint that they exercise.

In an earlier case of this kind, the Privy Council made the following observation:—

> Justice is not a cloistered virtue. She must be allowed to suffer the scrutiny and respectful even though outspoken comments of ordinary men.

The amendment moved by the Chief Secretary affirms that the actions of the Premier in making comments, albeit upon a resolution of this House, were right; and I contend that before we adjudge the Premier—or, indeed, any member of this House—guilty of a breach of privilege we should show the same wisdom and restraint as the courts of justice have shown over the years in applying themselves to problems of this sort. It is obvious from the tone of this debate that

honorable members are very conscious of the privilege of Parliament, but I believe that the privilege of Parliament and the dignity of Parliament can rapidly be destroyed not by people outside it but by ourselves. If we convey the idea to the public that we are a body of captious, irritable people imbued with a sense of our own importance and unwilling to allow our members to make statements outside the House such as any citizen would make, the reputation of Parliament will suffer. The amendment moved by the Chief Secretary puts this matter in its right perspective, because it is consistent with freedom of speech and with the principles laid down by the courts. If this institution is to be conducted in a way which will earn the respect of the public, honorable members will support the amendment and reject the motion of the Leader of the Opposition.

Mr. CLAREY (Melbourne).—The one redeeming feature of the speech of the Attorney-General was that, at least, it was moderate in tone. The honorable gentleman did not accuse the Opposition of making vicious personal attacks against the Premier. But, really he dragged the whole issue down to the extent of saying, in effect, "Honorable members, consider what you are doing. You may be giving the Premier a bit of a kick, if that will satisfy you, but remember the damage you will be doing yourselves. You will all be stifled in future. As a matter of fact, why should anyone not be allowed, in the interests of freedom of speech, to say anything he likes outside this House? We are not bound, as members of Parliament, once we leave the precincts of this place, to have any regard for the honesty, integrity and sincerity of decisions made by this House."

Let us come back to the basic position. The Opposition is saying that what the House is considering is not something that a member might say on a motion for the adjournment of the House. As has been pointed out, the House is now dealing with—as it has been over the past fortnight—a vital question of privilege such as has not been raised for many years.

Because of a report in the newspapers on Thursday last, to the effect that the chairman of the Public Service Board had been found guilty of contempt by this House, the Premier called a special press conference. He did not say something off the cuff. The Chief Secretary said, "Does any member of this House believe that the resolution the House carried was an indictment for contempt?" Of course it was. I challenge the logic of the Minister of Labour and Industry, who took us back to Nesfield's grammar. When a motion begins by saying that a certain gentleman is guilty of a certain action, how can the honorable gentleman, by reference to any dictionary of grammar, prove that what is there was not said at all? As other speakers have clearly indicated, the purpose of the amendment to the motion of the honorable member for Balwyn, moved by the honorable member for Albert Park last Wednesday, was to expunge the accusation that the chairman of the Public Service Board had committed a breach of privilege.

The honorable member for Balwyn made a statement to the House on the preceding Thursday, and you, Mr. Speaker, ruled that he had presented a prima facie case of breach of privilege. The honorable member then gave notice of a motion in order to allow a debate on the prima facie case. Then the Liberal Party met.

According to the honorable member for Malvern, the addendum to the motion came from the honorable member for Balwyn without his receiving any direction; the matter was just mentioned and the honorable member for Balwyn was responsible for the amended motion which was moved on Wednesday of last week.

Mr. FLOYD.—I bet he was not.

Mr. CLAREY.—Of course he was not. The Premier has said that the Liberal Party made the decision. Of course, he does not say who, in the Liberal Party, moved that the addendum be added to the motion. The Chief Secretary made a great apology for the amended motion. He said that it was badly worded and that it did not really mean what it said.

The whole matter was bypassed on Tuesday last, when, I remind the House, the notice of motion of the honorable member for Balwyn was to be considered. The Chief Secretary said that the House should proceed to the next business. The Leader of the Opposition made a strong protest but no speakers from the Government benches were heard. Not even the Chief Secretary was game to defend his motion that the notice of motion be by-passed. The helpless, hopeless, dumb sheep and goats sitting behind the Chief Secretary carried the motion to by-pass the matter.

Having had three meetings, with much discussion, and with all its legal luminaries present, the Liberal Party brought forward an amended motion. The amended motion, which is now condemned by its sponsors, was ill-framed and ill-conceived—it was certainly a miscarriage of some sort. However, that amended motion, which contained an addendum to the motion of which the honorable member for Balwyn gave notice, was agreed to by the House. The first part of the motion said that, for various reasons, the chairman of the Public Service Board was guilty of a breach of privilege. The original motion was left untouched and merely added to. If, as members of the Government claim, it was not intended to proceed with the accusation against the chairman of the Public Service Board, I ask the honorable member for Balwyn, if he wanted to delete that portion of his motion, why was it not amended?

Mr. BIRRELL.—Why?

Mr. CLAREY.—I am not admitted to the conclaves of the Liberal Party. However, as reported at page 1909 of *Hansard,* when discussing the amendment proposed by the honorable member for Albert Park, the honorable member for Malvern said—

> It contained the statement, "In view of the procedures adopted and a decision made by members of the Liberal Party to decide this issue on party lines". This is a succinct, extremely powerful and unambiguous statement of a condition of affairs which has never existed.

Yet the Premier said in the House, a few days ago, that the Liberal Party did decide this matter. The honorable member for Malvern went on—

> For that reason, I suggest strongly to the House that there is no basis for the amendment.

The honorable member for Malvern said that there was no Liberal Party resolution on the subject. Of course, one or two Ministers of the Government have said that the accusations about dishonesty and untruthful statements are entirely without foundation. The honorable member for Malvern and the Premier cannot both be right. One must be wrong; they may both be wrong. One of these days when the archives are opened, long after we are dead, people will know the truth about the mysterious resolution which was suddenly hatched by the Liberal Party after three meetings, although some of its members can remember only two. Apparently they were so muddled that they did not know what they were doing.

Nevertheless, the Premier made this statement. The honorable gentleman told the House that the honorable member for Balwyn realized that there had been some misunderstanding and that the report was produced very promptly. It was produced so promptly that it was produced, I think, days after it was asked for, when the honorable member for Balwyn gave notice that he proposed to move his motion. The chairman of the Public Service Board was so unconcerned that he went to Canberra. He did not think there had been any misunderstanding at all.

The House carried the motion, the first part of which stated that the chairman of the Public Service Board had been guilty of breach of privilege. It went on to say that, having regard to the fact that the report was supplied promptly, there may have been some misunderstanding. The part of the resolution which declared that the chairman of the Public Service Board was guilty of a breach of privilege still stood, but the motion then indicated that the House would not do anything about it; that it would forget it; that it would mildly censure him.

Rightly or wrongly, that was the resolution which was adopted by the House despite the fact—which I reiterate—that nearly every speaker from the Opposition benches as well as speakers from the Country Party, particularly the Deputy Leader of the Country Party, clearly pointed out that it was unfair to the man—even if there were a prima facie case against him—that he should be adjudged guilty in the absence of any further statement from him. There was some statement from the chairman of the Public Service Board, because, as recorded at page 2029 of *Hansard*, the Premier said—

> No statement by Mr. Cahill was read to this Parliament, although I had one. I have also a statement from Mr. Durrant. I had a statement from other officers and other members of the Public Service Board, but that was not the issue.

If it was not, I do not know what the issue was. If Mr. Cahill had been badly done by and the press had misreported him, why did the Premier not come into the House? Why did he leave it to three of his party members to defend the most important public servant under his command. If Mr. Cahill was innocent and there was some misunderstanding, why did the Premier not remove the misunderstanding? The Liberal Party apparently decided that a misunderstanding had occurred, and it dismissed the matter on that basis. This House was not told what was the basis of the misunderstanding. Honorable members were just left in the dark.

It is not necessary to go over all the ground covered by the Attorney-General. He claimed that if honorable members carried the motion moved by the Leader of the Opposition, we would silence and stifle ourselves. I do not think any other honorable member, placed in the same position as the Premier was, would do what the honorable gentleman did. Any other honorable member would come to this House, as honorable members have from time to time, and make a personal explanation. He would refer to a report in the press, assert that it was incorrect, indicate his position, and ask for the report to be corrected. The Premier did not do that. He called the press together —despite the fact that he did nothing about the matter earlier—and made a specially prepared statement. Honorable members should not think that he spoke off the cuff. I would be surprised if the Premier does not have a verbatim report of what was said to the press. Does any member think that, on an important matter such as this, he did not have something prepared and in front of him?

The reference by the Attorney-General to what takes place on an adjournment motion is totally irrelevant to the subject-matter of this debate. The honorable gentleman said that it was perfectly in order for any member to be critical of any action or decision of the House; that he was entitled to make public statements outside the House. However, I suggest that a member is not entitled to make a public statement on such a lively issue as this, which deals with a breach of privilege by probably the most highly-placed public servant in this State.

The Attorney-General also asserted that the Premier had an important interest which affected one of his senior public servants. That is all the more reason why a statement vindicating that public servant should

have been made in the House and not by means of a radio broadcast. I did not understand fully the analogy made by the Attorney-General in regard to contempt of court proceedings before the Privy Council or some other court in England. Parliament's guide on these matters is to be found in what has been done in the Mother of Parliaments, in other Australian Parliaments and in this Parliament. The Attorney-General referred to what he claimed was the inalienable right of every individual to freedom of speech. Certainly the Attorney-General would not say that there is an inalienable right for an individual to say what he likes about anybody else.

Not one of the Government's ambitious back-benchers has chosen to participate in this debate. In Budget debates and certain other debates, the back-benchers are left by the Ministers to pull the parish pump. Today, the House has seen a greater array of Ministers participate in a debate than has occurred for some time. Now we look forward to hearing from the back-benchers. In the meantime, I believe the amendment moved by the Chief Secretary only side-steps the whole issue and prevents Parliament from making a decision in its own right on the original charge.

Mr. DOYLE (Gisborne).—I am grateful for the opportunity of complying with the request that was made so eloquently by the honorable member for Melbourne. Like most members of this House, I have given this motion a great deal of consideration since notice of it was given last Thursday. Without any hesitation, I feel that it is right and proper for me to support the amendment moved by the Chief Secretary. I shall say what I have to say precisely because, without apology to anybody, I feel there has been far too much vagueness and wandering from the point of the debate.

The motion concerns an alleged breach of Standing Order No. 90, and relates to a statement alleged to have been made by the Premier. Standing Order No. 90 states—

> No Member shall reflect upon any vote of the House, except for the purpose of moving that such vote be rescinded.

So far as I am concerned, the operative word is "reflect". I have consulted various dictionaries, and the closest meaning that I can find which would apply to this debate is "to cast light upon to the credit or discredit". This would be an impossible situation. It has been eloquently argued by the Attorney-General and other speakers for the Government that, in the context of the Standing Order, one could not possibly be in breach by casting light to the credit. Obviously, the Standing Oder refers to casting light to the discredit.

If the purpose of Standing Order No. 90 is to prevent members from casting discreditable light upon votes or decisions of Parliament, let us look at the alleged statement by the Premier. I have carefully examined the statement and read it several times. I cannot see one item in the statement produced by the Leader of the Opposition which could possibly be considered as a criticism. The only possible derogatory statement in it appears in the last paragraph where the Premier is alleged to have said—

> Any legal interpretation that Mr. Taylor's motion concerning Mr. Cahill resulted in Parliament finding Mr. Cahill in contempt of the House is completely contrary to the spirit of the motion and the spirit of Parliament.

Obviously, what the Premier had in mind—and the House has his words to support this and, like all of my colleagues I am completely happy to accept his words—was to give his own interpretation of what the House had done. It is not a critical interpretation. Throughout the whole statement, I can see nothing critical of Parliament or of the vote of Parliament. There was not a critical word about the way in which Parliament

resolved this matter on that day. Throughout the statement, the only thing the Premier did was to draw attention to his own interpretation, which he feels to be correct, of the deliberations of Parliament on that day.

The first paragraph of the statement finishes up with the words "Mr. Cahill has not been found in contempt of Parliament". That is the Premier's interpretation, and there is no question of there being anything critical in the statement. There is no criticism of Parliament or of the way in which it acted. In the second paragraph, the honorable gentleman is reported to have said—

> Sir Henry said a person could not be found in contempt through a misunderstanding, and in any case the matter would have to be debated before Parliament reached a decision.

That is a right and proper statement, and is the correct interpretation of the usages of this House. Therefore, there is no criticism of Parliament in the second paragraph.

The third paragraph states—

> Sir Henry said the Legislative Assembly did not debate whether Mr. Cahill had been in contempt of Parliament, or vote on it.

Again, that is the Premier's interpretation and not one word of criticism or any reflection upon the House in a discreditable way appears in this paragraph. The Leader of the Opposition places his own interpretation on this matter, and asserts that the Premier is in complete conflict with his party. I am one of the sheep to whom the Leader of the Opposition referred and who is now baa-ing loudly in support of the Premier.

The fourth paragraph reads—

> He said Parliament voted that there had been a misunderstanding between the chairman of the Parliamentary Accounts Committee, Mr. Taylor, and Mr. Cahill and that the matter should be dropped.

Not a word of criticism; once again, all the Premier said was that Parliament had voted.

The fifth paragraph contains the only derogatory statement that I can see incorporated in this alleged press statement. It is the Premier's reference to the view that any legal interpretation that Mr. Taylor's motion concerning Mr. Cahill resulted in Parliament finding Mr. Cahill in contempt of the House is contrary to the spirit of the motion, and so on. That is not a criticism of Parliament; it is a criticism of someone else's interpretation of what was done on the day. I am at a loss to understand how Standing Order No. 90 could be breached by the statement that has been produced by the Leader of the Opposition.

The main point that I wanted to make about the word "reflect" as it appears in the Standing Orders is that it must quite clearly and quite obviously bring about a belittling or a derogatory criticism of Parliament and of the way in which Parliament resolved a question. I can see nothing in the statement which gives any ground for the allegation that there was a breach of Standing Order No. 90.

Whilst I am on this question of legal interpretations, I take to task speakers on both sides of the House who have used the word "legalistic" on many occasions in a sense which I regard as derogatory. I have a very deep respect for the legal profession and those members of it who belong to this Parliament, and I do not like to think there is a consensus among non-lawyer members of this House that the word "legalistic" implies "twisting" or "distortion". I invite honorable members to use the word with care as to its proper meaning.

Let me examine further the Standing Orders. Having dealt with Standing Order No. 90, I believe that on my interpretation there has been no breach of the order and there could not possibly have been a breach on the basis suggested. In looking at the Standing Orders, I pay a tribute to you, Mr. Speaker, for allowing considerable latitude to speakers, particularly from the Opposition, who have ranged far and wide.

Mr. HOLDING (Leader of the Opposition).—Mr. Speaker, I rise to a point of order. I ask the honorable member to withdraw or rephrase his statement that you have given considerable latitude in the debate to members, particularly to members of the Opposition. That statement constitutes a reflection upon the Chair. I am certain that if the honorable member considers the matter, he will agree that it would be better if he rephrased his statement.

The SPEAKER (the Hon. Vernon Christie).—I uphold the point of order and I ask the honorable member to rephrase the statement.

Mr. DOYLE (Gisborne).—I am quite happy to do so. I have a particular regard for the Standing Orders and I would say that considerable latitude has been taken by the Opposition in the sense that its members have ranged far and wide—far beyond, I would suggest, the bounds which this debate should have taken.

I have looked at various other Standing Orders because I feel that the whole purpose of this debate is that the Standing Orders must reign supreme in this House. Standing Order No. 87 states—

> No Member shall allude to any debate of the same Session upon a question or Bill not being then under discussion except, by the indulgence of the House, or personal explanations.

There has been a constant allusion by the Leader of the Opposition to the debate which took place last week and the honorable member did not receive the indulgence of this House in the matter. I also note that he did not make a personal explanation. Therefore, under Standing Order No. 87, the Leader of the Opposition is in error because he has made a constant allusion to a debate which is not currently proceeding in the House. Standing Order 89 provides—

> No Member shall read extracts from newspapers or other documents referring to debates in the House during the same Session.

Mr. HOLDING (Leader of the Opposition).—I rise to a point of order. I do not want to stop the young and earnest member in full flight, but the whole vein of his remarks constitute, by constant reference and implication, a reflection upon the Chair.

Mr. WILCOX.—They are a reflection upon you.

Mr. HOLDING.—I am happy to join issue on whether the Standing Orders have been breached.

The SPEAKER (the Hon. Vernon Christie).—I shall hear the Leader of the Opposition on the point of order.

Mr. HOLDING.—The point of order is that you, Mr. Speaker, by virtue of the important office that you hold, are the arbiter of the debates in this House and, by means of an alleged attack upon myself and other members of the Opposition, and by a constant reference to Standing Orders, the comments of the honorable member amount to a considerable reflection upon the Chair. I ask that the honorable member should desist from making such reflections and I ask you to rule thereon. I realize the embarrassment in which you might find yourself.

Mr. DOYLE (Gisborne).—Against the point of order, I feel that what the Leader of the Opposition has said is grossly inaccurate because the point of order he raises is that I am reflecting upon the Chair. What I am attempting to do is to indicate that the Standing Orders upon which the Leader of the Opposition has based his motion are being set to some degree to question by the actions of the Leader of the Opposition and his party. I am not saying that in the conduct of this House and in the overseeing of this debate you, Mr. Speaker, have in any way erred. I was quite happy to retract an earlier statement because it was in fact an over-statement of the position. As the custodian of the rights and privileges and usages of this House, you are in

a very difficult position because if a member does exceed the proper bounds to which he is committed by the Standing Orders, surely it must be brought to your attention, as has been done by the Leader of the Opposition in regard to my statements.

The SPEAKER (the Hon. Vernon Christie).—I do not see that as a point of order. It is quite plain that, in the interests of the House, I have deliberately allowed a wide debate because the occasion seemed to warrant it. I understand that the honorable member for Gisborne is referring to the Standing Orders not in criticism of the Chair, but as part of his argument.

Mr. DOYLE.—I direct the attention of the House to Standing Order No. 78A which clearly states—

> No Member shall digress from the subject-matter of any question under discussion, and all imputations of improper motives and all personal reflections on Members shall be deemed disorderly.

It would appear to me that if the expression *mala fides* is used against any member of this House a reflection is cast, which comes close to imputation. That expression was used by the Leader of the Opposition in reference to the Premier. Therefore, I cannot see that the honorable member is paying as much service to the Standing Orders as he would deem necessary for other people to pay.

In Standing Order No. 78B there is a prescription against irrelevance or tedious repetition. I do not think I have ever heard such irrelevance or tedious repetition as that which has been served up today. There have been the same old references to a debate which has been closed. There has been no able defence of the motion before the House. There has been no proper putting of argument. All there has been is the repetition of an old argument.

The SPEAKER (the Hon. Vernon Christie).—Order! The honorable member for Gisborne is going close to transgressing Standing Orders.

Mr. DOYLE.—I am not concerned with the justifiable defence by the Premier of his senior public servants; I am not concerned with the justifiable grievance of the honorable member for Balwyn; I am not concerned with the previous debate which took place in this House; but I am concerned with getting on with the job that we are paid to do and that is to consider and pass legislation. What has happened tonight has been a flagrant disregard of the 27 items on the Notice Paper. Those items include Bills which should be dealt with now. How long have we spent on this frivolous debate? It is quite clear that members of the Opposition have engaged in this frivolous and spurious debate in an attempt to embarrass the Government, but they have failed. However, they have not failed to bring to the attention of the people of this State how little regard they have for considering legislative proposals, which is their job.

Mr. PHELAN (Kara Kara).—I have listened with great interest to the debate which has taken place in this House today and I was particularly interested to hear those members of this Chamber who are legally qualified debate the same set of circumstances and reach different conclusions. In order to put the debate on a more realistic plane, without bandying words, it is appropriate to examine the circumstances which gave rise to the motion before the House and to recapitulate those circumstances. I inform the honorable member for Gisborne that during the time in which I have been a member of this House there has been no debate in which there has been a greater public interest than that which related to the retention of Parliamentary privileges, which in the past two or three days have been more or less abandoned.

Mr. SCANLAN.—What about workers compensation?

Mr. PHELAN.—If the Government is as deceitful about this matter as it was about workers compensation

it will be a sorry day for the State. I should like to put on record my appreciation of the exceptionally fine contribution to the debate made by the Leader of the Opposition. This is contrary to what has been said by senior Ministers, who should know better. They described his contribution as a scurrilous attack, but in my opinion the Leader of the Opposition adopted a fair and an intelligent approach. The speeches made by Ministers who are legally qualified —some of them are junior Ministers —included emotional displays, but they did nothing to contribute to the debate and no reference was made to the statements and charges contained in the motion.

I propose to outline the circumstances which gave rise to the need for this debate and briefly to deal with them in retrospect. On 14th November, after considering the circumstances, which are fully recorded in *Hansard* and I do not propose to read them, the honorable member for Balwyn felt obliged by the responsibilities of his office as chairman of the Committee of Public Accounts, to report to the House that a set of circumstances had arisen. He felt he was bound to report those circumstances to Parliament—not to his party. The honorable member dealt with the problems with which he was confronted and gave background detail of previous problems which he had encountered in his capacity as chairman of the Committee of Public Accounts in dealing with the chairman of the Public Service Board.

The honorable member stated that on 14th November the secretary of the committee telephoned the chairman of the Public Service Board and asked for certain information. That request was refused. The honorable member for Balwyn, who was seeking this information as chairman of the Committee of Public Accounts, sent a letter by hand delivery to the chairman of the Public Service Board stating the purposes for which this information was required. He also referred to Standing Order No. 169A which makes provision for the supply of such information. On that occasion the assistant secretary of the Public Service Board——

Mr. G. O. REID (Attorney-General).—On a point of order, I query the relevance of this matter to the debate.

The SPEAKER (the Hon. Vernon Christie).—Order! I have allowed a good deal of latitude during this debate because of the difficulty of drawing the line of relevancy. I will not uphold the point of order, but I ask the honorable member for Kara Kara to use this information only as an illustration and not to go through the historical record of what happened during a previous debate.

Mr. PHELAN (Kara Kara).—I thank you for your guidance, Mr. Speaker. I intended to give the chronological sequence of events.

The SPEAKER.—That would be historical. Those facts should be used briefly.

Mr. PHELAN.—At that stage the document was not produced, and the honorable member for Balwyn felt obliged to bring this matter to the attention of the House ; subsequently, on your recommendation that a prima facie case of contempt of Parliament had been established, he gave notice of motion. On the following Tuesday, the 19th November, when the notice of motion was called on the Chief Secretary moved a motion which stifled the debate. On the following day, Wednesday, the 20th November, this motion came before the House. I do not propose even to guess with any accuracy what went on within the party rooms on the Tuesday and the Wednesday, but it is common knowledge that an unsigned copy of the letter which was ultimately read to this House by leave was in existence, even though Mr. Cahill was still in Canberra. When the motion was moved the honorable member for Balwyn read this letter to the House.

The effect of the motion moved by the honorable member for Balwyn was that the action of the chairman of the Public Service Board constituted a contempt of Parliament. The honorable member then proceeded to add further words to his motion which I consider to be pertinent because the basis of the motion now before the House hinges on the words added by the honorable member to his motion. Those words included, " that having regard to the prompt supply of the report ". The request by telephone to supply the report was refused and a hand delivered message went forward on the following day. It was not until after that message had been delivered and the matter had been raised in this House that this " prompt delivery " occurred.

Mr. WILCOX (Minister of Transport).—On a point of order, you made it quite clear, Mr. Speaker, that you had allowed latitude in the debate, and suggested to the honorable member for Kara Kara that he should act within some reasonable limits. He is taking no notice of your suggestion and in accordance with Standing Orders and other matters put before you tonight I suggest that if he continues in this vein you should rule his remarks out of order.

The SPEAKER (the Hon. Vernon Christie).—Order! In the tone and breadth of the debate which I have allowed so far, I do not uphold the point of order, but I inform the honorable member for Kara Kara that I will not allow him to go much further with a historical record. He should use it as an illustration of the point he wishes to make.

Mr. PHELAN (Kara Kara).—This is the final issue on which the debate hinges. Previously the House divided on two issues. Members of the Country Party and of the Labor Party pointed out during the debate that if the motion then before the House was agreed to—it was initiated by the Government—Mr. Cahill, the chairman of the Public Service Board, would be found guilty of contempt without a trial. Of the twenty honorable members who spoke during that debate, seventeen were from the Labor Party or the Country Party and on seventeen occasions the Government was made aware of the effect of this motion. However, the motion was carried by sheer numbers and not by the logic of debate or the facts before the House. Parliament was forced to accept the motion, which was agreed to by 41 votes to 24. First, the House divided on an amendment moved by the honorable member for Albert Park, which, if accepted, would have expunged the matter from the record. The motion moved by the honorable member for Balwyn condemned the chairman of the Public Service Board for contempt of Parliament. That motion was accepted by the House because the Government would not be advised of its effects.

Then the Premier moved out of the House and made public statements which were completely contrary to the effects of the motion. Those are the points which should be examined. Were the statements made by the Premier true or false? There are no shades of honesty; a statement is either true or false.

The motion that was agreed to is quite clear. It states that the actions of the chairman of the Public Service Board were in contempt of Parliament. In his defence the Premier said that his statement was that the Liberal Party had voted on the matter, and not Parliament. It is on record that the House voted on it, and the motion was carried by 41 votes to 24. These are the facts and they should be considered by the House now. Honorable members voted on this issue and I shall read the motion which was agreed to. The first part was as follows:—

That the refusal of the chairman of the Public Service Board to provide a copy of the P.A. Management Consultant's Pty. Ltd. report on Phase I of their investigations into the Public Works Department, sought

by the Public Accounts Committee of this House pursuant to the powers conferred by Standing Order No. 169A, constitutes a contempt of this House of Parliament.

That is quite clear. That was the original motion before it was amended. It was objected to in that form. The Country Party would have been delighted to see the complaint expunged from the record and the question finalized.

The honorable member for Gisborne suggested that the House was wasting its time. I hope that Parliament is never too busy to spend time preserving its democratic rights based on the traditions of the British Houses of Parliament and proved throughout the Western world. It will be a sorry day if honorable members are ever too busy to protect these rights.

The motion of the honorable member for Balwyn was agreed to on Wednesday, and on Thursday the Leader of the Opposition gave notice that on the next day of sitting he would move—

That this House dissociates itself from the statements attributed to the Honorable Sir Henry Bolte, which statements were the subject of publication to members of the press and were broadcast over radio news services at station 3AW and this House is of the opinion that the Premier having admitted the accuracy of part of the statement, this House is of the opinion that as to that part the honorable the Premier has failed to comply with the Standing Orders, and is guilty of a breach of privilege.

Having voted against the motion of the honorable member for Balwyn, and having sounded a note of warning to the Government that it was condemning the chairman of the Public Service Board, the Country Party certainly wishes to dissociate itself from the statement made by the Premier. The motion now before the House is most appropriate and competent. Honorable members who have some feeling in the matter do not wish to be associated with a motion that has condemned the chairman of the Public Service Board without his having been brought before the House to give his version of the circumstances. When this matter was raised last Thursday, the Premier made this statement—

I was informed five minutes ago that notice had been given of a certain motion. I was given a transcript of an alleged statement that was supposedly broadcast over two radio stations. To my way of thinking the procedure should be dissected first rather than my having to defend my position.

In the best of spirit the Leader of the Opposition, as recorded on page 2027 of *Hansard*, then said—

. . . I am perfectly willing, if I am in order, to move, by leave, that the matter be held over until Tuesday next in order that the Premier can attend at that time in this place. In the meantime, the honorable gentleman could be furnished with copies of the relevant documents to enable him to make a considered answer.

The Premier then said—

Leave is refused.

He was growling because he did not have time in which to consider the matter, and when it was offered he was the one who refused leave. This is the most unimpressive performance of my experience. It is like a boy saying, "I will take my bat and ball home if I cannot bat all the time". A ridiculous situation arises when the rights and privileges of honorable members are at stake and the head of the State will not debate the matter without due notice—and when due notice is offered he refuses leave. He goes on in typical fashion to prove that he was completely confused about what he was responsible for, what the circumstances were, or what he was even supposed to be answering. The Premier said—

Now I am not too sure what I have been charged with.

As I read the motion, it was a reasonable, straight-forward and simple one.

I come now to the situation as it exists today. I agree with the Leader of the Opposition that the statements made by the Premier were a direct reflection against Parliament, because they were not a true version of the circumstances. The honorable member for Gisborne contended that the statements did not belittle Parliament. I consider that

they did. I, for one, would not like to be considered dumb enough to vote for a motion condemning a man of breach of privilege when he was not tried on the issue. The whole matter was reeking of ambiguity, because the letter signed by the chairman of the Public Service Board and read to this House clearly stated there could have been some misunderstanding—not that there was, but that there could have been.

Mr. DIXON.—It may have been.

Mr. PHELAN.—We could argue the fine line between "could" and "may".

Mr. DIXON.—It is a question of accuracy.

Mr. PHELAN.—I apologize for my inability to memorize verbatim everything that has been said, but in context I believe I am faithfully outlining the circumstances as they occurred. There is every justification for the motion of the Leader of the Opposition to be agreed to. First, the amendment has to be defeated, and if Liberal Party back-benchers are sincere they will vote against it. The amendment does nothing to erase from the records the stain on the chairman of the Public Service Board and the implication left hanging over his head.

In conclusion, I should like to say that this is one of the most appalling performances in the administration of the Government that one could find in the record. On the other hand, the contribution made to the debate by the Leader of the Opposition will be remembered as one of the finest analyses of a serious situation that this House has heard.

Mr. FENNESSY (Brunswick East).—Honorable members have heard a great deal about the ramifications of what the Leader of the Opposition has called the Cahill affair. The honorable member for Gisborne lectured the House and you, Mr. Speaker, on the Standing Orders; he stated that the Opposition had debated Standing Orders and had been permitted to a large extent to broaden the debate. The honorable member, who has occupied a seat in this House for the past eighteen months, is not in a position to lecture the House, or you, Mr. Speaker, on the subject. He made great play of Standing Order No. 90 and of his interpretation of it. You, Mr. Speaker, are in the best position to interpret Standing Orders and control debate in this House. Honorable members do not need any lectures from the honorable member for Gisborne who, on six or seven occasions during his brief period of membership has said that honorable members have acted without regard for the Standing Orders and have been unable to conduct themselves properly in debating a question of privilege.

I remind the House that the notice of motion of the honorable member for Balwyn clearly stated that the chairman of the Public Service Board was in contempt of this House because of his refusal to do a certain thing. In the following week, when the honorable member had the privilege of moving his notice in the House, you, Mr. Speaker, in your wisdom permitted him to add an addendum. I emphasize that it was an addendum and not an amendment. Anyone who is familiar with Parliamentary rules of debate knows full well that an addendum can only be an addition to a motion and cannot alter its concept.

Mr. JONA.—It was an amended motion.

Mr. FENNESSY.—It was not.

Mr. JONA.—The Speaker ruled that it was.

The SPEAKER (the Hon. Vernon Christie).—Order! The honorable member for Brunswick East is to be heard without interjection.

Mr. FENNESSY.—The interjections which have emanated from the back bench, from the honorable members for Hawthorn and St. Kilda, clearly show the complete ignorance of those

members of the procedures of this House and the procedures of debate. They should listen, in order to learn something.

In his motion, the Leader of the Opposition stated—

> That this House dissociates itself from the statements attributed to the Honorable Sir Henry Bolte, which statements were the subject of publication to members of the press and were broadcast over radio news services at Station 3AW and this House is of the opinion that the Premier having admitted the accuracy of part of the statement, this House is of the opinion that as to that part the Honorable the Premier has failed to comply with the Standing Orders, and is guilty of a breach of privilege.

I believe that the charge and the comments made by the Leader of the Opposition in his speech have not been refuted by any member on the Government side of the House. It was an excellent contribution which will be long remembered. The Ministers who followed the Leader of the Opposition attempted to misconstrue his statements. These honorable gentlemen endeavoured to justify the position taken by the Premier in making a public statement to the press immediately after this House had arrived at a decision. That decision was in accordance with the motion moved by the honorable member for Balwyn, with an addendum——

The SPEAKER (the Hon. Vernon Christie).—That matter has already been canvassed.

Mr. FENNESSY.—I must emphasize it, Mr. Speaker, because apparently some members on the Government side are unaware that they cannot move an amendment. You, Sir, ruled that they were not permitted to move an amendment to their own notice of motion.

The SPEAKER.—Order! I have explained this to the House about four times. An amended motion was moved and there was adequate precedent.

Mr. WILKES (Northcote).—I rise to a point of order, Mr. Speaker. Your ruling was explicit on the matter. In support of that, Sir, may I draw your attention to the report of your ruling which appears in *Hansard*, copy No. 10, at page 1895. It reads—

> Order! It is not an amendment to the motion.

The SPEAKER (the Hon. Vernon Christie).—I shall explain it again. At that time it was poined out that there was an amendment moved by, I think, the Leader of the Opposition. I pointed out that what the honorable member for Balwyn moved was not a similar sort of amendment; that he had, in fact, in accordance with precedents of usage, amended his original notice of motion and had added to it; and he had an amended notice of motion. I have so ruled, and I will hear no further argument.

Mr. FENNESSY (Brunswick East).—The addition to the motion of the honorable member for Balwyn was completely unacceptable to members of the Opposition, but we did not interfere in any way with the resolution as it stood.

The SPEAKER (the Hon. Vernon Christie).—Order! I invite the honorable member to leave this subject in regard to which there seems to be a certain amount of confusion among members.

Mr. FENNESSY. —I am not confused, Mr. Speaker. As the honorable member for Gisborne said, Standing Order No. 90 states—

> No member shall reflect upon any vote of the House, except for the purpose of moving that such vote be rescinded.

That is quite specific. The honorable member said that the Premier had in mind his own interpretation but, so far as the Opposition is concerned, it does not matter what the Premier's interpretation is, or what are the interpretations of the honorable members for St. Kilda and Hawthorn. It is a question of what this House has decided and of the motion that it carried.

The motion was quite specific. Sixteen speakers from the Labor and Country parties pointed out during the course of the debate that, as it

stood, the motion was an indictment of the chairman of the Public Service Board and that unless the honorable member for Balwyn withdrew it, or unless the Government was prepared to accept the amendment moved by the honorable member for Albert Park, the Government would in fact be saying that the chairman of the Public Service Board was guilty of contempt. That cannot be disputed. The Opposition appealed to the Government to consider this factor and told the Government what it was doing, but it was to no avail.

I do not intend to go into all of the ramifications of the debate. I think the conduct of the Government during this debate has been deplorable, and that all members on the Government side should be thoroughly ashamed of their disgusting exhibition in throwing overboard the Standing Orders of the House. During the period of almost fifteen years in which I have been a member of this House, I have not previously witnessed such a deplorable exhibition. Government members are not entirely in accord with the motion that the honorable member for Balwyn was obliged to amend some four or five days after he had given notice of his intention to move it.

The Government has derived no credit from the debate on the motion; certainly, the daily press gives the Government no kudos for its performance. I agree with the Leader of the Opposition concerning the Premier's incorrect and false interpretation of a decision of the House. If the *Age* newspaper and the *Sun News-Pictorial* similarly misinterpreted a decision of the House, both newspapers would be in contempt of Parliament. However, the Government did nothing about it because it knows that it could not charge the press with contempt of Parliament when the press placed a correct interpretation on the decision that was made.

The Opposition has clearly stated that at all times it believes in justice. If a charge was laid against the chairman of the Public Service Board, he was entitled to be heard; his side of the case should have been presented to the House. However, his side was not presented despite the fact that when the Premier was challenged by the Leader of the Opposition last Thursday, the honorable gentleman said that he had received statements from the chairman of the Public Service Board, from Mr. Durrant, and from other members of the Board. Those statements should have been in the possession of Parliament; they should have been laid on the table for all honorable members to see. After all, it is not the Liberal Party but honorable members who will make the decision in this matter. Although the Liberal Party has a majority of members in this Chamber and forms the Government, on questions of privilege the decisions must be made by the House. Every honorable member, whatever his view may be, is entitled to express his personal opinion on this question.

Both you, Mr. Speaker, and the House have been completely disregarded by the Premier, who has reached the stage where he thinks he controls the Parliament. The honorable gentleman controls the Liberal Party, but not the Parliament, and he speaks for his own party, but not for the Opposition or the Country Party, whose members can speak for themselves. I believe that the Premier is in contempt of Parliament because he has completely disregarded its views and wishes. I was surprised that the Attorney-General was thrown into the debate. The honorable gentleman made an effort to justify the arguments of the Government during the debate last week but, with the honorable member for Malvern and the Chief Secretary, he failed miserably. They were the only three Government members to participate in the debate.

Mr. G. O. REID.—I did not speak.

Mr. FLOYD.—The Attorney-General does not want to be associated with it; give him a fair go.

Mr. FENNESSY.—I apologize to the Attorney-General for my mistake. The Minister of Transport, the Chief Secretary and the honorable member for Malvern were the three members whom I should have mentioned. This House has a great deal of respect for Ministers of the Crown. The Opposition accepts, to a large degree, the interpretations placed by Ministers on certain aspects of legislation before the House, but on a question of privilege Ministers have no more right or authority than a back-bench member, because every member of this House is entitled to put his view on such a question. I hope this principle will always be observed. Those Ministers who were thrown into the debate did not perform as well as they might have; possibly, their hearts were not in it.

Honorable members have witnessed a change of front on this occasion, when the Premier has been charged with contempt of Parliament and some of the ambitious, junior Ministers, who possibly can see a bright future for themselves, have been thrown into the debate. They demonstrated their loyalty to the Premier, which is understandable. Rightly or wrongly, they stand behind their Leader; that is not a bad principle. I can understand the attitude of many back-bench Government members on this occasion, although many of them must be having second thoughts about the whole situation. They are not happy with it. How could they be happy when, in the first instance, they were unhappy with the amended motion of the honorable member for Balwyn who, as it appears, has been left completely out on a limb? No one is backing the honorable member, although rightly or wrongly, they have now come down wildly in support of the Premier. Possibly, the honorable member for Balwyn took the wrong line of attack, although that is a matter we will never know.

I regret the situation that has developed during this debate. I also regret the situation that has developed outside the House. In this morning's newspapers, the Public Service Association is reported as having made certain statements concerning Parliament, and I have grave doubts concerning the decision that was taken last night by this organization.

The SPEAKER (the Hon. Vernon Christie).—I do not think the honorable member should take that up as a separate subject.

Mr. FENNESSY.—I do not intend to take it up as a separate subject, but I think the House should be informed.

The SPEAKER.—The House has been informed.

Mr. FENNESSY.—I am concerned about the statement by the Public Service Association, which said that it might have to take corrective measures. This is a challenge to the House.

The SPEAKER.—Order! I invite the honorable member not to continue with that subject.

Mr. FENNESSY.—I have no intention of doing so, but I point out that this matter does not rest entirely with this House. Organizations outside the House are challenging Parliament because of the attitude and statements of the Premier. It is indeed a sorry spectacle when a question of privilege—initiated not by the Opposition but by a member of the Government Party—was dealt with by pressure, which was obviously applied in the Liberal Party room, so that the honorable member for Balwyn was obliged to make an addition to his motion.

The SPEAKER.—The honorable member for Brunswick East is getting very close to tedious repetition.

Mr. FENNESSY.—I have heard much tedious repetition from the Government benches during the debate. I assume that, as this is the first time that I have spoken on this subject, I am entitled to put my views.

The SPEAKER.—Order! This is the third time that the honorable member has mentioned the matter he is now discussing. Even though he is now speaking for the first time, he himself could be tediously repetitious in his own speech.

Mr. FENNESSY.—Mr. Speaker, so that there will be no more tedious repetition, I conclude on this note: I regret the action taken by the Premier. I believe that the Premier is in contempt of Parliament. I believe that the case put by the Opposition has not been answered by any member occupying a seat on the Government benches.

Mr. DIXON (St. Kilda).—One small point should be cleared up. A reflection was made by certain members of the Opposition concerning some point of dispute which may appear to have arisen between what was said by the honorable member for Malvern and what was said by the Premier. I refer to the fact that the honorable member for Malvern said to the House that, to his knowledge, no vote was taken by the Liberal Party on this matter. That is what I understood his statement to imply. On the other hand, the Premier said that the Liberal Party voted to say that a misunderstanding had occurred. The point of clarification is that the motion moved within this House was never put to the Liberal Party. What was put to the Liberal Party and decided upon by it was something to the effect that it was agreed in general by members of the Liberal Party that there had been a misunderstanding. The precise motion which was put to the House was not put to the Liberal Party. If honorable members analyse what I have just said, they will see that the apparent contradiction is non-existent.

Mr. FLOYD (Williamstown).—It is utterly ridiculous that, after more than seven hours of debate, the latest contribution from the Government benches was a play on words which meant nothing. It is equally ridiculous that, after such a solid period of debate, the only defence the Government can put up is a squirming reaction and a play on words, and for it to ask honorable members not to be cads but to play the game in the spirit of Parliament. That is what we have heard during the past few days of meeting. The Government wants one set of rules when it is on top and another set of rules when it is being "done", and it has been "done" during the past fortnight.

The Government brought the situation on itself. Members of the Opposition have sat by and seen the Government get itself into difficulty, and the longer the matter goes on the worse the situation gets. Today, we have seen the myth exploded. We have seen the finish of "Borthwick for Premier". We have seen all the young, up-and-coming members who were going to take the places of those ageing and elderly statesmen on the front bench mustered together for the first time as a team—and what a team! They would not get a kick in the Manangatang association. The exhibition of Government supporters has been pitiful to the extent that the Attorney-General had to quote something from London *Punch*. Government party members have been struggling for days, and I reiterate that the situation is not of the Opposition's making.

No one can get the Government out of its dilemma. First, rightly or wrongly, the honorable member for Balwyn gave notice of a motion he proposed to move in this House. The Premier was away—and when the cat's away, the mice will play. When the Premier came back, he was dissatisfied, but the motion had become the property of Parliament; it was not the property of the Liberal Party. The Premier was faced with the dilemma, "Are we going to castigate the Public Service which we love and with which we must get on well, because it has been carrying the Government for months and years—do we stick with the honorable member for Balwyn, who might have been

impetuous, assiduous in his duties, and irritated and frustrated because of continued refusals to co-operate from other people?"

The Premier decided that something would have to be done. If there is never another word said in this House on this issue, the Government is condemned by the admission of the Chief Secretary that, after the confrontation between the honorable member for Balwyn and the chairman of the Public Service Board—a serious matter—he did not have enough time to check the motion which was put forward. I should say that, prima facie, that warrants the defeat of the Government. A man's reputation was at stake; in fact, the reputations of two men were at stake, because I am not certain that the honorable member for Balwyn is not right. No one has said anything about him; he has been dumped—he is only a second-eighteen man. I should like to hear the version of the honorable member for Balwyn, but honorable members were deprived of the right to hear it.

Having got into this stupid fix, the Premier did not speak in this House—that would be below him—but decided to go on in his usual manner and air the matter in public with a favourable press, which on this occasion turned a bit sour, or put its own interpretation on the Premier's statement. The newspapers might even have put the correct interpretation on the honorable gentleman's statement, because no one knows what interpretation was put on it. Members of the Liberal Party do not know; they are in the greatest state of disarray that I have ever witnessed. I admired their discipline tonight, ragged though it was.

The Premier has been used to a favourable press. A former honorable member for Oakleigh used to say, "Happy is the man the *Sun* shines on." Of course, the *Sun* shines on the Premier, as do the *Herald*, the *Age* and the *Australian*, although on this occasion they decided that they had a point of view, too, as they were entitled to have, and to interpret the confusion that came out of this House last week. For a change, the Opposition was not in trouble. The Government started the difficulty. Members of the Opposition decided to have a conscience vote, a decision which we thought was to be admired, in view of the fact that we did not know the evidence and had not heard the debate. Of course, members of the Liberal Party were much more privileged; they held three meetings and heard all the debate. Whether the honorable member for Malvern was correct in stating that no vote was taken or whether the Premier was correct in contending that a vote was taken has nothing to do with the Opposition. That is the Liberal Party's business, and it has to get out of the difficulty as best it can. The situation is not of the Opposition's making, and we do not intend to play the Government's rules because on this occasion it finds that it cannot get out of trouble. The position is like the irresistible force meeting the immovable object. The answer is that there is an indescribable impact.

Great play has been made of the Standing Orders. Government members dug down to the bottom of the barrel to obtain any small thing "to hang a hat on." They are grasping at straws and playing on words; they will do anything. But we come back to the point that the honorable member for Balwyn made a statement in the House against somebody outside, and they cannot both be correct. The Government cannot find any way out of the difficulty of deciding how they can both be right or both be wrong. The Opposition is used to the Government making policy statements in the newspapers before they are heard in Parliament. On this occasion, a different situation has arisen because this is a continuation of the debate of last week when the Government was in confusion. The honorable member for Balwyn was not given a chance, and his Liberal Party colleagues on the

Committee of Public Accounts sat dumb. I know what would happen if the Public Works Committee was involved. Honorable members will recall that last year when the Premier was in trouble over a proposal to divert water from the Big river, I came to his support, and I have not lived it down since. I cannot help it if the Premier agrees with me on occasions; the honorable gentleman has to be right sometimes.

Much has been said about Standing Orders; matters have been twisted and turned in an effort to find a solution to the difficulty. *May* has been quoted over the past six or seven days. As a layman, I point out that *May* does not control this Parliament or any other Parliament. The Standing Orders control the conduct of the Parliament. Sir Erskine May was only an eminent authority who gave his version of the usages of Standing Orders. The Standing Orders are supreme. *May* is only a chronicle of events, a record of rulings that have been given in the past. In this day and age Parliament should not operate on a ruling that was given 90 or 100 years ago. Certainly, *May* is a handy record for reference, and we owe a debt to Sir Erskine May. However, Standing Orders are supreme, and I hope the House agrees with that view.

I maintain that the Opposition's case was magnificently stated by the Leader of the Opposition. I do not believe our Leader was scurrilous or vicious or any of the other things that Government members tried to make out he was. If a person plays with a cat he will be scratched, and that is what the Premier did. For years the Premier has been able to get away with things; he speaks over the radio and makes all sorts of statements and everybody "licks" him, but on this occasion the honorable gentleman missed out. Members of the Liberal Party have a story, and instead of sticking with it they are stuck with it. So far as I am concerned, they can have it.

Mr. EDMUNDS (Moonee Ponds).—The arguments have played backwards and forwards on the motion and the amendment. Four Ministers having spoken, with emotion, but without logic on the subject before the House. The Attorney-General repeated the weak argument advanced by the Minister of Water Supply. As I see the situation, the conscience of the Government has been seriously affected. The raising of the subject of Standing Orders appears to me to be the weakest of contentions. The Premier stands guilty of a breach of privilege. I wholeheartedly support the motion moved by the Leader of the Opposition, and entirely reject the amendment moved by the Chief Secretary which leaves the situation where the press has to decide whether or not there has been a breach of privilege. The *Sun News-Pictorial* of the 21st November stated categorically that in its opinion the House voted on the question whether a public servant was guilty of contempt. I suppose this started the whole proceedings.

I do not intend to go over all the background of the argument that has been placed before the House, but I point out that a considerable amount of evidence has not come forward. I refer specifically to page 2029 of *Hansard* where mention is made of various statements by the press and the Public Service Board. The Premier is reported to have said—

> No statement by Mr. Cahill was read to this Parliament although I had one. I have also a statement from Mr. Durrant. I had a statement from other officers and other members of the Public Service Board, but that was not the issue.

I submit that these are some of the issues that should have been brought forward in the present debate; they were some of the points raised by the Premier before he withdrew from the House and which are relevant to the motion and the amendment. At page 2030 of *Hansard*, the honorable gentleman admitted his error when he stated—

> I am saying that the Leader of the Opposition may use against me the fact that I said that the Legislative Assembly

did not debate whether Mr. Cahill had been in contempt of Parliament, nor did it vote on this question.

. . . . . .

How can it be claimed that Mr. Cahill was in contempt of Parliament when the question was never debated?

It is erroneous that the Premier should make such a statement. Parliament did vote on the matter and I, as a layman without any legal training, interpreted the motion that the House voted on in the way in which it was printed. In my opinion, and in the opinion of many other honorable members when the motion was being debated, one half of the motion related to contempt of Parliament and the other half attempted to negate the first half. I concede the point that the Chief Secretary said that it was poorly written and poorly expressed.

Also on page 2030 of *Hansard*, the Deputy Leader of the Opposition interjected and said, "Your motion put him in contempt" to which the Premier replied, "I accept that this is a fair and reasonable interpretation of what I said at the press conference this morning.". In an attempt to rebut the clear and logical arguments submitted by the Leader of the Opposition on the motion now before the House, the Chief Secretary made a puerile, weak and child-like attempt to justify the Government's position in this matter. He said that the motion was unique in the English-speaking world because it related to a radio broadcast. I do not believe this point is valid because it does not matter whether it emanates from a radio broadcast, a television appearance or a report in a newspaper. The matter the House is discussing is whether there was a breach of privilege and the question of its coming from any one of these media is immaterial.

Furthermore, the Chief Secretary went on to state—and this was his weakest argument—that possibly the Premier's layman language was misunderstood by the press. This was the Chief Secretary's weakest argument in an attempt to defend the Premier who has been a member of this House for many years and has been the Leader of the Government in Victoria for thirteen years. Nobody in his right mind could imagine that either the Chief Secretary or the Premier was so naïve as to believe this assertion.

Since the Government has been led by the Premier, the relationship between the Public Service and the Government has deteriorated to a low state. The Chief Secretary has admitted that the motion moved by the honorable member for Balwyn last week was poorly drafted. That was the contention of many Opposition members when it was debated, but the Government used its numbers to stifle the discussion. A particularly weak argument was submitted by the supposedly strongest member of the Government, the Chief Secretary.

I reject the amendment moved by the Chief Secretary, which I believe passes the onus back on to the representatives of the press, who may discover tomorrow morning that their interpretation of this situation is again a matter of privilege. The amendment moved by the Chief Secretary is—

"That all the words after "That" (first appearing in the motion) be omitted with a view to inserting in place thereof the words "this House having heard the Honorable the Premier in explanation of the published statements and believing that the actions of the Premier were right do now proceed with the business of the House as set down in the Notice Paper".

That is a further negating motion which attempts to trowel over some of the cracks that have appeared in the Government's ranks. The Government has used its numbers before and no doubt it will use them again today to cover what is probably one of the most serious differences of opinion within its own ranks. I reject the amendment.

Mr. WILTON (Broadmeadows).—Apparently, the Government has finally decided to run up the white flag and surrender on this debate. I

support the motion moved by the Leader of the Opposition and reject the amendment moved by the Chief Secretary.

Mr. WILTSHIRE.—You are driving the members out of the House.

Mr. WILTON.—In answer to the honorable member for Mulgrave, I appreciate that Government members have probably had a "bellyfull" of this debate and have decided to desert the Premier and leave him to clear up the mess he has created. Opposition members understand the position, and it surprises me that Government members have remained in the Chamber as long as they have. I can appreciate the dilemma of honorable members opposite.

The arguments advanced by members of the Opposition and of the Country Party clearly demonstrate to any fair-minded person that the Premier has a case to answer and that he is, with the support of his party, using the forms of Parliament to extricate himself from a situation which was created by the Government. The Premier is one of the most experienced members of the House and has been Premier for thirteen years. Therefore, he should know the usages of the House and be fully aware of the importance of the question of privilege. After reading the notice of motion which the honorable member for Balwyn submitted to the House, and the amended motion which, according to the Chief Secretary, was hastily drafted, and knowing that the Liberal Party had carried a certain resolution which was strenuously opposed by members of the Opposition and the Country Party, the Premier left Parliament House to go to his office, or to a mid-week race meeting somewhere in the State, and rushed off a press statement without bothering to keep a record of it. After all his years of experience in this Chamber, the Premier simply rushed off to a bush race-meeting after making an off-the-cuff statement to the press on one of the most serious matters that the Victorian Parliament has had to deal with since 1958, when a similar case was dealt with. He did not bother to keep a record of his press statement.

When the matter was raised by the Leader of the Opposition, the honorable gentleman could not remember what the statement was, and when he was presented with a draft copy of a radio announcement made on that day he said, as reported at page 2028 of *Hansard* of 21st November—

> The Legislative Assembly did not debate whether Mr. Cahill had been in contempt of Parliament.

He said he stood by that statement. The Premier further stated that—

> Parliament voted that there had been a misunderstanding between the chairman of the Parliamentary Public Accounts Committee, Mr. Taylor, and Mr. Cahill and that the matter should be dropped.

He completely ignored the first part of the motion moved by the honorable member for Balwyn that was dealt with by the House. It clearly stated that the failure of the chairman of the Public Service Board to make a certain report available constituted contempt of Parliament. When the debate on that motion was proceeding, Opposition members rightly adopted the attitude that the Government was going to use its numbers to steamroll the motion through the Chamber and deny the person charged by the honorable member for Balwyn—there is no doubt that he was charged—the right to defend himself. The Opposition therefore opposed the motion.

The Premier then decided that he wanted the best of two worlds; he said that it was not the Parliament that made the decision but the Liberal Party. Members of the Opposition adopted the attitude, as the honorable member for Williamstown rightly stated, that once a motion was dealt with by the Parliament, it became the property of Parliament and not of the Liberal Party. I join with the honorable member for Williamstown in congratulating the Leader of the Opposition for the

manner in which he has dealt with this matter. The Chief Secretary used one of the oldest political tricks in the game. He had no argument of substance so he used ridicule and criticism to answer the Leader of the Opposition. He had no substantial argument in support of his Leader.

In the final analysis, any reasonably sane and intelligent person—the Chief Secretary could be considered a sane and intelligent person—could reach only one conclusion, that the Premier is guilty as charged. I hope the House will carry the motion moved by the Leader of the Opposition because it would go some way to justify the wrong that has been done by the Government to the democratic institution of Parliament.

Mr. DUNSTAN (Dromana).—For some hours members of the Opposition have been trying to persuade the House that they are united in their approach to this motion. It is well known that some members of the Labor Party led by the thinking of their Leader—who spoke well—wanted him to finish the debate this afternoon. The point having been made quite clearly, members of the press could take it up and then the House could go ahead with the long legislative programme that it has to consider before Christmas.

The Leader of the Opposition was not supported in this regard by the Deputy Leader of the Opposition who said that all members of the Labor Party would speak on the motion in an effort to embarrass the Government by creating a backlog of legislation to be dealt with, and then the Government could be blamed next week for not dealing with the business of the House. The view of the Deputy Leader of the Opposition prevailed, as has so often happened this sessional period. It is obvious that at Labor Party caucus meetings the Deputy Leader of the Opposition has shown that he has the numbers and that his views will prevail over those of the Leader of the Opposition. On this occasion the Deputy Leader of the Opposition has again won the battle, and all members of the Labor Party have been requested to speak during the debate and keep it going even if it takes all tonight and all day tomorrow.

There is a further split in the Opposition, and I am prepared to name the members involved. There are those members of the Opposition who are genuinely concerned with privilege. Others think they are going to embarrass the Government. After all, the representatives of the press have gone home and only the remarks of the Leader of the Opposition will appear in the newspapers tomorrow. There is a third section of Opposition members who have their own personal axe to grind with the chairman of the Public Service Board. This debate is being used by the Opposition for three different reasons. The first relates to a general concern about the privileges of this House; the only member of the Opposition who is genuinely concerned about this is the honorable member for Sunshine, who was a notable absentee when divisions were taken last week. I am certain that the honorable member for Sunshine will not be present when a division is called tonight.

I should like members of the Labor Party to bring new material into the debate. Why will their members not say why one member of the party previously absented himself from divisions in relation to this matter?

Mr. JONA.—He is the only one exercising his conscience.

Mr. DUNSTAN.—That is so. He was absent during divisions on this same subject last week and he will not vote tonight in the division. We are looking forward to the time when the numbers are counted to see who is missing from the Labor Party.

This long, tedious, repetitive debate has emphasized the disunity that has existed for most of this sessional period in the Labor Party. As I have some personal regard for the Leader of the Opposition, I think I can explain to him why he is not getting the numbers at caucus meetings and why his views on tactics to be employed in debates, such as this one, are not adopted. If he accepts my advice, the result will be a stronger Opposition and there will be a real Leader of the Opposition who will lead his party and who will not fail, as he has done so often in the past few weeks, to get the numbers.

Mr. GINIFER (Deer Park).—I have listened to the tales from Hans Christian Andersen that have emanated from the honorable member for Dromana, who has speculated as to what did or did not transpire in the Labor Party room on the proposal before the House.

Mr. DUNSTAN.—You admit that some of it is true.

Mr. GINIFER.—Some of the stories which are circulating about the Liberal Party are also true. This is borne out by the performances of certain Ministers who have participated in this debate, particularly the contribution of the Minister of Water Supply. Now the member who hopes to take over the portfolio of Minister of State Development has put forward his views.

The SPEAKER (the Hon. Vernon Christie).—Order! I invite the honorable member for Deer Park to discuss the motion before the Chair.

Mr. GINIFER.—I was transgressing along similar line to the honorable member for Dromana, and I was putting forward similar tales reminiscent of Hans Christian Andersen.

Mr. DUNSTAN.—So that is what you taught at school?

Mr. GINIFER.—With due deference to the honorable member for Dromana, I inform him that I taught children at school. What is the position in regard to the challenge made by Government supporters in regard to what they considered to be the supposed breach of privilege that has been discussed for some hours? The situation was brought about because the Government has been in office for a long time and in many respects has been relying on the efficiency of public servants and the Public Service. Ministers have not done their homework before they have presented legislation to the House.

The SPEAKER (the Hon. Vernon Christie).—Order! The honorable member is straying from the subject.

Mr. GINIFER.—I am adopting this approach to show that the words of a motion which was previously before the House were adopted by the Government party without sufficient research and discussion taking place. Judging from the utterances during this debate it can be said that members of the Government party appear to be most unhappy at the thought of the chairman of the Public Service Board being found guilty of contempt of Parliament, or of it even being inferred that he is guilty of contempt. However, it must be remembered that this situation was brought about because insufficient time and consideration were given to the proposal that was put before the House. I refer to matters that have previously been before the House to indicate that on occasions Ministers have begun to read the wrong second-reading speech or have moved the wrong amendments to a Bill.

Mr. SUGGETT (Bentleigh).—On a point of order, Mr. Speaker, I submit that the honorable member for Deer Park is not relating his remarks to the motion before the Chair.

The SPEAKER (the Hon. Vernon Christie).—I uphold the point of order and I will not warn the honorable member from Deer Park again. The motion before the Chair is clear and explicit, and the debate is fairly wide on the subject under discussion.

Mr. GINIFER (Deer Park).—I appreciate the point you have made, Mr. Speaker. I am endeavouring to show that for a long time many of the proposals placed before the House have been raised fairly and squarely and, it would appear, on the initiative of the Public Service, but on one occasion the Government, whether through the efforts of members sitting on the front bench or the back bench was responsible for putting proposals before this House and they were mishandled. The Premier had to attempt to square off because of the mismanagement of the affairs of the House, and upon reflection the Government did not have the courage to say, "We have made a statement and we are prepared to put something on record which justifies the position of the chairman of the Public Service Board". Instead, the Premier has gone to the press and told a story, which many honorable members believe is not a true and proper interpretation of what happened in the House.

That is the basis on which I indicate that there has been fumbling and bumbling by the Administration. When an opportunity arises for the Government to do something on its own without the support of the Public Service it falls down. It is an indictment of the Government that Ministers are not able to administer the State without the Public Service doing the job for them. For this reason, I support the proposition moved so adequately by the Leader of the Opposition.

Dr. JENKINS (Reservoir).—I support the resolution moved by the Leader of the Opposition, and completely reject the amendment of the Chief Secretary. The House has heard the Premier in explanation of his public statements, but the Opposition cannot accept that those actions were right. This whole sorry story has been gone through this afternoon and evening, and what a story it has been! It was a sorry story of Government ineptitude, starting from the initial report of the Committee of Public Accounts. The House has heard the one theme, that a legalistic point of view has been taken of a motion passed by the House. What other view can be taken? One cannot excuse this by saying "The spirit was such and such". This House has to deal with the legalistic interpretations of the measures that it passes. Surely that is why Parliament exists. It passes resolutions that are subject to interpretation by other bodies concerned with the law.

It is clear that the earlier motion that was considered and passed by the House was in two parts, one of which did in fact find Mr. Cahill guilty of contempt of the House, and no amount of pressure on individuals or public relations with the press can excuse the Government for carrying this resolution. During the debate, the Government was warned about what it was doing. However, the Government took no notice and then the Premier went to the press and put an entirely different interpretation on the motion that was carried by the House. Under these circumstances, I have no alternative but to support the motion that has been moved by the Leader of the Opposition, and I completely reject the excuse offered by the Chief Secretary.

Mr. HOLDING (Leader of the Opposition).—I desire to make a personal explanation to the House. In the final edition of the *Herald*, on the front page, in a report appertaining to this debate, I am reported in this way—

> Mr. Holding said even the Speaker in the House had taken part in the debate.

Mr. Speaker, that report is not factual. Not only did I not make that statement, but the allegation is not true. I am bound to make this personal explanation in order to protect your reputation and the reputation of this House, Mr. Speaker. The allegation is a serious one.

Mr. JONA.—What did you say?

Mr. HOLDING.—The honorable member for Hawthorn will recall me saying on a number of occasions during the substantive debate on the Cahill affair that the Speaker had ruled from the chair on a number of occasions, and I adverted to those rulings. I am saying on this occasion that the press, as it has reported my speech, has done a considerable injustice to the Speaker and myself, and I should like it rectified. I am sorry, Mr. Speaker, that members of the Government are now so lacking in regard to your position and the position of this House, and are so bruised from the battering they have taken over the last seven hours, that they had to interrupt this explanation to you.

The SPEAKER (the Hon. Vernon Christie).—Order! I accept the explanation.

The House divided on the question that the words proposed by Sir Arthur Rylah to be omitted stand part of the motion (the Hon. Vernon Christie in the Chair)—

Ayes	.. ..	26
Noes	.. ..	42
Majority for the amendment	..	16

AYES.

Mr. Broad	Mr. Moss
Mr. Buckley	Mr. Mutton
Mr. Clarey	Mr. Phelan
Mr. Cochrane	Mr. Ross-Edwards
Mr. Edmunds	Mr. Stoneham
Mr. Evans (*Gippsland East*)	Mr. Sutton
Mr. Fennessy	Mr. Trewin
Mr. Floyd	Mr. Trezise
Mr. Holding	Mr. Turnbull
Mr. Jenkins	Mr. Wilkes
Mr. Lovegrove	Mr. Wilton.
Mr. McDonald (*Rodney*)	*Tellers:*
Mr. Mitchell	Mr. Ginifer
	Mr. Whiting.

NOES.

Mr. Balfour	Mr. Reid (*Box Hill*)
Mr. Billing	Mr. Reid (*Dandenong*)
Mr. Birrell	Mr. Rossiter
Sir John Bloomfield	Sir Arthur Rylah
Mr. Borthwick	Mr. Smith (*Bellarine*)
Mr. Darcy	Mr. Smith (*Warrnambool*)
Mr. Dixon	Mr. Stephen
Mr. Doyle	Mr. Stokes
Mr. Dunstan	Mr. Suggett
Mr. Evans (*Ballaarat North*)	Mr. Tanner (*Morwell*)
Mrs. Goble	Sir Edgar Tanner
Mr. Hayes	Mr. Taylor
Mr. Jona	Mr. Templeton
Mr. Loxton	Mr. Trethewey
Mr. MacDonald (*Glen Iris*)	Mr. Vale
Sir William McDonald	Mr. Wheeler
Mr. McKellar	Mr. Wilcox.
Mr. McLaren	*Tellers:*
Mr. Manson	Mr. Scanlan
Mr. Meagher	Mr. Wiltshire.
Mr. Porter	
Mr. Rafferty	
Mr. Reese	

The House divided on the question that the words proposed by Sir Arthur Rylah to be inserted be so inserted (the Hon. Vernon Christie in the chair)—

Ayes	.. ..	42
Noes	.. ..	25
Majority for the amendment	..	17

AYES.

Mr. Balfour	Mr. Reid (*Box Hill*)
Mr. Billing	Mr. Reid (*Dandenong*)
Mr. Birrell	Mr. Rossiter
Sir John Bloomfield	Sir Arthur Rylah
Mr. Borthwick	Mr. Smith (*Bellarine*)
Mr. Darcy	Mr. Smith (*Warrnambool*)
Mr. Dixon	Mr. Stephen
Mr. Doyle	Mr. Stokes
Mr. Dunstan	Mr. Suggett
Mr. Evans (*Ballaarat North*)	Mr. Tanner (*Morwell*)
Mrs. Goble	Sir Edgar Tanner
Mr. Hayes	Mr. Taylor
Mr. Jona	Mr. Templeton
Mr. Loxton	Mr. Trethewey
Mr. MacDonald (*Glen Iris*)	Mr. Vale
Sir William McDonald	Mr. Wheeler
Mr. McKellar	Mr. Wilcox.
Mr. McLaren	*Tellers:*
Mr. Manson	Mr. Scanlan
Mr. Meagher	Mr. Wiltshire.
Mr. Porter	
Mr. Rafferty	
Mr. Reese	

NOES.

Mr. Broad	Mr. Mitchell
Mr. Buckley	Mr. Moss
Mr. Clarey	Mr. Mutton
Mr. Cochrane	Mr. Ross-Edwards
Mr. Edmunds	Mr. Stoneham
Mr. Evans (*Gippsland East*)	Mr. Sutton
Mr. Fennessy	Mr. Trewin
Mr. Floyd	Mr. Trezise
Mr. Holding	Mr. Turnbull
Dr. Jenkins	Mr. Wilkes
Mr. Lovegrove	Mr. Wilton.
Mr. McDonald (*Rodney*)	*Tellers:* Mr. Ginifer Mr. Whiting.

The House divided on the motion, as amended (the Hon. Vernon Christie in the chair)—

Ayes	42
Noes	26
Majority for the motion ..	16

AYES.

Mr. Balfour	Mr. Reid (*Box Hill*)
Mr. Billing	Mr. Reid (*Dandenong*)
Mr. Birrell	Mr. Rossiter
Sir John Bloomfield	Sir Arthur Rylah
Mr. Borthwick	Mr. Smith (*Bellarine*)
Mr. Darcy	Mr. Smith (*Warrnambool*)
Mr. Dixon	Mr. Stephen
Mr. Doyle	Mr. Stokes
Mr. Dunstan	Mr. Suggett
Mr. Evans (*Ballaarat North*)	Mr. Tanner (*Morwell*)
Mrs. Goble	Sir Edgar Tanner
Mr. Hayes	Mr. Taylor
Mr. Jona	Mr. Templeton
Mr. Loxton	Mr. Trethewey
Mr. MacDonald (*Glen Iris*)	Mr. Vale
Sir William McDonald	Mr. Wheeler
Mr. McKellar	Mr. Wilcox.
Mr. McLaren	
Mr. Manson	
Mr. Meagher	
Mr. Porter	*Tellers:*
Mr. Rafferty	Mr. Scanlan
Mr. Reese	Mr. Wiltshire.

NOES.

Mr. Broad	Mr. Moss
Mr. Buckley	Mr. Mutton
Mr. Clarey	Mr. Phelan
Mr. Cochrane	Mr. Ross-Edwards
Mr. Edmunds	Mr. Stoneham
Mr. Evans (*Gippsland East*)	Mr. Sutton
Mr. Fennessy	Mr. Trewin
Mr. Floyd	Mr. Trezise
Mr. Holding	Mr. Turnbull
Dr. Jenkins	Mr. Wilkes
Mr. Lovegrove	Mr. Wilton.
Mr. McDonald (*Rodney*)	*Tellers:*
Mr. Mitchell	Mr. Ginifer
	Mr. Whiting.

SECOND-HAND DEALERS (AMENDMENT) BILL.

Sir ARTHUR RYLAH (Chief Secretary) presented a message from His Excellency the Governor pursuant to section 36 of The Constitution Act, transmitting the following amendment, which he desired to be made in the Second-Hand Dealers (Amendment) Bill:—

Clause 2—After "clerk" insert "of the municipality".

Clause 3—After "clerk" insert "of the municipality".

Clause 5, paragraph (*a*)—After "clerk" insert "of the municipality".

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That the amendments be agreed to.

The House of Review, in amending the Bill transmitted by the Assembly, deleted too many words.

The motion was agreed to, and it was ordered that a message be sent to the Council requesting its concurrence therein.

FENCES BILL.

This Bill was returned from the Council with a message relating to amendments.

It was ordered that the message be taken into consideration next day.

STOCK (ARTIFICIAL BREEDING) (AMENDMENT) BILL.

This Bill was received from the Council and, on the motion of Sir WILLIAM McDONALD (Minister of Lands), was read a first time.

SUPERANNUATION (AMENDMENT) BILL.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That this Bill be now read a second time.

As its title indicates, the purpose of the Bill is to amend certain provisions of the superannuation scheme. The Government has proposed a separate superannuation scheme for married female Government employees. In future, therefore, they will not be eligible to contribute to the Superannuation Fund. Any married woman

who is at present a contributor to the Fund will not be affected.

It is often in the interest of pensioners retired on account of ill health to allow their re-employment on a trial basis, and this is frequently recommended by Government medical officers. If, however, the pensioner can increase his number of units immediately he returns to work because salaries have increased during his absence, the Superannuation Board is reluctant to permit his return in case he becomes ill again. It is proposed to delay the taking up of any such units until three years after return to work.

At present, there is a provision in the Act whereby an officer who is appointed with less than twenty years prospective service can contribute only for a restricted number of units. Normally, this restriction is regulated by the number of years of prospective service. However, the Governor in Council may, on the recommendation of the Board, increase the officer's entitlement and it has been the Board's practice of late to recognize, at least in part, continuous past temporary service and make recommendations to the Governor in Council accordingly.

Under the present provisions, however, if a person decides to retire early, say at 60 instead of 65 years, his units are reduced to correspond with his shorter service. Unfortunately, any additional units resulting from the Board's recommendation are also lost, and it is proposed to amend the section to allow the Board to be flexible in dealing with such cases. Since the introduction of this provision, there has been a marked increase in pension entitlements, and it is proposed to increase the minimum period of service for which a full pension is payable from 20 years to 30 years. This is the period that is often used in industry. The increased period would, of course, apply to new entrants only.

The Crown Solicitor has stated that, in his opinion, a full pension is payable to certain persons appointed to short term statutory positions if they are not reappointed. This is contrary to what was believed to be the position for a number of years. Statutory office holders are dealt with in two ways under the Act. Some positions are mentioned in the schedule to the Act and the pension on non-reappointment, when the applicant is available, is stated to be an actuarial equivalent pension irrespective of age or number of years of service.

The holders of other positions become "officers" for the purpose of the Act by Orders in Council and it is this group which, in the Crown Solicitor's opinion, become entitled to a full pension. In the circumstances, it is proposed to allow the present position to stand for existing appointees only in the first group, that is, for positions mentioned in the schedule. In all other cases, it is proposed to provide the following benefits for a contributor who is less than age 60 and is not re-appointed:—

(*a*) a lump sum payment of three and one-half times the contributions he has paid; or

(*b*) if he has contributed for more than fifteen years and has attained age 50—at his election, either the lump sum mentioned or the reduced paid up benefit provided for a person with fifteen years service who resigns after attaining the age of 50 years.

At present, if an officer serves from age 20 to age 59 and then resigns, he receives no Government subsidy—merely a refund of his own contributions; whereas, if a person is appointed at age 50 and retires at age 60, the major part of his pension, although not a full pension, will be paid from Consolidated Revenue.

It is proposed to remedy the position by adopting a provision similar to that in the British public service pension scheme. It is proposed that officers over age 50 with fifteen years' service who resign will have

the option of receiving a refund of contributions or of paying no further contributions and being credited with a reduced, deferred, Government pension per unit according to age at resignation. The normal Government subsidy per unit is $65 per annum and this would be reduced to $45 for persons resigning at age 50 and would progressively increase to $63 at age 59. The pension would be payable as from age 65 or from age 60 on an actuarial equivalent basis.

This provision will substantially remove the impediment which often exists to the appointment of senior public servants to the governing bodies of statutory corporations or as administrative heads of institutions such as hospitals and other bodies, but it is proposed to go further and permit the Treasurer and the Board to authorize special arrangements to preserve fully the superannuation rights of such appointees, particularly when the appointments are made by Ministers or the Governor in Council.

It is possible for a teacher, because she is unable by reason of ill health to teach, to receive a pension for life notwithstanding that she may be quite capable of engaging in other employment or else be self-employed. There is a provision whereby such a pensioner can be offered employment, say in the Public Service, but this is not always possible because the teachers' salaries are far higher than those of most positions to which a female could be appointed in the Public Service. It is proposed that if the person is under age 40 years and is found fit for employment in a position covered by the Superannuation Act, the Board would be able to offer her a lump sum equal to five years' pension to terminate its liability if no suitable employment can be offered. The person would be under no compulsion to accept such an offer.

It has become desirable to identify the State Superannuation Board as the State Superannuation Board of Victoria and provision is made to change the name of the Board accordingly. I commend the Bill to the House. This is an important measure, and I hope it will receive a speedy passage.

On the motion of Mr. CLAREY (Melbourne), the debate was adjourned.

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

MELBOURNE HARBOR TRUST LAND BILL.

Mr. PORTER (Minister of Public Works).—I move—

That this Bill be now read a second time.

The purpose of this Bill is to deal with certain Crown land on the south side of Footscray-road, vesting portion in the Melbourne Harbor Trust Commissioners and dedicating portion as a public highway. So that honorable members may follow the various pieces of land to which I refer, I have had prepared maps copies of which have been handed to the honorable member for Williamstown and to the honorable member who is handling the Bill on behalf of the Country Party. Any other other interested member may obtain a copy.

The history of this Crown land is that from 1956 onwards certain Crown land adjacent and to the south of the Footscray-road and abutting the eastern side of the Old Footscray-road described as Crown section 1 C, Parish of Doutta Galla, was subdivided. Of this subdivision Crown allotments 1 and 2 were taken up under annual licence to occupy by W. T. Dwyer Proprietary Limited, and Mobil Oil Australia Limited, respectively, and Crown allotment 7 was licensed to the Melbourne City Council. Crown allotments 3 and 9 have remained under the control of the Crown, allotment 9 being used by the Chief Secretary's Department, Fisheries and Wildlife Branch, and allotment 3 being temporarily held under a weekly tenancy only by Freighters Industries Limited.

It may be recalled that part of allotment 9, which was not required by the Fisheries and Wildlife Branch, and the whole of allotment 10, originally licensed to the Melbourne City Council and for which the council no longer had any requirement, were vested in the Melbourne Harbor Trust Commissioners as provided in the Melbourne Harbor Trust Land Act 1967 No. 7618. This land together with contiguous Trust land to the east, has been leased by the Commissioners to Wooldumpers (Victoria) Pty. Ltd., and this company is about to construct a facility for the "dumping" or compressing of wool bales for export in containers.

The remaining Crown allotments, namely, Nos. 4, 5, 6, 8A and 8B, have been leased to private enterprise. All the head lessees have tenure for a period of 21 years and such leases terminate at various dates between 1980 and 1984. The Bill provides for the appropriate amendment of these leases so that the "Melbourne Harbor Trust Commissioners" can read as the lessor. At the same time the rights and privileges of the lessees are preserved and are unaltered in any way.

With the advent of containerization and the necessary construction of the Swanson dock for the new container vessels, the Commissioners considered that it would be desirable to construct an internal east-west road to be known as Coode-road which will run parallel to and to the south of Footscray-road. Thus the proposed Coode-road will in effect duplicate the Footscray-road in so far as the container and other dock traffic is concerned, thereby greatly relieving the traffic load on Footscray-road. Accordingly the Commissioners have compulsorily acquired or are in the process of compulsorily acquiring the necessary land from the lessees to permit the future construction of Coode-road. The lessees have been or will be compensated for such acquisitions as is provided for in the Melbourne Harbor Trust Act 1958 and the Lands Compensation Act 1958.

Provision is made in the Bill to dedicate part of Crown section 1 C as a public highway under the care and management of the Melbourne City Council. This land—coloured blue on the plan—is a strip 85 feet wide between the existing southern alignment of Footscray-road and the north boundary of the land to be vested in the Commissioners. This strip of land would eventually have formed part of Footscray-road by the provision of section 7 of the Coal Canal Bridge Act 1960, No. 6613, but it is considered necessary to proceed at the present time with action to dedicate this land as a public highway —as provided in Act No. 6613—in order to assist in the provision of legal access for the existing lessees.

It is also considered desirable to provide for railway access to Swanson dock in order to transport containers. The rail link is to be provided within a strip of land 65 feet wide immediately south of and abutting the 85 feet strip required for widening of the Footscray-road. These two strips of land total 150 feet in width. Provision was made in the leases for the resumption upon due notice of this strip 150 feet wide from such leases without payment of compensation. The due notice has been given and the resumptions made in so far as the leases are concerned.

With regard to the annual licences relating to Crown allotments 1 and 2, due notice of their termination has been given and these licences will terminate on the 31st December, 1968. It will be noted that this Bill provides that its various provisions will not come into operation until 1st January, 1969, thereby allowing the legal term of tenure to expire with regard to the licences. The Commissioners have agreed to negotiate a lease with W. T. Dwyer Pty. Ltd. over the remaining land in allotment 1 which is not required for road or rail purposes, such lease to terminate not later than the 31st January, 1980.

The Bill will vest the whole of the remaining Crown land in Crown section 1 C, Parish of Doutta Galla, in the Commissioners with the exception of the strip 85 feet wide abutting Footscray-road which is required for the widening of that road as already provided in the Coal Canal Bridge Act 1960, but protects the rights and interests of the lessees as they presently exist. The Commissioners have agreed with the Fisheries and Wildlife Branch to negotiate a lease of sufficient tenure and at a purely nominal rental to suit the needs of that Branch with respect to its present occupation. Regarding allotment 7, the Commissioners are agreeable to facilitate any requirements of the Melbourne City Council with respect to the supply of electricity to the area.

The Melbourne Harbor Trust Commissioners will provide the capital cost of the proposed railway and the construction will be carried out by the Victorian Railways Commissioners. All the land in Crown section 1c Parish of Doutta Galla, will ultimately be required for port purposes in connexion with the future expansion of the Swanson dock container complex and accordingly it is considered necessary to vest this land in the Commissioners. There is some urgency for the passing of this Bill having regard to the fact that the Railways Commissioners are anxious to construct the railway line to the Swanson dock berth in time for the arrival of the first container ships in Melbourne next year.

On the motion of Mr. FLOYD (Williamstown), the debate was adjourned.

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

MEDICAL (ORGAN TRANSPLANTS) BILL.

Mr. MANSON (Minister of State Development).—I move—

That this Bill be now read a second time.

The purpose in introducing this Bill is to bring legislation in Victoria relating to the supply of human material for tissue grafting and organ transplantation into line with the corresponding legislation in operation in other States of the Commonwealth of Australia.

On the 3rd December, 1967, a heart from a cadaver was successfully transplanted into a 54-year-old man at Capetown in South Africa to replace a heart irreparably damaged by repeated coronary occlusions.

Although this and subsequent similar achievements made headlines throughout the world, they did not come as a surprise to the medical profession, which had been steadily improving its techniques and knowledge in organ and tissue transplantation for more than a decade. The episode which captured the headlines of the world press in December last has been repeated in Australia and in other parts of the world with varying degrees of success a sufficient number of times to indicate that heart transplants are likely to increase in number. The benefits to the community from successful organ transplant procedures are obvious.

Until the recent heart transplant operations in New South Wales and Victoria, the tendency in Australia generally had been to observe and to study overseas developments and techniques relating to this type of operation. There has, however, in this State, been much success in other types of transplants and tissue grafting. The work of the Royal Melbourne Hospital in the field of kidney transplants is well known.

The first kidney transplantation in Australia was performed at the Royal Melbourne Hospital in 1956. Seven years later, in 1963, after the installation of artificial kidney facilities at the hospital, a planned programme of kidney grafting to explore the feasibility of this method of treatment was begun. Early grafts in 1963 and 1964 were unsuccessful but by 1965 continued and increasing success was achieved. All grafts have been from cadavers, and since 1963 a total of 62 grafts in 56 patients have been per-

formed as follows: 1963, 3 grafts; 1964, 1 graft; 1965, 7 grafts; 1966, 11 grafts; 1967, 24 grafts; 1968 to date, 16 grafts.

The results of kidney grafts have been as follows:—One year after a graft, 75 per cent. of patients are alive and well; in 65 per cent. of the cases the original graft is still functioning; in 10 per cent. a second graft will have been successful or the patient will be back on treatment with the artificial kidney after removal of a rejected graft; and there will have been a mortality of 25 per cent. All of these patient would inevitably otherwise have died.

In the series, 20 of 30 patients grafted more than a year ago are alive, twenty with the original graft, three with a second graft. Two patients are alive more than three years after grafting. Most graft failures and deaths occur in the first few months after grafting, so that long-term survivors are almost all well and have returned to normal activities.

The following is a summary of what might be regarded as the present prospects of persons with kidney grafts. If twenty patients receive grafts, the results one year later will be—thirteen alive with original graft; one alive with a second graft; one awaiting regraft after failure of first graft; and five will have died, mainly as a result of complications of treatment to prevent rejection.

The unit at the Royal Melbourne Hospital functions as a combined surgical and medical renal unit with artificial kidney facilities. It is expected that the numbers of operations done each year will stabilize at from 35 to 50 grafts. These results equal or excel results elsewhere in the world. The patients concerned are predominantly young men and women who can often be restored to productive activity again from an otherwise hopeless disease.

When corneal grafting was first practised, considerable discussion arose as to whether eyes could be lawfully taken from the body of a deceased person and, if not, whether they could be so taken by consent or authority from some person and, if so, who would be the appropriate person or persons to give the consent. As a result of these discussions, to clear up any doubts that might have existed, the law in Victoria was amended, following similar amendments in Great Britain, to provide a procedure under which it was lawful to take material for corneal grafting. The procedures provided were in addition to whatever might have been the position at common law.

As tissue grafting and organ transplantations became more successful, in a number of countries these procedures were extended to cover the taking of kidneys and other organs. However, the legislation relating to the obtaining of tissue for corneal grafting has never been so extended in Victoria, and the purpose of this Bill is to make provision in this State for obtaining organs and material for all types of transplants.

Before the Bill was brought forward, the opportunity was taken to study reports of developments from all parts of the world on the subject-matter of the Bill. Such research has included study of the preliminary report of the sub-committee of the National Health and Medical Research Council and the interim report of the departmental committee constituted within the Ministry of Health in Victoria. States other than Victoria already have specific provisions within their Medical Acts or other enactments providing procedures to be followed when material is obtained for major organ transplants, and the purpose of this Bill is to amend Victorian legislation to bring it into line with that in other States. This legislation may be regarded as interim, pending a final report of the National Health and Medical Research Council. When the report of the council is available, the Australian Health Ministers of the Commonwealth and the States consider that it should be referred to the Standing Committee of

Attorneys-General for advice as to whether legal issues are involved which would require a uniform approach.

In view of the necessity to obtain organs for transplanting immediately after the death of the donor, there has been considerable discussion as to the precise time death occurs, and how certification of death should be made. In view of the research currently being carried out in this area and the variation of ideas in the information which is available, it was felt desirable that such certification should be left, as at present, and as it has been for over 100 years, to the professional judgment of the medical practitioner, with such aids and criteria as are available to the profession. However, to avoid the possibility or conflict of professional interests, the Bill provides for certification of death by certificate of a medical practitioner who is not participating in the procedures for removing or transplanting the therapeutic substance. Certification of death is an issue which will undoubtedly engage the attention of the National Health and Medical Research Council and the medical profession generally for some time to come. The provision in the Bill regarding certification is in line with current British recommendations on the subject, and it is considered to be adequate under present circumstances.

The statement of the National Conference of Commissioners on State Laws in the United States of America on this point is interesting. It is as follows:—

> The time of death shall be determined by a physician who attends the donor at his death, or if none, who certifies the death, and this physician shall not participate in the procedures for removing or transplanting a part.

Slight variation of the existing procedure regarding the obtaining of material for corneal graft has been made in the proposed new section 44B regarding the method of obtaining authority to take organs from a body. Under the present corneal grafting legislation, material cannot be taken if any relatives of the deceased object. Such a provision, if adopted in this Bill, would place great restriction on the medical profession and hospital management in securing material, particularly for kidney transplants, in view of the necessity to obtain such material fairly quickly after death.

The Bill substantially follows the legislation of the State of New South Wales in that where, after due inquiries, there is no objection from the surviving spouse or from the nearest available relative, the material may be taken. Under that legislation however, confusion arose as to who in fact was the nearest available relative. The possibility of such confusion as to who is the nearest relative has been eliminated in this Bill by listing the order of priority in which those relatives are in fact to be consulted.

The Bill also obliges the person in possession of the body to make due inquiries as to the views the deceased held and the views of the surviving spouse or relatives before he authorizes removal of therapeutic substances, which are defined in the Bill, for medical purposes. These substances include organs and tissue.

Finally, it should be said that, whilst the Bill will provide certainty as to how material may be obtained for transplants, and, at the same time, afford certain guarantees that those who carefully follow the procedures set out are acting lawfully, medical practitioners and the managements of hospitals will still have to satisfy themselves in other respects as to the legality of actions and procedures they contemplate.

Clause 1 is the citation clause and short title, and clause 2 amends the Medical Act 1958, by adding a further new Division 6 to provide for removal and use for therapeutic purposes of parts of deceased persons' bodies.

This Division of the Act will contain new sub-sections 44A to 44G inclusive. In the new section 44A, "therapeutic substance" is defined as any part of or any substance extracted from any part of the body of a deceased person, which, with or without further process, is capable of being used for therapeutic purposes by being administered to a living person. The section also sets out the meaning of other words which are used at a number of places throughout the Bill. These are the expressions "hospital", "medical superintendent" and "relative".

Proposed new section 44B enables any part of a body to be romoved after death for therapeutic purposes if such removal is authorized by the medical superintendent of the hospital where the body is lying or, where the body is not in a hospital, is authorized by the person lawfully in possession of the body. As provided in sub-section (1) of the new section 44B, the authority may be given only if the deceased has made a request during his last illness or if, after proper inquiry the medical superintendent or the person lawfully in possession of the body, as the case may be, is satisfied that the deceased had no objection during his lifetime and that his surviving spouse or nearest relatives do not object to parts of his body being used for therapeutic purposes. This is provided in sub-section (2).

There has always been some doubt as to the degree of inquiry which should be made of relatives and the order in which they should be consulted for the purpose of ascertaining their views regarding the use of organs or parts of a deceased's body for therapeutic purposes. To overcome this problem, as stated earlier, the Bill contains details of the priority to be followed in the approach to relatives to obtain their consent. The order in which available relatives are to be consulted are: The spouse, an adult son or daughter, parents, an adult brother or sister, or a guardian of the person of a deceased at the time of death. If the person consulted does not object and there is no reason to believe that any person of higher priority in the above list of persons has objection to the removal of designated parts or organs for therapeutic purposes, such parts or organs may then be taken and grafted in accordance with the Act.

Considerable discussion has taken place regarding who is actually the person in lawful possession of the body of the deceased. On this subject, Halsbury's *Laws of England* indicates that a number of people may, according to circumstances, be in lawful possession of a body. Such persons may include the committee of management of the hospital, the executor, nearest relatives, and others who may be under a duty to dispose of the body of a deceased.

To resolve any doubt as to the possession when a body is lying in a hospital and in order that there will be no delay, the Bill will give specific power to the medical superintendent to give authority for the removal of a therapeutic substance after he has made proper inquiries to ascertain the views of the relatives of a deceased.

By sub-section (11) of the proposed new section 44B, where the body of a person without known relatives is lying in a hospital, the medical superintendent of the hospital where the deceased's body happens to be is to be given that authority. Only in this type of case will the medical superintendent be allowed to give authority for removal of a therapeutic substance without ascertaining the views of relatives. Such consent will, of course, only be given after the superintendent has made detailed inquiries and satisfied himself that there are no known relatives. A person entrusted with a body merely for burial or cremation will not be able to give such authority. This is provided for in sub-section (10) of proposed new section 44B.

As stated, the Bill provides additional safeguards regarding certification of death of the deceased and also ensures that only a medical practitioner will remove any part from a body. Sub-sections (5) and (6) of proposed new section 44B provides these safeguards. Sub-sections (8) and (9) of the new section contains the necessary safeguards regarding the obtaining of the consent of the coroner to any removal or procedure where it is likely that an inquest will be held or where the coroner will require a post-mortem examination.

Emphasis is at all times placed on the necessity for all involved in these delicate procedures to have due regard for the feelings of relatives and respect for the body of the deceased. The Bill contains a provision that no mutilation or damage which is not necessary for the removal of the therapeutic substance is to be caused to the body of the deceased. This is referred to in sub-section (7) of section 44B. Proposed new section 44C provides that parts removed from a body may be used for immediate grafting into the body of a living person, or may be retained for future use. Again, the therapeutic substance so obtained may be grafted only by legally qualified medical practitioners. However, provision is made for the administration of some therapeutic substances, which would invariably be extracts, under the direction of a legally qualified medical practitioner.

Where therapeutic substances are to be retained for future use, including the manufacture of other therapeutic substances from them, the Governor in Council must approve of the persons who are authorized to store or hold the substances for these purposes. Proposed new section 44D refers to this approval.

Proposed new section 44E makes it an offence to authorize or to actually remove the therapeutic substance other than in accordance with the Act. It would be an offence also to remove additional parts from a body other than those for which specific authority for removal had been obtained. The maximum penalty for a breach of the Act is $1,000 and, where there is a breach of the legislation by a medical practitioner, this type of breach shall be deemed to be infamous conduct in a professional respect. Such conduct automatically invokes serious consequences for the medical practitioner under the registration provisions of the Medical Act.

Sub-section (8) of proposed new section 44B gives the Governor in Council power to make regulations providing the means by which the coroner may record his consent to the taking of therapeutic substances from a body. With modern communications it is probable that eventually regulations will provide for consent to be given by devices such as telex or by means of other recorded telephonic message. Such provision is now made in similar legislation in the United States of America.

A power to make regulations prescribing practices to which Division 6 of the Act does not apply, as outlined in proposed new section 44F, has been included because, in creating various types of offences, the Bill will probably interfere with some existing practices such as embalming by undertakers. This power will enable the present recognized practices to continue and provide a means of ensuring persons lawfully engaged therein to carry on without infringing the Act. In addition, there is the usual general power to make regulations in respect of anything prescribed or generally necessary for the Act.

Clause 3 of the Bill will repeal the existing legislation relating to corneal grafting. The heading for the new Division 6 in the principal Act will be inserted by clause 4.

On the motion of Dr. JENKINS (Reservoir), the debate was adjourned.

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

ADJOURNMENT.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That the House, at its rising, adjourn until this day, at half-past Ten o'clock.

The motion was agreed to.

The House adjourned at 12.26 *a.m.* (*Wednesday*).

Legislative Council.

Wednesday, November 27, 1968.

The PRESIDENT **(the Hon. R. W. Garrett)** took the chair at 2.51 p.m., and read the prayer.

SECOND-HAND DEALERS (AMENDMENT) BILL.

A message was received from the Assembly intimating that it had agreed to amendments in this Bill recommended by His Excellency the Governor.

The amendments were agreed to.

PUBLIC WORKS LOAN APPLICATION 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.

PUBLIC LANDS AND WORKS (AMENDMENT) BILL.

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

LIEUTENANT-GOVERNOR'S SPEECH.

PRESENTATION OF ADDRESS-IN-REPLY.

The PRESIDENT (the Hon. R. W. Garrett).—I have to announce that His Excellency the Governor has intimated that it will be convenient for the presentation of the Address-in-Reply to take place at Government House, where His Excellency will be pleased to receive the President and members of the Legislative Council on Wednesday next, 4th December, at 11 a.m. I request that as many honorable members as possible accompany me. Cars will be provided for the conveyance of honorable members and will leave Parliament House steps at 10.45 a.m.

LAW DEPARTMENT.

ST. ARNAUD COURT HOUSE: SEWERAGE CONNEXION.

The Hon. M. A. CLARKE (Northern Province) asked the Minister of Agriculture—

Will the Chief Secretary lay on the table of the Library the files relating to the proposed connexion of the sewerage system to the court house at St. Arnaud?

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

VICTORIAN PIPELINES COMMISSION.

PIPELINES FROM LONG ISLAND TO ALTONA AND GEELONG.

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

(*a*) Is the Minister and Government aware of the statement of the general manager of Esso-B.H.P's Industrial Natural Gas Sales Pty. Ltd. that his company intends to build a 50-mile pipeline beneath Port Phillip Bay to deliver natural gas from Long Island to Geelong by 1970; if so—(i) what application has been received by the Victorian Pipelines Commission for the construction of this pipeline and when was it received; and (ii) what is the proposed route overland and what are the points of entry into Port Phillip Bay?

(*b*) Is there proposed another pipeline by this or other companies to transmit crude oil from Long Island to refineries at Altona and Geelong; if so, what are the proposed routes and points of entry into Port Phillip Bay?

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

(*a*) I understand that the honorable member is referring to material contained in some answers to questions asked at a

convention held by the Urban Land Institute of Australia at Lorne on or about 15th November, 1968.

Unfortunately, the answers were badly misquoted in at least one of the daily newspapers. The manager of Esso-B.H.P.'s Industrial Natural Gas Sales Pty. Ltd. (Mr. J. K. Lewis) did not say that his company would build a pipeline across Port Phillip Bay to carry natural gas to Geelong from Long Island Point.

He did say, however, that if a line across the Bay were constructed he would expect the work to be carried out by the Victorian Pipelines Commission, but not necessarily from Long Island Point, since the matter was still under examination.

It was also expected that during the initial years of any natural gas supply to Geelong the gas would be transported across Melbourne through the Gas and Fuel Corporation's ring main system.

(*b*) I understand that oil companies are examining the possibilities of transporting crude oil across Port Phillip Bay, but the Minister for Fuel and Power has not yet received any application for such a line (or lines) and has no knowledge of any details of the proposal.

MINES DEPARTMENT.

MINING LEASES IN GELLIONDALE AREA.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Agriculture—

Have mining leases been taken out in the Gelliondale area; if so—(i) by whom and for what minerals; and (ii) is it proposed that such minerals be mined by the open-cut method?

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

No mining leases have been taken out in the Gelliondale area. Applications for mineral leases have been lodged with the Mines Department by International Oils Exploration N.L. to mine brown coal by open-cut methods.

EDUCATION DEPARTMENT.

SCHOOLS IN TIMBOON AREA.

The Hon. C. A. MITCHELL (Western Province) asked the Minister of Education—

What plans has the Department made for the schools in the Timboon area, bearing in mind land settlement and the state of toilets and staff rooms?

The Hon. L. H. S THOMPSON (Minister of Education).—The answer is—

The Public Works Department has been asked to furnish an urgent report on the adequacy of toilet facilities at Timboon High School and Timboon Consolidated School.

The erection of additions at Timboon High School is included in the Department's building programme, but the extent of these cannot be determined until the pattern which will undoubtedly develop from the establishment next year of a technical school at Cobden has been clarified.

The effect the growth taking place in the vicinity of Simpson will have on Timboon Consolidated School is at this stage difficult to gauge. Consideration will be given in March to the erection of a primary school at Simpson.

UNIVERSITY OF MELBOURNE.

AWARDS FOR POST-GRADUATE STUDIES.

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

(*a*) What are the total numbers of awards for post-graduate studies at the University of Melbourne for the years 1966, 1967 and 1968, for each category of award, scholarship or grant?

(*b*) Following the decision in 1967 to extend initial awards from nine months to full tenure—(i) from where did the extra finance come; and (ii) what effect did this decision have on the availability of funds this year or next year?

The Hon. L. H. S. THOMPSON (Minister of Education).—The answers are—

(*a*)

Year.	Endowed Scholarships.	University of Melbourne Grants and Scholarships.	Commonwealth Post-graduate Awards.	Totals.
1966 ..	55	244	138	437
1967 ..	55	298	178	531
1968 ..	55	198	214	467

(*b*) (i) The University General Fund.

(ii) None.

LAKES ENTRANCE.

SANDBAR PROBLEM.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Agriculture—

(*a*) What is the minimum depth of water over the bar at the entrance to Lakes Entrance?

(*b*) Is this depth regarded as being sufficient to provide a safety margin of clearance for boats using this port?

(*c*) What steps have been taken by the Government to make the entrance at Lakes Entrance safer for shipping?

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

(*a*) At present the minimum depth of the navigable channel at low water is 6 ft. 9 in.

(*b*) A greater depth is desirable. However some vessels, particularly oil rig service vessels, are not suitably designed for bar conditions and action is being taken in this matter.

(*c*) (i) An extensive model study of the entrance has been undertaken to ascertain the technical and economic feasibility of new training walls.

(ii) Training works have been constructed immediately inside the entrance, primarily to improve depths in that area. However, it was anticipated that by the improvement of hydraulic characteristics in the area, bar depths would be increased. Since completion of the works it has been found that improved low water depths—up to 10 feet —occur on the bar during the summer and autumn months corresponding to maximum periods of activity of the fishing fleet. Dredging inside the entrance for the same purpose as above has also been undertaken.

(iii) Experimental blasting and mechanical agitation of the bar has been undertaken.

(iv) Removal of some 500,000 cubic yards of sand from the seaward side of the bar has been completed using the new sea-going dredge *Matthew Flinders*, and this work will continue.

(v) Because the *Matthew Flinders* is intended for deep channel dredging, the economic feasibility of converting the shallow draught dredge *Pioneer* for ocean bar dredging is being studied and preliminary plans for this have been completed.

(vi) Pending a decision on (v) above the possibility of initial dredging by contract is presently under review.

WHEAT INDUSTRY STABILIZATION BILL.

The debate (adjourned from November 20) on the motion of the Hon. G. L. Chandler (Minister of Agriculture) for the second reading of this Bill was resumed.

The Hon. ARCHIBALD TODD (Melbourne West Province).—First, I deprecate the fact that this measure was introduced at a time when this Parliament is more or less forced to take action which it might otherwise not take. The Commonwealth Parliament which, in the main, is responsible for the contents of the measure, is now in recess, and therefore there is no avenue for discourse between this Parliament and the Federal Parliament on provisions contained in the Bill. In my view, the Commonwealth Government could have shown some activity at an earlier stage of the year and the question should have been resolved in time for the State Parliaments to express themselves freely and if necessary to exert some pressure to have their views on the Bill considered by the Federal Parliament. This spring sessional period is coming to a close, and this House is expected to consider this Bill, which deals with a vital part of the economic life of this country, and merely to rubber-stamp it, saying, "We have done our part". Members of the Labor Party are not prepared to accept this situation.

Another feature of the Bill is the remarkable fact that, when explaining it to the House, the Minister of Agriculture condemned it at the outset by reading correspondence which he had received from the Victorian Farmers' Union which stated unequivocally that that body was opposed to the provisions contained in one particular clause. The union laid the blame for the situation at the door of the Commonwealth and the appropriate Ministers in the Federal Cabinet. It is difficult for me to pinpoint which particular Ministers should shoulder the blame for any

criticism that the wheat growers of the State might utter. Perhaps Mr. Anthony should be blamed.

The Hon. K. S. GROSS.—You would not be far wrong.

The Hon. ARCHIBALD TODD.—I am not quite sure about that; I am inclined to think that Mr. Peter Nixon from Gippsland might have a finger in the pie. However, perhaps I am not justified in making that allegation.

The Hon. H. A. HEWSON.—Mr. McMahon may have been in it.

The Hon. ARCHIBALD TODD.—If any person was likely to interfere in this matter it could be Mr. McMahon because he has a history of interfering with many things, including cases appearing before the Commonwealth Conciliation and Arbitration Commission, and in all probability into matters relating to the orderly marketing of primary products. This Bill is about as popular as a rat under the house—nobody wants anything to do with it. Primary producers have been forced to agree with the wheat stabilization agreement because of their fear that they may face catastrophe in endeavouring to dispose of their wheat crops. Primary producers have agreed to this measure virtually with a gun at their heads—"You are not game to do anything about it. If you do, we will disown the lot, and the wheat grower will have to get on as best he can". That is not nice to contemplate. Over the years, the Labor Party has been the father of the wheat stabilization plan.

Sir PERCY BYRNES.—No, it was the foster father.

The Hon. ARCHIBALD TODD.—Foster father or father, the Labor Government initiated the wheat stabilization plan. In these days orderly marketing has spread in many directions. In Victoria, relations between the Government and the Egg and Egg Pulp Marketing Board are good, and co-operation with the Milk Board is excellent. Over the years, Parliament has had much to do with endeavours to ensure that the primary producer should receive a just reward for his work.

The Hon. SAMUEL MERRIFIELD.—You can cite the tobacco growers.

The Hon. ARCHIBALD TODD.—That is so. The Labor Party has approached measures such as this on the basis that a price should be fixed on the cost of production. The Milk Board arrives at the price of milk to the dairy farmer based on his cost of production. On this occasion the Federal Government has changed its opinion as to how wheat stabilization should be carried on over the next five years—whether it should continue along the lines of the scheme contained in the 1963 legislation or whether a radical departure from that Act should be made. The system has been radically altered because, instead of a single price being quoted, as in 1963, differential prices for home consumption and export have been fixed.

In the main, the wheat growing fraternity have bitterly opposed this radical alteration in the method by which they will obtain a return for their labours. The West Australian Parliament debated the agreement for some hours before the question was resolved, and only because of the pistol-at-the-head attitude of the Commonwealth Government. It is worth while to compare this Bill with the 1963 Act. Except for some alterations to words, the two measures differ to only a minor degree, with the exception, however, of two important aspects. It is now proposed that a member of the Australian Wheat Board, including the chairman, shall not be personally responsible for any act of the Board. This indemnity provision was not included in the 1963 legislation. The main difference between the 1963 Act and this Bill can be found by comparing section 19 of the Act with clause 20 of the Bill. Section 19 of the 1963 Act was short because it related to only one price. Clause 20

of this Bill contains eight sub-clauses. Therefore, while in 1963 the House was spared consideration of a number of matters, now honorable members are faced with the difficulty of knowing how to deal with the sub-clauses of clause 20. The other clauses are merely complementary to the 1963 legislation.

It is incomprehensible that the Government should introduce this measure, knowing the disaffection existing amongst the wheat growers of Australia and the criticism they have levelled at the wheat stabilization plan. The Commonwealth Government is destroying the basis on which a price has been calculated under the 1963 wheat stabilization plan. This price was based on production costs arrived at by the Bureau of Agricultural Economics. That plan is to be thrown into the scrap heap and instead a price is to be arrived at by negotiation between the appropriate Federal Minister and the industry. One knows which end of the stick the industry will get if its proposals do not suit the Federal Treasurer, who is the power behind the throne. After all, if any subsidy is to be granted, he will be the boy to find the money. One principle has been thrown overboard in favour of another which is not acceptable to the wheat growers.

The Commonwealth Government should have had due regard to the views of the wheat growers and endeavoured to arrive at some compromise that would be acceptable to them, instead of ramming this agreement down their necks. Almost every wheat organization in Australia has accepted this agreement under duress. No one wants to accept anything under duress, and my party does not like coercive legislation.

I do not propose to talk about the wheat industry in general. However, the sale of Australian wheat will face intensive competition from overseas. This country has had a good harvest, and last year, although the crop was affected by drought, it was estimated to be 400,000,000 bushels. This presents a disposal problem. From time to time, the Australian Wheat Board has been under fire from certain Australian organizations for selling wheat to countries which are not exactly *persona grata* with the Australian Government. Nevertheless, the Board should not be condemned for doing this. Wheat should be sold to hungry populations, irrespective of the political ideologies of their Governments. The Board will be subject to further criticism if it has to look for markets in countries whose political ideas do not follow the freedom-loving principles of the Australian people. Mr. Tripovich, who has a greater knowledge of the problems of the wheat grower than any other member of my party, will have something to say on this matter later. The motion before the House is—

That this Bill be now read a second time.

I move—

That all the words after "That" be omitted with the view of inserting in place thereof the words "the Bill be withdrawn and further negotiations made to provide for the following:—

(*a*) a one-price scheme for both domestic and export wheat which guarantees the price of $1.50 a bushel free on board ship, which will be adjusted according to measurements in basic costs of production;

(*b*) the guaranteed price will apply to export wheat up to a maximum of 200,000,000 bushels from the crop of any season over the duration of the stabilization period;

(*c*) at the commencement of each new stabilization plan a guaranteed price a year will be determined by negotiation between the Government and the industry taking into account the income position of farmers as revealed by the economic state of the wheat industry by the Bureau of Agricultural Economics."

The PRESIDENT (the Hon. R. W. Garrett).—Is there a seconder for the motion?

The Hon. J. W. GALBALLY (Melbourne North Province).—I second the motion, *pro forma.*

The PRESIDENT.—Honorable members will now be speaking to both the amendment and the motion.

The Hon. G. L. CHANDLER (Minister of Agriculture).—I think it would be disastrous for the wheat industry if the House were to adopt an amendment such as this. As I understand the position, the legislation proposed in this Bill has been passed by every other Parliament in Australia. The wheat is now flowing, and I believe that the old scheme has terminated.

The Hon. J. M. TRIPOVICH.—It terminates on the 30th November.

The Hon. G. L. CHANDLER.—If Victoria does not enter into this scheme, wheat stabilization will lapse entirely. The Australian Wheatgrowers' Federation and the Victorian Farmers' Union are not prepared to go so far as to wreck the whole scheme, but if that is the intention of the Labor Party, it is going the right way about it.

Long, complex and difficult negotiations have been carried out in connexion with this scheme, and I believe that, from the Commonwealth's point of view, I have not made negotiations any easier because I have been concerned to look after the interests of Victoria. The scheme has gone through all other Parliaments and, as much as we dislike it in its present form, the Government and those in the industry are not prepared to wreck it.

The Hon. I. R. CATHIE.—When were you first informed of the two-price scheme?

The Hon. G. L. CHANDLER.—I think the Government received its first intimation of that on about the 19th April of this year. There were discussions with the Commonwealth, and the Commonwealth Government was carrying on negotiations with the Australian Wheatgrowers' Federation. I indicated at the first conference that I did not acept the original scheme and that it would be a matter for Cabinet to determine. The Premier then indicated that until the Government was given the green light by the industry, he was not prepared to act.

The Hon. J. M. TRIPOVICH.—In other words, if the Victorian Farmers' Union had been adamant, you would not have introduced the legislation.

The Hon. SAMUEL MERRIFIELD.—You would have gummed up the whole agreement.

The Hon. G. L. CHANDLER.—It is all very well for the Opposition to make those comments, but the Victorian Farmers' Union indicated that it had withdrawn its objection to the proposed legislation.

The Hon. J. M. TRIPOVICH.—But the union had no alternative.

The Hon. G. L. CHANDLER.—Why not?

The Hon. J. M. TRIPOVICH.—If the Victorian Farmers' Union had been adamant this legislation would not have been proposed. You threw the responsibility onto the union.

The Hon. G. L. CHANDLER.—The matter concerned the industry as much as it concerned the Government, and the majority decision of members of the Australian Wheatgrowers' Federation was that the Commonwealth scheme should be accepted.

Sir PERCY BYRNES.—That is correct. Victoria and Western Australia were opposed to it.

The Hon. G. L. CHANDLER.—With respect, Western Australians did not show much fight. Their bristles were up, but they soon lowered them. This is demonstrated by the fact that the legislation was passed by the West Australian Parliament many weeks ago. I believe that the Victorian section of the industry had expected Western Australia to stand with it in carrying on the fight; but somebody from that State bailed out and the Victorian Farmers' Union was left to fight alone. However, the union eventually reached the position where it was not prepared to accept responsibility for wrecking the wheat stabilization scheme, and it withdrew its objection.

The Hon. J. M. TRIPOVICH.—The Victorian Farmers' Union was forced to do so.

The Hon. G. L. CHANDLER.—Yes, or wreck stabilization; and it was not prepared to do that. The Government is not prepared to do that and believes that if this House does so it will be doing a disservice to the industry throughout Australia. If the Labor Party wishes to play politics right to the end and wreck stabilization, it must bear the responsibility.

The Hon. J. M. TRIPOVICH.—The Labor Party objects to the short period afforded it to consider this matter. The old scheme terminates in just three days and the Government comes along and says "Accept this, or kill stabilization".

The Hon. G. L. CHANDLER.—I hope you are not blaming me for that.

The Hon. J. M. TRIPOVICH.—The Opposition blames the Government, and you are its Leader in this Chamber.

The Hon. G. L. CHANDLER.—The Government and the industry have been negotiating in respect of this matter for a long period. I think the industry would be the first to admit that I have kept in touch with it just as it has kept in touch with me throughout the negotiations.

The Hon. J. M. TRIPOVICH.—Did you not think you would get support from the Opposition if the Bill had been introduced and progress had been reported? Did you think we are not on your side and the growers' side?

The Hon. G. L. CHANDLER.—I think the honorable member is on my side if it suits him politically.

The Hon. J. M. TRIPOVICH.—I do not think that is a fair statement.

The PRESIDENT (the Hon. R. W. Garrett).—Order! The Minister of Agriculture should be permitted to put his viewpoint in his own way.

The Hon. G. L. CHANDLER.—This scheme was accepted by South Australia and Queensland and by the wheat industry in New South Wales. In New South Wales graziers opposed the attitude adopted by the wheat growers' organizations in that State and supported Victoria. The Victorian Farmers' Union and the New South Wales graziers' organization were the only two bodies to fight this to a finish. The Victorian organization, however, was not prepared to pursue the matter to the stage where wheat stabilization would be wrecked. I do not accept any criticism of the Opposition to the effect that I have played politics in this matter with the idea of strangling the Opposition's opportunity to consider the proposed legislation because of shortage of time.

The letter from the Victorian Farmers' Union which I read in my second-reading explanatory speech was dated 8th November. Upon receipt of that letter I took immediate action to have preparations made for the introduction of this measure. Although in some respects I do not like the new scheme, I believe it could have the effect of encouraging interstate trade, especially among those who are going to pay a home consumption price of $1.70 for poultry food, and so on, whilst wheat is being sold to Red China at approximately $1.40. As honorable members are aware, the poultry industry has been in a very difficult position.

I suppose it could be said of this scheme, "Is it right that the taxpayers of Australia should be loaded over the next five years with an amount of approximately $190,000,000 in subsidies when the one now under consideration in this Bill involves an amount of $68,000,000?" Some would say, "Why should the wheat industry receive a subsidy of $190,000,000 over five years when the last five-year scheme cost only $95,000,000 and the last harvest cost the Commonwealth $45,000,000"? That is the other side of it.

I believe that a better arrangement could have been arrived at. I think the scheme arose out of the "stand and deliver" attitude of the Commonwealth. Victoria and other States were confronted with

the position that the Commonwealth had been engaged in negotiations with the Australian Wheatgrowers' Federation and then called in the State Ministers and told them what had been decided. That is the type of negotiation one can expect from the Commonwealth and from people who believe in centralized government.

In view of events to this time, and the possibility that if this amendment is accepted wheat stabilization will fall apart, I am not prepared to accept it. The Opposition should bear in mind that, although this scheme is not all that it might be, the industry would rather have it than have nothing at all. If the Opposition wants to wreck stabilization, it is a matter for the House to decide, but I hope the amendment will not be adopted.

Sir PERCY BYRNES (North-Western Province).—I shall speak to both the motion and the amendment. I appreciate the attitude taken by the Minister of Agriculture during all the negotiations which led to the introduction of this Bill. The honorable gentleman acted according to his conscience and to his ideas, and not for political reasons. He believes in the adoption of marketing plans and would not like to see any that are in operation destroyed. Whatever he had done in his capacity as Minister of Agriculture has been in accordance with the wishes of what is now the Victorian Farmers' Union, previously the Victorian Wheat and Woolgrowers Association.

That is an industry organization. Members of the Labor Party would not vote to the detriment of any trade union because, to a large extent, their party exists to protect trade unions. In the same way, when dealing with measures such as this, honorable members should accept the views of the industry organization and put them into effect. That is the attitude taken by the Victorian Country Party.

The Bill has been thoroughly examined by honorable members and had been discussed at length in the newspapers and throughout the country. However, little consideration has been given to the provision which extends the life of the Wheat Board for two years beyond its present five-year period. The Board will now be in a position to make forward contracts which are so necessary in periods when there may be a carry over from one season to another.

The Hon. J. M. TRIPOVICH.—It can also negotiate three-year agreements.

Sir PERCY BYRNES.—That is so. The Country Party endorses that provision. Under the new arrangements, a home consumption price of $1.70 a bushel is fixed for wheat. It is expected that 60,000,000 bushels of wheat will be sold within Australia this year. A guaranteed price of $1.45 a bushel has been set for wheat sold for export, up to a total quantity of 200,000,000 bushels. Therefore, the price is fixed for 260,000,000 bushels. Those prices have been arrived at after taking into consideration certain costs and other matters which are clearly set out in the Bill. I emphasize that the home consumption price of $1.70 is not subsidized by the Commonwealth Government. That price will be paid by the consumer, whether he buys the wheat to grist it, to feed it to poultry or stock, or for any other purpose. The Commonwealth Government will subsidize the number of bushels stated, to a price of $1.45 a bushel, if the wheat is sold overseas at any lower price. It is estimated that the harvest this year will return approximately 435,000,000 bushels.

As the Minister of Agriculture and Mr. Todd have already said, the Bill represents a departure from the previous principle that the price should be fixed according to the cost of production. Two prices are set, and there will possibly be a third price, which will be the price that can be obtained on the world market.

The Hon. K. S. GROSS.—Within reason, according to the International Wheat Agreement.

Sir PERCY BYRNES.—Wheat that is not sold must be stored until it can be sold. Unsold wheat attracts interest and other charges which have to be paid from the price received for the wheat. I am advised that it is expected that the actual return to the grower will be about $1.28 a bushel. The price of $1.45 is for wheat delivered f.o.b. Previously, the price was fixed at f.o.r. in country areas. The wheat grower has been gypped all round. As Mr. McDonald indicates by interjection, there is a difference of 3.7 cents between the f.o.b. price and the f.o.r. price.

It seems possible that the whole harvest may be sold overseas; I do not think we should be too pessimistic about that. Much Australian wheat has been sold to countries about which we do not care much, such as Red China. To say "Red China" is to use dirty words, but the wheat grower does not run the foreign policy of Australia; he grows wheat to sell.

The Hon. K. S. GROSS.—Their money is all right.

Sir PERCY BYRNES.—That is so, within limits. If the Wheat Board is not to sell wheat to Red China, the Commonwealth Government should announce that to do so is against the foreign policy of the country, and should stop the sale.

The Hon. J. W. GALBALLY.—You would not be in favour of the Commonwealth Government saying that.

Sir PERCY BYRNES.—If the Commonwealth Government would take the wheat, and pay for it, it could give it to India or other countries or do whatever it liked with it. If that Government is not prepared to adopt that policy, the wheat should be sold wherever it can be sold. Today there are people in the world who are starving.

The Hon. J. W. GALBALLY.—Wherever a person lives, he suffers the pangs of hunger if he is not fed.

Sir PERCY BYRNES.—That is so, and that has applied to wheat growers in this country in the past. It would be far better all round if there were only one price for wheat. The wheat growers asked for a price of $1.50 a bushel to be fixed. The basic reason given for the refusal to fix that price was that it would cost the Commonwealth Government too much in subsidy. It was not necessarily the fault of Mr. Anthony, the Minister for Primary Production, who happens to be a member of the Country Party, that the present arrangements were made. I do not defend Mr. Anthony in any way; he is a Federal Minister and can look after himself. However, the blame for this arrangement should not be placed on his shoulders only; he is only one of a team.

If the members of the Liberal Party who are making detrimental statements about the Country Party in regard to the new scheme were sincere, they would have ensured that the Liberal Party majority in Cabinet took no notice of Mr. Anthony—if he proposed this scheme—and brought in a plan to suit the wheat growers. The scheme is the responsibility of the Federal Government, not merely of Mr. Anthony, who was a young Minister and who acted foolishly when he said that it was his plan. If anyone wants the political side of the history of wheat stabilization from when it first began, I could give it in words of one syllable which everyone could understand because I was involved in the plan at its inception. It has now been made a political football.

The Hon. D. G. ELLIOT.—By the Liberal Party.

Sir PERCY BYRNES.—That is so, but not only by the Liberal Party. It is a tragedy that this plan has been forced on wheat growers as it abandons the principles that were adopted a little over twenty years ago. The foundations of wheat stabilization have been undermined and trouble could be caused at any time by a hostile Government. I would not be sorry if the Bill were thrown back into the lap of the Commonwealth Government, but it is too late for that now as that Government holds the economic guns.

In future years the country will bitterly regret this new plan. It would have been better for an overall price of $1.50 to have been adopted, and for the wheat growers to lose some money rather than lose the principles on which their livelihood depends. Now that the cost of production is not to be taken into consideration, and the price is to be set as a result of negotiations, what that price will be is in the lap of the gods ; no one knows what will guide the negotiations. The abandonment of the principles which have worked well will greatly damage the wheat industry. Damage could also result in other industries working under stabilization schemes, such as the dried fruits industry and the dairying industry.

Subsidies have been paid for wheat in the past few years, but that was not the position at an earlier stage. Wheat was sold at a much higher price overseas, and the money placed into the pool by the wheat growers was more than sufficient to meet losses for a long time.

Wheat was sold at the international price, in this country, for many years. A price was agreed to and the wheat growers lost millions of dollars, but they thought it better to lose some money and build for the future. To protect the future of the industry, wheat growers, by accepting a price under the world price, displayed a statesmanlike attitude to the industry and to the stabilization scheme.

Thirty-five years ago, almost every wheat grower in Australia was insolvent. So were many other people. Men were walking all around the country looking for work. At the time, I employed three men who had walked from Queensland for a period of ten days, and they told me that was the longest period of work they had had for twelve months. In those depression days, everyone in the country was in trouble and that was when the stabilization scheme was begun.

I do not like the scheme, the Labor Party does not like the scheme—nobody likes it—but we all must face the facts. The scheme was founded and now it will be abandoned. Wheat marketing should not be a political football. As Mr. Todd said, the Labor Party Government introduced the original Wheat Stabilization Bill. At that time, the Government needed the vote of two independent members, Mr. Coles and Mr. Wilson—Mr. Coles was a millionaire and Mr. Wilson was a stoney-broke wheat grower like myself.

I was one of the younger members of the House, and I was given the job of conferring with all parties concerned in establishing a wheat stabilization scheme. The Labor Party introduced a scheme which would ensure a price of 4s. or 5s. a bushel to the wheat grower. The wheat growers were glad of the opportunity to accept the scheme. The Labor Party deserves credit for introducing the pilot scheme. I doubt whether any other Government would have acted in this way unless it required the votes of Mr. Coles and Mr. Wilson to continue in office.

The Hon. J. M. TRIPOVICH.—A lot of negotiation took place before the Bill was introduced.

Sir PERCY BYRNES.—I agree. It is entirely wrong that wheat marketing should become a political football. I have spoken with representatives of the wheat industry within my electorate, Mr. Meehan and Mr. Leech. In the early days, it was difficult to influence even the Country Party on the necessity for a wheat stabilization scheme because it was realized that such a scheme would cost the State a lot of money. The establishment of the scheme was a great departure from the principles of marketing which had been applied up to that time. It was difficult to get anybody to accept it but, as a young hard-working member of Parliament, I was given the job of discussing the scheme

with all those concerned with the industry. The Government did not want to be mixed up with it until its success was guaranteed.

I am a little upset about some of the recent publicity on this matter. A representative of the Labor Party, Mr. Hartley, has been travelling around the country and has been reported in Mildura and Horsham as saying that the economic welfare of wheat farmers in the Mildura and Millewa areas would not be protected by local Parliamentarians such as Sir Percy Byrnes, Mr. Mansell and Mr. Whiting, M.L.A., because those members had failed to support any legislation introduced by the Labor Party. When this statement was alleged to have been made, no Bill introduced by a member of the Labor Party had been discussed in this House, so that there was nothing to support.

At that time, I was conferring with the leaders of the Victorian Farmers' Union and I informed them that the Country Party would do what they desired. I reminded them that if it was the union's desire, the Bill could be defeated in this Chamber. I stressed that it was up to them to decide what they wanted. The union had written to the Minister, stating that, against the will of its members, it had decided to withdraw its opposition to the Bill because farmers had been suffering from a very serious drought and they could not get the Federal Treasurer to say how much he would pay as a first payment for wheat.

The Hon. G. L. CHANDLER.—If they had not taken a stand, they would not have received word from the Federal Treasurer.

Sir PERCY BYRNES.—Rumours were circulating that the Federal Treasurer intended to pay $1.10 in two payments. At that time, bank managers in my province informed me that the wheat growers could not carry on unless they received at least $1 as the first payment because they would be unable to meet their liabilities. Many areas north of Swan Hill are suffering from their third successive drought. Because it was necessary for survival that the growers should receive a first payment of $1.10 for wheat supplied to the Wheat Board, the Victorian Farmers' Union withdrew its opposition to the Bill. The total payment is expected to amount to about $1.28. From this amount must be deducted production costs, transport costs and interest on the pools.

I have a copy of the annual report of the Australian Wheat Board, which is available for any honorable member to examine. The amount of interest paid and other statistics are set out in the report—nothing is hidden from the public. Having withdrawn its opposition to the scheme, the Victorian Farmers' Union considered that it was desirable, because the wheat is now being harvested, for this measure to be passed without delay. Another important factor is that the Federal Parliament is no longer in session and if this Bill is not passed, payments cannot be made for wheat delivered to the Wheat Board because the Board will have no money from which to make the payments. Usually, such payments are made towards the end of January.

On behalf of the Country Party. I agree to the passage of the Bill. I do so with the greatest regret because I have had a life-long experience as a director of a co-operative company engaged in marketing and, having studied the problem for many years, I know what I am talking about on such matters. I know the difficulties under the stabilization scheme, but I say categorically that we should not give up the fight to have the former scheme brought back into operation, even if it is necessary for the grower to receive a smaller return for his wheat.

I strongly object to statements that have been made on this matter by Mr. Hartley. The Federal Country Party has not stood out as strongly as it might have, and I do not exonerate it from some blame. The

only protection that the wheat farmers and other country people have is to have Country Party members representing them in the Federal and State Parliaments because they are the only persons who care about them.

The Hon. MURRAY BYRNE.—What about members of the Liberal Party?

Sir PERCY BYRNES.—I am stunned by that interjection. The only member of the Liberal Party who really understands marketing and the problems facing the farming community is the present Minister of Agriculture, who stands head and shoulders above the other Ministers of Agriculture throughout Australia. This is because, fundamentally, he is a man who likes to see things running properly. The farming community and people living in country towns will not destroy the Country Party because of some superficial criticism that is offered over the proposed wheat stabilization scheme. It has come as a shock to wheat growers because they do not know what will happen to their own plans. They know that if they destroy the Country Party, they will destroy their last bastion of defence in the Parliaments of Australia. If the Liberal Party ever gains an impregnable position, it will not be interested in anyone except city and big business interests. I speak from a life-long experience in politics.

I regret that I cannot support the amendment moved by Mr. Todd. It is too late, and it would have the effect of putting the farmer in a position where it would be impossible for him to carry on financially. Various other organizations connected with the wheat industry do not like the scheme, but they think it is the best that can be done under the circumstances, although they hope that something better will be established in the future. If members of the Liberal Party who say they represent the wheat industry and who have the ear of the Federal Government are genuine, they should work harder than anybody else to rectify the damage that has been done by that Government. The onus is on the Liberal Party of this State and not on the Country Party. The point of view of the Victorian Liberal Party on this matter is probably quite sound, and the Premier has led us to believe that he would not introduce a Bill until the wheat growers had agreed to it.

The Hon. ARCHIBALD TODD.—He was passing the buck.

Sir PERCY BYRNES.—No, he said that he would not introduce the Bill just to have it thrown out. Once the wheat growers agreed, he knew that the measure would be passed by Parliament. He certainly knew that it had been accepted by the various industry organizations before it was introduced. I think the Leader of the House has adopted the same attitude, and I congratulate him because it is the correct point of view. Members of the Country Party cannot support Mr. Todd's amendment. We accept the plan contained in the Bill with the greatest regret and only because of the economic circumstances facing the wheat industry.

The Hon. K. S. GROSS (Western Province).—I want to make my own position on this Bill perfectly clear. With previous speakers I regret the need for this Bill to be passed in its present form today or at any time in the history of the wheat industry. It has been said that a gun has been pointed at the heads of the wheat growers—I think it is a double-barrelled gun with both barrels loaded and both triggers cocked. The Bill will represent the end of wheat stabilization when the plan contained in it terminates. That is the danger I see.

The Hon. C. A. MITCHELL.—There will be no coalition Government if that happens.

The Hon. K. S. GROSS.—There may be no coalition Government by that time because there will be a Federal election before then. The basic concept of a stabilization scheme was introduced by a Federal Labor Government.

Sir PERCY BYRNES.—If the Liberal Party gets full control in the Federal sphere there will be no stabilization at all; that is what you are saying.

The Hon. K. S. GROSS.—I did not say that. I am saying that under the proposed scheme the wheat growers will lose the cost of production basis which was the basis of the previous scheme. There will be a two-price scheme. Mr. Elliot is probably waiting for me to say that I do not like this proposal, and I do not. The next time this scheme is reviewed will the price be $1.70 a bushel for home consumption and $1.47 a bushel for export for a guaranteed 200,000,000 bushels, or will it be a price far below what is proposed now? It must be remembered that the so-called negotiations between the Federal Government and the wheat industry were proceeding quite amicably until suddenly this scheme was thrust before the growers and they were told to accept it or go without. The same situation could arise at the termination of the proposed scheme. What will the wheat growers be told then? Because the cost of production basis under the old scheme has disappeared, I fear for the future. It is all very well to say that some people have suggested that this scheme is a means of controlling production, but I disagree. There are two ways in which production can be controlled. One is by Nature, and in the past she has adequately controlled production, sometimes to our economic discomfort. The other way, and this stands out quite vividly, is when other primary industries in Australia are going through a fairly lean time. The wool industry is an example. If wheat acreage figures taken from a publication issued by the Bureau of Agricultural Economics in June, 1968, are examined it will be found that when there has been a depressed wool market in one year the wheat acreage has increased in the next year.

The Hon. S. R. MCDONALD.—And after a drought.

The Hon. K. S. GROSS.—That is so. Victorian wheat growers have just experienced a drought, and it affected me as much as anybody else in the community. Wheat acreages in Victoria this year in general have increased by 10 per cent. or 15 per cent. This includes the increase in acreage by the regular wheat grower, and it is only fair that he should increase his acreage. He suffered considerable losses in the previous year and is attempting to recoup some of those losses. There is also a natural increase of acreage, but it is small. However, when the price of wool drops, wheat acreage increases because the grazier who has lost a considerable proportion of his income as the result of the low wool prices wants a cash crop to recoup some of those losses. The best cash crop for him is wheat because there is a good guaranteed price. If some of the big graziers did not grow wheat, the scream about over-production would diminish. About three years ago some graziers did not know what a grain of wheat looked like, and I know of one property that has 23,000 acres under wheat this season. If there is an average yield of 18 bushels an acre, that property will produce a ship load of wheat on its own.

The Hon. J. M. TRIPOVICH.—That could be done on a short fallow.

The Hon. K. S. GROSS.—That is so. In some of the marginal areas of Queensland and New South Wales, some high ranking people in the wool industry who have never before been interested in wheat are growing wheat this season.

I believe the Federal Government has fallen down in its responsibilities to primary industries in their present plight. It is all very well to single out the wheat industry and say that something has to be done about over-production. In the past the Federal Government has done nothing to stop the drift from wool to wheat. It is all very well to say that the Australian Wool Board and

the Australian Wool Industry Conference have been established, but neither organization has achieved anything for the grazing industry. I make that unequivocal statement. They are causing a crisis in the wheat industry at the present time.

Sir Percy Byrnes said that the estimated wheat production for Australia this season was 430,000,000 bushels. Representatives of the Wheat Board and other people have said that it will not be possible to sell all this wheat and that there will be a large surplus. In the past, by some means or other, all the wheat has been sold and I suggest that it will again be sold this year. The price may have to be dropped a cent or two to achieve this.

Sir PERCY BYRNES.—It may be necessary to store some of the wheat.

The Hon. K. S. GROSS.—That may be so, and it may have to be stored for twelve months. However, it will be sold. I believe there is ample opportunity and scope to get out and trade in the world. It is all very well for the Australian Wheat Board or any primary production organization to say that there are many regular markets and that everything is going along well, but regular markets can vary considerably and can even disappear over night. The Wheat Board ought to be alive to the situation and should be out chasing every possible sale.

Under the scheme proposed in the Bill there will be two prices for wheat. From 1942 to 1945 a two-price scheme, which was introduced as a war-time measure, was in operation.

The Hon. J. M. TRIPOVICH.—There was quota wheat and non-quota wheat.

The Hon. K. S. GROSS.—That is so. The price was 40 cents for the first 3,000 bushels and 20 cents for the excess.

The Hon. J. M. TRIPOVICH.—In some cases the non-quota wheat brought more than the quota wheat.

The Hon. K. S. GROSS.—Eventually, yes. In those days there was a home consumption price which was better than the proposed price of $1.70 a bushel. I can see many dangers in the proposed scheme, particularly for the primary industries that are dependent on wheat as stock feed, such as the poultry industry and the pig industry. This new scheme can only force prices up unduly and this will be bad for the Australian economy, because we will be trying to export pig meats and poultry produce overseas at fictitious prices brought about as a result of the high home consumption price for wheat. If it is good enough to sell wheat to Red China at $1.40 a bushel, it is good enough to sell it in Australia at the same price. The Victorian Farmers' Union and the Wheat Growers' Federation suggested an all-round price of $1.50 a bushel so that everybody would be happy, but the Federal Government said that such a scheme would cost a few million dollars and therefore could not be implemented. If other countries can operate such schemes, why cannot we do so? One point that has been conveniently forgotten is that the wheatgrowers in Australia, on average—and this is taken from the figures of 1966-67—pay in Commonwealth income tax alone a total sum of $171,000,000, which is not a bad contribution. Apart from that, freights paid to the various State Governments and the Commonwealth Government total another $76,000,000. A Government should assist a primary industry that has been a leading export earner, and will continue to be one, for countless years.

The Hon. SAMUEL MERRIFIELD.—Are you opposing the Bill?

The Hon. K. S. GROSS.—I stated earlier that I do not like the Bill, or the plan that it envisages. The wheat industry has had a double-barrelled gun pointed at it. It must accept the plan or go without. If wheat farmers do not accept the plan they will go broke, and so will a lot of other people.

It would be catastrophic if no money was coming from the wheat industry at present and, as is expected, during the next two months.

I now advert to the first payment of $1.10. As Sir Percy Byrnes has said, the attitude of the Victorian Farmers' Union and the Victorian Government on this Bill was instrumental in the first advance payment of $1.10 being obtained for the coming season. It is all very well for Mr. Anthony, the Federal Minister for Primary Industry, to say, " You have got it this year, but if there is overproduction you might not get it next year ". This is the Anthony plan, and we must not forget that. If it had been a good plan, it would be proclaimed by all and sundry. There is Ministerial responsibility in this, and I will leave it there.

Honorable members are interjecting but I disregard their comments. A plan has been proposed by a responsible Minister on the advice of his Department.

The Hon. M. A. CLARKE.—And approved by Cabinet.

The Hon. K. S. GROSS.—That is so, but Cabinet would not dare to go against the Minister's advice. It would accept his proposal. It is the Anthony two-price plan and, whether we like it or not, we are stuck with it. I believe a case can be presented to the Federal Government for greater assistance to the wheat industry than is being proposed at present. Admittedly, subsidies are paid, but in other countries they are on a much larger scale. There is also the tariff protection that is provided to secondary industries in Australia. The policy of the Federal Government has led the wheat industry and other primary industries into the present situation. For example, why should wheatgrowers have to pay hundreds of dollars more for farm machinery in Australia than their counterparts pay in other countries?

The Hon. W. V. HOUGHTON.—That is the McEwen plan.

The Hon. K. S. GROSS.—I must agree with Mr. Houghton, but if the honorable member wishes to make a political football of this proposal I point out that the Federal Departments of Trade and Industry and of Primary Industry have been controlled by Country Party Ministers for a great number of years. They have fallen down on the job and have probably given a lot of wrong advice. The regular wheat growers in Australia are already committed to next year's wheat acreage. I stress the phrase " regular wheat growers " and indicate that I am not referring to the " fly-by-night " growers who are in it to get a quick dollar.

The Hon. D. G. ELLIOT.—They are entitled to do it.

The Hon. K. S. GROSS.—That is so, but the regular man is committed to his 200, 300 or 1,000 acres, whatever the case may be. If next year Nature again smiles benevolently and we are faced with another gun at our heads from the Federal Government, which may say that the wheat grower is not going to get a first advance of $1.10, there will be nothing short of financial chaos in this country.

Sir PERCY BYRNES.—The price of wool may rise.

The Hon. K. S. GROSS.—That is so, but it may not have the effect next year that we would hope. I like the terms of the amendment that has been moved by Mr. Todd, but at this late stage, with my colleagues in the wheat industry, I feel that honorable members of my party should not support it. This Bill has to be passed, otherwise I would not care to be held responsible for the dire consequences that could arise. I repeat that I do not like the Bill or the two-price scheme, and I shudder to think what the next scheme will hold in store for the wheat industry.

The Hon. I. R. CATHIE (South-Eastern Province).—Sir Percy Byrnes stated that the Country Party would support this measure, as did Mr. Gross, who represents the interest of wheat growers in the Liberal Party.

Sir Percy went on to say that we must not give up the fight, but it seems to me that, if they vote for this measure, both the Liberal Party and the Country Party have in fact given up the fight. It is not our desire to turn the issue into a political football, and I notice that the two previous speakers used that expression. This situation is not of the Labor Party's making. It is not our responsibility or our timing that honorable members in this Parliament are given only three days in which to consider such a vital measure as wheat stabilization, which concerns the whole economy of the Commonwealth of Australia. Members of the Labor Party in both the Commonwealth Parliament and the Victorian Parliament have adopted a consistent attitude on this issue. I understand from interjections that were made during my introductory remarks that the Labor Party is being accused of submitting an amendment to wreck the wheat stabilization scheme, but would any wheat farmer, not only in this State but in the Commonwealth, ever believe that the Labor Party would wreck a scheme which it had introduced, which it had continued, and which was founded on basic principles that have existed for nearly twenty years?

A hint was given by Mr. Gross when he admitted that the scheme is wrecked anyway—those were his words—and that in agreeing to this scheme we are in fact ending wheat stabilization as such. I have no doubt that the view held by Mr. Gross is held by the wheat farmers in this State.

The Hon. A. J. HUNT.—I bet that you cannot find one wheat grower in the South-Eastern Province to agree with your remarks.

The Hon. I. R. CATHIE.—Mr. Hunt displays a gross ignorance of the role of members of Parliament if he takes the view that the Bill is simply to be considered in the light of what will happen to wheat farmers in a particular electorate. In any case, the Bill affects all consumers. Sir Percy Byrnes has made the excuse that the Country Party cannot support the Opposition's amendment and cannot oppose the scheme, which he said was thoroughly bad, because the Federal Parliament had adjourned. Are we to believe that the Country Party-Liberal Party coalition Government at Canberra is so devoid of principles and experience that Parliament could not be called together if such a position arose? Are honorable members to accept the point of view that we simply have to accept the monstrous bluff that is being perpetrated on the whole of the people of Australia, and in particular the wheat growers of this State and nation? We reject that attitude, and for that reason I support the amendment moved by my colleague, Mr. Todd. The Labor Party is opposed to what is a radical and a retrogressive departure from the accepted scheme of wheat stabilization.

Clause 20 of the Bill provides for a two-price scheme and a higher home consumption price for wheat. The Labor Party is the only party that has been prepared to stick by the wheat farmers and basic price stability. The Bill now under discussion is complementary to Commonwealth legislation. The Country Party and the Liberal Party have joined together to wreck the whole basis of Labor's wheat stabilization programme and to destroy the security and prosperity that has been enjoyed by the wheat farmer ever since the Chifley Government introduced the original wheat stabilization scheme. Members of the Labor Party are proud of the fact that it was a Victorian Minister of Agriculture, one of our former colleagues, the Hon. Reg. Pollard, who introduced the original scheme, which is being amended by the proposal contained in clause 20 of the Bill.

I further support Mr. Todd's amendment because the Opposition objects to the blatant standover and blackmail tactics that have been employed by the Federal Minister, Mr. Anthony, to force this measure through the State Parliament.

This is not only my view or that of the Opposition, but the view of responsible leaders in the communities in which wheat growers are located. When the Minister for Primary Industry, Mr. Anthony, announced the first advance of $1.10—all honorable members know that this advance had been made for eleven years—he said that the Wheat Board had been instructed to withhold payments until the legislative position became clear. In other words, the Country Party Minister, under the Anthony plan, was threatening to withhold payments which were urgently needed by the wheat farmers because of the difficult period of drought that they had experienced. He was prepared to withhold these payments to bludgeon the State Parliaments into passing the legislation. I am quoting this information from the *Wimmera Mail-Times* of 6th November, 1968.

The Hon. K. S. GROSS.—That is a good newspaper.

The Hon. I. R. CATHIE.—I am glad that Mr. Gross endorses my remarks and regards the editor of the paper as a highly responsible person in the community. The editor stated—

> The use of a big stick, then, to beat growers into submission is more than political dishonesty. It is blackmail. And Australians have always found this repugnant.

Members of the Labor Party find the method and procedure that the Leader of the House has asked us to support completely repugnant, not only to the dignity of this Parliament and to the sovereign rights of State Parliaments, but to us as representatives of the Australian Labor Party.

The Hon. L. H. S. THOMPSON.—Do you support State Parliaments?

The Hon. I. R. CATHIE.—While I am a member of this House, I shall continue to support the rights and privileges of the State Parliaments. A responsible member of the Country Party told a meeting of wheat growers at Warracknabeal that the Federal Government destroyed wheat stabilization when it took out consideration of the cost of production. I remind honorable members that these words were uttered not by a member of the Labor Party or the Liberal Party but by a highly-responsible member of the Country Party, who, I assume, is a wheat farmer. He stated—

> The Federal Government destroyed wheat stabilization when it took the cost of production out. They not only destroyed stabilization but they went a long way towards destroying the Country Party.

The Hon. A. K. BRADBURY.—Who said that?

The Hon. I. R. CATHIE.—The Country Party forgets the people whom it has pledged to support.

The Hon. M. A. CLARKE (Northern Province).—I rise to a point of order. Mr. Cathie used a quotation but he did not give the source of the quotation. The House is entitled to have that information.

The PRESIDENT (the Hon. R. W. Garrett).—I uphold the point of order. If Mr. Cathie quotes the words of some person, he should supply the name of that person.

The Hon. I. R. CATHIE (South-Eastern Province).—I was quoting from an editorial in the *Wimmera Mail-Times*, Mr. President. I presume the article was written by the editor but the name of the author of the statement which I have quoted is not stated. He is simply referred to as a responsible member of the Country Party. I can only assume that the editor of the *Wimmera Mail-Times* knows who that person is.

The PRESIDENT.—I consider the statement to be somewhat misleading. It should not have been used by Mr. Cathie if the name of the author was not supplied.

The Hon. I. R. CATHIE.—I supplied the date of the newspaper, Mr. President. It is clear that this scheme deliberately seeks to undermine the whole basis of wheat subsidy and farm support programmes. What is the essence of the plan that is now being presented to Parliament? It means that the Federal Government will, in fact, pay less to the farmers and the

wheat growers of the State. It also means a higher home consumption price which, in turn, can mean a number of things. It is, in effect, an indirect tax upon the consumers of the Victorian community. The new plan will inevitably lead to higher prices, and the Leader of the House has agreed with this assertion. It means that the worker, whether in the metropolis, a provincial city, a town, or the country, will have to pay higher prices for bread. It could well mean during the five-year period that the price of a 2-lb. loaf of bread could increase by 2 cents.

The proposed stabilization plan also means higher prices for flour, eggs, milk and breakfast foods, and therefore, it means a lower standard of living for pensioners, large families, and particularly widows who may have three, four, five or six children. It means a lower standard of living for the low-income earners who are dependent on bread as the main ingredient in their basic diet. The plan could also have serious repercussions among other primary producers who need wheat as stock foods, whether for pigs or poultry. It is clear that the adoption of this scheme will mean that the low-income earner and the average wage earner in the community will have to carry the subsidy burden which was previously carried by the Commonwealth Government and which previously was carried in the fairest possible way, namely, by means of direct taxation upon those in the community who are able to pay it. Under the proposed plan, an indirect tax will be levied on those who are unable to pay it. It will mean an inflationary spiral and hardship for many people in the community.

I believe that towns and country areas are interdependent upon one another. Hundreds of employers and employees in country towns and cities derive their incomes from the wheat-growing returns. Last year, the wheat industry planted 20,000,000 acres and produced 466,000,000 bushels of wheat. If the plan undermines the stability of the wheat industry, which is so important to the whole of the Australian economy, and if we support the economic and agricultural policies of the Liberal Party and Country Party coalition at Canberra, the hard-won prosperity of the past will be placed in jeopardy; in fact, it has already been placed in jeopardy. I include in my comments not only persons who live in the cities but people in country towns and rural districts.

Of the total wheat production, some 60,000,000 bushels were supplied to Australia's 12,000,000 people and the balance was available for export, earning for the Australian community about $394,000,000 that was urgently required to pay for essential imports and badly needed to offset our rapidly deteriorating balance of payments. Hence, any injury to the wheat industry means an injury to Australia and to every Australian citizen.

The 20-year-old one-price scheme, which my party has always supported whenever discussions concerning the wheat industry have taken place, whether in this Parliament or in the Federal Parliament, was established by a Labor Government on certain fundamental principles. The plan guaranteed a cost of production. It made sure that the price would be reviewable annually and was based on a price index of 6s. 3d. a bushel for 1947-48. The plan further established that growers were to contribute to a stabilization fund when export prices exceeded the home consumption price. This fund was to be used when export prices fell below home production prices.

The history of this scheme is very important. Some time—possibly, late in March—as the Minister of Agriculture stated, the Federal Minister for Primary Industry, Mr. Anthony, made available primarily to the State Ministers and to the representatives of the Australian Wheatgrowers' Federation the new proposals which are embodied in the Bill which is now being debated in

this Parliament. I wonder why the plan was kept secret and confidential until the official announcement concerning it was made some months later in August of this year? Who is responsible for this secrecy? Who is responsible for the ultimatum delivered to the wheat growers and to the State Parliaments? Why were the Australian wheat growers denied full knowledge of what their elected Country Party and Liberal Party representatives in Parliament were in fact preparing for the wheat industry? It was not until October that the Australian wheat growers were able to meet and discuss the proposals. It is clear that the time was deliberately manipulated to ensure the speediest possible passage of this legislation.

Obviously, amongst the wheat growers, there is resentment against the tactics being employed by Mr. Anthony and Mr. McMahon. It is equally clear that the farmers knew what they wanted when the Labor Party Government brought down the original stabilization plan. They wanted a one-price scheme such as the scheme that had been operating for the previous twenty years. There should be no doubt about this. I propose to quote from the *Victorian Farmer* of Wednesday, 9th October of this year. Under the heading "One-price Wheat Plan should be Supported", there appeared these comments—

> A "one-price" wheat stabilization proposal is the only equitable proposition at this time and must be supported by all clear-thinking and responsible Parliamentarians.
>
> This statement was made at the weekend by the Victorian Farmers' Union Grains Division President, Mr. P. J. Meehan, following a meeting of the Provisional Grains Division of the Victorian Farmers' Union.

Mr. Meehan went on to say even more significantly—

> . . . it is inconceivable that any Government—Commonwealth or State—

he did not except the State Government—

> could legislate for a higher home consumption price for wheat against the best interests of the consumers and growers alike.

This is the opinion of the wheat growers and of the wheat industry, and therefore the Labor Party has moved its amendment. In doing so, it has acted consistently with the attitude that it has displayed throughout the whole of this dispute. It is not because of our timing, nor our wish or our planning, under the Anthony or McMahon plan, or whatever name one chooses to give it, that the economic future of the rural community is being threatened as a result of the attitude displayed at Canberra. What Mr. Meehan said is basically and simply what the amendment states. I suppose the difference is that members of our party are prepared to stand up and fight for these demands because we believe the State Government is in a panic. I agree with Mr. Gross that this new plan will abolish stabilization because it abolishes any attempt at fixing the cost of production—in other words the price factor—which in the past has been protected. This cost of production will no longer appear.

The home consumption price for the 1968-69 season of $1.70 per bushel free on rail at ports will cover, as I said previously, something like 60,000,000 bushels. This price shows a rise of .6 cents on the previous figure of $1.64 for the last year of the old scheme. Similarly, the increase in the cost of production from 66.6 cents per bushel in 1948-49 to $1.64 cents in 1967-68 is a true measure of the progress of inflation that has been allowed to occur as a result of nineteen years of the Country Party-Liberal Party coalition Government.

The Hon. H. M. HAMILTON.—Some degree of inflation is necessary for full employment. Don't you believe in full employment?

The Hon. I. R. CATHIE.—I do, and I also believe in wage justice. It is no wonder that one Country Party Federal member referred to his colleague as a messenger boy for the Cabinet. I cannot enter into that dispute; I do not know who is telling the truth. If Mr. Turnbull is correct

and he is a messenger boy, he is co-operating with the Federal Treasurer and with the Liberal Party in foisting further schemes of indirect taxes upon the Australian people. It seems strange that many growers in marginal wheat areas, or many growers with small holdings, or growers who are developing their farms and have taken considerable financial risks in doing so, and who have battled and worked hard for years, will now find that their position will be undermined by the philosophical outlook of the Federal Treasurer.

I am not altogether clear as to the full import of the alteration in the cost of production calculation. We have been informed that it is to be reduced to at least 83 per cent. of the cost finding, but how is this to be calculated? No doubt it could be determined by a 17 per cent. reduction in the total of the eighteen items which are listed in the cost index; or equally—I think this is more likely—it could be determined by the elimination of certain items that are currently appearing in the cost index. For instance, it might eliminate interest on farmers' equity. Of course, members of our party disagree with this action; we believe such matters should be included, and rightly so, in any attempt to arrive at an accurate cost of production figure.

Indeed, in a report to the Minister for Commerce and Agriculture in the Federal Parliament in December, 1957, the committee of inquiry into wheat costs of production, under the heading "Interest on Capital" reported—

> The question of whether interest is to be allowed on the capital invested in farming operations when arriving at the cost of producing wheat is a very vexed one. After serious consideration the committee has arrived at the conclusion that capital interest should be allowed.

The 1967-68 assessment found that the cost of production was $1.64 but that the interest on farm capital items was 63.05 cents. No doubt the Tariff Board decisions have taken account of the industry capital investments. Members of our party believe such factors should be included, not excluded, as apparently is the case in this plan.

In conclusion, it must be remembered that the cost of growing wheat has certainly skyrocketed since the defeat of the Chifley Government's referendum on prices in 1948. Since 1949, the Liberal-Country Party coalition Government has shielded inefficient and secondary industries behind a tariff wall. Already, the dairying industry has lost its cost of production system. Yet, secondary industry takeovers, mergers and excess profiteering continue unabated while wage rises are attacked by the Government before the Arbitration Commission.

I support the amendment because the Labor Party has always stood and will continue to stand and to fight for stability and fair marketing of primary produce. We desire a fair and decent scheme for the wheat growers, the people of Australia, the farmer, the consumer, the primary producer and the wage earner. The present situation is not of our making, and we refuse to accept any responsibility for it. We have been consistent in our attitude. We have a clear duty to protect the scheme which was originated by a Labor Government; we have a clear duty to protect the wheat farmer, the stability and cost of production factors in determining what price shall be returned to the primary producer. Further, we have often been informed that this is a sovereign Parliament. I shall not be surprised if we are informed by the Government that this is not a sovereign Parliament and that we have not the right to say what we desire to do in the best interests of the Victorian wheat grower. I should certainly reject that contention. I believe members of the Country Party and their Liberal Party colleagues have joined together in what is a

great conspiracy to defraud the wheat farmer, and for those reasons I support the amendment moved by Mr. Todd.

The Hon. C. A. MITCHELL (Western Province).—At the outset, I point out that I was a wheat grower, and I represent a wheat-growing district. In earlier years, I lived in the Mallee ; I was with Sir Percy Byrnes, and I suppose Sir Percy and I would be the only two members in this Chamber who worked for the first stabilization plan that was introduced. I was then only a young man. I recall the depression years because I was kept home from school as the result of the effects of the old open market system which operated previously. The abolition of the existing stabilization plan is one of the biggest blows that I have received in my life. When one works for something over a long period, it is a severe blow to a true Country Party member to see it taken away, and I am a true Country Party member. If I were in the same position as my Federal colleagues, I should withdraw from the coalition Government immediately on this issue. I believe that my colleagues should have acted in this manner, and it would then have become evident who was to blame for the existing state of affairs.

Members of the Country Party throughout Victoria are conscious of the situation. A better deal must be obtained for the wheat growers if the Country Party is to maintain its present strength. One of the worst blows to members of the Country Party was the fact that Australia did not devalue its currency ; this had an adverse effect on primary industries throughout the country. I believe we are all aware of the person responsible for this situation, and I need not mention names. Unless some straight thinking is done, a lot of trouble will be encountered in relation to all primary industries. At present a meeting of the Wool Industry Conference is being held in this city. The people who are growing wheat under a statutory authority have been opposing a statutory authority for the wool industry. This has been one factor that has been holding back the wool industry. While this situation continues, as I am afraid it will, I do not see much hope of putting the wool industry on a proper footing, and I believe primary producers are in for difficult times.

It is a blow to me to have to support this Bill because members of the Country Party do not desire to do so. I should prefer to support the amendment if it would achieve anything worth while, but I believe its acceptance would create a further crisis. All we can do is support this measure and then continue to fight. I realize that this is a step backwards, but sometimes one has to step backwards in order to move forward. Wheat growers have received a shock, but I believe they will come out in force again and fight for their rights, and they will have my support.

The Hon. A. R. MANSELL (North-Western Province).—I support the Bill for one reason only—because the wheat growers of Victoria desire members of the Country Party to do so. I realize what wheat growers are suffering and how hard they are working. I commend the leaders for the manner in which they have fought and struggled and have given up their time in approaching the Federal Government and departmental officers in an endeavour to get this stabilization scheme through. I wholeheartedly support the sentiments expressed by Sir Percy Byrnes. I can see great danger ahead for the wheat growers. I have no doubt that it will not be long before the cost of production is not taken into consideration. One has only to visit the wholesale market to see what happens in relation to the sale of farm produce. The grower gets practically nothing in return for his goods so far

as the cost of production is concerned; everyone seems to be getting a cut but the man who produces the goods.

Under the existing scheme a grower will not receive his cost of production, so I support Sir Percy Byrnes in the contention which he has voiced on behalf of the Country Party. We are supporting the Bill because we have to do so. We are in close contact with the leaders of the industry in the State, and they have asked us to allow the Bill to go through. They are negotiating with the State and Federal Governments for an opportunity of expressing their views. Members of our party support the Bill.

The Hon. S. R. McDONALD (Northern Province).—In supporting what my Leader, Sir Percy Byrnes, has said, I believe members of the Country Party have no option but to vote for the Bill. If the legislation is not passed at this late stage, as other honorable members have pointed out, chaos will occur. There would be a quick return to the position the wheat industry was in 25 years ago when wheat was sold through agents on the open market. I do not think any wheat grower or anyone interested in the industry would want that. If the amendment sponsored by the Labor Party had been available or discussed two or three months ago, my colleagues and I might have adopted a different attitude.

I wish to deal with two or three points that have not been canvassed during the debate. The first concerns the contributions which the wheat growers have made to the economy of Australia during the early years of the stabilization plan. The price per bushel received by the growers under stabilization in the year 1948-49 was $1.12.83. If wheat stabilization had not then existed wheat would have been sold at the world price of $1.38.92 a bushel. These statistics are taken from an article by Mr. D. H. McKay, Director of the Bureau of Agricultural Economics, which appeared in the *Australian Journal of Agricultural Economics*, volume 9, No. 1, at page 40. The figures I have quoted mean that if wheat had been sold on the open market in 1948-49 the growers would have received $50,000,000 more in that year than they did. If this amount is adjusted to present monetary values it would be $112,000,000 for the year. In the following year, 1949-50, the growers would have received a total of $129,000,000 more if wheat stabilization had not applied, and in 1950-51 the amount would have been $126,000,000.

In the year 1954-55, for the first time, the growers received $10,000,000 more under stabilization than they would have received on the open market. Over the period between the years 1948-49 and 1965-66 the wheat growers lost $316,000,000 under the stabilization scheme. The Minister of Agriculture said tonight that the probable amount of contribution by the Federal Government in the last financial year was $45,000,000. If that amount is deducted from the total I have mentioned, it appears that during the period I have covered wheat growers lost $271,000,000. The wheat growers accepted the original stabilization plan and the three subsequent plans, in the belief that if the marketing pendulum swung the other way they would receive the support to which they were entitled. Under the scheme which we are adopting in this measure the wheat growers will not receive such treatment. The Victorian Farmers' Union has reluctantly accepted the present plan because there is no alternative. If this Bill were defeated there would not be time in which to introduce other legislation to cover the handling of this year's harvest, even if the Federal Parliament was willing. Therefore, the Victorian Farmers' Union (Grains Division) and the Country Party reluctantly support the Bill.

My second point concerns the fact that with the new plan full adjustments for cost increases from year to

year will no longer be effected. Only approximately half of the actual increase will be taken into account in setting the price. For the current season, the export price is to be $1.41 f.o.r. and the home price is to be $1.70 a bushel. If we assume that the home price is the cost of production, then the export price is 29 cents below the cost of production. However, if we project the likely increases in cost of production forward to the year 1972-73, we find that the amount will be about $1.90 a bushel, which means that, relatively speaking, the wheat grower will be 8 cents a bushel worse off than he is now. That is one of the major faults of the present plan. Although it may appear unattractive at present, the further one goes into the future the worse the position becomes.

My third point concerns the fact that under the new plan there will be a two-price system. Other honorable members have discussed what this will mean in relation to consumers of wheat and wheat products in Australia, and I shall not enlarge on that aspect. The other important disadvantage of the system is that the consumers of wheat in Australia will have a ready-made bullet to fire at the wheat growers because they will be able to say that to a large extent they are subsidizing them. Reference has been made to the first advance of $1.10 a bushel. I pay tribute to the efforts of the Victorian Farmers' Union (Grains Division) and other persons in this State who have worked to attain this objective. It is worth while because the first payment will apply not only to the 60,000,000 bushels for home consumption and the 200,000,000 bushels at the guaranteed export price, but also to the whole crop whether it amounts to 400,000,000 or 500,000,000 bushels. This is a big achievement. I hope this advantage will be retained in the future.

Having covered my three main points, I wish to advert to the fact that tonight and on previous occasions Mr. Gross has been ready and willing to have a shot at Mr. Anthony and Mr. McEwen and to blame them for the new plan. I point out that this view is not shared by Federal Liberal members. At Shepparton, on the 29th September, Senator Cormack was reported as follows:—

> He pointed out that Mr. Anthony could not make Government decisions and if the Minister for Primary Industry had not met dairyfarmers' wishes then it was the Government that was responsible.

I think this is worth placing on record. Sir Percy Byrnes has commented on other attacks on the Country Party and refuted them successfully. In conclusion, I repeat that, as a wheat grower and a member of the Country Party, I reluctantly support the measure because the only alternative is to return to the chaotic marketing conditions which obtained 20 or 30 years ago.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—In contributing to this debate, I should like to mention a few of the persons who were associated with the original fight for wheat stabilization, which I fear is being sacrificed. First, I refer to the late George Evans, a past president of the Wheat and Woolgrowers Association, who gave half of his life to the fight for wheat stabilization. I refer also to Cliff. Everett, who was often maligned because of his activities on behalf of the wheat growers in the bad years. I suppose Fred. Cullen, a former secretary of the Wheat and Woolgrowers Association was one of the gamest and brainiest leaders of the wheat growers when they were seeking stabilization. I took part with Clarrie Wohlers, the then organizer of the Wheat and Woolgrowers Association, when a ballot of the growers was decided upon. If we had not gone from door to door inducing farmers to put in votes, wheat stabilization would have been lost.

It is all very well for certain members to say now that they support wheat stabilization. I well remember that certain members of the Country Party—I am not laying

this at the door of the Country Party —and of the Liberal Party were strongly opposed to stabilization and fought hard against it. A lot of those associated with the wheat industry know that a Labor Government tried to introduce a wheat stabilization plan in 1946, and negotiations took place between the Wheatgrowers' Federation and the late William Scully, Federal Minister for Commerce. The point of agreement was reached when, at a certain conference held in Perth, due to Country Party and Liberal Party influence, Mr. Lockhart led the delegates out from the conference to wreck the scheme. The stabilization of the wheat industry did not come easily.

Now let us consider the reason for the proposed alteration to the scheme. The Federal Treasurer, Mr. McMahon, is reported in the *Australian* of the 30th August as follows:—

> The Treasurer, Mr. McMahon, yesterday forecast a painful period of adjustment for Australian farmers as they meet the national need to produce goods that could be sold profitably on the world market.

That is the principle which is guiding the Federal Treasurer today. Primary production must be undertaken only when it is profitable. A profit must be made on everything or there will be no subsidies. Mr. McMahon is also reported to have said—

> Farming seems likely to become increasingly a large scale business operation.

There will be no room for the small farmer. Today a man would need about $38,000 to go in for wheat farming. As I have not been associated with the industry for some years, my figure may not be correct. Perhaps Mr. Gross will correct it if it is wrong. It would also cost thousands of dollars to enter the dairying industry. In the days when we fought for stabilization, it was considered that if 3s. 6d. a bushel could be obtained for wheat the farmers would be millionaires. It is important to remember what the farmers went through in order to get a stabilization plan.

I shall refer now to the *Commonwealth Year Book* for the year 1938-39, in which appear the amounts paid by the Commonwealth Government as assistance for the relief of primary producers. In 1931-32, the wheat bounty was $6,858,000. In 1932-33, the amount paid for relief totalled $4,000,000, and in 1933-34 the amount was in excess of $6,000,000. The year 1934-35 was a bad one, and a wheat bounty of $5,600,000 was paid. In addition, special relief payments were made. In other words, there was a handout. Wheat farmers were mendicants because the industry was controlled by the merchants. Six people met in John Darling's office every Monday morning and determined the price to be paid by every agent throughout Victoria. If they fixed the price at 1s. 7d. a bushel a grower could go from buyer to buyer and would not get an increased price. There was no competition between buyers. If the wheat growers threatened not to deliver their wheat, John Darling was also a director of the National Bank and the banks would ask the wheat growers to reduce their overdrafts. That was what was occurring in the industry.

An attempt was made to introduce a stabilization scheme in 1946. The Commonwealth Government agreed with the growers' organizations, but the one mistake Bill Scully made was in not ensuring that the wheat growers' organizations went out and convinced the growers that the scheme would work. When the plan was put forward, certain agitators divided the industry on the same basis that this Bill is being dealt with tonight, namely, that unless complementary legislation was introduced in every State the plan would fail. So, the scheme failed in 1946, but it did not fail in 1948.

Sir PERCY BYRNES.—It took a long time to convince everybody of its merits.

The Hon. J. M. TRIPOVICH.—That is so. The 1948 scheme was introduced on the basis of a guaranteed

price for a limited amount of wheat being grown. Quotas were introduced. Many members who have experience in the wheat industry will remember that there was agitation for the limiting of acreage.

The Hon. K. S. GROSS.—That did come in.

The Hon. J. M. TRIPOVICH.—Yes, there were licences for quota wheat, and non-quota wheat had to take its chance on the market. Many growers did not want non-quota wheat to go into the pool, and it was agreed to allow it in only on the basis of a non-differential price. I want to answer some comments made by Mr. McDonald because he may not know what was involved when he said that the wheat growers suffered a loss of more than $300,000,000 through being compelled to supply the home consumption market at a price below world parity. During the war years, there were inter-governmental negotiations in regard to the sale of wheat, and honorable members will recall the political football that emanated as a result of the deal to sell wheat to New Zealand at 5s. 3d. a bushel when the world parity price was 6s. 8d. a bushel. The people who criticized the Government did not reveal that the New Zealand Government sold boots and leather to Australia which were wanted for our armed forces. Because of the drought in New South Wales and Queensland insufficient leather was available in Australia and if leather had been imported from India the price would have been twice the New Zealand price. It is true that the wheat growers made a contribution, but what they lost Australia gained. So far as the guarantee was concerned, it was a fair proposition.

On another occasion, an Indian delegation was in Australia trying to negotiate the purchase of wheat and was not prepared to pay more than 17s. 6d. a bushel. Certain people were criticizing the Government and saying that it ought to get the parity price of 19s. 8d. The Minister for Commerce intervened and completed the sale at 17s. 6d. a bushel. The position was that bags were still being used for wheat and Australia could get jute from only one source and that was India. The Indian delegation told the Government that if it was compelled to pay more than 17s. 6d. a bushel for wheat an export tariff would be imposed on jute to compensate them for any price above the 17s. 6d. which was offered. It was better to take the 17s. 6d. a bushel than to suffer the export tariff. All of these things are associated with the wheat stabilization scheme.

The next thing the farmers fought for was a just cost survey. It was argued that just as the worker is in need of a basic wage which will ensure him the right to live at a desirable standard, the farmer is entitled to the same privilege. Eventually the farmer obtained it, and farmers are no different from workers. However, it was most unfortunate that the farmers endeavoured to pad their costs. I do not want to make this a political football, but Mr. Anthony is not wrong when he says that for fifteen consecutive seasons the farmers have received in payments a figure less than the found cost of production, yet the industry is prosperous. There is only one explanation for this.

The Hon. K. S. GROSS.—The sidelines connected with farming.

The Hon. J. M. TRIPOVICH.—Yes, and also the fact that costs were padded. The farmers are entitled to do that if they can get away with it, and I do not criticize them for it. However, I have some complaints about the proposed scheme and the first is that this Bill could have been discussed months ago. As I understand the position the Government told the Victorian Farmers' Union, after some months of negotiation, that it must make a decision and that if it decided on the scheme the Government would introduce this legislation; if it did not want the scheme the legislation would not be introduced. In other words, the

Government said that it would do whatever the Victorian Farmers' Union wanted.

The Hon. M. A. CLARKE.—The other States have already agreed to it.

The Hon. J. M. TRIPOVICH.—That is so. Despite the fact that negotiations have been going on since March this is the first occasion members of this House have had an opportunity to comment on it and the present scheme expires in four days' time.

The Hon. K. S. GROSS.—A few things have been said about the scheme this afternoon.

The Hon. J. M. TRIPOVICH.—That is so. This House is unanimous that this is a bad scheme because the home consumption price of $1.70 a bushel is fixed at a figure which must increase costs. For example, it will increase the price of stock feed, and 20,000,000 bushels of wheat a year are used for this purpose. The price of breakfast foods and other items in the economy must also be affected. It is unfortunate that once there is a rise in the economy there is a tendency for prices to increase. Mr. Anthony has said that the increase will be only .2 cents on a loaf of bread.

The Hon. M. A. CLARKE.—Which will be doubled by the manufacturer.

The Hon. J. M. TRIPOVICH.—That is so, and the price of a loaf of bread will increase by 1 cent. The purpose of subsidies was to maintain prices at a steady level by absorbing where necessary the cost increases. This was to enable Australia to trade on overseas markets and dispose of her goods. It is common knowledge that two carrots were held out to farmers in relation to this scheme. One was the first advance of $1.10 a bushel, which I deplore, and the second, which I support, was the lifting of the export quota from 150,000,000 bushels to 200,000,000 bushels, which increased the total of the harvest covered by the plan to 260,000,000 bushels. What is the position in regard to the first advance? When Mr. Gross was speaking, I interjected by saying that wheat could be grown by the graziers on a short fallow.

The Hon. M. A. CLARKE.—Only once.

The Hon. J. M. TRIPOVICH.—I do not entirely agree with that, but some graziers can come in with a big acreage in one season and some of them have sufficient land to come in again next season with another big acreage. They do not have to grow the wheat on the same rotation. In 1960, wheat acreage was about 13,000,000 acres and today it is nearly 26,000,000 acres. There are two reasons for this increase. Mr. Gross has rightly said that because of world conditions it is a better proposition to grow wheat than to grow wool, but it is also not a bad proposition when a grazier can sow his crop in the autumn and in January draw $1.10 for every bushel he pours into the silo. All subsequent payments are "bunce" for the grazier who wants to get into the scheme, but the legitimate grower gets less of the "bunce". That is what will happen under the proposed scheme, and that is why I deplore it.

The higher first advance of $1.10 could result in the marginal areas being brought into production. Problems were encountered in the marginal areas years ago. When the Chifley Government was considering doing something to assist the wheat industry, discussions were held with a view to using land then producing wheat for other purposes, and compensation was paid to try to reduce the acreage under wheat. All of these things are associated with wheat stabilization.

My strongest criticism of this Bill is that Mr. Anthony, Mr. McMahon and this Government knew that the present plan was to expire on 30th November of this year. Everyone in the industry knew that, and it was also known that if this legislation was not passed by all

States there would be an end to wheat stabilization. I can understand the objection that the Leader of the House has to accepting amendments because this is complementary legislation and, if it is not passed by all Parliaments in its present form, farmers in New South Wales, Queensland and Victoria who have poured thousands of bushels of wheat into the silos will not get the first advance until such time as the plan has been redrafted and agreed to. This would create an awkward position. The wheat buyers, anticipating that the Victorian Government might be adamant and might not accept the plan, were operating in the northern areas of the wheat fields testing the possibility of getting back into private buying. If farmers wish to return to the system of selling wheat on the open market, I believe it will be to their disadvantage. Although they may be experts at growing wheat, very few farmers are proficient in the marketing of wheat because they are unable to compete with the monopolies that have developed in the wheat buying business.

I have never been dishonest in this House. I am a member of the Opposition and I have my own views. Although I may not share the views of certain members of this House, I respect them and I, with other members of the Opposition, will always abide by a majority decision. I shall vote for the amendment on the basis that it is the only way in which I can express any criticism of the fact that the Opposition has had no opportunity to discuss this measure until four days before the old scheme terminates.

I remember with pleasure my association with the old Victorian Wheat and Woolgrowers' Association. I remember well, as will Sir Percy Byrnes, the late Peter Bone, who had a habit of saying at meetings, " Dang it all, surely to God we can get the cost of production ". That is what we were concerned with in those days. I remember those times with nostalgia and trust that, with the support that has been demonstrated by all parties, it may not be long before cost of production figures will be written back into future plans so that farmers may be guaranteed the basic wage in relation to their industry.

The House divided on the question that the words proposed by Mr. Todd to be omitted stand part of the motion (the Hon. G. J. Nicol in the chair)—

Ayes	24
Noes	9
Majority against the amendment ..	15

AYES.

Mr. Bradbury	Mr. Hewson
Mr. Byrne	Mr. Houghton
Sir Percy Byrnes	Mr. Hunt
Mr. Campbell	Mr. McDonald
Mr. Chandler	Mr. Mansell
Mr. Clarke	Mr. Mitchell
Mr. Dickie	Mr. Swinburne
Mr. Fry	Mr. Thom
Mr. Gleeson	Mr. Thompson.
Mr. Granter	
Mr. Gross	*Tellers*:
Mr. Hamer	Mr. Grimwade
Mr. Hamilton	Mr. May.

NOES.

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

The House divided on the motion (the Hon. G. J. Nicol in the chair)—

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Mr. Grimwade	
Mr. Hamer	*Tellers*:
Mr. Hamilton	Mr. Clarke
Mr. Hewson	Mr. Gross.

NOES.

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

The Bill was read a second time and committed.

Clauses 1 to 6 were agreed to.

Clause 7 (Act to apply subject to Constitution).

The Hon. I. R. CATHIE (South-Eastern Province). — During the second-reading debate, I quoted from the *Wimmera Mail-Times*. The person quoted by the editor was Mr. Tom Kendall, who is a highly respected member of the Country Party and is also local president of the Victorian Farmers' Union.

The clause was agreed to, as were clauses 8 to 19.

Clause 20 (Home consumption price of wheat).

The Hon. ARCHIBALD TODD (Melbourne West Province).—This clause is the crux of the Bill and all the debate has centred around it. It is remarkable that all honorable members who joined in the debate agreed with the substance of the arguments advanced by the Labor Party. I particularly emphasize that, in setting two prices for wheat and fixing the home consumption price at $1.70 a bushel, apparently the Commonwealth Government, through its Ministers, completely lost sight of the fact that this could cause repercussions on the economic circumstances of the people. As Mr. Cathie said, it will affect the cost of living, particularly that of the lower income group.

An excuse will be provided for increased prices for almost all articles of which wheat or flour is a component part. As they generally do, the purveyors of these articles will not add what would be a legitimate sum to the price of what they sell, but a little more, to put extra profits into their pockets. It has been said that establishing the home consumption price of wheat at $1.70 a bushel could mean an increase of 1 cent in the price of a 2-lb. loaf of bread. I assure honorable members that the gentlemen who constitute the various associations linked with the baking industry will see to it that they obtain more than an extra 1 cent a 2-lb. loaf. The increase in price of wheat will go to the flour miller and through the whole gamut of the industry until it comes to the ordinary housewives and the consumers who eat the more humble fare. Biscuits and cakes, and certainly pies, which are increased in price on any plausible excuse, will be affected.

This is one of the principal reasons why the Labor Party looked harshly at the home consumption price of $1.70 a bushel. The Legislative Council has expressed its view on the legislation and members of the Labor Party accept the fact that it is not prepared to agree to their contentions. This clause indicates a completely wrong approach to the problem. There has been no consideration of the ultimate economic effect on the people.

The Hon. G. L. CHANDLER (Minister of Agriculture).—All I shall say about the point which Mr. Todd has raised is that I have continually stressed the desirability of the export price of wheat of $1.45 a bushel being increased by 1 cent, 2 cents, or 3 cents—whatever it might be—and, the home consumption price being reduced by 3 cents for every cent by which the export price is increased. I strongly put that suggestion, for all the reasons which have been mentioned tonight, and particularly the contention that increases in the cost of bread, breakfast foods, poultry feeds, and so on must be borne by the community. It would have been better for the increased cost to be

borne by the taxpayer. That has been stressed strongly, and I do not want anyone to think that aspect was neglected.

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.

MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET BILL.

The debate (adjourned from November 13) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. D. G. ELLIOT (Melbourne Province).—In dealing with this measure, the House is asked to pass a Bill—

> to enable the establishment of a wholesale fruit and vegetable market in West Melbourne and to close the Queen Victoria Market for wholesale trading in fruit and vegetables, to constitute a Fruit and Vegetable Marketing Advisory Committee, and for other purposes.

That preamble reads like an efficient approach to the problem. The portents for the future sound gratifying, and the Government asks honorable members to accept this measure with confidence. During the years, it has been my privilege to present the arguments of the Australian Labor Party in relation to the new fruit and vegetable market. Members of the Labor Party now accept the fact that the new market will be established. We hope it will work as efficiently as the Government and the Melbourne City Council say that it will, but the users of the market are afraid that it will not. However, I shall put forward some sound objections to the plans for the new market which have been raised by those who will use it.

I am grateful to the Minister for Local Government for passing on the complaints I made when debate on the West Melbourne Lands Bill gave honorable members an opportunity to speak about the new fruit and vegetable market. However, I was somewhat astounded that his reply to me included a photostated copy of a letter from the town clerk of Melbourne, Mr. Rogan. I do not know whether the Minister intended me to have that. His own letter, as one would expect, was infinitely more tactful than that of Mr. Rogan. I might almost say that Mr. Rogan went out of his way to be insulting about me. I certainly resent the tone of his remarks, and I hope that what I am saying will be passed back to him by the Minister for Local Government.

I have not had much contact with Mr. Rogan, but I have gathered from speeches I have heard him make that his opinions are sometimes a little too omniscient. He is the type of person who contends that he knows almost everything about everything. However, he does not know much about tact, which should be one of the signal qualities of the town clerk of any city or town. Mr. Rogan is expressing the view of the Melbourne City Council, which is not necessarily the view of the people who will utilize the fruit and vegetable market. These people are entitled to be heard, and it appears that they are not being heard nearly enough; possibly one of the stumbling blocks in that direction is the town clerk.

On a number of occasions. I have contended that one of the biggest problems in the area even now, and it will be accentuated when the market comes into use, is the traffic congestion. Honorable members such as Mr. Knight and Mr. Thom, who regularly travel along the New Footscray-road, will agree that the area is fast growing into a particularly high density traffic area. It is ridiculous for Mr. Rogan to assert that there is no bank-up of traffic at the fish market when vehicles try to get off the padlights. He knew what I was referring to when I raised this matter during the debate on the West Melbourne Lands Bill. I have since

checked the position and observed the bank-up of traffic. I have already mentioned this matter to the Minister for Local Government. Goodness knows what the situation will be like when there are between 3,000 and 4,000 vehicles inside the market area. Mr. Rogan should get up early one morning and see the situation for himself, instead of pontificating from his high chair at the town hall.

Members of the Labor Party are genuinely concerned. I appreciated the Minister's comments during the debate on the West Melbourne Lands Bill, when he said that he would investigate the practicability of a rear entrance being provided to create some sort of traffic flow to Dynon-road. This certainly needs more investigation than Mr. Rogan's assertion that it is an impossibility. Mr. Rogan very kindly forwarded a map which indicated the future provision of a large roundabout which would assist in maintaining a continuous flow of traffic. This may be the answer to the problem, but I warn the Government now that once the market opens the traffic flow will be chaotic almost to a point of a standstill. It is all very well to say that to get on to the road vehicles may have to wait only one light cycle—this does not take any account of the waiting time in approaching the pad and actually getting on to the service road at peak times. I made a considered statement which certainly did not justify the somewhat satirical remarks of the town clerk. The roadway facilities are not in line with what was promised when the site was first discussed.

Grandiose statements were previously made by the Minister of Agriculture, who will be chairman of the Fruit and Vegetable Marketing Advisory Council and to whom these problems will be referred, that a magnificent fly-over will be constructed from the New Footscray-road to Dynon-road, but what have we heard since? As a matter of fact, I understand that some of the land which was to be used for a fly-over has been leased, but I do not know for what period. This is not good enough.

For the merchants who have been achieving a small turnover for the past ten years, the very great increase in rent in the new market will represent a burden which will cause financial embarrassment and which will possibly force them to sell their businesses. I am referring to the smaller merchants. The Melbourne City Council, as landlord, does not stand to lose as it has required all prospective tenants to lodge guarantees to cover the initial seven-year lease period.

A number of merchants who have taken a store in the new market now realize the hurdle they face of operating at the increased costs and are trying to sell their businesses—I understand that one business has changed hands recently. The question of greater efficiency and consequent saving in operating costs is very much an open one. Because of the distance factor alone, there must be a greater cost in the delivery of goods from the merchants' stores to retailers. It is evident that the town clerk, who referred to greater efficiency and cost savings, is not fully cognizant of the running of a wholesale fruit and vegetable market in Melbourne. This is not my opinion ; it is the considered opinion of the vast majority of merchants and growers who will operate in the market. Surely these people are entitled to be consulted a little more than they have been up to date. Of course, it could be said, quite fairly, that sufficient conferences have been held for the raising of this new point now not to be justified, but I think it is acknowledged by the town clerk in his letter to the Minister in which he covered that point.

In relation to the recouping of capital outlay, there can be no argument that, in arriving at the rentals, no account has been taken of the city council's huge and fantastic benefit from its realization of the present market site. The Queen Victoria

Market land was given to the council for use as a fruit and vegetable market. The new wholesale fruit and vegetable market is located at a different site. It is only a wholesale market, and the amount realized should be set off against the cost of the new market, thus enabling lower rents to be charged; this would undoubtedly help to keep the price of fruit and vegetables to the consumer at a reasonably low level. One important matter with which I have been confronted, and I am sure the Ministers concerned will be vitally interested in it, is the concern of users and prospective users of the market, and also of people in the retail trade who will use that market, as to what effect the new venue will have on the cost structure of fruit and vegetables. An effective illustration is the South Melbourne market, the wholesale section of which is *non est*; it has become more or less another retail outlet.

The cost structure will have an effect on those people who want to buy fruit and vegetables at reasonably low prices so that they can balance their budgets. This does not alter my earlier remarks regarding increased costs to retailers operating in the Queen Victoria Market. Unless the city council or the Government is going to pay the delivery costs from Footscray to North Melbourne, dearer fruit and vegetables must result.

During the debate on the West Melbourne Lands Bill, I referred to toilet facilities at the new market. Each of the so-called private toilet blocks is to be used by the staff of some six to ten merchants. Even so, it is most undesirable to have a toilet of any description above an area where fresh fruit and vegetables are offered for sale. The town clerk mentioned the close proximity of toilets in restaurants as justification for this, but his comments do not hold water, if I may coin the phrase. There was no indication of private toilet blocks on the plan used by the city council when the ballot for stores was conducted.

All service pipes, including fire service pipes, are inside the respective stores, not outside. The town clerk contends that these pipes will not interfere with selling space, but the downpipes are 9 inches in width and are set 11 inches from the wall, and this results in a big loss of effective selling space.

The merchants were invited to an on-site inspection of the new market. It was indicated that the type of stairway had been decided upon and ordered, but after many protests as to its shortcomings and suitability it appears that the bottom and sides of the stairways are to be covered, as the cost of providing a proper type of stairway would be too high. I understand that it was proposed to provide open stairways but because a large number of the staff employed by the merchants are female, and, as you well know, Mr. Deputy President —I am certain that you are not beyond the stage of making observations in this direction — rather short skirts are being worn today and an unprecedented opportunity would have been given for observance of the modern female leg on these stairways. I think in support of modesty, something should be done in this regard.

The sitting was suspended at 6.26 *p.m. until* 7.51 *p.m.*

The Hon. D. G. ELLIOT.—The situation relating to trading hours seems to be the same as it was a few weeks ago, and the merchants are no better informed as to market administration and operations for the future. How can forward planning be undertaken when the merchants know nothing of the selling layout? The market is due to open in the not too distant future. Not a great deal of time is available, particularly when the Christmas break is so near, followed by a month's break for the building industry. It is time that something specific was done in relation to the selling layout of the new fruit and vegetable market.

I should like some information from the Minister for Local Government as to the payments expected from the stallholders at the old Queen Victoria Market site. This aspect is causing some concern, and I should appreciate his advice. Once again I thank the Minister for his most tactful interpretation of the "Rogan epistle". I have again read the letter which Mr. Rogan sent to the Minister for Local Government. The more I read it the more annoyed I become. Apparently Mr. Rogan has the ability to annoy people. Although in some cases that could get things done, I suggest that he should adopt a policy of persuasion rather than of belittlement. After all, as town clerk of the City of Melbourne, he should realize, as we all do, that he is a servant of the people. A little more humility would not be out of place on the part of this gentleman.

The Hon. A. R. MANSELL (North-Western Province).—This Bill relates to the closure of the Queen Victoria Market and the opening of the Melbourne Wholesale Fruit and Vegetable Market. Unlike Mr. Elliot, I have had no experience of Mr. Rogan. However, I should like to refer to several aspects of traffic at the new market. The trouble exists not so much on a Saturday morning as on Friday and Monday mornings, and then the situation is a shambles. The Government or the Melbourne City Council should explain how this congestion could be overcome. If the situation is not improved, a series of accidents and tremendous inconvenience to the people will result. People using the Queen Victoria Market have suffered inconvenience for years, and there could be no worse shambles than the present congestion at that site. What is the use of having a modern market, if the traffic outlets and the loading and unloading facilities are bad?

Until recently the rentals charged at the market have been reasonable, but stallholders have now been told that rentals for stalls at the new market will be substantially increased. Tonight much has been heard about the provision of foodstuffs for the people but there is no doubt that the agents at the new market will increase their commission charges. The agents and the wholesalers look after themselves, but the grower has no protection. He does not hear of any rise in the price of his commodities, but he soon learns when the prices drop. The charges for commission were 10 per cent. and 12½ per cent., with a proposed limit of 15 per cent. In relation to certain products such as apricots, peaches and tomatoes, no objection can be raised to a charge of 15 per cent., because this fruit is perishable and a certain amount of loss may be sustained. The jump from 10 per cent. to 15 per cent. for other products is too great, particularly when a fee is charged for the handling of boxes. The grower must unload his truck, or he must employ a man to help him.

People in Melbourne pay 9 cents to 12 cents for a grapefruit, for which the grower gets less than 1 cent. The Government should examine this ridiculous position. Tons of fruit are thrown aside because it does not pay the growers to send it to market. Perhaps the Minister could state, if not now then at a later date, what action can be taken in that regard.

Part I. of the Bill relates to the control by the Melbourne City Council of the Melbourne Wholesale Fruit and Vegetable Market. Part II. concerns the Fruit and Vegetable Marketing Advisory Committee. If the Melbourne City Council works well in co-operation with this committee, many of the problems will be overcome. This committee is to comprise nine members as set out in sub-clause (2) of clause 14 of the Bill. It will advise the Governor in Council if there is any argument between the Melbourne City Council and the organizations using the market. It is obvious that arguments will occur. The Country Party supports the Bill.

The Hon. G. J. O'CONNELL (Melbourne Province).—Much has been said about Mr. Rogan, the town clerk of the City of Melbourne. Although I have met him on numerous occasions, I do not know much about him. Perhaps Mr. Elliot knows more about him than I do. As regards diplomacy, he could take a leaf out of the book of the town clerk of the City of Richmond, and learn something about the subject.

This Bill is long overdue. In 1956, the Melbourne City Council purchased a site of Crown land for the development of a wholesale fruit, vegetable and fish market for the purpose of relieving the congestion at the present Queen Victoria Market. This land comprises approximately 50 acres known as Lots 10 and 10A, with a road 100 feet wide between the two lots to provide a fly-over link between Footscray and Dynon roads. This link was provided for in the Melbourne and Metropolitan Board of Works planning scheme. Lot 10A has been developed as a fish market. The price paid at that time was $400,000 with a deposit of $40,000 at an interest rate of 5 per cent. per annum repayable over a period of twenty years.

Legislation was later enacted to enable an additional 15 acres to be transferred from the Melbourne and Metropolitan Tramways Board to the Melbourne City Council for a consideration of $200,000. This land was to be used at all times for a market, or municipal purposes. With this additional area, the Melbourne City Council was enabled to establish the wholesale fruit and vegetable market, and to provide an extra 20 feet for the roadway which was mooted at that time; instead of 100 feet being available, the width will be 120 feet, as a result of which a fly-over which is necessary in the area can be provided. The road congestion in the area at present is well known, and it will be further increased when the wholesale fruit and vegetable market is established. If something is not done to provide these facilities, there will be chaos in the area.

If honorable members cast their minds back some 30 or 35 years they will recall this decadent area, where a township known as Dudley Flats was erected in the depression of 1929-30. People lived there because the economic conditions were so bad at the time. We would not again want to see such a spectacle. It is amazing to see the transformation that has now taken place in the area. I think the Melbourne City Council will do the right thing if pushed by the Government, and the necessary roadway, or fly-over, will be provided. The Minister for Local Government should take that matter into consideration, because a fly-over relieves congestion in an area.

At the turn of the century the old Queen Victoria Market was a cemetery and subsequently the wholesale fruit and vegetable market was transferred to the site. The *Sun News-Pictorial* of Tuesday, 19th November, 1968, contained a news item which read—

> A Four-man sub-committee has been appointed by the City Council to investigate plans to redevelop the 16-acre Queen Victoria Market site.
>
> Members are the Lord Mayor, Cr. Talbot, the chairman of the markets committee, Cr. L. E. Reichstein, and Crs. Kevin Holland and Peter Andrews.
>
> Cr. Talbot said yesterday a new wholesale fruit and vegetable market being built in Footscray-road, would open in mid-1969.
>
> The old site could become another retail market, a 200-car parking area, a hotel or a residential area.
>
> "But no decision can be made until we know what is happening about the proposed underground railway," Cr. Talbot said.
>
> "The underground plans provide for a station near the Queen Victoria Market site —on the corner of William and La Trobe Streets.
>
> He said the council was awaiting the outcome of talks between the Premier, Sir Henry Bolte, and the Prime Minister, Mr. Gorton, on possible financial help for the railway.
>
> "They would have a tremendous effect on the planning of the market area," he said.

The Lord Mayor of Melbourne has thrown the onus on to the Government concerning the underground railway. The city council cannot

make up its mind about doing anything until Sir Henry Bolte and the Prime Minister, Mr. Gorton, get together on the question of financial help to make this underground railway become an accomplished fact.

Honorable members will have seen today a copy of *News From Melbourne,* from which I quote the following article:—

FIFTY-FOUR-ACRE MARKET OPENS NEXT YEAR.

Melbourne's new wholesale fruit and vegetable market is fast taking shape and should be completed next August, to become the largest of its kind in the world.

The $A8.5 million (£4m.) market on a 54-acre site in West Melbourne, will also have banks, shops, its own telephone and postal service, parking for 4,200 cars, and space for 1,000 stores for merchants and agents.

The market's roof will cover 18½ acres, with a centre span of 250 ft. The 800 piles which support the roof were sunk to a depth of 100 ft. and inter-connected below ground level by pre-stressed cables surrounded by concrete.

The new market will replace the 16½-acre Victoria Market in North Melbourne, which handles an estimated 500,000 tons of fruit and vegetables a year.

The Melbourne City Council is to be congratulated on going into this matter and in trying to relieve the congestion at the wholesale fruit and vegetable market, which is classified as one of the best in the world. However, the main matter to be considered is the traffic problem, and I again stress that the Minister for Local Government should see what can be done to ensure the provision of a fly-over so that the congestion that will occur in the vicinity of the market will be relieved.

The Hon. G. L. CHANDLER (Minister of Agriculture).—It is rare for a Minister to join in a second-reading discussion, but I have had a life-long interest in the fruit and vegetable market. I should like to express to my friend and colleague, the Minister for Local Government, my thanks and the thanks of the Department for the co-operation that has been extended in connexion with the development of this project. The Queen Victoria Market site was a Crown grant for market purposes only, but it did not state that it was to be a wholesale fruit and vegetable market. The term was "market".

The Hon. G. J. O'CONNELL.—It was also for municipal purposes.

The Hon. G. L. CHANDLER.—I know that some people would like to believe it was for municipal purposes, but the Crown grant was for a market. As is well known, the present market is overcrowded. Complaints about the market have been made for many years, and something had to be done to overcome the difficulty. The merchants and agents suggested that a three-decker market should be constructed on the existing site. Then an inter-departmental committee was appointed with Mr. Cole, the chairman of the Rural Finance Corporation, and the chief engineer of the Public Works Department as members. The committee made a report and recommended the transfer of the market to a new site—that is, the utilization of the 40 acres—and an interim report was submitted to the Government that a further 16 acres should be acquired from the Melbourne and Metropolitan Tramways Board because the 40 acres was not a sufficient area. To carry the matter a stage further, consideration had to be given to the question whether a market trust should be established or the Melbourne City Council should run the market. A Cabinet sub-committee was appointed to meet the city council, and long and difficult discussions were held to arrive at the basis upon which the market was to be administered.

I would not have been a party to the Melbourne City Council continuing to run the market unless the hours, charges and conditions were made subject to the Governor in Council, because experience over a long period has shown the difficulty of negotiating with the council. There has not been proper co-operation and liaison between the market users and the council. Consequently,

it was considered that the hours at which the market should operate and that charges and conditions that obtained should be subject to control by the Governor in Council; it was also decided that there should be a market users' committee—an advisory committee. Some years ago in this House much difficulty was experienced in finalizing the composition of that advisory committee. I am not keen to open up that question again, because if that were done, as some people would like, the matter could be extremely difficult and get completely out of hand.

The Fruit and Vegetable Marketing Advisory Committee will be of great value. It will have periodical discussions with the city council, the Minister for Local Government and myself, or whoever may be the Minister at the time, and this will result in a greatly improved relationship. Only last week I called a conference in the board room of the Department of Agriculture, principally of fruit and vegetable growers within 100 miles of Melbourne. These growers are most critical of the Melbourne City Council because finality as to the location of growers' stalls has not been reached. The merchants have their allocations and know what is expected of them, but finalization has not been reached with regard to the growers' stalls. Councillor Andrews, Councillor Holland and Mr. Lamb, the superintendent of markets, were also present at the discussion and they sensed the reaction of the growers. One of the subjects of concern was that a section of the advisory committee wished to have the market closed on Saturday mornings. Consequently, the berry and cherry growers and those producing other perishable commodities are fighting to retain the market open on Saturday mornings. The representatives of the city council heard that discussion, and I am hoping that there will be no need for an appeal to the Minister for Local Government when the by-laws in connexion with the retention of Saturday morning trading are submitted to him.

Another complaint of the growers which is being determined by the city council at this moment, or which will be considered in the near future, relates to carrier agents. Carrier agents who are growers themselves carry produce for the small growers. They believe that it is the intention of the market committee not to allow them to unload their produce in the stalls. Some carrier agents could carry produce for twenty or 30 small growers, and it is difficult for them to retain all the commodities on the load and satisfactorily handle them. Furthermore, they wish to retain a position in the growers' section of the market; they do not want to be put in a separate section as agents. The distribution of these people throughout the growers' section, as at present, is desirable. Finally, the retention of Saturday morning trading is sought. These three matters were considered by representatives of the Melbourne City Council last week, and I am hoping that no difficulties will arise concerning them.

Honorable members who have not visited the new market site should do so at the earliest opportunity. A good deal of work has been undertaken to minimize traffic congestion. Possibly, the traffic problem could be minimized, as has been done elsewhere in the world, by opening the market earlier than at present. This would enable market traffic to avoid peak traffic congestion.

The Hon. A. R. MANSELL.—Much of the traffic congestion is caused by retail purchasers, who are generally returning to their places of business during the morning peak hour traffic.

The Hon. G. L. CHANDLER.—Parking facilities for 4,200 vehicles will be provided at the new market. I am sure that traffic congestion would be minimized if the market opened earlier than at present. When I used the market some years ago,

operations commenced at 4 a.m. on Saturdays, with the result that vehicles could be loaded and driven off before the peak hour traffic commenced. Because of pressure from the merchants, who did not wish to be inconvenienced, the opening time of the market has gradually been pushed forward.

The Hon. D. G. ELLIOT.—Irrespective of the time at which the market opens, there will still be a good deal of traffic associated with it.

The Hon. G. L. CHANDLER.—Mr. Elliot's observation would be true of markets throughout the world. During the original discussions concerning the new market, it was decided to restrict the wholesale trading area within a radius of 5 miles of the General Post Office. At my suggestion, the radius was extended to 10 miles and, possibly, it could be further examined with a view to extending it beyond the 10-mile limit.

One big, efficient market would be in the interests of both consumers and producers. No city in the world can successfully run two big clearing markets. The total market area will cover 56 acres, which would leave "for dead" the majority of markets in the world, and especially those in Australia. In Sydney, it is proposed to transfer the existing market to a new site 15 miles from the General Post Office. Melbourne is fortunate in having such an excellent site available so close to the city. It will be a costly project for the Melbourne City Council, but I am sure that the council will not disagree that, financially speaking, the market should stand on its own feet. As a result of negotiations between the special Cabinet sub-committee, the Melbourne City Council and the Lands Department, it was decided that one-third of the rental from the old market site should be channelled into subsidizing the new market. This was confirmed by Cabinet.

The Hon. D. G. ELLIOT.—I am gratified to hear that, although it is news to me.

The Hon. G. L. CHANDLER.—It was announced by me on behalf of the Cabinet sub-committee on 5th September of this year. This subsidy will represent a valuable contribution to the market as the years go by. To those market users who complain about the costs and charges which will be levied upon them, I point out that the money derived from these sources will be used to subsidize the new market. All transactions over the whole of the 56 acres set aside for the market will be covered by the one balance-sheet and, at the end of each year, a statement of accounts will be issued, copies of which will be supplied on request at a cost of 20 cents.

The Hon. A. R. MANSELL.—Who will bear the cost of the building that will be used for inspections undertaken by the Department of Agriculture?

The Hon. G. L. CHANDLER.—The Government will bear that cost. The inspection depot, which will embrace an area of 3 or 4 acres, will be financed and developed by the Department of Agriculture; it will not represent a charge against market users. In fact, this principle is now applied to inspections which are currently undertaken away from the market.

The Hon. D. G. ELLIOT.—Will the proportion of rentals from the old market which will be used to subsidize the new market eventually lead to a reduction in rentals, or will it be put into the new market site to reduce capital expenditure?

The Hon. G. L. CHANDLER.—Mr. Elliot can have it whichever way he likes. It is estimated that for a start it could reduce rentals by about 15 per cent. If the value of the old market site increases, it can also assist the producers.

The new market will be used by people throughout Victoria and from other States. Although the Melbourne City Council has the set-up with which to administer the market

and the necessary equipment and so on, it would not be right for the council to exercise sole control over the market, which will belong to the people of the State. For that reason, certain aspects relating to the market will be subject to control by the Governor in Council. In conclusion, I thank my colleague, the Minister for Local Government, for the manner in which he has handled this matter, and Mr. Borthwick, the Minister of Water Supply, who was a member of the Cabinet sub-committee which inquired into the project.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Interpretation).

The Hon. R. J. HAMER (Minister for Local Government).—There has been a well-informed and illuminating debate on this Bill. I thank the Minister for Agriculture for participating in the debate, although he was hesitant to do so until I persuaded him, because of his long association with the existing market and the keen interest he has taken in the new market, to deal with various aspects of the legislation. The information which was elicited from my colleague should prove beneficial to all honorable members.

I think honorable members should know what is proposed concerning the existing market and how it can be made to contribute to the new market. The Government has laid down that the old market site is to be redeveloped as part of the City of Melbourne, and the Melbourne City Council has been asked to propose a scheme for doing so for the Government's consideration. Ultimately, the plan will probably be presented to Parliament. One of the conditions laid down concerning the development of the old market site is that one-third of the ground rental to be derived from it will be devoted to subsidizing the cost to users of the new market. A rough estimate is that $60,000 a year may be derived from that source, so a direct contribution of that amount will go into the costs of the new market. To that extent the rentals of stallholders, merchants and other users will be reduced. The Government has not yet obtained the proposals from the city council as to this redevelopment.

The Hon. D. G. ELLIOT.—Is there any proviso that some sort of retail market must be retained?

The Hon. R. J. HAMER.—Certain suggestions have been made, and these are being examined. They are that the site of 16 acres should include a retail market; that it should also include a good deal of parking space, because it is right on the city ring road; that it should probably include an hotel or motel or something of the sort. It is also hoped that an apartment tower will be included, because it will provide an opportunity, with the proximity of the Flagstaff Gardens, to bring people back into the city. This is all in embryo at present, but that is the sort of suggestion which has been made and which is now being examined. Whatever is done there, it will contribute to the new market in the way I have indicated and about which the Minister of Agriculture made an announcement a month or two ago.

Almost all of the members who spoke on this Bill have mentioned the traffic problem, of which the Government is well aware. This problem does not arise only in relation to the market, but with the provision of 4,200 parking spaces in one area there is bound to be a traffic problem. There is also the fish market alongside, and numerous transport depots which have been set up along Footscray-road; and now there will be the Swanson dock for container ships from which traffic will flow out into the same road. There is no doubt that major road construction is necessary. I informed Mr. Elliot in a previous debate that this matter was being pursued between the city

council and the Country Roads Board to draw up a plan. The work will have to be carried out in stages. I do not expect that the fly-over will be the first stage; it may be a subsequent one. It needs to be done, but something must be undertaken immediately and then more as finance becomes available.

The Hon. D. G. ELLIOT.—I presume that in the original scheme for the redevelopment of Melbourne, with the reorganization of the old site, Victoria-street will be widened slightly, or considerably.

The Hon. R. J. HAMER.—Yes, about 40 feet, from memory. Victoria-street, as Mr. Elliot is aware, is a leg of the ring road in the northern part of the city. The old site is extremely vital in another way; it is the first entry of most people from all over the State and from interstate into the Golden Mile. It is an extremely crucial part of the city, and if proper redevelopment is carried out there the effect will undoubtedly spread to other parts of the city alongside and in fact throughout the Golden Mile. The question of traffic is being tackled. Major works are required in Footscray-road and across the Maribyrnong river and also at the Dawson-street intersection; probably a major road circulation pattern will have to be devised, possibly using Dynon-road as well.

The Hon. D. G. ELLIOT.—There is some form of improvement due simultaneously with the opening of the market.

The Hon. R. J. HAMER.—Yes, something has to be done immediately, and other developments later. A lot of bridge building is involved, too.

The Hon. J. M. TRIPOVICH.—Will this come down to the railway diesel shops? Some concern has been expressed in regard to entry.

The Hon. R. J. HAMER.—I am not sufficiently familiar with the location of the diesel shops to answer that question. At any rate, the development takes in the whole length of Footscray-road from Dawson-street intersection to Shepherd bridge. When the Westgate bridge is completed, it is expected that it will relieve Footscray-road to a great extent of a lot of traffic coming from Geelong and the western suburbs into the Melbourne city central area, but the major works to which I have referred will still be required.

A number of points were raised by Mr. Elliot which I am unable to answer because they involve the fairly intricate and internal administration of the market. I shall obtain answers to the questions he raised.

The Hon. D. G. ELLIOT.—Is Mr. Rogan going to be involved?

The Hon. R. J. HAMER.—Perhaps so. I shall also pass on the honorable member's comments on the style of epistle that is written with a view to obtaining something more satisfactory. Mr. Mansell raised the question of rentals which are likely to be paid by the stallholders who remain in the retail section at the existing Queen Victoria Market. I shall obtain an answer to the honorable member's question.

This Bill reflects a kind of balance between the Melbourne City Council on the one hand as the constructors and administrators of the market and the market users on the other hand. It recognizes that some conflict between these two groups is inevitable, and it tries to set out a means of resolving disputes rather than perpetuating differences. That is part of the principle of the Bill, and I believe it is a great improvement on the past situation. With those comments I undertake to answer the remaining points as soon as I can obtain information for Mr. Elliot in particular and also for Mr. Mansell.

The clause was verbally amended, and, as amended, was adopted, as were clauses 3 to 24.

Clause 25, providing, *inter alia*—

(2) The council or the Committee may, in relation to any construction alteration or addition referred to in sub-section (1)

refer any matter to the Governor in Council for consideration, and any decision given by the Governor in Council on such matter shall be binding on the council.

The Hon. R. J. HAMER (Minister for Local Government).—This clause attempts to set out a means of resolving possible differences of opinion. In this case, they could relate to the construction of the market or alterations or additions to it. Sub-clause (1) requires the council to consult the advisory committee before it carries out any such works. Sub-clause (2) was intended to provide that if there was a difference of opinion between these two bodies it should be resolved by the Governor in Council. The Melbourne City Council, I think in this case with some justice, pointed out that as the sub-clause is drawn it could commit the council to expenditure much larger than it had originally set out to provide, and, in view of the way municipal finances are managed, this would probably be undesirable. It was not the intention that that should be so. Therefore, the draftsman has redrawn sub-clause (2). If the amendment that I propose to move is agreed to, when any difference arises between the council and the committee concerning any construction, alteration, or addition under sub-clause (1) the Governor in Council, at the request of either party, may determine the matter. Then, to give some assurance to the council, these words will be added, "but not so as to increase the cost to the council of any such proposed works, and any such determination shall be binding on both parties". This is a redrafting of sub-clause (2), which adds an assurance which I think the council is entitled to have. I move—

That sub-clause (2) be omitted with the view of inserting the following sub-clause:—

"(2) If any difference arises between the council and the Committee concerning any construction alteration or addition proposed by the council pursuant to sub-section (1), the Governor in Council at the request of either party may determine the matter (but not so as to increase the cost to the council of any such proposed works), and any such determination shall be binding on both parties."

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

The Bill was reported to the House with amendments, and passed through its remaining stages.

LAND (SPECIAL LAND) BILL.

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

COUNTRY ROADS (DECLARATIONS) 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.

AERIAL SPRAYING CONTROL (SECURITY) BILL.

The debate (adjourned from November 21) 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).—Modern methods of farming include the use of aeroplanes for the spraying of land to control weeds or to distribute fertilizers and so on. This is a valuable adjunct towards increasing production in this State, but as well as bringing blessings this modern method has brought its obligations and problems. Spray drift occurs and the person in charge of the aeroplane, who is responsible for the use of certain sprays or fertilizers, may discharge something which may be detrimental to the ground over which it is spread.

These possibilities create an obligation to protect the people for whom the operator is working, as well as others. Thus in 1966 the Government introduced a Bill to provide for aerial spraying control. This measure received the Royal assent on the 17th May, 1966, and came into operation on the 15th November of the same year. Section 8 of the Act provided that the person doing the spraying

must lodge a security to protect the interests of any persons against whom he may cause damage. It was provided that the operator should be secured to the extent of $30,000. Following a conference held in Melbourne in 1967 at the request of the Australian Agricultural Council, some problems arose concerning the interpretation of this Act.

The problems of differences between the terms of insurance policies, the liability of aerial operators and the wording of the security provision in the various State Acts on this subject were discussed. Subsequently the Aerial Spraying Control (Amendment) Bill 1968 was introduced to provide, among other things, a further interpretation of section 8 of the Act. Because most of the liabilities had been written by Australian Aviation Underwriting Pool Pty. Ltd. instead of individual insurance companies, the policies did not comply with the Act and the Crown Solicitor advised the Government that persons whose properties adjoined those being sprayed were not protected and that while an operator was spraying he could avoid all responsibility under the security.

The Government is now attempting, on the advice of the Crown Solicitor, to amend section 8 to provide that the Director of Agriculture can approve liability contracts and insurance securities. Of course, this is only stop-gap legislation because aerial spraying now takes place in every State and as, for example, an aeroplane spraying a property in Victoria could affect a property in New South Wales, with the possibility of damage being involved, complementary legislation in all States is necessary. I am sure that the Minister is not certain that even now the legislation will be fully effective. The Opposition accepts the Government's assurance that the Bill will help it out and that the Crown Solicitor has found the answer to the problem. If that is so, my colleagues and I wish the legislation well because we feel that anyone whose property adjoins one that is being sprayed as well as a person who employs aerial operators should be protected against damage, whether it is caused accidentally or through negligence. We look forward to the passing of further complementary legislation on aerial spraying in all States to achieve this protection.

The Hon. J. M. Tripovich.

The Hon. S. R. McDONALD (Northern Province).—Both the Minister and Mr. Tripovich have outlined the purpose of the amendment in the Bill, which is to endeavour to correct an anomaly in the amending Act passed earlier this year. It has become evident that the attempt to ensure that aerial spray operators lodge a security of $30,000 to cover possible damage by spray depth or some other means has not achieved its purpose. It is also clear that the chemical liability policies which are written by the Australian Aviation Underwriting Pool Pty. Ltd. do not meet the requirements of section 8 of the principal Act, as amended earlier this year. It could be argued technically that, because of this deficiency, the Director of Agriculture is unable to approve of these policies or sureties and that therefore at present aerial spraying operations may not be completely legal.

The purpose of the amendment contained in the Bill is to ensure that the chemical liability policies which are being written with Australian Aviation Underwriting Pool Pty. Ltd. comply with the requirements of the principal Act, and that existing policies are validated. As the Minister has intimated that there is some urgency in the matter, the Country Party supports its early passage because, like the Labor Party, my colleagues and I feel that the situation should be rectified as soon as possible so that full protection is afforded to those involved.

The motion was agreed to.

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

MILK BOARD (AMENDMENT) BILL.

The debate (adjourned from November 20) on the motion of the Hon. G. L. Chandler (Minister of Agriculture) for the second reading of this Bill was resumed.

The Hon. ARCHIBALD TODD (Melbourne West Province).—This measure proposes to make further amendments to the Milk Board Act. The principle involved in the proposed amendments relates to milk shop licences and provision is made for some departure from the procedures to which we have become accustomed under the principal Act.

Honorable members are aware that it is not very long since it was rather difficult for a shopkeeper to obtain a milk licence. No doubt other honorable members as well as I have made representations on behalf of shopkeepers who have sought milk licences. However, if a shop possessing a licence was situated a couple of hundred yards away in the same street, invariably the application was refused. In due course, actuated by a desire to induce the public to consume more milk, the Milk Board relaxed some of the provisions relating to the granting of milk licences and it became relatively easy for a shopkeeper whose premises were suitably equipped for the purpose to obtain a milk licence. So there can be a number of shops in the main street all possessing a milk licence. Apparently this has worked satisfactorily, and now a further departure is proposed.

It is proposed to afford the opportunity to grocers and supermarkets to retail milk in certain forms. One always becomes a little suspicious when a supermarket wishes to get into the act, because, in the final analysis, it means that the small shopkeeper will suffer. One realizes that more and more the small man is beginning to drift out of the retail commercial life of our community. A decade or so ago, the small shopkeeper played an important part in our family life. People dealt with the local grocer, milk man or fruiterer, and generally the retailer owned the premises in which he operated. He did a reasonable business and in most cases was satisfied with a reasonable profit. Then the idea of the supermarket came to Australia. Unfortunately today many aspects of life in the United States of America are being transmitted to the Australian way of life, and I do not think they are all to our benefit. One wonders whether the supermarket as it exists is breaking down working conditions. There is also a doubt whether it has been an asset to the community to the degree that those who favoured the idea believed it would be.

It is now proposed that supermarkets and other shops should retail milk under certain conditions. To pave the way for that to be done, the Bill proposes an amendment to the existing Act which provides that to qualify for a milk licence a shop must be open for certain hours during the week. At present if a shopkeeper wants a milk licence he is required to keep his shop open for the sale of milk from 9 a.m. to 7 p.m. on Mondays to Fridays, from 9 a.m. to 1 p.m. and from 6 p.m. to 7 p.m. on Saturdays and from 1 p.m. to 6 p.m. on Sundays. This enables the public who require milk to go to a shop which is licensed and buy the milk they desire. It is proposed to delete that section from the Act.

I do not know whether it is a good idea to take the major requirement of a milk licence out of the Act and let Rafferty's rules apply. In future, if the proprietor of a shop who sells milk wants to close his shop for a few hours during the day he may do so, particularly if he wants a Saturday afternoon or a Sunday off. Members of my party are not enthusiastic about this proposal, but we do not propose to resist the other amendments contained in the Bill.

The proprietors of grocers' shops and supermarkets, through their association, sought permission from the Government to sell milk. Supermarkets are a greedy crew and would like to sell everything under the sun. If a person walks a couple of blocks down Bourke-street and enters the food supermarket in the basement of the old Foy and Gibson's store he can buy practically any article and need go to no other shop to fulfil his requirements. Now these people and their ilk want the right to sell milk in packages. There are some sound arguments for this service, particularly in relation to city supermarkets.

Shop assistants and factory workers whose places of employment are in the city may like to go to a supermarket to buy a pint of milk to consume with their lunch. Naturally, the supermarkets do not want to be bothered with bottles and have given an assurance to the Government that if the Act is amended and they are allowed to sell milk they will sell only packaged milk. This is not a new procedure, because in other States there is a tendency to turn to this method of selling milk from retail premises rather than selling it in bottles, which are sometimes thrown away by the users or returned to the dairy or the milk shop before a further supply of milk can be purchased at the normal retail price.

I am not sure whether this departure will affect the normal distribution of milk to homes in the early hours of the morning. At present, a householder can go to his front door at any time after 3 a.m. and pick up a bottle of fresh milk which the local milk distributor has deposited there. In addition, he is assured of getting a reasonably good product. With the proposal to sell milk in cartons at supermarkets and at practically any other shop there will be a tendency for house-holders not to ask the dairy to deliver milk. They will buy it at the shops, and thus eliminate distribution to the home. It is problematical whether or not the milk distributor will be pleased about this. He may take the attitude that the more milk he can deliver in bulk to shops the less he has to deliver on the morning round and thus the fewer people he needs to employ.

It is now generally acknowledged that the distribution of milk in the metropolitan area is controlled by a few major dairies. I am not sure of the actual number because of the amalgamations and take-overs that have occurred. With the extension of the principle of selling packaged milk in shops, there will probably be a diminution in household deliveries. Nevertheless, the Government has agreed to the proposal under certain conditions. It will not agree to milk being sold in supermarkets in anything but packages. In addition, it demands that milk shall not be included in the range of articles favoured by the less fortunate housewives—specials. The Government has even gone further and decided to lock the stable door before the horse gets out. It has provided in the legislation for the fixing of a retail price below which milk must not be sold.

This is a good idea because at present before a milk distributor can get an increase in the sale price of his product he has to go through an intensive inquiry at the Milk Board. It is a pity that many other commercial activities are not compelled to go through a similar process before price increases are permitted, because almost daily one sees an upward movement in the prices of foodstuffs.

The Government has also gone to the other extreme and fixed a minimum price under which milk shall not be sold. I believe this is a good idea because a product should be sold at its proper price. I do not favour undercutting of price or people working for less than award wages, and by the same token I believe goods should be sold at a proper price with a reasonable profit for the retailer.

The Government has now agreed to milk being sold in cartons but not in bottles from supermarkets and grocery stores, at a price which will not permit undercutting and active competition with licensed premises. The fixing of a retail price will remove this temptation from the supermarkets, and the Government ought to be commended for its action in that regard. In future, any person who sells milk under the fixed price will commit an offence.

Another change in the legislation which the Government has agreed to relates to milk licences that have been suspended or cancelled. Previously, if the Milk Board suspended or cancelled a licence it was possible for the retailer to apply for restoration of his licence almost immediately. Apparently the Milk Board told the Government that it did not think this was a good idea, and under this Bill the Government has decided that a person whose licence has been suspended or cancelled shall not be eligible to apply for a renewal of his licence until after the expiration of six months.

The Hon. G. L. CHANDLER.—The Government said that to the Milk Board, not the Milk Board to the Government.

The Hon. ARCHIBALD TODD.—In any case, the licence will be cancelled for six months. In regard to the sale of milk, the Government has gone further and the Bill provides for the sale of packaged flavoured milk in cafés. This proposal will probably find favour with a number of young people. It is also proposed to permit the sale of packaged flavoured milk at sporting events. It would be preferable to sell packaged milk instead of cans of beer at a football match. Members of my party commend the Government for this suggestion, so long as the necessary precautions are taken to ensure that there will be no variation in the quality of the milk sold as a result of its being kept for too long. For example, a person who sells milk at a sporting event may not sell all of his milk on one day and may wish to keep the remainder for sale on a future occasion. Therefore, the Government should ensure that the person who has the right to sell milk at sporting events must have the necessary facilities to keep the milk at a proper temperature to prevent it from deteriorating.

My colleagues and I on the Statute Law Revision Committee recently visited Sydney and attended a function where flavoured milk was sold. We consumed some of it and appreciated it. The Milk Board in Victoria is now following the steps taken in New South Wales, and I am sure that this facility will be appreciated by those people who attend the forthcoming cricket test series between the West Indies and Australia. It will be greatly appreciated by the people who attend the Melbourne Cricket Ground and other sporting venues, particularly when the weather is warm. There is no doubt that many of the patrons of sporting fixtures would like to drink something other than the liquid that is normally available.

The amendments contained in the Bill are quite reasonable. The only amendment about which my party is not completely happy is the one which removes from the Act the specified hours during which a shop holding a milk licence should be open from Monday to Sunday.

The last amendment is one which relates to the registering of dairies that deal only with milk. It has been pointed out that there are places which deal with milk and milk products, and it is now proposed to establish a specified list of those so that they may be registered as a special group. If the proposed amendments to the principal Act result in people consuming more whole or flavoured milk, so much the better, because the House was recently informed of the parlous state of the dairying industry. The amendments

contained in the measure will not help those who produce butter so much as those who cater for the production of whole milk.

The Opposition does not oppose the Bill but, in saying that, I add the qualification that it is not happy with the provision concerning working hours. Although the retention of the hours at present laid down for shops holding milk licences would necessitate the making of special provisions in relation to supermarkets and other places which operate for five and a half days per week, the Opposition believes that another sub-section could easily be included to meet this situation instead of merely opening the gate wide and permitting traders to close when they wish to do so.

The Hon. R. W. MAY (Gippsland Province).—As a result of changed circumstances and conditions, this Bill has been introduced to amend the Milk Board Act 1958. The Country Party pays tribute to the Milk Board which, since its inception, has been of great service to the milk industry. It has made a wonderful contribution to the rationalization of the industry, and it is in the unique position of having won the acclaim and approval of both consumers and producers. Consumers desire the provision of services to be protected, and producers are concerned to have more outlets for the sale of milk. The Government has achieved success in extending avenues of sale in other industries, and it now seeks to extend avenues of sale with regard to milk. Perhaps the Government has learned from its experience in expanding the sale of liquor.

As the Minister stated in his second-reading explanatory speech, the measure before the House arose as a result of approaches to the Minister from the Victorian Food Retailers' Consultative Council for an easing and extension of conditions governing the sale of milk. Members of that council were anxious to have conditions extended, and I point out that licences for the sale of milk at present issued by the Department of Agriculture have been issued to approximately twenty supermarkets. Members of the Country Party, of course, do not wish any organization to obtain a monopoly in the retailing and distribution of milk because, in the long term, as Mr. Todd has said, it could be disadvantageous to both the consumer and the producer. Recently, various techniques have been employed by grocery chain stores to sell below cost cream which has not been under the control of the Milk Board. Some of them have described it as " reduced cream " and others as " cream reduced ", and, to guard against such practices, section 22 of the principal Act has been amended. This had the effect of bringing all dairy produce under the jurisdiction of the Milk Board.

The Country Party is pleased to see that provision has been made in this Bill for fixing the price of milk. Previously, only a maximum price was provided and there was nothing to prevent retailers cutting the selling price. Honorable members will know that what is set as a minimum price generally becomes a ceiling price; and eventually a paradoxical situation is reached which, in the long term, results in instability for the consumer and the industry.

Some apprehension has been felt about the effect of section 92 of the Constitution upon the effectiveness of this proposed legislation. The Country Party has no doubt that the Government has considered this matter, but would appreciate an assurance from the Minister that this aspect has been taken into consideration.

To open more avenues for the disposal of milk, the definition of " retailer " has had to be made more precise, and the Bill provides for that by an amendment contained in clause 2. Section 18A of the principal Act has been amended to authorize the sale of milk in prescribed containers,

but it excludes the sale of flavoured milk. Flavoured milk has never been as popular as was expected, and it is hoped that this exclusion will lead to increased consumption.

Clause 5 extends section 18c of the principal Act to provide a penalty of cancellation of licence in the event of milk being sold at a price other than the appropriate determined retail price. The Country Party believes that this is a necessary safeguard. The clause also provides for the insertion of a new section 18CA in the principal Act. The Country Party is pleased to see that the position has been tightened in regard to a person other than a dairyman who transports or delivers milk to a milk shop in a quantity greater than 15 gallons. The Country Party is concerned that this permits the transport of milk in quantities up to six crates, but the provision is not precise. Could the Minister inform the House whether this refers to six crates per trip, per hour or per day? Members of my party should like the position to be clarified, because a situation could arise in many country towns in which a chain store organization makes deliveries, and the deliverer could be passing a depot and pick up six crates on each return. Will the Minister explain how this provision is to operate?

Members of my party were pleased to hear Mr. Todd support the hours of sale which are provided by the retail dairies. It came rather as a surprise, bearing in mind the attitude of spokesmen of the Labor Party when the question of hours at Traralgon was being discussed in this House. It is convenient for people to be able to obtain milk at night, and one wonders whether or not retail dairymen will remain open for the extended time, to make up to some extent for what they have lost to the chain store organizations, or whether they will observe the times adopted by all of the other outlets for milk.

Most milk bars now handle the sale of bottled milk, and the chain store organizations and supermarkets are being restricted to sales of milk in prescribed containers. It is my understanding that in their approach to the Minister representatives of chain stores and supermarkets requested the right to sell milk only in no-deposit, non-returnable, non-glass containers, and stated that they were not interested in handling milk in bottles. In view of this the Government had intended to provide for the restriction of the sale of milk through supermarkets to sales in these containers. That provision has not been made because the Milk Board pointed out that in certain country milk districts such containers are not available.

The Country Party supports the measure. I remind the Minister that we should like to hear him on the question of the number of crates which are permitted to be transported and the time that is fixed between deliveries.

The Hon. A. K. BRADBURY (North-Eastern Province).—I support my colleague, Mr. May, in his endorsement of this Bill on behalf of the Country Party. At the outset, I thank the Minister for the manner in which he has approached this problem. It is a very real problem and one which could be detrimental to the Milk Board of this State. Today, I was a member of a deputation to the Minister of Agriculture which was concerned with a serious situation facing the holders of milk contracts and licensed milk resellers in the north-eastern part of Victoria, particularly those in the City of Wangaratta. Mr. Todd asked about the provision that will allow supermarkets to hold licences to sell milk. I believe this represents an attempt to meet the situation of which I am speaking.

An interstate dairying company, sheltering under section 92 of the Commonwealth Constitution, delivers

milk to a supermarket in Wangaratta. That supermarket does not hold a licence issued by the Victorian Milk Board, and neither the Board nor the Government can do a thing about it. When the supermarket was to open early in February, I was approached to see if I could assist it to obtain a licence to sell milk in containers. I took the matter up with the Milk Board but was quite properly informed that it had no power to issue a licence to any shop which traded only five and a half days a week.

If this provision had operated then, it is possible that the situation in Wangaratta would not have arisen. Those who manage the supermarket were determined not to be outdone by their competitors and devised this way of getting around the lack of a milk seller's licence. The result has been a headache for the Milk Board and for the Minister. The situation could spread from the north-east of Victoria to Melbourne. If it is possible for milk to be transported from Albury to Wangaratta in refrigerated trucks, there is no way of preventing it from being transported to Melbourne.

Now, the company concerned has canvassed a number of small shopkeepers, who trade for only five and a half days a week, and arranged for them to sell its milk. It is possible that these people are contravening the Act, but if milk is sold in accordance with the Health Act under hygienic conditions, shopkeepers should be allowed to sell it. As a result, more milk will be sold to the public. One small shopkeeper in the town where I live, who had never previously sold milk, rightly or wrongly accepted the proposal of the interstate dairymen. He has informed me that his sales of soft drink have fallen by at least 60 per cent and that sales of milk have risen correspondingly. If the position is not controlled, the Victorian dairying industry, which already faces many problems, will be in jeopardy.

The Hon. A. K. Bradbury.

Clause 3 provides that a milk shop licence will authorize the sale of milk in containers only, which shall not be bottles. If people are to be allowed to sell milk in containers, they should also be allowed to sell it as a drink in the shop. Many cafes would avail themselves of these licences, and they should be able to sell malted and other milk drinks which are demanded by many people. I appreciate the actions of the Minister which have led to the provision in the Bill that it will not be necessary for a shop to hold a milk shop licence to sell flavoured milk in sealed containers—and in this case sealed containers includes bottles. Flavoured milk is becoming very popular, and anything which leads to the disposal of more milk will benefit the State and particularly its dairy farmers.

Paragraph (c) of clause 6 provides for a new sub-section (8A) to be included in section 19 of the principal Act. The new sub-section provides—

> The Governor in Council may prescribe classes of premises at which milk may be sold by retail in a milk district at a price lower than the appropriate price determined under this section and applicable to that milk and may prescribe conditions under which milk may be sold, and it shall not be an offence for any person to sell milk below the relevant determined price at premises of any such class and in accordance with any relevant conditions.

I interpret that to mean that the Governor in Council will be able, in certain cases, to specify a price, lower than that fixed by the Milk Board, at which milk may be sold. I trust that my interpretation is correct, because the necessity for such a provision is shown by the war in the industry in the north-east of Victoria. Although the Milk Board has fixed the price of milk at 10 cents a pint, the interstate dairying company is retailing milk to householders at 9 cents a pint. The two major dairying companies in the area, the North Eastern Dairying Company and the Milford Dairying Company, at a public meeting, appealed to the

dairy farmers who supply them to accept 4 cents a gallon less than the contract price so that they could compete against the cut price at which Haberfield's retail milk. As the deputation told the Minister this morning, one company has already lost more than $3,000 and the other has lost about $1,000.

The Hon. J. M. Tripovich.—From where does that company obtain its supplies?

The Hon. A. K. BRADBURY.—It obtains some from New South Wales and some from Victorian dairy farmers. The local dairy farmers agreed to assist by accepting 4 cents a gallon less for their milk, and the local companies have reduced the price of milk to 8 cents a pint. As a peculiarity of human nature, the customers are still buying milk from the interstate company at 9 cents a pint. The only possible explanation is that the local retailers deliver milk in the early hours of the morning while the interstate company delivers its milk late in the afternoon. People may believe they are obtaining fresh milk twice daily. That is very doubtful. It is probable that the milk delivered in the afternoon is received from the dairy farmers the previous night, in the same way as the milk delivered in the morning.

If this problem, which is Wangaratta's today and may be Melbourne's tomorrow, is not overcome, goodness knows what will happen in the end. I thank the Minister and the Milk Board for having made a serious attempt to safeguard the interests of dairy farmers and consumers of Victoria and to see that some measure of justice is afforded to retailers who are endeavouring to abide by the conditions laid down by the Milk Board. I assure Mr. Todd that the provisions which will allow supermarkets to sell milk are necessary because of possible competition from interstate dairying organizations. I again compliment the Minister and the Milk Board for making a realistic endeavour to meet the situation.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, relating to the interpretation of "retail".

The Hon. G. L. CHANDLER (Minister of Agriculture).—I do not intend to ask the Committee to pass this measure tonight. I shall make one or two observations and then propose that progress be reported. I hope that consideration of the Bill will be resumed tomorrow.

I should think the provision relating to 15 gallons per trip would be a condition of the licence, but as I am not sure of that and I do not want to mislead the House, I shall make inquiries.

The Hon. J. M. TRIPOVICH.—What would be the position if it were flavoured milk?

The Hon. G. L. CHANDLER.—Flavoured milk is not controlled in any form. Great difficulty is being experienced in Wangaratta and, as Mr. Bradbury has said, it might have been better if this legislation had been introduced earlier, so that the problems could have been minimized. From legal advice tendered to the Government, it is difficult to stop milk coming to Victoria from interstate. Victorian producers send milk to Albury for processing, and it is then returned to Wangaratta where it is sold in retail shops. The same thing is happening at Echuca. There was a time when great difficulty was experienced behind the scenes in retaining the Sydney and Adelaide markets for Victorian cream. So far as other States are concerned, Victoria probably cannot expect much help in dealing with this problem.

The Victorian Food Retailers' Consultative Council, which represents most of the large self-service grocery stores, supermarket operators and grocers, requested that the Victorian legislation as regards the sale of milk

in cartons should be brought into line with that of the other States. I was loath to have anything to do with such a proposal because I feared that anything that affected the home deliveries of milk would be disastrous to sales of milk. I cannot believe that the retail dairymen, the distributors, who deliver bottles of milk every morning to the homes would not be affected if people could obtain their requirements from a self-service grocer. I am also certain that the consumption of milk would decrease.

I agreed to the proposed amendment contained in this Bill in an endeavour to retain the distribution of milk in its present form, and at the same time to agree to some sort of legislative provision whereby the operators of supermarkets would pay not a maximum or minimum but a fixed price for milk. The consultative council agreed to this proposition, and it has been included in the Bill.

The Bill is important so far as it goes, but there are one or two points on which I should like to obtain further information. I think honorable members would also like further information on certain matters, because the legislation will probably be the subject of a test case in the courts before very long. Therefore, we want to ensure that what is proposed is the best possible procedure. With that in mind, I suggest that progress be reported.

Progress was reported.

WATER SUPPLY LOAN APPLICATION 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.

MELBOURNE HARBOR TRUST (EXCHANGE OF YARRAVILLE LANDS) BILL.

The debate (adjourned from November 20) on the motion of the Hon. L. H. S. Thompson (Minister of Education) for the second reading of this Bill was resumed.

The Hon. A. W. KNIGHT (Melbourne West Province).—One could talk for a long time on this Bill which relates to an exchange of lands between the Melbourne Harbor Trust and Mobil Oil Australia Limited. The lands in question are set out in the schedule to the Bill and work has apparently commenced in the area.

The safety of men who traverse the Yarra river in vessels is worthy of this measure. Over the years, a few incidents have occurred with vessels in the river. There was the occasion when oil and other inflammable liquids were discharged into the river, floated up the river with the incoming tide, and set fire to the *Euroa* at No. 8 Wharf at Yarraville. I also recall one Saturday morning on a fire danger day when a similar incident occurred at No. 2 and No. 3 wharves at Newport.

These wharves have been located at Newport for many years. It appears that the agitation by the Williamstown City Council, the Port Phillip Pilots' Association, as well as master mariners, to have this danger removed, especially in view of the larger vessels now sailing on the river, have been successful. When the new oil dock is constructed, I hope the old wharves at Newport will be quickly removed, otherwise they might later be used again as tanker berths.

Interesting facets of the history of the Melbourne Harbor Trust appear in the publication, *Jubilee History of the Melbourne Harbor Trust*, which was compiled from the original records of the Trust and from the Victorian *Hansard* by Benjamin Hoare. Under the heading "Should kerosene ships lie at the wharves?", this interesting article appears—

> This question had to be decided in 1894, through the taking fire of the wooden ship *Habitant*, loaded with kerosene and berthed at the South Wharf. The discharge of the cargo was completed on the 7th June, and early on the morning of the 8th she was discovered to be on fire. The Harbor Master at once took steps to cope with the disaster, in which he was greatly assisted by Superintendent Stein, of the Metropolitan Fire

Brigade, with a strong body of firemen and steam fire engines. He also availed himself of the offer of the Commander of the Naval Forces to assist with a party of men from H.M.S. *Cerberus*. The fire was confined by the energies of the fire brigade and the assistance of the Trust's fire engines to the hold of the ship, which was filled with water.

The Secretary of Customs at once wrote, asking the Trust to take steps against similar conflagrations.

When the new oil dock is constructed, booms will be provided to prevent oil accidentally discharged into the river from flowing up or down the stream. This is a further safety feature.

Some of my constituents in that great suburb of Footscray have expressed some fears. One of them is a member of the Port Phillip Pilots' Association and he is concerned about the closeness of the new wharf to the proposed West Gate bridge. I suggest that this pilot should take heed of the views of his own association which has been agitating for years for the removal of the oil wharves at Newport. I believe the project will benefit not only the State but the people who sail the vessels on the river.

The Hon. R. J. HAMER.—The important thing is to get the oil wharves out of the river.

The Hon. A. W. KNIGHT.—That is correct. The proposed works on the container wharf at Coode Island, the overseas passenger terminal and the widening of the Yarra river will enable the larger vessels to ply their trade. The Labor Party does not oppose the Bill, which should ensure that the works can be completed.

The Hon. H. A. HEWSON (Gippsland Province).—This Bill relates to an exchange of land to facilitate wharf construction, and is similar to other Bills of this nature that have been introduced into this House from time to time. It is not necessary to traverse the history of the area concerned; Mr. Knight has done this adequately. The Country Party does not oppose the Bill.

The motion was agreed to.

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

ADJOURNMENT.

GAS AND FUEL CORPORATION: WORKS IN THOMAS-STREET, DANDENONG—RAILWAY DEPARTMENT: SPARKS FROM HEATING APPLIANCES IN ROLLING-STOCK.

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

That the House do now adjourn.

The Hon. I. R. CATHIE (South-Eastern Province).—I direct the attention of the Minister for Fuel and Power to a situation that is worrying many people in the City of Dandenong. The Gas and Fuel Corporation is laying a gas pipeline in the middle of Thomas-street, which is the second main shopping street in Dandenong. Without any warning, particularly to the retail shops, pipes were placed in the centre of the street along the car parking area. None of the people concerned were given any notice, and this week the situation became worse when the Corporation commenced laying the pipes.

This has seriously disrupted parking, particularly in Thomas-street, only a few weeks before Christmas and has affected the Christmas retail trade of the shops in the area. It has also caused a dust nuisance which has ruined Christmas stock in some of the shops. The Dandenong Chamber of Commerce raised this matter with the Gas and Fuel Corporation and received some sort of promise that the work would be completed at the end of this month. However, the work is just starting.

The noise from these works is having a serious affect on matriculation students sitting for their examination in the Methodist Church hall, only a short distance from Thomas-street. I ask the Minister for Fuel and Power to examine the position and to use his influence to expedite these works. It may be possible to have

works undertaken in another area and the Thomas-street works recommenced after Christmas.

The Hon. K. S. GROSS (Western Province).—One of my constituents recently followed a train and saw a great shower of sparks being emitted. From time to time, diesel locomotives have been responsible for starting fires in the countryside. On this occasion the sparks came, not from the diesel locomotive, but from the guard's van which was probably equipped with a coke or briquette heater.

The Minister of Transport should arrange for the Railway Department to provide alternative heating arrangements in the rolling-stock. The countryside is now carrying a lush growth of grass which is in the process of drying off. Special precautions should be taken to prevent bush fires.

The motion was agreed to.

The House adjourned at 10.9 *p.m.*

Legislative Assembly.

Wednesday, November 27, 1968.

The SPEAKER **(the Hon. Vernon Christie)** took the chair at 11.4 a.m., and read the prayer.

CIVIL DEFENCE.

UNITS IN VICTORIA: LOCATION: CALLS FOR ASSISTANCE: COSTS.

Mr. BUCKLEY (Lowan) asked the Premier—

1. How many civil defence units are stationed in Victoria?

2. Where they are stationed?

3. How many calls for assistance from the service have been received to date?

4. What the service has cost to date?

Sir HENRY BOLTE (Premier and Treasurer).—As the answers include a lengthy list of names, 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. There are 73 municipal civil defence organizations in Victoria.

2. They are at—Alexandra, Altona, Bacchus Marsh, Ballarat, Beechworth, Boort, Bright, Broadmeadows, Camperdown, Caulfield, Chelsea, Cobden, Colac, Coleraine, Corryong, Croydon, Diamond Creek, Donald, Doncaster, Drouin, Eaglehawk, Echuca, Edenhope, Eltham, Euroa, Fern Tree Gully, Foster, Footscray, Gisborne, Hastings, Healesville, Horsham, Kaniva, Kerang, Kyabram, Leongatha, Lilydale, Maffra Mansfield, Marong, Mirboo North, Moe, Morwell, Myrtleford, Nathalia, Numurkah, Nunawading, Omeo, Penshurst, Portland, Preston, Pyramid Hill, Riddell, Rokewood, Seymour, Shepparton, Springvale, Stawell, Swan Hill, Tallangatta, Tatura, Tongala, Tungamah, Upwey, Wangaratta, Warburton, Warragul, Warrnambool, Waverley, Whittlesea, Wonthaggi, Yackandandah, Yarrawonga, and Yea.

3. As requests for assistance from the organizations concerned are made direct to them, I have no knowledge of the number of calls made.

4. I have no knowledge of the actual costs incurred by these organizations.

ROADS (SPECIAL PROJECTS) FUND.

COLLECTIONS.

Mr. BUCKLEY (Lowan) asked the Treasurer)—

1. How much has been collected to date for the Roads (Special Projects) Fund?

2. What has been the cost of collecting this tax to date?

Sir HENRY BOLTE (Premier and Treasurer).—The answers are—

1. The sum of $31,932,049.

2. This amount has been collected by the Motor Registration Branch as part of the over-all collection of motor registration fees and it is not possible to readily calculate the cost of collection of that part of motor registration fees paid into this fund.

GOVERNMENT INSTRUMENTALITIES.

SALARIES AND WAGES COSTS.

Mr. GINIFER (Deer Park) asked the Treasurer—

In respect of each of the following authorities, viz.:—the State Rivers and Water Supply Commission, Victorian Railways Commissioners, Melbourne and Metropolitan Board of Works, Melbourne and

Metropolitan Tramways Board, Melbourne Harbor Trust, and Country Roads Board, what total amounts were expended on salaries and wages in the financial year 1967-68?

Sir HENRY BOLTE (Premier and Treasurer).—The following answer has been supplied to me, but I am not sure whether it conveys the information sought by the honorable member :—

	$
State Rivers and Water Supply Commission	10,835,163
Victorian Railways Commissioners	82,361,837
Melbourne and Metropolitan Board of Works	20,216,213
Melbourne and Metropolitan Tramways Board	14,221,080
Melbourne Harbor Trust	5,834,462
Country Roads Board	15,205,327

SCIENTOLOGY.

INVESTIGATIONS BY POLICE.

For **Mr. MITCHELL** (Benambra), Mr. Cochrane asked the Chief Secretary—

When he expects the Police Department to complete its investigation into the present situation with regard to the scientology cult?

Sir ARTHUR RYLAH (Chief Secretary).—This is a continuous investigation because of a variety of material coming to hand through the post from time to time. The investigation will probably continue for some time and therefore I cannot supply a specific answer.

HOUSING COMMISSION.

RENTS FOR INCOMING TENANTS : REBATES TO PENSIONERS.

Mr. TREZISE (Geelong North) asked the Minister of Housing—

1. Whether the practice of raising rents to the maximum amount (except rebates) for incoming tenants since 1965 has become the rule?

2. Whether all pensioners receive rebates ; if not, why?

Mr. MEAGHER (Minister of Housing).—The answers are—

(1) Yes.

(2) No. Examples are—

(*a*) A pensioner couple could be the principal tenants but a working son receiving a normal wage residing with them could preclude the granting of a rebate in accordance with the provisions of the Rents and Rebates Regulations 1965.

(*b*) Pensioner tenants occupying acommodation in excess of their needs having refused to move to alternative lesser bed accommodation when offered.

FORESTS COMMISSION.

CONTROL OF ST. JOHN'S WORT NEAR LAKE EILDON.

Mr. GINIFER (Deer Park) asked the Minister of Forests—

What action is being taken to control St. John's wort in the State forests areas adjoining Lake Eildon?

Mr. MEAGHER (Minister of Forests).—The answer is—

The control of noxious weeds is not a function of the Forests Commission, but of the Vermin and Noxious Weeds Destruction Board, which is administered by the Lands Department. Nevertheless, the 13 miles long plantation on the south shore of the Howqua arm of Lake Eildon will effectively cope with any St. John's wort on the planted country. Some control along roadsides, firebreaks and the reservoir frontage may still be required, but this again is not the Commission's responsibility.

NATURAL GAS.

AVAILABILITY TO PROVINCIAL CITIES : DISTRIBUTION.

Mr. ROSS-EDWARDS (Shepparton) asked the Minister for Fuel and Power—

When natural gas will be available to the provincial cities of Victoria (excluding Geelong) and, when available, by what method it will be distributed?

Mr. BALFOUR (Minister for Fuel and Power).—The answer is—

The question of supply of natural gas to Victorian provincial cities is presently under consideration, but the study has not yet reached a stage at which definite statements can be made.

If and when natural gas is taken to provincial cities, it is anticipated that it will be transported by pipeline.

WILLIAM ANGLISS FOOD TRADES SCHOOL.

APPOINTMENT OF PRINCIPAL.

Mr. FLOYD (Williamstown) asked the Minister of Labour and Industry, for the Minister of Education—

1. When the present principal of the William Angliss Food Trades School is due to retire?

2. Whether applications have been called for a successor to the present principal; if not, when this will take place?

3. What qualifications are required for appointment to the position, and who makes the appointment?

Mr. ROSSITER (Minister of Labour and Industry).—The Minister of Education has supplied the following answers :—

1. From and including 23rd January, 1969.

2. Yes.

3. (*a*) The qualifications required are :—

The academic or technical qualifications prescribed for class 1 teaching position, together with a sound knowledge of the principles and problems of vocational education and of industrial requirements and at least four years' experience in charge of a technical school or technical school department.

Applicants should submit evidence of outstanding organizing, directive, and teaching ability, and should possess approved organizing and teaching experience in a food trades school.

Approved industrial experience will be an added requirement.

(*b*) The Committee of Classifiers, Technical Schools Division.

EDUCATION DEPARTMENT.

PROVISION OF PAPER TOWELS.

Mr. FLOYD (Williamstown) asked the Minister of Labour and Industry, for the Minister of Education—

1. Whether the Education Department supplies paper towels for toilets in any of its buildings apart from schools; if so, what is the approximate average annual cost?

2. Whether the Department supplies any State schools with paper towels for toilets; if not, what are the reasons, and whether there are any plans to make this supply available in the future?

Mr. ROSSITER (Minister of Labour and Industry).—The Minister of Education has supplied the following answers :—

1. Paper towels are supplied to officers of Speech Therapy, Psychology and Guidance, Visual Education and Physical Education and Physical Education Branches. The approximate annual cost is $150.

2. No. Although this is considered desirable, finance does not at present permit paper towels being supplied to schools.

MELBOURNE AND METROPOLITAN TRAMWAYS BOARD.

SUNDAY TRAM SERVICES.

For **Mr. TURNBULL** (Brunswick West), Dr. Jenkins asked the Minister of Transport—

1. What is the time-table for trams, from Bell-street along Melville-road to the city, on Sundays?

2. What is the city terminal for such trams on week days and Sundays, respectively and, in the event that Sunday trams terminate at Collins-street, what is the reason for the change from previous practice?

3. Whether there was any delay of city-bound trams running in St. Kilda-road on Sunday, 17th November, at about 7 p.m.?

4. Whether visitors to Prince Henry's Hospital about such time were advised of any delay, and whether such visitors were obliged to walk to the city?

Mr. WILCOX (Minister of Transport).—The answers are—

1. Trams leave Bell-street at 7.13 a.m. and 8.13 a.m then, from 8.40 a.m to 1.10 p.m., at 30 minute intervals; from 1.10 p.m. to 5.10 at 30 minute intervals; from 1.10 p.m. to 5.10 p.m. at 20 minute intervals; and from 5.10 p.m. to 11.10 p.m., at 30 minute intervals.

Trams also run at 11.36 p.m. and 12.06 a.m., but only to Flemington-road.

2. The majority of these trams on weekdays continue through the city to the corner of St. Kilda-road and Domain-road. Some terminate in Queensbridge-street at Whiteman-street and others terminate at South Melbourne depot.

On Sundays, because of lack of patronage, trams which formerly operated to St. Kilda-road and Domain-road have been terminated at the corner of Collins and William-streets, city, since Sunday, 17th November, 1968.

3. and 4. No delay was recorded at that time.

NATIONAL PARKS AUTHORITY.

CONTROL OF ST. JOHN'S WORT NEAR LAKE EILDON.

Mr. GINIFER (Deer Park) asked the Minister of State Development—

What action is being taken to control St. John's wort in the national parklands adjoining Lake Eildon?

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

Control is being undertaken by the Vermin and Noxious Weeds Destruction Board. A team of four men have carried out spraying through the Fraser National Park on St. John's wort over a period of five weeks using knapsack mister units. The area known as Bolte Bay is being dealt with by biological control of insects. An area yet to be treated is Taylor Bay, which will be sprayed using the new tordon chemical and it is expected that the men will be working on the area for a further week or ten days unless spraying is terminated earlier because of the stage of growth of plants.

ROYAL BOTANIC GARDENS.

CONSTRUCTION OF RESTAURANT.

Mr. WILTON (Broadmeadows) asked the Minister of Lands—

1. Who made the decision to build a restaurant in the Royal Botanic Gardens?

2. Where the restaurant is to be located and what area of land will be required to accommodate the restaurant?

3. Who will meet the cost of building the restaurant, what is the estimated cost, what tender prices have been received, and whether a tender has been let and, in that event, who was the successful tenderer?

4. Who will operate the restaurant, what will be the terms of the lease, and whether it is proposed that the restaurant be licensed?

Sir WILLIAM McDONALD (Minister of Lands).—The answers are—

1. The Government, in April, 1967.

2. Off Alexandra-avenue, north of the lake in the gardens. The area required for the restaurant is about 10,000 square feet.

3. The original proposal was that the Government would provide the shell of the building and the operator would be required to supply the necessary plant, equipment, furniture and fittings.

The estimated cost of the Government's share was $181,000. Tenders have been received and are currently under consideration.

4. Arrangements regarding the operator and terms of the lease have not been finalized. The licensing of the restaurant when contructed would be a matter for decision by the Licensing Commission.

DEPARTMENT OF AGRICULTURE.

LONDON-SYDNEY CAR RALLY: QUARANTINE ARRANGEMENTS.

For **Mr. MITCHELL** (Benambra), Mr. Cochrane asked the Minister of Lands, for the Minister of Agriculture—

With regard to the London-Sydney marathon car rally, whether he is completely satisfied that all quarantine requirements are fully complied with and that there is no danger to this State of the introduction of foot and mouth disease or any other stock or plant disease, as a result of the entry of these vehicles?

Sir WILLIAM McDONALD (Minister of Lands).—The following answer has been supplied by the Minister of Agriculture :—

The implementation of quarantine procedures is a Commonwealth responsibility, which is undertaken, so far as animal and plant quarantine are concerned, in each State by State officers who have been specifically authorized for this purpose.

Persons and vehicles involved in the London-Sydney marathon car rally will enter Australia at the port of Fremantle. The usual procedures with respect to customs and plant and animal quarantine will be undertaken at that port. These procedures will ensure that stock and plant disease will not be permitted to gain entry to Australia through medium of the vehicles used in this race.

MOTOR VEHICLES.

DRIVING LICENCES: PROBATIONARY LICENCES.

Mr. WILKES (Northcote) asked the Chief Secretary—

In each of the years 1966 and 1967, and in this year to date, how many—(*a*) licences to drive motor vehicles and probationary driving licences, respectively, were issued; and (*b*) driving licences and probationary licences, respectively, were cancelled?

For **Sir ARTHUR RYLAH** (Chief Secretary), Mr. Manson (Minister of State Development).—The answer is—

(*a*)

——	1966.	1967.	1968 to and including 31st Oct., 1968.
Ordinary licences ..	11,444	12,845	12,476
Probationary licences	63,709	67,976	60,336

(*b*) The information requested is not readily available. To obtain the information would necessitate a physical search of the records in relation to all cancelled or suspended licences.

POLICE DEPARTMENT.

STAFF AT MOONEE PONDS AND ASCOT VALE.

Mr. EDMUNDS (Moonee Ponds) asked the Chief Secretary—

How many uniformed and other police were stationed at Moonee Ponds and Ascot Vale police stations during the months of September and October this year, and what is the authorized strength of each station?

For **Sir ARTHUR RYLAH** (Chief Secretary), Mr. Manson (Minister of State Development).—The answer is—

MOONEE PONDS.

Rank.	Uniformed Police.		Criminal Investigation Branch.	
	Actual Strength.	Authorized Strength.	Actual Strength.	Authorized Strength.
Sergeant ..	*1	2	1	1
Senior Constable ..	4	4	1	1
First Constable/Constable ..	†19	19	5	5
Totals ..	24	25	7	7

* A vacancy for a sergeant was gazetted but there were no applicants for the position and action is now being taken to fill the vacancy.

† A vacancy for a first constable/constable existed from the 1st to the 24th September, 1968. One member resumed duty after national service training on the 27th September, 1968, and another two members commenced national service training on the 2nd October, 1968. However, the authorized strength has been increased temporarily by two to cover the loss of the latter two members. It is anticipated that these vacancies will be filled in the near future.

ASCOT VALE.

Rank.	Actual Strength.	Authorized Strength.
Sergeant	1	1
First Constable/Constable	*4	4
Totals ..	5	5

* A vacancy for a first constable/constable existed from the 1st to the 24th September, 1968.

SOCIAL WELFARE BRANCH.

BRANCH OFFICE AT GEELONG: STAFF: RESPONSIBILITIES.

Mr. TREZISE (Geelong North) asked the Chief Secretary—

1. What has been the annual allocation of staff to the Geelong office of the Social Welfare Branch during each of the last five years?

2. What have been the responsibilities of each member of such staff?

3. For what area the Geelong office is responsible?

For **Sir ARTHUR RYLAH** (Chief Secretary), Mr. Manson (Minister of State Development).—The answers are—

1. Family Welfare Division: For each of the past five years—one field officer, senior, one shorthand writer/typist, and for approximately three months of each year, another field officer has assisted.

Probation and Parole Division: From November, 1963, to March, 1967, a stipendiary probation and parole officer visited the Geelong office and area two days per week. Since March, 1967, a probation and parole officer has been placed at Geelong office on a full-time basis, and this position continues at the present time.

2. Responsibilities of each staff member:

Field officer, senior—To be the regional officer for the Family Welfare Division; to visit, interview, report upon and advise members of the public and matrons and superintendents of voluntary institutions concerning children under the supervision of the Division or in need of assistance under Part V. of the Children's Welfare Act.

Field officer—Duties similar to the above.

Shorthand writer/typist—To perform general shorthand and office duties in the Geelong regional office.

Probation and parole officer: Until March, 1967, the officer attending Geelong two days per week was responsible for adult probation and parole work only. Since March, 1967, the full-time officer has been responsible for all aspects of probation and parole, including oversight of honorary probation officers.

3. Area of Responsibility:

Family Welfare Division—Area of responsibility of regional officer extends from Geelong to Werribee and Bacchus Marsh; thence westerly to Chatsworth and Warrnambool.

Probation and Parole Division—Until March, the officer visiting Geelong was responsible for Geelong and the area extending to Colac. Since March, 1967, this officer was made responsible for Geelong and the area extending to the South Australian border and north to Edenhope.

MEDICAL PRACTITIONERS.

PRACTICES IN COUNTRY AREAS.

Dr. JENKINS (Reservoir) asked the Minister of State Development, for the Minister of Health—

1. Whether the Minister has received representations from the Quambatook Clinic and Doctors' Committee, regarding assistance towards providing a medical practitioner for the district from January, 1969?

2. Whether other country areas have made similar representations; if so, what areas?

3. Whether the Minister has taken any steps to assist Quambatook, or any similar area, in view of the failure of the present guarantee system to hold medical practitioners in such areas?

Mr. MANSON (Minister of State Development).—The Minister of Health has supplied the following answers:—

1. Yes.

2. Yes; Yackandandah.

3. The Minister does not agree that the guarantee system has failed. At the present time there is no area in the State which the Government usually assists to obtain a medical practitioner which is without a doctor but the Department of Health has been advised that Quambatook will be without the services of a doctor from January, 1969.

It must be appreciated that there are inherent difficulties in retaining medical practitioners in some country areas because the practice in those areas does not provide full-time occupation for a doctor. However, it is hoped that with the increased number of medical graduates that will be available from both the Melbourne and Monash universities by 1971 doctors will be more ready to accept practices in these areas.

CRIMES (FURTHER AMENDMENT) BILL.

Dr. JENKINS (Reservoir) moved for leave to bring in a Bill to amend the Crimes Act 1958 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

PERSONAL EXPLANATIONS.

LEGAL AID FOR ABORIGINES.

Mr. MEAGHER (Minister for Aboriginal Affairs).—I desire to make a short personal explanation to the House in relation to the debate on the Aboriginal Affairs (Amendment) Bill which took place on the 22nd of October of this year. In the course of that debate the Deputy Leader of the Opposition referred to a newspaper article, headed "Convictions will stop aid", which appeared in the *Herald* on 5th September, 1968. The purport of the article was to complain that the Ministry of Aboriginal Affairs had decided that it would not give legal aid to Aborigines who had previous convictions.

In the course of my reply to the Deputy Leader of the Opposition, I indicated that this was not an overall policy but that the Department had decided that in some circumstances it would not continue to give legal aid to Aborigines who continued to offend after having had aid. In this particular case, which concerned a man named Harrison who was charged with a series of offences at the Morwell court, the Department decided that it would not give legal aid, although the Department had one of its officers present in the court.

The complaint in the *Herald* arose from a report that an officer of the Department had disclosed the previous convictions of the accused before the trial was completed, and at the time of my reply to the Deputy Leader of the Opposition, my information was that that was the position. My information was that the officer, when asked whether aid was to be provided to the Aboriginal, said that it was not and that he was under instructions not to provide legal aid because of the Aborigine's previous convictions and, in saying that, he disclosed that there were prior convictions.

Since then I have had further checks made and I have been assured by the clerk of courts, the prosecuting officer of the court and one other witness that the accused's name was called and that the magistrate was informed, in response to a query, that an officer from the Department of Aboriginal Affairs was in fact present in the court. At that stage, however, the officer made no comment. The informations were then read and the defendant, in response to a request from the Bench, agreed to be dealt with by that court and then pleaded guilty to all charges. It was only after he had pleaded guilty to those charges that the magistrate called upon the departmental officer to speak, and it was then that the officer stated that he had been instructed that, in future, no Aborigine with previous convictions would receive legal aid.

This was not in accordance with the instructions received by the officer, who had been told by the Director that, in this case, no legal assistance would be provided although the officer was instructed to be present to look after the Aborigine's interest.

Subsequently, on the 22nd of November, there was an article in the *Herald* headed, "One error and man is in gaol". In the article it was stated that because the man's previous convictions had been declared before the trial had concluded, the Aborigine had been wrongly convicted.

I was quoted as having said in the House that this had occurred. I did say that in the House, in good faith, as I believed that it had happened. Subsequently, I discovered that the correct procedures had been carried out and, therefore, there was no miscarriage of justice in the case. I regret having misinformed the House on 22nd October and I take this opportunity to put the record straight.

I assure the House that there is no over-all policy to refuse legal aid to Aborigines. There is a discriminatory policy based on the fact that some Aborigines are believed to have told others that it does not matter if they break the law because it is the responsibility of the Ministry to get them out of trouble. In order to convince them that that is not so, it has been decided that they should be made to understand that they do not necessarily obtain legal aid unless they have a genuine need for it. I regret the mistake made when I gave incorrect information to the Deputy Leader of the Opposition on the 22nd October. I hope this explanation will correct the position.

STATEMENT IN DEBATE.

Mr. DIXON (St. Kilda).—I wish to make a short explanation to the House. As reported at page 1799 of *Hansard*, on the 19th November, I said—

> If the honorable member for Kara Kara considers that the Public Works Department is as ineffective and inefficient as he contends, why does he continue to tender for its contracts?

Inadvertently, I suggested that the honorable member for Kara Kara tenders for Public Works Department contracts. I should have referred not to the honorable member, but to the proprietary company with which he is associated. I apologize to the honorable member for Kara Kara for any embarrassment I might have inadvertently caused him.

STOCK (ARTIFICIAL BREEDING) (AMENDMENT) BILL.

Sir WILLIAM McDONALD (Minister of Lands).—I move—

That this Bill be now read a second time.

Legislation to control artificial breeding of stock was introduced in 1962, following a recommendation from the Australian Agricultural Council that uniform legislation to control artificial breeding should be enacted in all States. This control was considered necessary in two important respects. First, as the semen from one bull could be used in many herds over many thousands of cows, it was necessary to ensure that all bulls used to obtain semen for sale were free of infectious diseases which could be transmitted to cattle through the semen ; secondly, it was necessary to ensure that the basis of selection of bulls for artificial breeding should be the proven ability of the bull or the likely ability, because of his breeding, to improve the production of herds in which he was used, and that no serious malformation or faults would be spread by his use.

Since 1962, there has been considerable development in artificial breeding of cattle in this State, the number of cows inseminated annually having risen in that period from 85,000 to 200,000 per year. At the present time, there are three semen collection centres licensed under the Act, and 40 premises have been licensed for the storage and packing of semen. The Department of Agriculture undertakes the training of persons in artificial insemination, and, to date, 374 inseminators have been trained at the S. S. Cameron Laboratory, Werribee and, after passing a test in the theory and practice of artificial insemination, have been issued with a certificate of competency as prescribed under the regulations.

The Act provides for approval of bulls to be used for purposes of collection of semen for sale, and the health tests required for this approval are carried out at the S. S. Cameron Laboratory. Since the commencement of the Act, 258 bulls have completed their tests and have been introduced into one of the three licensed semen collection centres in the State. In general, the legislation has been effective in permitting the development of artificial breeding in the State, in ensuring the freedom from disease of the bulls used for this purpose, and in maintaining a high standard of genetic merit in these bulls.

Following lengthy discussions between the Commonwealth's and the State's veterinary services, agreement has been reached on conditions to be imposed to permit importation of bovine semen from the United Kingdom. A number of permits to import semen have now been issued by the Commonwealth Department of Health, and it is expected that the first batch of semen from the United Kingdom will arrive in March of next year.

Importation of this semen and its use in this State was not envisaged at the time the present Act was drafted, and in its present form it would be virtually impossible for this semen to be used legally in Victoria. The Act specifies that semen shall not be sold or used after sale unless at the time of collection or sale the sire is an approved sire. The quarantine requirements for bovine semen from the United Kingdom are such that the semen must be stored in the United Kingdom after collection for two years. In many instances, orders have been placed on stored semen, making compliance with the requirement of approval at the time of collection impossible to observe.

Accordingly, it is proposed that the Act shall be amended to permit, under proper controls, the use of this imported semen. At the same time, the opportunity is being taken to amend other sections in relation to which certain difficulties have arisen in the administration of the Act in recent years. There is provision in the Act whereby an owner may authorize the use of semen

from a sire on female stock which are held in the same ownership as the sire without any requirement of approval by the Chief Veterinary Inspector in terms of health testing or standard of genetic merit. During the past two or three years in particular, many individual owners have had semen collected from sires which have not been health tested or approved and have stored the semen for use on their stock. In order that a firmer control can be taken of this situation, in particular to ensure that this semen is not sold and that infectious disease of stock is not spread by this semen to other herds, provisions relating to the use by an owner of semen, from a bull which he owns, on his own stock, have been set out more explicitly and the requirement has been included of approval of the Chief Veterinary Inspector for such use.

I shall now deal with the specific clauses in the Bill. Clause 1 sets out the title of the Bill, and makes provision for the amending legislation to come into operation on a date to be fixed by proclamation of the Governor in Council. This is to enable consequential amendments to the regulations to be effected. Clause 2 amends section 3 of the principal Act by substituting a new sub-section (1). This sub-section has been redrafted to set out in more precise form the requirements of the Act with regard to the collection, sale or use of semen. Section 4 of the principal Act is amended by clause 3. Its purpose is to expand the requirements in respect of genetic merit for approval of sires by taking into account that beef bulls now coming forward for artificial breeding have been performance tested. The amendment makes provision for the pedigree and these performance tests to be taken into account in determining the suitability of a sire for declaration as an approved sire.

Clause 4 amends section 5 of the principal act to provide power for cancellation of approval of a sire where subsequent information discloses evidence of unsatisfactory results of performance test or the development of any malformation or other undesirable feature, or where the progeny of such a sire shows signs of deformity, malformation or unsatisfactory production. By clause 5, a new section 5A is inserted in the principal Act, giving the Chief Veterinary Inspector power to approve the sale and use in Victoria of semen imported from overseas with the consent of the Commonwealth Director of Quarantine. Such an approval will be deemed to be a declaration that the sire from which the semen was collected is an approved sire for purposes of the Act.

Provision is made also for cancellation of this approval where subsequent information is obtained which shows that the sire would not be of a standard equivalent to sires granted approval in Victoria, or where faults are found which would warrant withdrawal of an approval of a Victorian sire. Where the approval is cancelled, the importer or agent is to be so informed and he, in turn, is to inform every purchaser that approval of the sale and use of the semen has been cancelled. The subsequent sale and use of such semen is specifically prohibited.

Clause 6 amends section 10 of the principal Act in relation to the performance of the operation of artificial insemination. Section 10 is redrafted to provide that, where the semen used is collected from male stock of an owner for use on his own stock—that is, where declaration of the sire as an approved sire is not required under the Act—the written approval of the Chief Veterinary Inspector for the use of such semen must be obtained. The clause also provides that application for this approval is to be made in a prescribed form, and it is intended that full information in respect of the sire, including the date and place of collection of the semen, and the ownership of the sire and the female stock on which the semen is

to be used, will be required. This will enable firm control to be maintained over the use in Victoria of semen from sires which do not have to be declared as approved sires for the purposes of the Act. I commend the Bill to the House.

On the motion of Mr. EDMUNDS (Moonee Ponds), the debate was adjourned.

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

FENCES BILL

The message from the Council relating to the amendments in this Bill was taken into consideration.

Mr. G. O. REID (Attorney-General).—At this stage, I shall explain generally the reasons for the amendments made to clause 10 of the Bill by the Legislative Council. When the Bill was being considered in Committee, the honorable member for Midlands stressed that clause 10 placed an obligation upon a tenant who was served with a notice, order, award or certificate under this Act to serve a copy of such document on the landlord within fourteen days. The honorable member considered that this was an oppressive clause and he suggested that the time limit of fourteen days should be extended.

I promised to consider the matter and discuss it with the Parliamentary Draftsman and, if necessary, to have some amendments propounded in the Legislative Council. The matter was examined, and a form of amendment has been proposed which, although it is not precisely what the honorable member desired, will substantially meet his requirements and will effect an improvement to the Bill by making the obligation less oppressive to the tenant. Clause 10, as originally drafted, provided, *inter alia*—

(1) Where any fence is constructed under the provisions of this Act dividing any lands held by any person as tenant of any landlord from any adjoining lands, the cost thereof as between such landlord and tenant shall subject to sub-section (4) be payable in the proportions following :—

(*a*)—

. . . . . .

(3) Where a tenant is served with a notice order award or certificate under this Act relating to the construction of a fence, he shall within fourteen days serve a copy of the notice order award or certificate on his landlord.

(4) Where the tenant fails to serve a notice order award or certificate on his landlord within fourteen days of being served with it, the whole cost of the construction of the fence shall be payable by the tenant.

The first amendment made by the Legislative Council was in sub-clause (3) of clause 10. The Council omitted the words "on his landlord" and inserted the following expression:—

"by registered post on—

(*a*) his landlord at his last known address;

(*b*) the person to whom he pays his rent; or

(*c*) any person who he has reason to believe is authorized to accept service of notices on behalf of his landlord."

The second amendment made by the Council was consequential upon the first. In sub-clause (4) the expression "serve a notice order award or certificate on his landlord within fourteen days of being served with it" was omitted and the expression "comply with sub-section (3)" was inserted. I move—

That the amendments be agreed to.

Mr. STONEHAM (Midlands).—I thank the Minister for fulfilling the undertaking given when the Bill was being considered in Committee. Although the amendments do not precisely carry out what I suggested, I regard them as being eminently satisfactory.

Mr. WHITING (Mildura).—The Country Party agrees with proposed paragraphs (*a*) and (*b*) of sub-clause (3), which improve the sub-clause as originally drafted. However, members of the Country Party believe that proposed paragraph (*c*) could cause considerable difficulty

for a tenant if he had to use this particular method of advising his landlord that a notice had been served on him with regard to the construction of a party fence. The tenant could, for example, send the notice by registered post to any person who he had reason to believe was authorized to accept the service of such notice. However, I wonder whether the person concerned would be able to refuse to accept the notice or, if he did accept it, whether he would then advise the landlord. There appears to be no obligation placed on the person authorized to accept the notice to then notify the landlord. A tenant who fails to comply with the provisions of clause 10 will be liable to pay the whole cost of the construction of the fence.

Whilst the Country Party agrees that proposed paragraphs (*a*) and (*b*) are commendable, it entertains a serious doubt with regard to proposed paragraph (*c*). Perhaps the Minister could explain this more fully. Apart from this one doubt, the Country Party believes the amendments are an improvement on the clause as originally drafted.

Mr. G. O. REID (Attorney-General).—The provisions of paragraph (*c*) would be availed of only in comparatively rare cases. I do not propose to amend the paragraph at this stage, nor do I desire to delay the passage of the Bill. I shall have the matter examined and, if the draftsman advises me that there is a lack of clarity, a subsequent amending Bill can be introduced.

The motion was agreed to.

PUBLIC WORKS LOAN APPLICATION BILL.

The House went into Committee for the further consideration of this Bill.

Discussion was resumed of the schedule, as amended.

Mr. WILKES (Northcote).—I desire to raise a matter concerning the proposed building of the Northcote Technical School. The Minister of Public Works says, "Oh", but of course he does not represent an area like Northcote—the electors there would not have him. I have been entrusted with submitting this matter to Parliament. Early this year, I received from the Northcote Technical School Parents Association a letter which stated—

> It is with increasing concern that we again write to you regarding the erection of the main building of our school. A perusal of previous deputation reports and correspondence presents a history of conflicting reports regarding its ultimate completion.
>
> Nearing the end of the third year of the school, it is apparent that many of the present students will never see a proper technical school and further unsatisfactory temporary accommodation will be forced upon us for at least another year.
>
> We detail below a brief summary of previous action on this important matter.

A deputation waited on the former Minister of Education, Sir John Bloomfield, on the 20th October, 1966, in reference to this school. It was advised that the trade block would be ready in mid-1967. Actually, it was available in February, 1968, when the site works were completed. A further deputation waited on the Minister of Education on the 7th June, 1967, when it was advised that the main building would be ready for the 1969 student intake. The Northcote Technical School Parents Association wrote to the Minister of Education on the 1st November, 1967, concerning this matter, and the honorable gentleman replied on the 7th December, 1967, that the main building would be ready early in 1969 and that the Public Works Department was again requested to expedite this project.

I asked a question in this House on the 6th December, 1967, relating to the Northcote Technical School, and, on the 26th June, 1968, I was told that the main class-room block was behind schedule for reasons of planning design and so on for this type of school, and that the plan required modifications because of

high costs. Nevertheless, it was expected that tenders would be called in the third quarter of 1968. The letter from the parents association further stated—

> Because of the continuing uncertainty from all previous information we again respectfully ask that you seek from the Minister definite information as follows :—
>
> 1. Is the Northcote Technical School building included in the current building works programme and are sufficient funds available?
>
> 2. If so—when are tenders likely to be called for this important project?
>
> 3. What would be the estimated completion date?
>
> The parents feel that this school is not receiving fair consideration from the Government and it is apparent that further temporary makeshift accommodation is to be provided in 1969. This is not considered satisfactory for the 4th year of secondary education, and we believe urgent attention is needed so that the main building will be ready for 1970 when the 5th year will be commenced.
>
> If the answers to our questions reveal further delays, would you enlist the aid of your Parliamentary colleagues and bring pressure to bear to ensure early and satisfactory completion of this school.

The parents, teaching staff and students of the Northcote Technical School have been prepared to put up with inconvenience. It is commonly known that problems exist in relation to education in Victoria and, from time to time, parents, teachers and pupils are subjected to this inconvenience. Surely, there is a limit to inconvenience, and that limit is expressed in terms of the long delay in the determination of plans and specifications. I understand that the architectural and planning sections of the Public Works Department are overburdened with work. However, a senior officer of the Education Department visited the Northcote Technical School and stated that he hoped the building would be completed on a certain date. Both the Minister of Education and his predecessor gave assurances to the same effect, but nothing has been done.

If the date for the calling of tenders is determined by the lack of co-ordination between the Education Department and the Public Works Department, it is a matter of administration and the problem should be overcome. If it is a question of priorities and other schools have priority ahead of Northcote, the parents should be informed accordingly. The Northcote Technical School Parents Association should be treated better than simply being informed by means of the usual stock phrase that, because of alterations in plans between the Public Works Department and the Education Department, no definite assurances can be given. The parents are entitled to a definite answer.

The Education Department should have given an explicit reply to the parents association and should have stated when the school would be completed and occupied. I should be grateful if the Minister of Public Works could advise when the tenders will be called for the new building at the Northcote Technical School. I can then advise the parents association, so that its members can make their own assessment of when the building will be commenced.

The trade block at the Northcote Technical School has been used as temporary accommodation for some time. Temporary class-rooms have been erected on the site, notwithstanding the fact that the school operated at the Wales-street State School for some years. I have had only a few complaints to make about the way in which my electorate has been treated, and I have not worried the Minister, but that does not mean that complaints have not been made. Northcote has been prepared to take its turn. However, the parents believe that their turn is long overdue. I ask the Minister of Public Works to provide the Northcote Technical School Parents Association with information in relation to this school so that the parents, teachers and pupils can prepare themselves accordingly.

Mr. MUTTON (Coburg).—I direct the attention of the Minister of Public Works to a problem confronting the Coburg High School. Recently, I received a letter from the Coburg High Schol Advisory Conucil, which I forwarded to the Minister of Education, relating to the development of the existing site for this school. The reason I mention that is that the school site consists of only 1 acre of land, although approximately 600 children attend the school. It has been the desire of the advisory council for some years that the Public Works Department should acquire additional land to enable the school buildings to be extended and urgent amenities, such as an assembly hall, a science block and a gymnasium, to be provided. I understand that as a result of agitation by the advisory council, in 1966 the Department notified the council that it had been successful in acquiring from the Coburg City Council a small area of land to the south of the school. This land, known as the nursery site, measured 238 feet by 160 feet. The Department indicated that it was prepared to proceed with the recommendations of the advisory council, but since 1966 it has ceased to show any interest in the project.

I understand that a block to the east of the school has been purchased by the Department and that a school teacher is renting this site. It is on this aspect that I want to place some facts before the Minister. The advisory council is most anxious for the Department to acquire all the land on the eastern side of the school abutting Rodda-street, in order that it may prepare a future developmental programme. Unless the Department is prepared to proceed at this stage with the acquisition of this land and informs the advisory committee accordingly, the future programme of the council will be in jeopardy.

Another important factor is that it is proposed to start night classes for leaving and matriculation students at the Coburg High School this year. This will mean that a larger number of students will be attending the school at night. The class-rooms in which these students will be accommodated are old and outmoded and the advisory council would like to encourage these students by providing better facilities in order that they may gain some advantage from the tuition that will be offered to them. The advisory council has asked me to impress upon the Minister the urgency of consideration being given to the acquisition of land adjoining the school in order that adequate facilities may be provided for the teaching of chemistry, biology and other science subjects.

The Coburg High School has been established for 50 years, and it appears to me that the Department is more interested in providing new schools than it is in bringing existing schools up to a satisfactory standard. To enable this standard to be achieved, the Department should be given greater financial allocations for maintenance work and extension of existing buildings. An exception to this is the Moreland High School. The work undertaken at that school is a monument to the interest shown by the Department in extending old schools and providing excellent amenities and facilities. The work that the Department has done at this school is worthy of recognition. There is no reason why similar work cannot be undertaken at the Coburg High School.

I should like the Minister to follow up the possibility of supplying information to the advisory council of the Coburg High School on its intentions in regard to the acquisition of additional land for this school. I hope the Minister will also advise the council of the type of development the Department would agree to, in conjunction with the council. If he is prepared to do that, the Department and the council can work in harmony. The council is anxious to spend some of the money it has raised on projects which attract subsidy from the

Department, such as an assembly hall and a gymnasium. It is most anxious also to develop its school on similar lines to the Moreland High School. If the Minister recognizes my request and acts on it, he will be doing his duty towards the people of Coburg.

The schedule, as amended, was adopted.

The Bill was reported to the House with amendments, and passed through its remaining stages.

PUBLIC LANDS AND WORKS (AMENDMENT) BILL.

The debate (adjourned from November 12) on the motion of Mr. Porter (Minister of Public Works) for the second reading of this Bill was resumed.

Mr. LOVEGROVE (Sunshine).—Opposition members do not oppose the Bill which, in our view, makes progress in terms of the inquiries which have been conducted by the Public Works Department into methods of improving its work. A good deal of discussion has taken place in this House recently concerning the Public Works Department, and I do not propose to traverse any of the ground that was covered in those debates. However, I wish to make some observations designed mainly to contribute towards the thinking which at present is going on within the Department and in Parliament on the general question of administrative reform.

The Bill contains three provisions. First, it amends the Public Lands and Works Act by adding to section 8 of that Act the following new sub-section—

(1A) The Minister of Public Works may by writing under his hand appoint any officer in his Department as his delegate to carry out on his behalf any of the duties set out in sub-section (1) in relation to the carrying out of works and repairs and the provision of buildings and furniture which are estimated to cost not more than $4,000.

Secondly, where land or premises leases have been taken by the Department for public purposes, the Minister will be enabled to sub-lease portion of a lease until the whole of the lease is required for departmental use. Thirdly, where the Department has a property on Crown land or is hiring a property on Crown land, the measure will enable the Minister to provide conveniences for the staff and other persons employed by the Department who are working on the property.

Now I wish to advert to clause 2, under which the Minister will be empowered to delegate his authority in relation to the carrying out of works and repairs and the provision of buildings and furniture which are estimated to cost not more than $4,000. Every fortnight honorable members are supplied by the Minister of Public Works with lists of the tenders accepted and called by the Department during the previous two weeks. This practice which was begun by one of the Minister's predecessors—I think it was Sir Horace Petty who began the practice—is most helpful to honorable members. I wish to refer to the last circularized list of tenders accepted, which was issued by the Minister under date of 20th November, 1968, and which informed honorable members as follows:—

The Minister of Public Works (The Hon. M. V. Porter, M.L.A.) announced today that 51 tenders of $100 and over for works totalling $259,344.01 had been accepted by the Public Works Department during the week ending 19th November, 1968, as follows—

Then follows a list of the tenders accepted, the nature and location of the works, and the prices. An examination of the 51 tenders which were accepted by the Minister shows that only twelve are for amounts exceeding $4,000. Obviously a considerable saving of the Minister's time will be effected and, it is hoped, increased efficiency will be obtained in his Department.

I do not propose to itemize the tenders, a number of which concern schools, which are of interest to all honorable members. A number concern other Government institutions such as court houses, police

stations and other Government buildings, including hospitals. These details provide honorable members with a general cross-section indicating the significance of clause 2 of the Bill. In view of the recent discussions in this House concerning improved administration generally—and I do not confine my remarks to the Public Works Department—the Government should consider overhauling the entire Public Service. Apparently the delegation of authority is effected within the scope of the Public Service Act, although the Minister, as recently as the 1st October, 1968, made certain reservations concerning the delegation of authority to staff and of his capacity to employ staff. On page 429 of *Hansard* of that date a report is quoted which appeared in the *Herald* of Thursday, 26th September. This report stated that the Minister had pointed out that Ministers were powerless to make appointments in the Departments as the Public Service Board often overruled recommendations by departmental heads.

In the course of a debate on the 2nd October, 1968, the honorable member for Balwyn made an observation on the general question of administration, but particularly in reference to the Public Works Department, which I commend to honorable members. It is one of the best recommendations to be submitted to the House. The honorable member for Balwyn said—

> I would recommend that all Acts should be examined and a decision made regarding uniformity of the powers given to Ministers under various enactments. The power given to heads of Departments is very limited. An examination of the Public Service Act will reveal that this power is very limited indeed. I do not wish to bore the Committee by quoting the various Acts, but section 24 of the Public Service Act provides, *inter alia*—
>
> "Subject to this Act the permanent head of a Department shall be responsible for its general working and for the transaction of the business thereof and shall advise the Minister administering the Department in all matters relating to the Department."

Mr. Lovegrove.

The honorable member went on to say—

> From an examination of all Acts, it would appear that legally the real power lies with the Public Service Board.

I suggest that the Minister should not confine his researches to the administration of his Department and to the limited provision made by clause 2 of this Bill. In doing so, I direct attention to the Public Service Act, particularly in view of the debate which took place in this House recently. I refer to section 5 of the Act which, first, sets out the functions of the Public Service Board as follows—

> (*a*) to devise means for promoting efficiency in the working of Departments by—
>
> (i) improved organization and procedure;
>
> (ii) closer supervision;
>
> (iii) simplification of work;
>
> (iv) co-ordination of the work of the various Departments;
>
> (v) limitation of staffs of Departments to actual requirements;
>
> (vi) the improvement of the training of officers; and
>
> (vii) the avoidance of unnecessary expenditure;
>
> (*b*) to exercise a critical oversight over the methods of conducting business in Departments;
>
> (*c*) to supervise and improve the recruitment of the Public Service;
>
> (*d*) to determine salaries and wages and terms or conditions of service or employment in the Public Service;
>
> (*e*) to perform such functions in relation to the Public Service as are provided for elsewhere in this Act or prescribed in regulations made thereunder.
>
> (3) In relation to all matters specified in paragraphs (*a*) and (*b*) of the last preceding sub-section the Board shall advise the Minister administering the Department concerned of its suggestions or proposals.
>
> (4) The Minister may concur in or adopt the suggestions or proposals but if it appears to the Minister that there are objections to such concurrence or adoption the Minister shall refer the matter to the Governor in Council who shall finally determine the matter.

In section 3 of the Act the Minister is defined as follows:—

> "Minister" in Part I. of this Act means the Premier of Victoria and save as aforesaid means the Minister

for the time being administering the Department in which the officer in connexion with whom the term is used is employed.

Section 32, which deals with appointments, promotions and increments, is one of the most important sections of the Public Service Act. Sub-section (1) provides, *inter alia*—

All appointments to offices in the Public Service shall be made by the Board:

Then follow a number of conditions concerning the application of various provisions in connexion with appointments, promotions and increments. Before that, however, there is this proviso—

Provided that appointment to any office of permanent head shall be made by the Governor in Council after reference of the matter to the Board, but no appointment shall be made to such an office of any person who is not in the Public Service unless the Board reports that there is no officer in the Public Service who is fit to be appointed to the office.

I direct attention to that proviso in section 32 of the Public Service Act because I think it is one of the provisions of the Act which has led to the introduction of the Bill. It imposes a limitation upon the Minister's capacity to employ staff, something which is not accepted in any Western democracy which has investigated its public service.

I remind honorable members that during the Budget debate on the 9th October of this year I read brief summaries of the reports of Royal Commissions which were established in Great Britain, Canada and New Zealand to inquire into the public services of those countries.

I wish to make one or two further observations in support of the suggestion that I have made. First, I refer the House to the beginning of the Public Service Board in Victoria and to a statement made by the late Mr. John Cain on 5th March, 1946, when, as Premier, he introduced a Bill to establish the Public Service Board; secondly, I direct attention to the report which appears at page 817 of volume 220 of *Hansard*. That is a report of the proceedings in this Chamber on 19th March, 1946, when a former member of this House, Mr. S. M. Keon, gave examples of the great disabilities suffered by the Public Service in Victoria because of its lack of independence. This is relevant to the question of the independence of the Public Service, and I wish to make it clear that I am in no way challenging that independence in the context of the statements made by Mr. Keon and the late Mr. Cain. I quote the examples mentioned by Mr. Keon to illustrate the need for an independent tribunal for the Public Service. He said—

In 1939 the Chief Veterinary Officer in the Agriculture Department sought increases in his salary and also in the number of officers. The request was supported by the Director of Agriculture and in turn by the Minister of Agriculture. In accordance with the present law the application went to the ex-Treasurer but it was not approved. Despite the fact that the Chief Veterinary Officer had reported that it would be impossible to render adequate service to the stock owners unless the proposal was agreed to it was rejected.

Mr. Keon added some comments of a political nature which, as they concern other parties, I shall not quote. He then cited the following example:—

A lavatory attendant at the Public Library was receiving £2 8s. for working 40½ hours a week. His work was reported on by a Public Service inspector, who suggested that the man should be paid at least the basic wage. In due course the application was trotted upstairs to the Treasurer. The Public Service Board recommended the payment of £4 a week but the file has a minute to the effect that after a discussion the ex-Treasurer decided on £3 14s. a week. If the high office of Premier is to be devoted to wrangling over 6s. a week for a lavatory attendant then this Bill is more than overdue.

The DEPUTY SPEAKER (Mr. L. S. Reid).—Can the honorable member relate his remarks to the provisions of the Bill?

Mr. LOVEGROVE.—Yes, Mr. Deputy Speaker. Clause 2 provides for delegation by the Minister of the duties set out in sub-section (1) of section 8 of the principal Act, which provides—

Except where under any Act any statutory authority has the power or duty to do so the Minister of Public Works shall consider and determine all matters and

questions relating to the adoption of any plans and specifications for public works and shall consider and deal with all requisitions for buildings furniture or repairs and shall decide upon the acceptance of all tenders for such works buildings furniture or repairs and the terms and conditions on which the same shall be accepted together with the nature and amount of security to be given for the performance of any contract arising out of the same and all other acts and questions relating to or concerning the public works and buildings of Victoria.

I point out that no private business in any country of the world would saddle its managing director with responsibilities of that description; nor would any business in any country stipulate that the managing director must not only carry out this multiplicity of functions but must also delegate functions only to persons selected by another authority irrespective of his opinion of that authority's competence to perform the task. Without in any way challenging the independence of the Public Service Board, Mr. Deputy Speaker, I wish to offer some suggestions concerning it. That is the reason for my reference to Mr. Keon's remarks.

I hope you will allow me to complete the quotation, Mr. Deputy Speaker, because I believe you will find it completely relevant. It is the last reference which I shall make to what happened in 1946. This is part of Mr. Keon's case in support of the need of an independent Public Service Board.

A typist in the Lands Department applied for an increase in salary. The Public Service Board recommended the payment of another £18 a year. In due course the file was submitted to the then Treasurer as the Act directs, and it now bears the minute—"Await Budget." The young woman waited for the Budget and she did not receive the £18.

The only political point I make is that the Labor Party was responsible for the independence from Treasury direction which the Public Service presently enjoys. Since the responsibility of introducing that important change of policy was accepted by the Labor Party, the other parties, to their credit, have unhesitatingly concurred that the Public Service Board and the Public Service should have freedom from Ministerial restriction, outside influences, nepotism, corruption, or any other evils of a less venal character, so that public servants may have fair and reasonable security, wages, and conditions of employment.

In no way do I challenge that original conception of an independent Public Service Board. However, I do challenge the present provisions of the Public Service Act, whereby provisions of the type embodied in clause 2 of the Bill are rendered inadequate to enable the Minister to deal with the problems of his Department. As I did during my speech on the Budget on the 9th October last, I refer now to the report of the Committee on the Civil Service in the United Kingdom, which was headed by Lord Fulton. In its report, under the heading "Recruitment, Training and Career Management", the committee reported as follows:—

14. Recruitment, training and career management should be as closely integrated as possible; recruitment should be in the hands of those who also share a direct responsibility for the individual's subsequent training deployment and development.

15. The Civil Service Commission should cease to be a separate and independent organization; it should become part of a new Civil Service Department and its staff should be integrated with it; some of its functions should be shared with the employing departments.

16. The selection of recruits should be, and should be seen to be, independent of any form of patronage.

17. Recruitment should be for specific ranges of jobs

18. Departments should have a greater influence on the selection of individuals; a higher proportion of staff should be recruited direct by departments; the employing departments should be better represented in the central recruitment of staff.

I also direct the attention of the House to recommendation No. 64 of the committee—

PERSONAL APPOINTMENT BY MINISTERS

A Minister should be able to employ on a temporary basis such small numbers of professional experts as he personally considers he needs to help and advise him; this practice should be put on to a regular and clearly understood basis (paragraph 129).

In paragraph 129, the committee states——

The DEPUTY SPEAKER (Mr. L. S. Reid).—Order! Surely what the honorable member is saying is irrelevant to the Bill.

Mr. LOVEGROVE.—If I may help you, Mr. Deputy Speaker, its relevance resides in the fact that, because of the limitations imposed on the Minister's freedom of choice in staffing his Department—the honorable member for Balwyn, as chairman of the Committee of Public Accounts, supports the view that his choice is limited—I contend that the provision in clause 2 does not give the Minister adequate powers to run his Department effectively. Although the Opposition does not oppose the Bill, I suggest to the Minister of Public Works that its provisions should go further. I am making what I hope are constructive suggestions, which have already been made by the committee of inquiry in the United Kingdom.

The DEPUTY SPEAKER.—The honorable member may proceed, but I suggest that he should not go into great detail with regard to recruitment and other matters.

Mr. LOVEGROVE.—I shall not do that, Mr. Deputy Speaker; I shall not touch on that matter again. I commend the report of the committee headed by Lord Fulton to the Public Service Association for examination before it makes public statements such as those attributed to it in the press yesterday.

Mr. HAYES.—In what year was the report made?

Mr. LOVEGROVE.—The report covered the years 1966 to 1968. I am referring to volume 1 of the report of the Committee on the Civil Service, whose chairman was Lord Fulton, which was presented to Parliament by the Prime Minister and the Chancellor of the Exchequer by command of Her Majesty in June, 1968. Its members were: Lord Fulton (chairman), Sir Norman Kipping, G.C.M.G., K.B.E., J.P., Sir Philip Allen, K.C.B., Mr. W. C. Anderson, C.B.E., Rt. Hon. Sir Edward Boyle, Bart, M.P., Sir William Cook, C.B., F.R.S., Sir James Dunnett, K.C.B., C.M.G., Dr. Norman Hunt, Mr. R. R. Neild, Mr. R. Sheldon, M.P., Professor Lord Simey, and Sir John Wall, O.B.E. The report is available in the Library. As the Minister of Public Works states, by interjection, the complete report consists of nine volumes, all of which are available in the Library.

Mr. McLAREN.—Have you read them?

Mr. LOVEGROVE.—Yes, I have read them, and so has the Minister of Public Works. In view of the advice given me by the Deputy Speaker, I shall leave the question of recruitment. I direct the attention of the House to one of the most important recommendations made by Lord Fulton's committee under the heading, "The Central Management of the Civil Service and Relations with Staff Associations". It is recommendation No. 117, which states—

> The expanded and unified central management of the Service should be made the responsibility of a new department created specifically for that purpose; the first thin step to be taken in the reform of the Service should be the setting up of a new Civil Service Department which should absorb the functions of the Civil Service Commission, and carry the responsibilities for central management.

I also direct attenion to recommendation No. 124, under the same heading. It states—

> The principle should be to delegate to individual departments the maximum authority in staff and organization matters compatible with the requirements of the Service as a whole.

I also wish to read recommendations Nos. 135, 136 and 137, which come under the heading, "Ministers and Civil Servants". Recommendation No. 135 states—

> There should be no obstacle in the way of the Minister's selecting within the department, or on occasion more widely within the Service, as his Private Secretary the individual best suited to his ways of working and no stigma should attach to a person who is moved out of this job.

I raise that point, not only in relation to section 8 of the principal Act, and clause 2 of the Bill, but also as relevant to a minor controversy that arose recently in regard to the Prime Minister of Australia appointing a certain person to his staff.

The SPEAKER (the Hon. Vernon Christie).—Order! The honorable member is getting wide of the terms of the Bill.

Mr. LOVEGROVE.—What I was referring to relates to the relationship between the Minister and the community.

The SPEAKER.—Clause 2 of the Bill relates to the Minister's delegation of certain duties. I ask the honorable member to conclude his remarks, bearing this in mind.

Mr. LOVEGROVE.—In your absence, Mr. Speaker, with great wisdom, if I might say so, your illustrious deputy accepted my contention that I was arguing that the provisions of clause 2 of the Bill do not give the Minister adequate powers to effectively and successfully discharge his intentions. The Opposition does not oppose the Bill, but I was arguing that it would be better if further powers were included in it. I was about to conclude my remarks on that suggestion.

The SPEAKER.—The honorable member may proceed.

Mr. LOVEGROVE.—I congratulate you on your decision, Mr. Speaker. The United Kingdom committee of inquiry went on to recommend—

136. We expect that Ministers will not normally wish to replace their senior policy advisers; this must however be possible when a new Minister finds the current holder of this office too closely identified with, or wedded to, policies that he wishes to change.

137. It should be more exceptional for a Minister to change his Permanent Secretary, but Ministers should not be stuck with Permanent Secretaries who are too rigid or tired.

I thank the House for its indulgence. I commend to the Minister the reports of Royal Commissions in both Canada and New Zealand. In view of a statement that was attributed to it in Parliament and in one of the newspapers yesterday, I commend to the Public Service Association a study of this Bill, my observations on the measure and the findings of the Committee on the Civil Service in the United Kingdom.

Mr. TREWIN (Benalla).—The Country Party supports the Bill, the main purpose of which is to enable the Minister of Public Works to delegate certain powers. I contend that the person who delegates powers is still responsible for the good care and efficient operation of the Department concerned. Although under this Bill the Minister will be enabled to delegate certain powers to someone to act on his behalf, it must be remembered that the Minister is responsible to Parliament because we, as members of Parliament, are giving the Minister the powers that are sought in this Bill. In future, the Minister will be empowered to delegate to another person duties relating to the carrying out of certain contracts. The Minister may not see all contracts now, but probably his task is arduous and onerous.

Under sub-section (1) of proposed new section 8A of the principal Act, the Minister may grant to any person for and on behalf of Her Majesty a lease of any portion of a public building not required for public purposes. It is necessary for the Minister to have this power because many buildings are constructed for Government Departments. In future, the Minister of Public Works, who is responsible to the Government and to the people for the good conduct of the affairs of his Department, will be enabled to lease portions of buildings which are erected with governmental or public moneys. Although members of the Country Party support the Bill, we sound a warning that the Minister will still be responsible to Parliament for the efficient administration of the Act that is being amended.

Sir JOHN BLOOMFIELD (Malvern).—In view of what has been said by the honorable members for Sunshine and Benalla, I wish to take a brief part in this discussion. I wonder how many members realize the responsibilities that are cast on the Minister of Public Works by section 8 of the Act. I do not know how old this section is, but it is a terrifying provision. It states—

> . . . the Minister of Public Works shall consider and determine all matters and questions relating to the adoption of any plans and specifications for public works and shall consider and deal with all requisitions for buildings, furniture or repairs and shall decide upon the acceptance of all tenders for such works buildings furniture or repairs . . .

This section imposes on an individual, who may have no professional knowledge as an engineer or an architect, the consideration of and the final decision on all the highly technical matters envisaged. I do not recall the amount that is expended annually by the Public Works Department.

Mr. PORTER.—It is in excess of $100,000,000.

Sir JOHN BLOOMFIELD.—The effect of proposed new section 8A is to make a minor exclusion from the terrifying list of personal responsibilities which are imposed on the Minister by section 8. In a way, my submission is similar to that of the honorable member for Sunshine, and it is prompted by the observations of the honorable member for Benalla. Perhaps at a later stage the Minister will inform honorable members what is meant by delegating.

Proposed new sub-section (1A), as contained in clause 2, will allow the Minister to delegate certain duties to an officer of his Department. Let us suppose that Mr. Jones is the officer—naturally he would be recommended by the secretary of the Department—who is delegated to undertake minor responsibilities in respect of small contracts or to carry out the duties set out in proposed sub-section (1A). What does the provision mean? The honorable member for Benalla, in rather wide terms, pointed out that the Minister is responsible for the good conduct of his Department. Let us suppose Mr. Jones makes a bad decision in relation to one contract, or suppose he does worse and makes a corrupt decision. Despite the statutory authority to delegate that is now being granted, it would appear, from the attitude of the Country Party, that the Minister will remain personally responsible.

Mr. B. J. EVANS.—Of course, he will.

Sir JOHN BLOOMFIELD.—If that is correct, I suggest that this subject deserves further investigation and requires a review of policies. It is quite impossible for the Minister, who spends $100,000,000 in a year, to come to the right determination, of his own capacity, as to the propriety of certain plans and specifications and their suitability, and the 101 matters that are involved under section 8 of the Act.

MR. LOVEGROVE.—It is important that he should have the power of veto if representations are made to him.

Sir JOHN BLOOMFIELD.—That is so. However, I invite the attention of the House to the meaning of "delegate". The Minister is authorized to say that "Mr. Smith" can do this, but if this merely avoids the necessity of putting a signature to the documents, a tremendous amount of time will not be saved. I suggest that this aspect might form the subject of further discussion at a later stage.

The motion was agreed to.

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

The sitting was suspended at 12.53 *p.m. until* 2.05 *p.m.*

LAND (SPECIAL LAND) BILL.

The debate (adjourned from October 30) on the motion of Sir William McDonald (Minister of Lands) for the second reading of this Bill was resumed.

Mr. WILTON (Broadmeadows).—In his second-reading explanatory speech, the Minister of Lands gave some detailed historical information of the regions known as the Little Desert area and the Lower Glenelg area. He stated that the Government had closely considered the development of the Little Desert area and, as reported at page 1379 of *Hansard* of 30th October, 1968, he said, *inter alia*—

> After detailed consideration of all points of view, it is proposed to make an addition of between 80,000 and 90,000 acres to the existing 3,000-acre Kiata National Park. I should mention that the actual area sought by the Wimmera Regional Committee, the National Parks Authority and the Land Utilization Advisory Council for a reservation for a national park in this locality was only 15,000 acres.

This Bill will not establish a national park but, as the honorable gentleman spent some time on this aspect, I should like to raise several points concerning it. At present there is no Kiata National Park, although honorable members are aware that there is a Bill on the Notice Paper to bring this about. Parliament has not yet decided that question.

Sir WILLIAM McDONALD.—The area is generally known as the Kiata National Park.

Mr. WILTON.—That may be so, but the point I make is that no Act of Parliament has been passed to declare that a national park is in existence. The Bill, if passed by Parliament, will establish a national park of 2,800 acres, but in his second-reading speech the Minister referred to an area of 80,000 or 90,000 acres. There is a vast difference between 2,800 acres and 90,000 acres. The Minister should give the House an assurance that the area to which he referred in his second-reading speech—80,000 or 90,000 acres—will be reserved as a national park before subdivision and development of the remainder of the Little Desert area is permitted. The boundaries of this area should also be clearly defined by survey so that those people who are interested in the project and to whom the Minister referred in his second-reading speech will know exactly what the Government has in mind. That is a fair request because several conservation organizations are interested and have been interested in the area for a long time. They include a number of apiarists who have used this area to establish and winter their hives.

Members of the Opposition are particularly concerned about the provisions of clause 5 by which it is proposed to add a number of new sections to the principal Act to follow section 162A. If these new sections are accepted by Parliament they will bring about a dramatic change in the provisions of the Act relating to improvement purchase leases. It has always been accepted by the Labor Party that when Crown land is thrown open through the Lands Department for settlement, improvement purchase leases shall be granted to selected clients.

Under the existing Act an applicant who is successful in obtaining an improvement purchase lease has to meet certain requirements, which are set out in the lease, particularly in the first six years of the lease. Until 1967 the successful applicant was required to reside on the leased area, but in that year Parliament amended the principal Act to allow a successful applicant to reside within 25 miles of the leased area. Under certain circumstances the Governor in Council was empowered to extend this distance to 50 miles. When the amending legislation was before the House the attitude adopted by the Opposition was that it was not in the best interests of land settlement or in assisting those people in the community who did not have the financial resources to acquire farm properties on the open market and who were seeking improvement purchase leases as a means of acquiring farm properties. Members of our party opposed those provisions in the amending legislation because we

were of the opinion that the Government should have altered the residence provisions only if no suitable applicants were forthcoming. In other words, we considered that the proviso should be waived only in those circumstances. The Government did not agree with the attitude adopted by the Opposition and proceeded to enact these provisions into the law.

I believe that the reservations I had on that occasion have been vindicated by what is now proposed in the new sections to be added to follow section 162A. If these new sections are enacted in their present form, the Minister will be empowered to determine that certain Crown lands may be classified as special land. The honorable gentleman will then be in a position to accept applications for improvement purchase leases from companies registered in Victoria.

Sub-section (2) of proposed new section 162B, as contained in clause 5 of the Bill, provides that the provisions of paragraph (c) of subsection (1) of section 155 shall not apply to or with respect to an improvement purchase lease of special land. Paragraph (c) of subsection (1) of section 155 requires the successful applicant to live within 25 miles of the leased area, but under special circumstances the Governor in Council can extend the distance to 50 miles. The Minister will have power to waive that requirement in regard to special land. Again, that is not in the best interests of the State and in bringing about the development of Crown land that is to be thrown open for closer settlement.

In his second-reading speech, the Minister dwelt at some length on the Little Desert area. It is therefore reasonable to assume that the Government has now decided to throw open the Little Desert area for development. If this Bill is passed the Government, through the Minister of Lands, will be in a position to accept applications for the development of this area from companies. They could be land development or pastoral companies; no limitation is placed on the type of company.

This will open the way for land speculators to move in and obtain large chunks of this area, described by the Minister as marginal land, and to develop it under improvement purchase lease. Once the freeholding of this land takes place, what control will the Government have over it? It is true that whilst the lease remains in existence and until the property becomes freehold the Government will have the responsibility set out in the Bill, which the Minister described. But what will happen once the land becomes freehold? There are 440,000 acres involved and, after subtracting the 90,000 acres which the Minister stated that the Government is prepared to set aside for national parks, a large tract of land will be left to be thrown open for development.

Parliament should not accept this part of the Bill because, if the Government has a project in mind involving the development of a large area of Crown land by private capital, it should be the subject of special legislation. If that procedure is followed Parliament will have the opportunity of thoroughly examining the Government's proposal and be in a position to decide whether or not to support such a proposal. If the relevant clause in the Bill becomes law Parliament will not have this opportunity. Such a purpose could be achieved by administrative action. Parliament should not accept this situation. Opposition members do not accept it and intend to oppose this clause of the Bill.

Whilst I have been referring to the Little Desert—the Minister confined most of his remarks to that area—it must be borne in mind that the new Act will apply to the whole of the State. While it remains on the statutebook there will be no restrictions on any future Minister of Lands or Government to treat any other Crown lands in the State in a similar manner. Private companies will be able to take

up large areas of land under the improvement purchase lease system and develop them. It may well be that pastoral companies will show an interest in this land and, on being granted leases, will develop the land until it becomes freehold. They would then retain those areas in their entirety. This would not be in the best interests of land settlement in this State, because it would turn the clock back 100 years to the days when large tracts of Crown land were given by Crown grant to certain individuals who were able to squat on the land, lock it up, and develop it to whatever degree they chose. Whether it was in the best interests of the State did not matter.

Parliament should reject this clause, so that the improvement purchase lease section of the principal Act will be retained without alteration. After all, usually land speculating companies can find the necessary finance to acquire privately owned land for development, whether it is residential, agricultural or industrial. If a particular company is interested in developing agricultural land, there is adequate freehold land available in this State which for various reasons is not being used to its maximum capacity. Such Crown lands as are suitable for agricultural purposes should be developed to provide living areas for those sections of the farming community who are unable to acquire farming properties on the open market.

Sir JOHN BLOOMFIELD.—What would be a living area in the Little Desert?

Mr. WILTON.—It would vary according to the particular part of the State in which the land was located.

Sir JOHN BLOOMFIELD.—I am referring to the Little Desert.

Mr. WILTON.—I do not profess to be an expert on the economics of agriculture, but I have sufficient knowledge of the industry to appreciate that in certain parts of the State, particularly the Little Desert area, a liveable area would be of considerable size; certainly it is not an area in which one would expect small farms of a couple of hundred acres to be an economic proposition. The holdings would be much larger than that. In other parts of the State, such as Gippsland, where Crown land is still available, the picture is entirely different. One cannot be tied down to an exact figure to apply throughout the State. Each area has to be considered on its merits and the local environment has to be taken into account. The principle involved is this: If this Bill becomes law in its present form a future Minister of Lands will be in the position to hand over large areas of Crown land to a select section of the community, which, on obtaining freehold to the land, would be able to use it for any purpose. The important point I wish to make is that once the land becomes freehold the Government will have no control over it.

The other clauses of the Bill are not opposed by the Opposition. For example, as provided in clause 2, it is reasonable for an improvement purchase lease to be issued to a man and his wife as one person. In regard to clause 4, under certain circumstances, persons who have been granted leases may find themselves in difficulties as a result of ill health, seasonal conditions, or matters beyond their individual control, and it is reasonable that they should be allowed to transfer the lease, or sell it to regain some of the capital that has been invested. The Opposition has no objection to this. The clause contains adequate provision to protect the interests of this State in that the transfer is subject to Ministerial approval.

Another factor which I think is gaining in importance as the seasons go by is the current economic situation of primary industry generally. All honorable members who take an interest in this industry will agree that it is in a rather precarious position at present, with serious financial difficulties being experienced

in most sections. People well qualified to express an opinion have said on many occasions that we are dangerously close to a situation in which there will be over-production because it is not possible to dispose of our primary products at economic prices. For that reason, I believe the economic circumstances of primary industry will need to be closely examined when future decisions are taken to open additional Crown land for development.

Sir WILLIAM MCDONALD.—To which section of production is the honorable member referring?

Mr. WILTON.—I am generalizing. I am not selecting one particular section of the industry. I agree with the Minister that the Little Desert area would lend itself to grazing rather than to cereal cropping, and I think he gave an accurate description of the area. It must be borne in mind, however, that the proposed legislation applies to the whole of the State. It does not in any way restrict a future Government to one part of Victoria when Crown lands are released for further development. The economic circumstances of the industry must be considered. There is nothing new in that, for it is done in other industries. With regard to the fishing industry, for instance, the Parliament recently enacted legislation which makes it mandatory for the Chief Secretary, before issuing further licences to professional fishermen, to consider the economic circumstances of the industry at the time.

The DEPUTY SPEAKER (Mr. L. S. Reid).—I cannot relate the honorable member's statements to the Bill, which is concerned with the development of the Little Desert area, and has nothing to do with the fishing industry.

Mr. WILTON.—I was using the fishing industry as an analogy, Mr. Deputy Speaker, to show that there is nothing new in taking into consideration the economic circumstances of an industry before permitting further expansion, and I was concluding on the point that the legislation which controls that industry makes it mandatory for the Chief Secretary to pay regard to economic circumstances.

I do not propose to say more in connexion with this measure, except to repeat that the Opposition does not accept clause 5 of the Bill and proposes to vote against it in Committee.

Mr. B. J. EVANS (Gippsland East).—Since I have been a member of this Parliament the bulk of the correspondence I have received has related to land settlement. This is a problem in the eastern part of this State, and particularly in the Shire of Orbost.

At this stage of the debate I think it is pertinent to refer briefly to the history of land settlement in Victoria. As the honorable member for Broadmeadows mentioned, in the early days large tracts of land were made available, by way of cattle runs and the like, to new settlers. It was not until after an Act, which I think was called the Duffy Act, came into operation in approximately 1860 that these estates began to be broken up. The estates were preventing the development of farming as we know it today; that is, by owner-operator farmers in all parts of Victoria.

As they were first in the field, the early settlers picked the best of the country. Over the years, more land was settled, and today only the more difficult country for development purposes remains unalienated. I propose to refer briefly to this situation in order that honorable members may appreciate the importance to the State of the owner-operator farmer. I am firmly of the opinion that, with current trends, the owner-operator farmer is on the way out. Naturally, that is something I do not like. The Government should endeavour to rectify the situation and to keep as many people as possible employed in jobs which satisfy them and in which they are profitably employed.

No doubt most honorable members can claim to have come either from farms or from rural stock. Farming is part of the way of life of a very large number of Australians, and it should be realized that a substantial number of people in the community wish to become farmers. They are not particularly interested in whether they will make a fortune; they merely wish to have a block of land which they can call their own and which is large enough and has a capacity sufficient to enable them to earn a reasonable living. They do not seek anything flash; they wish to be able to make a reasonable living from a block of land and be able to say, "This is my own". That is the principle that I and, I believe, other members of the Country Party, support.

From a reading of the Minister's second-reading speech, however, one could hardly come to the conclusion that the proposal embodied in the Bill is to have effect over the whole of the State. I have a reprint of the Minister's second-reading speech, which consists of sixteen pages, but only pages Nos. 15 and 16 deal with legislative details. Admittedly, parts of the previous fourteen pages deal with the reasons for this proposed legislation, but the bulk of it consists of a very detailed and concise evaluation of the situation in only one part of the State. If a Bill is introduced which affects the whole of the State, honorable members are entitled to expect that the whole of the State should be given consideration. My conclusion is that the Bill has been introduced for the express purpose of meeting demands in a particular part of Victoria and that, as has been the case over the years, the rest of the State has been forgotten.

To reinforce what I have been saying, I quote from a letter, dated 19th June, 1968, from the Shire of Orbost. It reads—

> The council is very dissatisfied with the slow rate of progress in the matter of release of Crown lands for land settlement schemes within this shire. You will recall that this subject has been discussed on many occasions, and the Minister paid a visit to the shire, presumably to gain a personal knowledge of the area and its potential. However, it appears that little attention is being given to the matter, although a recent *Gazette* contained an order to exchange 8,500 acres of Forest Reserve in Marlo Plains area, for an equivalent area of Crown land in another part of the State. This is taken as an indication that the area may be released for further land settlement blocks in due course.
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> . . . . . .
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> Recently I have received two letters, one from Alice Springs, from persons wishing to take up land for settlement in this shire. Other similar letters have been received from time to time, indicating that, apart from the local demand, there are a number of persons, apparently suitably experienced and equipped, who would welcome the opportunity to take up land in this area.
>
> In view of these facts, and in consideration of the requests from the local land settlement committees, council has resolved that efforts be made to arrange a deputation to the Minister for the purpose of submitting these facts and pressing for some early and positive action in the matter of land settlement within this shire.

A deputation was arranged, but I point out that a succession of Ministers of Lands have been requested by deputations, by letter and by every other means available, to have blocks of land thrown open for selection in the eastern area of the State. I am unaware of the number of blocks which have been released while I have been a member of this House, but it has been inadequate to meet the existing demand.

Shortly before I entered Parliament the Orbost Land Settlement and Land Afforestation Committee, believing that it had the endorsement of the Government, sought applications from people interested in the selection of land in the Fostaree area, and received approximately 490 applications for a total of about 90 blocks of land.

In my experience, the number of people interested in taking up land has not diminished in spite of what may be termed the recession within the industry caused by low prices for primary products. No country can hope to progress by following

negative policies, and it is not a sound policy for any Government simply to say, "Things are not the best at present, so we will clamp down." Development of the country is the keynote to prosperity.

Over the years the production arrangements for primary industries have been a series of ups and downs. Although there is no bright spot on the horizon as yet, it is hoped that those who have the responsibility for these things will really go to work and resolve some of the problems. It is not so much a matter of over-production in this country as in other countries which swamp the markets on which we have traditionally relied to take our exportable surpluses, and which yield the income that Australia definitely needs to maintain its balance of payments and economic solvency.

The Lands Department has not done all it should under the provisions of the Act to make blocks of land available to individual private settlers. Many people are willing to comply with these provisions and to take up the land and find their own finance, and it is unfortunate that the Government should be examining the possibility of throwing land open to large companies instead of doing more about making it available to private persons.

I have a copy of the circular which is sent to applicants for Crown land under an improvement purchase lease, and I wish to mention a couple of points which will be of interest to the House. The circular states, *inter alia*—

From time to time allotments of undeveloped Crown lands in various parts of the State are proclaimed available for application under improvement purchase lease. Any such proclamation is notified firstly in the *Government Gazette*, then in a special column of the *Weekly Times* (a Melbourne publication), and also in a local newspaper circulating in the district in which the land is situated.

A closing date is fixed for each allotment, and up to this date any person may make an application on the prescribed form and forward it to the land officer for the district concerned. A local Land Board is then arranged, at which each applicant is personally interviewed and asked to give details of his plans for developing the land, financial position, and farming knowledge or experience. After considering these factors, the Land Board makes a recommendation as to which applicant shall be granted an improvement purchase lease of the allotment.

The annual rent paid under the lease is credited towards the eventual purchase price, and is fixed so that the full price will be paid off in twenty years. No interest is charged except if rent is in arrears. A summary of the essential conditions of such a lease is set out on the back of this sheet.

As there is no provision for financial assistance from the Government under this form of settlement, an applicant should have enough cash or other liquid assets to enable him to proceed with sufficient land development to provide a reasonable return within a fairly short period. In each case the lease specifies a particular value of land improvements which is required to be effected within the first six years.

I acknowledge that the principle behind the declaration of certain land as special land is that, in many instances, the costs of clearing and development are rather heavy for an individual land owner. I also realize that companies of investors are prepared to invest money in this type of development and want to retain the land for their own purposes. However, I believe there is a way in which the two needs can be met and a better arrangement made for all concerned. All honorable members know of the work done by the Rural Finance and Settlement Commission which clears and develops land and then throws it open for selection by suitable applicants. That is one method by which the ordinary owner-operator may obtain a farm of his own. Under the improvement purchase lease scheme, an applicant is simply allocated a block of Crown land in its natural state and is responsible for finding all the necessary finance with which to develop it.

Many people are interested in developing land simply because taxation concessions benefit them. There is a practical and attractive method by which people interested in using

their financial resources for developing Crown land can be persuaded to do so. There could be an arrangement by which the land development could be carried out by private investment, and then public money made available to prospective settlers in the way in which money is lent through the Rural Finance and Settlement Commission. This would meet the two needs—first, that companies with the necessary funds at their disposal should take on the job of developing land ; and, secondly, that there should be provision for the private individual to obtain some of the land.

I foreshadow that, in the Committee stage, I shall move a series of amendments designed to achieve this end. I am not sure that the section should be amended in the way I shall propose. I would prefer the whole matter to be held over for a period so that all the provisions concerning special land could be redrafted and made a little tidier than they would be if the amendments I shall propose were accepted. One of the amendments is designed to overcome the objection to clause 5, which provides for the insertion after section 162A of the principal Act of a new subdivision providing, *inter alia*—

162B. (1) Any land proclaimed pursuant to this Division may in like manner be proclaimed to be special land.

That virtually gives the Minister absolute power to declare any area of land to be special land. Frankly, members of the Country Party are not prepared to give this absolute power to any Minister. We believe there should be some safeguard, and we propose to move an amendment providing that, before it becomes operative, any such proclamation shall lie on the table of this House and on the table of another place for at least 21 sitting days. This would give either House an opportunity to argue that any land proposed to be declared special land should not be so declared.

Proposed new section 162C provides—

A company registered in Victoria may apply for and be granted an improvement purchase lease of special land.

Another amendment I propose to move will provide that of any land granted to a company under that section, before the termination of the lease, at least 50 per cent. shall be returned to the Crown under such terms and conditions as the lease may lay down so that it may be released for selection by individual applicants under conditions similar to those applied by the Rural Finance and Settlement Commission. Although it may not be absolutely necessary, I should like incorporated in the legislation a provision stating that the Rural Finance and Settlement Commission will make finance available to purchasers of these lands.

Acceptance of the Country Party proposals would go a long way towards meeting the objections of the Opposition to large areas of land being made available to companies and would provide a compromise between the views of the Opposition and those of the Country Party on the question of private owners having a chance to obtain land. Many people are eager to obtain this sort of land. I believe the provision suggested by the Country Party would help towards this end. As I suggested earlier, it would be an attractive proposition, particularly because of the taxation benefits they might derive, to any companies interested in land development. During the period of the lease under which they controlled the land, they would spend money on it and obtain taxation concessions. When the land was returned to the Crown and a fair price had to be fixed for the land and the improvements made on it, there would be a healthy balance, because the higher the price demanded by the developing company the more it would have to pay in charges, such as rates, on the land.

The proposals merit the serious consideration of Parliament and I would have no objection if the debate were adjourned for a period so that the suggestions could be thoroughly examined. Their incorporation in the Bill would go a long way towards encouraging the opening up of more land, meeting the needs of large companies which wish to invest money in developing land, and providing for private people who wish to take up farms on their own account.

Mr. WHITING (Mildura).—I wish to make a few comments in support of the speech made by my Deputy Leader. Members of the Country Party are concerned about any provision for land settlement. In the electorate that I represent, a large area of Crown land remains undeveloped. Some of it has peculiar development problems, but in time it will be developed with modern and more up-to-date methods. Clause 2 provides that a husband and wife may jointly apply for an improvement purchase lease as one person, and I commend that provision. Many husbands and wives who engage in agricultural pursuits form partnerships, and under this provision they will be able to obtain land if they successfully apply to a land board.

The other provisions will enable lands anywhere in the State to be declared at any time as special lands. The area concerned may be 1 acre or 1,000,000 acres because no limit is placed on the size of an area which may be declared or its situation. Once the area has been so declared, it is available for one person or a group of persons registered as a company to develop it.

It is interesting to hark back to 1953. Although I have only the benefit of *Hansard* to remind me, some honorable members who were in the Chamber at the time will vividly remember the events. To my mind, this Bill contains a similar provision to that in the Land Settlement Bill which was debated on the 9th December, 1953, and which caused a tremendous upset in this House. The parties have now apparently changed sides. A participant in the debate was Mr. McClure, who was then the honorable member for Dundas, and it is ironical that the Minister who has introduced this measure now represents the electorate of Dundas.

The present Leader of the Country Party referred to the extraordinary speech made by the then honorable member for Dundas and spoke about the history of soldier settlement. The important part of the debate on the Land Settlement Bill was on the 11th December, 1953, in relation to an amendment which was made in another place and which—quoting from page 3224 of volume 242 of *Hansard*—is in the following terms:—

> Any unalienated land of the Crown which on the recommendation of the Soldier Settlement Commission is not suitable for its purposes and which in the opinion of the Minister is not required for settlement under Part II. of this Act may in such manner and on such terms and conditions as the Minister determines be made available by the Governor in Council to approved persons or organizations for purposes of primary production.

Mr. B. J. EVANS.—That amendment sounds very familiar.

Mr. WHITING.—Although the wording is a little different, it is similar to the provision included in this Bill. On the same page of *Hansard*, the following speech by the Leader of the Opposition, Mr. Bolte, as he then was, and a subsequent event, are recorded as follows:—

> Mr. BOLTE (Leader of the Opposition).—Surely the Government cannot submit an amendment without an explanation that members have seen now for the first time. This procedure is the culmination of the deplorable tactics that we have witnessed. The submission of the amendment is typical of what has happened to the Bill since it appeared on the Notice Paper three weeks or a month ago. It remained on the Notice Paper for a fortnight without a second-reading speech being made.
>
> Mr. HOLT.—I cannot go on with this!
>
> *Handclapping and "Hear, hear," on Opposition benches as Mr. Holt left the Chamber.*

In view of the history in this matter, it is no wonder that the Country Party should closely examine this provision and that the Deputy Leader of the Country Party should give notice of certain proposals which may, in some measure, overcome the seriousness of the provision.

Because of the importance of this amendment of the Land Act, members of the Country Party trust that the further consideration of the measure will be held over until next session to enable a thorough investigation of any further implications that may be drawn from the provisions to be made, and to compare them with the provisions of the 1953 Land Settlement Bill.

When referring to the declaration of special lands, I overlooked the fact that in my electorate, and no doubt a similar position obtains in the electorates of other honorable members in country areas, tracts of land are held under annual grazing licence conditions, which are vastly different from the conditions attaching to improvement purchase leases. The licensees are encountering great difficulty because the general conditions do not permit the area to be cleared and cultivated for the growing of cereal crops. The only clearing that may take place is for the destruction of vermin and noxious weeds.

Over the past twenty years, unfortunately, there has been a gradual clearing and development of the properties and now they are generally considered by a large number of licensees as part of their normal farming properties. It is possible that at some time or other these areas will be declared special land. These are the sorts of things about which members of the Country Party are concerned.

On a number of occasions, I have requested the Minister of Lands to visit the area and view the situation at first hand to obtain a full knowledge of the existing conditions. I agree that he is experienced in matters of land development, but different circumstances apply in different parts of the State. I know that his predecessor made two visits to the areas but, with the change in portfolios, the present Minister has not been able to find time to go there and become *au fait* with the conditions which exist. I again extend to him an invitation to visit the north-western part of the State so that he may decide whether some of the areas there may be included in areas of special lands about which he seems so keen.

With trace elements and modern methods of land clearing, the Little Desert area is capable of development, admittedly at a considerable cost. It is hoped that it will be developed in future. Members of the Country Party would hate to see large areas of land taken up by companies which will hold the land for all time and so virtually squash the development of land by small landowners, some of whom may not have the capital, although means of obtaining it are available. The Country Party believes that funds should be forthcoming.

The proposals contained in this measure will defeat another angle of decentralization. Whilst the Government loudly declares that it is doing everything possible to foster decentralization in the State, if this measure is passed it will cut off one vital aspect of the development of Victoria.

Mr. MITCHELL (Benambra).—I pay a tribute to the Minister of Lands for the amount of work he has put into this measure, and for the trouble he has taken to confer with a subcommittee of the Country Party and to explain many details about which members of that party had some doubts. He has put much personal interest, enthusiasm and sincerity into it, and he is entitled to be commended.

Whilst the Minister was making his second-reading speech, my memory started to stir and when the

honorable member for Mildura mentioned the incident in 1953, I at once woke up. I remember that night when Mr. Holt, the then Minister of Lands, tore up his Bill and walked out of the House. When the present Minister was making his second-reading speech, which dripped with honey and help and desire to do something really good for this State, I started to think that this was the longest second-reading speech I had ever heard. Honorable members were taken on a wonderful trip around all the zoos in Australia. We heard of the Mallee hen, wallabies with a blue spot in their left ears and wallabies with a red spot in their right ears. I asked myself, "What lies behind this Bill?"

I know that national park business is generally brought in as one of the red-herrings of the Liberal Party Government when it claims, in its somewhat Messianistic desire, to do something to preserve the spotted what-not or to do something about the love life of the lesser snow louse of the glaciers at Mount Hotham. I thought there must be something in the Bill and I asked myself, "Where is the nigger in this woodpile?" The honorable member for Mildura has put his finger right on it and I cannot help thinking of the time of the siege of Troy. Certain people could not get what they wanted so they let a few years go by, then—as we know, from the *Aeneid*—they thought up the stratagem of the wooden horse. The people of Troy were deceived, but a priest named Laocoon rushed out and he said, "Don't trust this horse; whatever it is, I fear the Greeks even when they bring presents". *Quid quid id est timeo Danaos et dona ferentes!* That is what I say about this Bill. This is a "wooden horse" and it carries all the threats of destruction of the original wooden horse in the days of Priam and Troy.

Consequently, I had another look at this Bill, and the more I saw of it, the less I liked it. The suggestion made by the Deputy Leader of the Country Party that this Bill should be held over until next year is sound. I have never seen the area referred to and I am prepared to visit it with the Minister or anyone else who likes to go because, although members of the Country Party are very much in favour of land settlement, they believe there are all sorts of ways in which it could be handled better; many snags come to light in the practical application of the theory of land settlement.

I consider that the only proper course to follow is to suspend the further consideration of this Bill until next year. It has been held up for a fair while now and it could wait a little longer. In the meantime, honorable members could examine the matter further. As I said, we must see what is inside this "wooden horse".

The idea of allowing married couples as partners in land development is good. What I do not like is this business of national parks and large areas, because large areas take much looking after. In his second-reading speech, the Minister talked about the volcanic features where vermin and noxious weeds may flourish.

Members of the Country Party have always said that we favour more national parks, but we are not in favour of large areas being locked up as national parks until the National Parks Authority shows that it can look after existing national parks. In ten years there have been seven small additions to national parks, so the Parliament has not been ungenerous to the Authority. Unfortunately, members of my party cannot agree with this area of 90,000 acres, referred to by the Minister in his second-reading speech, being turned into a national park, because the National Parks Authority has shown that it is completely incapable of looking after the existing national parks and of looking after itself. Even the National

Parks Authority is dissatisfied with the National Parks Authority! It cannot look after the existing national parks because its own machinery is faulty.

A very prominent and level-headed citizen who is connected with the Western District Conservation Society said to me, "For goodness sake do not give the National Parks Authority any more national parks." I asked him if he would like the area reserved for future national parks and he said that he would go along with that because the National Parks Authority was at sixes and sevens and was incapable of functioning as it should. All it will do is to damage large areas of land put under its control.

This same man raised the aspect of national parks that I have heard before, namely, that national parks should be under the control of the Forests Commission. That sounds a drastic step, but it is the position in Queensland and is working well. The Forests Commission is an organization with a good deal of know-how and equipment and would be capable of doing things that the National Parks Authority cannot do. Either national parks have to be handed over to the Forests Commission, or the National Parks Authority has to be completely reformed.

I am inured to the slovenly and *laisser-faire* attitude of the Liberal Government and I believe the area proposed to be declared is too large. Both in this area and in the heathlands of the Lower Glenelg a survey is absolutely necessary. No one knows which land is to be used for settlement and which is to be set aside as a national park. As I said, I am inured to the complete incompetence of this Government, but I think it takes the cake for sheer carelessless. I tried to find out the boundary between the land proposed for settlement along the road and that proposed to be allocated for a national park, and I was told that no map of the area was available. That is a strong reason why this Bill should be held over until next year, when Parliament can have a much better look at the position. If necessary, honorable members, accompanied by the Minister, could inspect the area. Members of the Country Party would be happy to have this area reserved for future national parks.

I shall now deal with the provisions in the Bill relating to special land.

Mr. WILKES.—This is Bob Santamaria's provision.

Mr. MITCHELL.—I did not hear the honorable member. With due respect to the Minister of Lands, of whom I have a high opinion, this is too wide a power to put into the hands of any one man. He would be the absolute controller and arbitrator in deciding what should happen to all Crown land throughout the State. This is too big a responsibility for one man, however conscientious he may be. The honorable gentleman should not have the vital task of dealing with huge areas of land and deciding whether they shall be locked up or thrown open for settlement.

In my opinion, this provision should be deleted from the Bill and the Deputy Leader of the Country Party has foreshadowed an amendment along those lines; it is not a matter of distrust of the Minister; it is lightening the burden of responsibility on his shoulders. It is something that Hitler and his Nazis would revel in; one man, without control or check, could do what he liked according to his mood of the moment. History repeats itself, and the honorable member for Northcote seemed to have some historical reflection along those lines, even if I only think I heard him correctly when he interjected. However, he did not seem to want to repeat what he said. I suggest that the Bill should be held over until next year to enable honorable members to inspect the areas

with the Minister. A map should be produced so that we know the land we are talking about.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6284, section 152).

Sir WILLIAM McDONALD (Minister of Lands).—A number of matters have been raised to which I think I should reply. The honorable member for Broadmeadows sought an assurance that the 80,000 or 90,000 acres would be properly defined by survey before a subdivision took place of the land proposed for development. I give the honorable member an assurance that the Government will proceed with a survey of all of the desert land and the land proposed for development—that is, both the area proposed as a national park and that proposed for development—as early as it can be done. The Committee might think the difference between 80,000 acres and 90,000 acres allows a fair degree of latitude, and perhaps that is so, but the reason for allowing that latitude between the upper and lower limits is that the residents of the Shire of Dimboola and the residents of the Shire of Arapiles on the northern and southern extremities of the desert have both sought to obtain some developmental land. It is considered that it would be unfair to both shires for all of the land that is contained in their areas to be made national parks, thereby denying individuals concerned developmental land. For that reason it is necessary to proceed with a survey which will be made of all these areas, if not simultaneously, at least at approximately the same time.

The honorable member for Broadmeadows also raised the question of the residence clause and said that in a previous debate his party had indicated that it should be used only when there was no other suitable applicant. It is not a new consideration in this matter, but I invite the attention of the Committee to the rather unfortunate experience that this provision has had over the years. I particularly have in mind a settlement with which I have been closely connected in the area north of Casterton near Dorodong. In that settlement it would have been of tremendous value to some of the settlers if they had been exempted from the provisions of the residence clause.

What does the clause really mean? It means that for a relatively short period during the leasehold term of development the lessee must build a house of no specified size and reside on the block. I suggest to the Committee that even an absentee owner who provided the funds for this development would inevitably engage a manager, an overseer or a caretaker who would live on the block. I would just as soon have that man as a resident in the shire as I would the owner if he were forced to live on the block. I do not believe we should differentiate between the two. The sheer economics of land development will ensure that somebody—whether it is the owner or the manager—will live on the block, and this is a sufficient safeguard.

The honorable member for Broadmeadows also mentioned an area of 400,000 acres less an area of 80,000 acres as being developmental land. In fact, the area proposed for development west of the Nhill–Gymbowen road is approximately 196,000 acres, and after a survey it is proposed to add an area, which will be on the northern and southern extremities of the proposed national park area, in the vicinity of 20,000 acres to 30,000 acres. So, this is a matter of approximately 240,000 acres and not 400,000 acres as the honorable member said.

In discussing company development, the honorable member for Broadmeadows said that while there would be controls over company development during the leasehold period, there would be no control in the freehold stage.

This would be so, but I draw his attention to the fact that the same controls, or lack of controls, are inherent on any freehold land anywhere in Victoria, and this is not an unreasonable provision. The Land Utilization Advisory Council has assured me that there is a relatively low erosion hazard in this desert country, and those honorable members who have taken the trouble over the past four weeks to visit the desert areas to see the development which has been carried out must have been impressed, as all who are closely connected with it have been, by the low erosion hazard demonstrated in the areas already developed.

The honorable member for Broadmeadows opposed company development, but if there were a choice between private developers and company developers, and if it were my responsibilty, I would favour the private developer. A large tract of country is involved here, and it is reasonable that, if there are not sufficient private developers, legislation should permit company development. Honorable members who were present in the House when this matter was discussed earlier will recall that it was proposed to subdivide the whole area with bitumen roads. This project entails a fair amount of expenditure. To construct that road system it is essential that a sufficient number of developers should take up the blocks available for development. It would be regrettable if a number of private developers were denied access to this land simply because there were not enough people to develop all of it. In these circumstances, it is fair that the land should be made available for developers.

Mr. WHITING.—Who will actually provide the roads?

Sir WILLIAM McDONALD.—I suggest that the Country Roads Board would have the principal responsibility, that the actual work would be carried out by the adjacent shire councils, and that the costs of the roads would be embodied in the fee charged for the individual loans. It is not a new concept, and I believe it is a good one.

The honorable member for Gippsland East was courteous enough to provide me with a draft amendment which the Committee will consider shortly and I shall advert to that matter at the Committee stage. I shall shortly deal with the other matters he raised in general.

The honorable member for Broadmeadows referred to over-production. When, by way of interjection, I asked him what commodities were being over-produced he said that he had no particular product in mind but that he was referring to over-production of primary products in general. I was pleased to hear a remark—I think, from an honorable member of the Country Party—that it was preferable to have a positive policy and not a negative policy in the development of the State.

I agree with the honorable member for Broadmeadows that there is demonstrably over-production in some commodities, but there is no over-production of any commodity that it is proposed to develop in the desert. It is realistic to believe that the desert will produce wool and meat, and in neither of these instances is there over-production. There is no evidence of over-production of wool.

Mr. WILTON.—How would you prevent a person from switching to cereal cropping once his property was freehold?

Sir WILLIAM McDONALD.—I do not believe there is over-production in cereal production.

Mr. WILTON.—The Australian Wheat Board would not agree with you.

Sir WILLIAM McDONALD.—This year there will be a big harvest, and while the prices of other commodities are guaranteed at a lower price than wheat it is conceivable that there will

be a trend in that direction. The product that is grown will be determined by its price in general, and there has always been a balance between various types of primary products. I believe that world prices as well as other factors will level this out. I am not greatly fearful of over-production in particular avenues of production.

The honorable member for Gippsland East rightly drew the attention of the House to the desirability of land development in Gippsland. He referred in particular to the deputation which waited on me some time ago and which, I believe, had made representations to my predecessor. That deputation suggested that consideration should be given to the development of land in Gippsland. I give the honorable member an assurance, if he needs it—I have told him this privately—that as soon as the Government is able to consider the development of land in the Gippsland area it will do so. A start has to be made somewhere, and it is impracticable to undertake land development all over the State at once. The reason for this is simple. All of the land has to be re-surveyed before it is made available, and if surveyors are to be spread all over Victoria the progress in any one place will be extremely slow. By making use of the latest techniques of survey and concentrating surveyors in a particular area at a particular time, the Government will obtain more over-all efficiency than would be possible if surveyors were spread widely over the State.

My personal view is that a survey of the desert area in question should be completed and that, following a close examination of the area in Gippsland adverted to by the honorable member and by the land Utilization Advisory Council, the Government would undertake the next major development there. There are areas in western Victoria which require very little investigation, and these might very well be continued concurrently with the development in the desert and with development in East Gippsland. Already there is a trial plot at Tostaree. I visited this area only a few weeks ago when I made an inspection of the East Gippsland drought areas and I was struck by the tremendous improvement that has taken place in the area, which is of approximately 300 to 400 acres. There was a tremendous amount of feed on the land, and it was already stocked with cattle at far above the district average. I would not need any encouragement from the honorable member, or from the councillors of his immediate area, to appreciate that there is an area of prospective development in the Orbost–Tostaree district.

To indicate to the House that this has been said on previous occasions, I shall quote a reply which I made to the deputation referred to by the honorable member. The report of the deputation contains this statement—

> The Minister mentioned the political difficulties he was experiencing in relation to the Little Desert and other areas in western Victoria, where, as soon as the Land Utilization Advisory Council had commenced its investigations on the possible future use of the land, even before its report was submitted vocal local groups had criticized him.
>
> Both councillors said that he could rest assured that the council would support the Minister in any move he made for the permanent development of the very large area of Crown land which was contained within the municipal boundaries.
>
> The Minister said that it will be necessary if a development company were to develop some of the land—

This was one of the matters discussed by the deputation—

> for special legislation to be passed by Parliament.

This is one of the bases of the Bill now before the House—

> He agreed with the council that this method of land settlement could be materially successful in certain areas of the State, but other parties in Parliament would have to be convinced before necessary legislation could be passed.

The honorable member for Mildura again invited me to visit the Mildura area. I have already promised the

honorable member that I shall be pleased to do so, but, for the same reasons as I gave to the honorable member for Gippsland East, I do not believe we should dissipate our rather meagre survey resources in a great many areas simultaneously. I believe it is preferable to concentrate our resources in particular areas, as by this means better results will be obtained.

The honorable member for Benambra made what I can only describe as a rather remarkable speech. On this point I believe I would find agreement not only among members of my own party but, judging by the expressions on their faces, among members of the Country Party as well. He adverted to an episode which occurred in this House and which concerned a previous Minister of Lands. Without going into the details, I assure the honorable member that it is not in my mind or the mind of the Government that that episode should be repeated, or that any attempt should be made to repeat it.

In addition to his remarks concerning me, personally, which I appreciate, the honorable member for Benambra stated that he was not in favour of large national parks. During the past three months, and largely after we had arrived at a decision that it would be advantageous to set aside large areas in the Little Desert as a national park, we have received more than 1,000 letters, a great proportion of which advocate the retention of large areas as national parks. The honorable member for Benambra is out of step with the majority of conservationists when he states that he is not in favour of large national parks. There is nothing in the Bill which reserves these national parks and, if the honorable member for Benambra wishes to express this opinion, he will have ample opportunity when Parliament is dealing with the Bill that will formally transfer certain areas to the National Parks Authority.

Sir William McDonald.

The honorable member for Broadmeadows stated that there had been no declaration in respect of Kiata, but his assertion was incorrect. The Kiata National Park has been declared under the Land Act. The proposal now before the House is to bring it under the National Parks Act. I thank honorable members for their indulgence during the debate on this measure.

Mr. MITCHELL (Benambra).—I should like to make a personal explanation concerning the Minister's interpretation of my statement concerning large national parks. The honorable gentleman misunderstood what I said. I stated that we were in favour of large national parks, provided that the National Parks Authority could prove that it was capable of looking after them satisfactorily. So far, the Authority has not shown that it can do this. In fact, it has been proven to be completely inefficient and incapable in this respect; hence, the Country Party is not in favour of bringing large areas under its jurisdiction.

The clause was agreed to, as were clauses 3 and 4.

Clause 5, providing, *inter alia*—

After section 162A of the Principal Act there shall be inserted the following subdivision:—

"*Subdivision 2.—Special Land.*

162B. (1) Any land proclaimed pursuant to this Division may in like manner be proclaimed to be special land.

162C. A company registered in Victoria may apply for and be granted an improvement purchase lease of special land.

162D. Every improvement purchase lease or Crown grant of special land shall contain a condition that the land so leased or granted shall not be subdivided into two or more parts—

(*a*) by the sale transfer assignment subletting or partition of; or

. . . . . .

162H. (1) An application for an improvement purchase lease of special land shall not be granted until the applicant has lodged with a land officer an amount covering—

(*a*) the first annual instalment of the purchase price;

(*b*) the survey fee;

(*c*) the fee for the preparation of the lease; and

(*d*) such amount as the Minister determines is sufficient as a first instalment of the value of permanent improvements referred to in section 159A (if applicable).

Mr. B. J. EVANS (Gippsland East).—Clause 5 makes provision for the Minister to declare any particular area of land as special land and, under such a declaration, he will be enabled to allocate land to various parties. During the consideration of this clause, I feel I should be entitled to refer to the comments of the Minister on clause 2. I should like to know why East Gippsland should be neglected in the matter of land settlement. Why should it be necessary for East Gippsland to have to wait until the Little Desert area has been settled satisfactorily?

The CHAIRMAN (Mr. L. S. Reid).—Is the honorable member for Gippsland East moving an amendment?

Mr. B. J. EVANS.—At this stage, Mr. Chairman, I am commenting on clause 5, as drafted. I shall move my amendment when I have finished dealing with the clause.

Sir WILLIAM McDONALD.—There is nothing in clause 5 relating to East Gippsland.

Mr. B. J. EVANS.—I agree; the clause refers to the declaration of special land. In his general comments on clause 2, the Minister made it clear that, if this measure is passed, the Western District will be looked after first as regards the declaration of special land.

The CHAIRMAN.—I suggest that the honorable member for Gippsland East should submit the first amendment which he proposes to move to this clause, after which he can speak to both the clause and the amendment.

Mr. B. J. EVANS.—I accept your guidance, Mr. Chairman. Accordingly, I move—

That, in proposed new section 162B, the following new sub-section be inserted to follow sub-section (1):—

"A proclamation made under sub-section (1) shall not take effect until 21 sitting days after a copy of the proclamation has been laid on the table of the Legislative Council and of the Legislative Assembly."

The purpose of the amendment is to remove a real fear which exists that if the Minister of Lands were clothed with the proposed additional powers, the Minister—I am not referring to the present occupant of this portfolio—could declare as special land an area of 100,000 acres which could be handed over to a big company for development. Any proposal of that magnitude should be thoroughly examined by Parliament; neither the Minister nor the Government should be empowered to grant leases in this manner. I have moved my amendment in the belief that if it is adopted, and a proclamation is laid before both Houses of Parliament, the members of both Houses will have the opportunity of voting on whether it should proceed. I should like your ruling on this matter, Mr. Chairman.

The CHAIRMAN (Mr. L. S. Reid).—It is not in order for the honorable member for Gippsland East to ask the Chair for a ruling on a legal interpretation of the Bill under consideration.

Mr. B. J. EVANS.—I appreciate the point you have made, Mr. Chairman. On further consideration, it may be necessary for my party to move further amendments to the Bill when it is considered in another place. The amendments which have been circulated in my name were drawn up hastily today because only recently we obtained opinions from many people who are interested in this legislation.

Sir WILLIAM McDONALD (Minister of Lands).—I had intended to accept the amendment moved by the honorable member for Gippsland East but, from his concluding remarks, it is evident that he is not sure whether it is entirely what he wants. I have no objection to a proclamation of the type envisaged being laid before Parliament. I do not think we will ever be in such a hurry to proclaim lands that they cannot wait until Parliament has examined the proposal. I do not think the amendment would impose an undue curb on the Minister.

It would be undesirable, however, to accept at this stage an amendment which may need to be further amended within the next few days. Rather than accept an amendment that has not been sufficiently considered, I assure the honorable member for Gippsland East that I am prepared to accept the principle embodied in the amendment and, between the passing of the Bill in this House and its passage to another place, he will be able to give the matter further consideration. I shall willingly confer with the honorable member to ascertain whether a more suitable amendment can be framed.

Mr. B. J. EVANS (Gippsland East).—I must proceed with the amendment now that I have moved it.

The CHAIRMAN (Mr. L. S. Reid).—If he so desires, the Minister can ask that progress be reported.

Sir WILLIAM McDONALD (Minister of Lands).—I do not object to the amendment, but the honorable member for Gippsland East has indicated that he may not be satisfied with it. Under the circumstances, the honorable member may prefer to withdraw his amendment with the permission of the Committee. I am sure the Opposition would not object to this course, which would enable the honorable member for Gippsland East to give the matter the full consideration that it deserves. If the honorable member persists with his amendment, the Government will accept it.

Mr. B. J. EVANS (Gippsland East).—I believe I should proceed with my amendment because provisions of this type have been embodied in many other enactments. It would be fruitless to insert a provision of this sort in legislation if it did not enable Parliament to agree or disagree with a proposition laid before it. I commend my amendment to honorable members.

Mr. HOLDING (Leader of the Opposition).—If the Minister accepts the principle involved in the amendment proposed by the Deputy Leader of the Country Party, I ask him how administratively that confers any additional benefit on him compared with the existing situation. At present, the Minister has not the power which he seeks in this Bill. The honorable gentleman is now prepared to concede that there ought to be some modification of that power and that it should be modified in the manner suggested by the Deputy Leader of the Country Party. My question is how, having gone that far and made that concession, the Minister will be in any better situation than if clause 5 were deleted and the situation remained as it now is.

Sir WILLIAM McDONALD (Minister of Lands).—You, Mr. Chairman, rightly refused to give a legal interpretation, and I am not positive—although I believe I know—what the legal interpretation would be. I am accepting the amendment on its face value, that a proclamation would be laid on the table so that it would be well known in Parliamentary circles and, through Parliament, to the electorate, that it was intended to declare certain land to be special land. I should be convinced that any proposal that I advanced—I believe any Minister likely to follow me would act similarly—to define land as special land would be agreed to by the House. I do not believe the tabling of a proclamation would be any more than a means of informing the electorate, through Parliament, of the Minister's intention. If the House considered it to be a sufficiently bad proposal, no doubt the House could move by a number of devices that the action proposed by the Minister be disagreed with. In the more likely event that the House agreed, and by default made its agreement apparent, this would obviate any necessity for a special Act to be brought before Parliament, and that is the intention.

Mr. HOLDING.—Does that make the matter easier administratively? Once you concede that you are going to act through Parliament——

Sir WILLIAM McDONALD.—It is not a question of doing it through Parliament. My understanding of

the amendment moved by the honorable member for Gippsland East is simply that Parliament will be informed of the proposal for 21 days before it becomes effective.

Mr. HOLDING.—Then Parliament could move to oppose it, if it so desired?

Sir WILLIAM McDONALD.—That is the intention that I would believe was not an improper one, but I am not prepared to give a legal interpretatation. I agree with the honorable member for Gippsland East that this is a reasonable interpretation. There is a difference.

Mr. HOLDING (Leader of the Opposition).—If that is so, I accept that as the intention of the Deputy Leader of the Country Party, and I accept what the Minister has said. That brings me back to the point that the Act defines how the Minister may move to proclaim land. The Minister now seeks power to proclaim land as set out in clause 5. The Deputy Leader of the Country Party has indicated that he believes there ought to be additional protection in the matter of a proclamation lying on the table of Parliament so that—as happened recently in the case of the Ballarat trams—any member could move to disagree with or disallow the proposed proclamation.

The question I should like the Minister to apply his mind to is this: Having accepted the spirit of that proposition, how does that benefit him administratively, or any Minister entrusted with the administration of this Act?

Sir WILLIAM McDONALD (Minister of Lands).—I did not suggest that it would benefit the Minister. I consider that it makes the administration of the Land Act more efficient if the Minister is empowered to declare special lands.

Mr. HOLDING.—Why do you say that? That is the heart of the matter.

Sir WILLIAM McDONALD.—First, there will be some land in connexion with which there is no need for a special land's declaration. For the purposes of comparison, I refer to relatively small pieces of land, land not considered capable of being made a living area. In those circumstances, it would be pointless to declare the land. However, in relation to land which has a relatively high cost of development, land in which there are developmental factors that put it in this category, it may be desirable to define it as special land so that the other provisions of the Bill may become operative. For that reason, I believe the amendment will add to the efficiency of the administration of the Land Act. I do not believe that, in the ordinary course of events, it is an improper power for the Minister to have.

Mr. WILTON (Broadmeadows).—Under the clause as drafted, the Minister will be in a position to proclaim certain special lands. This opens the way for land companies to come into the picture, whereas under the principal Act this is not possible, and it cannot be done with any lands other than special lands. This is an important provision in the clause.

The CHAIRMAN (Mr. L. S. Reid).—Order! The Committee is discussing the amendment. The matter referred to by the honorable member for Broadmeadows may be raised when the amendments have been disposed of.

Mr. MITCHELL (Benambra).—I have listened attentively to what the Minister, the Leader of the Opposition and the honorable member for Broadmeadows have said. I consider that the amendment proposed by the Deputy Leader of the Country Party will remove all doubt about the situation. A future Minister of Lands may be a good Minister, but he might make a mistake. The proposed amendment is a kind of safety arrangement to ensure that nothing is slipped in which adversely affects the people's interest. The whole spirit of any English Parliament is that no

action must be sprung upon the people; that is why the Notice Paper is printed, and other safeguards provided. The provision contained in the amendment might not be needed for a number of years, but it will remain as a safety valve to protect the people against hasty, ill-considered and disadvantageous legislation.

Mr. HOLDING (Leader of the Opposition).—The difficulty that members of the Opposition find in the amendment proposed by the Deputy Leader of the Country Party is that we feel Parliament ought to supervise not so much the proclamation of the land—that might be a matter for some argument—but ultimately the granting of a lease. As a matter of social philosophy, the situation which members of the Opposition believe should operate in Victoria is this: In this State there are large areas of land which in the future may be brought into production and towards which at present this Parliament and the Minister have virtually a trust relationship. Many young men growing up in rural communities, the sons of farmers, will, in the future, be seeking land. We must protect areas of undeveloped land so that persons who wish to go on the land will be able to obtain it when they so desire.

The situation which members of the Opposition believe requires the supervision of Parliament is the situation whereby the Minister, without the checks and balances of Parliament, may decide, rightly or wrongly, that he will grant large tracts of land to a large company. Once that occurs, the land is no longer available. I accept the principle of what the Deputy Leader of the Country Party is endeavouring to do in his amendment, but the difficulty that I see is that the point at which Parliamentary supervision is operative is probably the least dangerous, that is, the stage where the Minister proclaims the special land. It seems to me that there ought to be supervision of this House at the point of allocation. I commend that thought to both the Deputy Leader of the Country Party and the Minister because I believe the intention of the Deputy Leader of the Country Party is for there to be Parliamentary supervision at the time of allocation.

The Minister should not be placed in the situation of proclaiming a substantial area of some thousands of acres as special land and allocating it to large developmental companies, without the approval of Parliament. The supervision should be at the point of allocation. For that reason, the Opposition believes the amendment proposed by the Deputy Leader of the Country Party does not go far enough. I should like to hear from the Minister of Lands whether he believes it is appropriate for Parliament to have the additional responsibility of supervision when the allocation of land is made.

Mr. B. J. EVANS (Gippsland East).—The Leader of the Opposition is confusing legislative and administrative functions. Honorable members are now discussing the legislative provisions under which the administration of this section of the Land Act is to be carried out. My amendment proposes that, in his wisdom, the Minister will declare particular areas of land as special land. Before that proclamation comes into force, it must lie on the table of both Houses of Parliament for at least 21 sitting days. Once notice of a proclamation has been laid on the table, it will be competent for any honorable member to inquire as to the purposes for which the land is to be made special land, and if he has substantial objection to that course he will move that the proclamation be disallowed. If the Parliament disagrees with his objection, the land will be proclaimed special land, and the Minister will then make the allocation.

The suggestion of the Leader of the Opposition can be met only by an amendment to proposed new section 162c to provide that a company registered in Victoria may apply for

and, subject to the approval of the two Houses of Parliament, be granted leases. If he wants that control, it is up to him. I do not want to go that far. I make it clear that Parliament should be acquainted with the fact that the Minister proposes to make a declaration with respect to special land and, if it so desires, Parliament should have the opportunity to discuss the merits or otherwise of the proposal.

Sir JOHN BLOOMFIELD (Malvern).—In relation to resumptions for educational purposes, it was found inconvenient on a number of occasions that notice should be laid on the table of the House when it was not in session. In such cases, instead of notice of intention to resume being laid on the table, it was provided that notice could be circulated to honorable members. In urgent cases, the Education Department did not suffer because Parliament was not sitting. I do not know whether a similar degree of urgency exists in relation to matters contained in this Bill.

Mr. B. J. EVANS.—It is a different proposition.

Sir JOHN BLOOMFIELD.—I understand that, but I felt constrained to rise on the advice of an honorable member whose wisdom I respect and who lives in the country.

Mr. WILTON (Broadmeadows).—The amendment does nothing to satisfy the concern of the Opposition. The Minister of the day—I am not referring to the present Minister of Lands—could decide that certain lands should be proclaimed special lands. If the amendment is carried, a proclamation would lie on the table of the House, but it would have no bearing on the actual allocation of the land.

Mr. B. J. EVANS.—It is a different proposal.

Mr. WILTON.—It does not allay the fears of the Opposition.

Sir WILLIAM McDONALD (Minister of Lands).—The proposal submitted by the honorable member for Malvern may merit the consideration of the Government. I assure him that, before the Bill is transmitted to another place, his suggestion will be considered and, if an amendment is necessary, it will be made. In reply to the honorable member for Broadmeadows and the Leader of the Opposition, Parliament should not have to consider individual blocks of land. This is a question of Executive action. If an honorable member disagrees with the action taken, it is competent for him to move that the Government no longer possesses the confidence of the House or of the electorate. It is impracticable to suggest that Parliament should determine the question of individual blocks of land.

The amendment was agreed to.

Mr. B. J. EVANS (Gippsland East).—The second amendment circulated in my name is consequential on the acceptance by the Committee of the third amendment. Therefore, I shall explain the purpose of the third amendment and then move the second amendment. I intend to move that the following sub-section be added to proposed section 162c—

> (2) Every lease granted pursuant to sub-section (1) shall contain a provision that the lease so far as it relates to a specified portion of the land so leased (being a portion not less than 50 per centum of that land) shall expire after a period determined by the Governor in Council and set out in the lease, and on such expiry the said portion of land shall be returned to the Crown under such terms and conditions as will enable it to be allocated (if necessary, after subdivision) to suitable individual applicants.

The effect of this amendment is that if it were determined that an area of 4,000 acres in a particular district was a living area, the Minister would have to allocate 8,000 acres in order that the applicant could retain the 4,000 acres, and the remaining 4,000 acres would be made available for selection by applicants approved by the Lands Department or the Rural Finance and Settlement Commission. Many companies are now becoming interested in large-scale operations

of this nature for the purpose of obtaining taxation concessions. They are interested in land development on a large scale—in terms of 15,000 to 20,000 acres.

Mr. STEPHEN.—That is not large-scale development.

Mr. B. J. EVANS.—It depends on the type of country. In the Little Desert area, it would not be a large-scale development, but it would be in the Gippsland region. It is all a matter of relativity. If a company decided on 30,000 acres as large-scale development, under this proposal it would be competent for the Minister to determine that 75 per cent. or 80 per cent. of the land should be returned for settlement purposes.

Principles, not methods, are important. Private individuals have not the capital to develop large areas of this land. I realize that it may take some time to ascertain the shortcomings of the proposals, but they are well worth a trial. A closer examination of the land settlement situation may reveal that it would be better for the Government to consider the proposals of companies interested in obtaining land, than have the Rural Finance and Settlement Commission allocating blocks and spending money to develop them. I think this proposition is worthy of consideration by the Committee. Accordingly, I move—

That, in proposed section 162c, after the expression "162c", the expression "(1)" be inserted.

The CHAIRMAN (Mr. L. S. Reid).—I point out to the Committee that the Deputy Leader of the Country Party was previously explaining his third amendment.

Mr. B. J. EVANS (Gippsland East).—I have moved my second amendment because if it is not accepted there will be no purpose in moving the third.

Sir WILLIAM McDONALD (Minister of Lands).—I should indicate at this stage that it would be purposeless to insert the expression proposed to be inserted because the Government would not be prepared to accept the next amendment that has been foreshadowed. A great deal of what has been said by the Deputy Leader of the Country Party is acceptable to the Government, but I believe that the amendment as drafted would not be in the best interests of the Bill. I would not accept the amendment because I made a special point of the fact that the preliminary survey of the Little Desert had been drawn up in such a way as to provide for what the Government believes to be proper living areas.

The Bill makes provision to prevent fragmentation. If the Government accepted the amendment as it stands, assuming that the Minister granted a living area in the present subdivision to a company which was obligated by reason of this amendment to hand back 50 per cent. of its lease, the Government would be defeating the purpose of the non-fragmentation clause because it would be subdividing what it believed to be a proper area. I give the honorable member an assurance, however, that before the Bill is dealt with in another place I shall discuss the matter with him. I regard it as highly likely that an amendment acceptable to both the Government and the Opposition can be moved in another place.

Mr. STEPHEN (Ballaarat South).—I oppose the foreshadowed amendment. I do not think it really does what the Deputy Leader of the Country Party intends it to do, having regard to the question of whether or not we wish land to be developed. If too many restrictions are applied the result will be that large areas of land will not be developed. The honorable member suggested that areas of land which are perhaps double the size considered to be economic should be allocated with the idea of forcing the recipient to return 50 per cent. of it to the Crown at some time in the future. I point

out that one cannot foresee the future or what will then be considered to be an economic area of land.

As the Minister has said, the position may be reached where a large number of blocks of land are held which are uneconomic for development by individuals. Upon reflection, the Deputy Leader of the Country Party will realize that the amendment he has outlined has many pitfalls. Perhaps he will be prepared to accept the Minister's undertaking concerning the matter.

Mr. B. J. EVANS (Gippsland East).—I have no intention of accepting the proposition outlined by the honorable member for Ballaarat South; in fact, I find his remarks quite ominous, because they indicate that there would be no limit to the area which would be given to these companies. The honorable member has said that no one can anticipate what will happen in fifteen or twenty years' time and what will then be a reasonable living area, but if he is then responsible for administering the legislation, the sky will be the limit.

The Country Party is opposed to the idea of confining the benefits of the proposed legislation specifically to companies, and feels that this amendment is one means by which a compromise could be reached. It simply means that if an area is allocated, not less than 50 per cent. of it must be returned for subdivision or for allocation to private people.

Sir WILLIAM MCDONALD.—This does not limit the allocation to companies.

Mr. B. J. EVANS.—Proposed new section 162c states—

> A company registered in Victoria may apply for and be granted an improvement purchase lease of special land.

In view of that, I should be pleased to hear the Minister's explanation.

Sir WILLIAM MCDONALD.—It is not limited to company development. The land may be allocated to a company or to an individual.

Mr. B. J. EVANS.—While it may be open theoretically for this to apply to people as well as to companies, the Country Party is under no illusions as to what will take place when that provision comes into operation. It may well be that if a private individual has the capital to develop such a large area of land, some provision should be made for the return of the area which is in excess of that which is regarded as a proper living area.

I shall persist with the amendment I have just suggested, since I believe that the principle behind it is sound. Experience may show the need for an alteration or amendment, but at this stage I submit the amendment for the consideration of the Committee.

Mr. WILTON (Broadmeadows).—As I indicated during the second-reading debate, the Opposition is opposed to clause 5. Although I can appreciate the points made by the Deputy Leader of the Country Party, my party is opposed to companies being given tracts of Crown land to develop for agricultural purposes under any conditions, whether under those proposed by the honorable member or as contained in the clause as drafted.

The only concession that the Opposition is prepared to make, as was indicated when clause 2 was being dealt with, is in regard to the principle that an improvement purchase lease of special land could be issued to a man and wife, as partners. Members are well aware that a man and his wife sometimes form a company to deal with the operation of their own farm.

In submitting the Government's reasons for not accepting the proposed amendment, the Minister referred to the fact that the clause prevents fragmentation of leases. However, as I said during the second-reading debate, what happens after it becomes freehold?

Sir WILLIAM McDONALD.—I said that the proposed amendment would defeat the safeguard against fragmentation which is contained in another part of the Bill.

Mr. WILTON.—That is the point I was making. As I understand it, the Minister, in giving the Government's reasons for refusing to accept the amendment, said that the amendment would defeat the safeguards provided against fragmentation of leases which have been granted. I repeat: What happens after freehold? This is where the danger lies. How will the Government control a company once Crown land has become freehold? The Government will have no control over the land, whether it is held by a company or by an individual.

The Labor Party opposes the amendment on the basis that it is opposed to clause 5 in any form because of its opposition to the principle of companies being granted Crown lands to develop for agricultural purposes. The Opposition supports the principle enunciated by the Deputy Leader of the Country Party in the second-reading debate when he said that he stood for the owner-operator system of farming and that that should be the system at which the Government should aim.

Mr. WHITING (Mildura).—In support of the amendment moved by the Deputy Leader of the Country Party, I point out to honorable members that, whilst the Minister has said that the amendment will defeat the general purpose of this provision in respect of special lands, it must be obvious to most honorable members who know anything about land development that, in general, it will be almost impossible for a private individual to develop country of this type.

In his second-reading speech the Minister went into great detail and used information which was furnished to him by Mr. Rex Newman. He arrived at an over-all figure of $36.80 per acre for development to the end of the first year of pasture establishment. On top of that, there is a charge of $6 per acre for road development. That gives a total cost of $42 per acre. An individual who took up 5,000 acres would need something like $200,000 to develop the property to the end of the first year. From then on, if the seasons and the returns from stock were good, he could meet his costs and might make a profit.

The honorable member for Ballaarat South has already said that, usually, individuals who apply for this type of development land cannot obtain capital. I agree that that is so. Capital should be made available, but that is not to be the case. Unfortunately, it appears that registered companies will develop these areas. The amendment would provide for most applications under these provisions. It should be supported in order that land may be acquired and made ready for development, and then allocated to private individuals who cannot raise sufficient capital on their own account.

Mr. MITCHELL (Benambra).—The honorable member for Mildura has put the matter plainly and has removed a great deal of doubt in honorable members' minds. These amendments provide a half-way house. Unless he were a Croesus, an individual could not, *ab initio*, on his own, find sufficient money to develop this type of land. As the honorable member for Mildura said, it would be much too expensive. The amendment would allow companies not only to do something for themselves but to help individuals to obtain land. I am open to correction by the Minister of Lands or by any other honorable member, but I believe that a scheme such as that suggested by the Deputy Leader of the Country Party has been adopted for the development of virgin land at Esperence Bay, in Western Australia.

The amendment was negatived.

The clause was verbally amended.

Mr. B. J. EVANS (Gippsland East).—I move—

That paragraph (*d*) of sub-section (1) of proposed new section 162H be omitted.

In moving these amendments, I have very much in my mind a comment made the other day that it is not so much the words of the amendment that count as the spirit in which it is moved. I am sure that members of the Government will give me credit for the spirit in which I proposed the amendments, even though they did not accept them. This provision could be used as a device to sort out applicants according to their ability to meet the provisions set for a particular settlement proposition. Country Party members are certain that this would not happen while the Act was administered by the present Minister of Lands but, as we have emphasized, provisions included in an Act are intended to stay. In years to come, some Minister of the future could, by setting a high figure as the first instalment of the value of permanent improvements, limit the number of applicants for a specific area of land.

Sir WILLIAM McDONALD (Minister of Lands).—In my second-reading speech, I particularly referred to proposed new section 162H. I said—

> Proposed new section 162H is based on a similar provision in the Closer Settlement Act 1938 which requires that applicants for closer settlement land shall lodge a deposit with an application for a closer settlement lease as evidence of good faith and their intention to proceed if the lease is granted. It is expected that development of Crown land proclaimed as special land will require applicants to be possessed of sufficient finance that payment of an amount equal to the first yearly payment under the lease will be no hardship. The money will be returned if the application is not successful.

It is reasonable to require evidence of good faith that the applicant intends to meet the provisions of a lease if he obtains it. I am unable to follow the honorable member for Gippsland East on this matter. He is looking for hidden meanings which, I assure him, do not exist. This is a very simple provision to ensure that the applicant adjudged successful by the Minister — or the Lands Department, if it may be put that way —will continue with the leasehold arrangements. The Government does not accept the amendment.

The amendment was negatived.

Mr. WILTON (Broadmeadows).—The Opposition will vote against the adoption of clause 5 as amended. It would give companies registered in Victoria the right to apply for improvement purchase leases and would empower the Minister to grant leases to companies. Further, any land could be made available to companies by the Minister proclaiming it to be special land. The Opposition also opposes sub-section (3) of proposed new section 162B which states—

> The provision of paragraph (c) of sub-section (1) of section 155 shall not apply to or with respect to an improvement purchase lease of special land.

That section of the principal Act requires a lessee to live within 25 miles of the leased area or, in special circumstances agreed to by the Governor in Council, within 50 miles. Opposition members believe that to be a good principle. When land is made available for development for closer settlement or under improvement purchase lease arrangements, it should be granted to individuals and not to companies. A situation should not be created in which large tracts of Crown land can be granted to land development or pastoral companies.

The Minister indicated that the provisions would not necessarily mean that land must be granted to companies but could be granted to individuals. That is so, but what the Minister said in his second-reading speech should be borne in mind. I believe the insertion of this provision in the principal Act is proposed for the sole purpose of allowing the Government to grant large tracts of Crown land to certain companies to develop it for agricultural purposes. Whatever control the Government has will cease to exist after a limited period. Once the land became freehold, a company could not be prevented from subdividing it.

The Deputy Leader of the Country Party made a valid point in his second-reading speech when he deplored the absence of any mention in the Minister's second-reading speech, of the part of the State represented by him. He also said that he believed the measure was put forward to benefit a particular part of Victoria—the Little Desert area. My fear is that there is no restriction on the provisions operating in any part of Victoria. It is dangerous that a Government or a Minister should have such wide powers. If the Government wants a company to develop a large tract of Crown land, without committing my party to anything that may develop in the future, I believe the Government would be within its rights in introducing a Bill and allowing Parliament to deal with the matter on its merits. This was done on a previous occasion when the Australian Mutual Provident Society wanted to develop a large area of land. The legislation dealing with that development has now been incorporated in the Land Act, and the scheme seems to be progressing reasonably well. If the Government wants a private company to develop a large area of land, similar action can be taken. The Committee should reject the clause, as amended.

Sir WILLIAM McDONALD (Minister of Lands).—The honorable member for Broadmeadows has hit the nail on the head by saying that his party's objection is a philosophical one. The land development plans of the Labor Party can be briefly expressed as granting a person with insufficient capital an area of land so small that, when he develops it, it is useless to him and the community.

Huge areas of Crown land in Victoria are at present completely unproductive. I reiterate that my personal preference in this matter—and I am sure that it is the preference of the Government—is to make land available to individuals provided that they are capable of economically developing the land. If individuals capable of developing the land cannot be found, the Government believes company development is preferable to no development at all.

During the second-reading debate, and again in the consideration of this clause, the honorable member for Broadmeadows has stated that there will be no control over the land after the leasehold period ends. I direct the attention of the Committee to proposed section 162D, which provides—

> Every improvement purchase lease or Crown grant of special land shall contain a condition that the land so leased or granted shall not be subdivided into two or more parts—
>
> (*a*) by the sale transfer assignment subletting or partition of; or
>
> (*b*) by procuring the issue by a Certificate of Title under the Transfer of Land Act 1958 in respect of—
>
> any part of the land without the written consent under the hand of the Minister being first obtained.

This is the safeguard to which I refer and it is similar to the safeguard included in the North-West Mallee Act which was passed in 1949 with the objective of amalgamating two large areas of Mallee land that had previously been subdivided into areas which were too small for development and which had deteriorated because of their size. There was a very successful amalgamation into larger holdings. I believe the Committee is entitled to know that this safeguard is provided in the Bill. The honorable member for Broadmeadows has indicated his opposition to the clause and I can only reiterate that the Government believes the clause is a good one.

Mr. B. J. EVANS (Gippsland East).—It is pertinent to point out that when an area of land is being subdivided, the Minister, through the Lands Department, has an opportunity to ensure that it is subdivided into economic living areas. He does not need to be confined strictly to economic areas as they exist today. There is no need for the Act to provide that, if the Minister is advised that a block of 300 acres may be

sufficient at the moment but that with current trends it would be wiser to allocate 500 acres in a block to allow scope for a wider diversity of enterprises within the particular subdivision, he may allocate the larger area. It is not relevant to argue that the only way in which areas can be altered to cater for changes in the future is by the passage of this measure.

It seems to me that the only reason for the implementation of this special lands provision is to enable the Minister to allocate lands to companies because, under the existing Act, he can allocate land in different areas to individual applicants. Although the Minister has accepted one of the amendments that I moved, I regret that he did not see fit to accept what I believe is the vital amendment, which would have provided for the return of a certain portion of the land. Therefore, the Country Party cannot accept clause 5 in its amended form.

I re-emphasize that the provisions of the Bill will apply throughout the State. In Gippsland East large areas of land, eminently suitable for selection, are available and large numbers of people are making efforts to have the land thrown open for selection, so that they may develop it. From a perusal of the second-reading notes on this Bill, one would assume that there was no other part of the State except the Western District. In the course of the lengthy debate on this measure, the honorable member for Portland has not participated on behalf of his electorate, and yet the Minister took great pains to refer to the Portland area. The Government has fallen down in the matter of land settlement over the years; it should have done more to open lands for selection purposes.

Sir WILLIAM McDONALD (Minister of Lands).—If the Opposition and the Country Party vote against the clause, as amended, they will be voting to prevent the Government from taking proper steps to safeguard the land. By preventing fragmentation, clause 5 will safeguard such areas from erosion. I feel that this point should be made clear. Although I do not wish to delay the Committee, I feel that I should point out to the Opposition and the Country Party what they will be voting against.

The Committee divided on the clause, as amended (Mr. L. S. Reid in the chair)—

Ayes	40
Noes	27
Majority for the clause, as amended	13

AYES.

Mr. Balfour	Mr. Rossiter
Mr. Billing	Sir Arthur Rylah
Mr. Birrell	Mr. Scanlan
Sir John Bloomfield	Mr. Smith (*Bellarine*)
Sir Henry Bolte	Mr. Smith (*Warrnambool*)
Mr. Borthwick	Mr. Stokes
Mr. Dixon	Mr. Suggett
Mr. Doyle	Mr. Tanner
Mr. Dunstan	Sir Edgar Tanner
Mr. Evans (*Ballaarat North*)	Mr. Taylor
Mr. Hayes	Mr. Templeton
Mr. Jona	Mr. Trethewey
Mr. Loxton	Mr. Vale
Mr. MacDonald (*Glen Iris*)	Mr. Wheeler
Sir William McDonald	Mr. Wilcox
Mr. McKellar	Mr. Wiltshire.
Mr. McLaren	
Mr. Manson	
Mr. Porter	
Mr. Rafferty	*Tellers:*
Mr. Reese	
Mr. Reid (*Box Hill*)	Mrs. Goble
	Mr. Stephen.

NOES.

Mr. Broad	Mr. Moss
Mr. Buckley	Mr. Mutton
Mr. Clarey	Mr. Phelan
Mr. Cochrane	Mr. Ross-Edwards
Mr. Divers	Mr. Stoneham
Mr. Edmunds	Mr. Sutton
Mr. Evans (*Gippsland East*)	Mr. Trewin
Mr. Fennessy	Mr. Trezise
Mr. Floyd	Mr. Turnbull
Mr. Ginifer	Mr. Wilkes
Mr. Holding	Mr. Wilton.
Dr. Jenkins	*Tellers:*
Mr. McDonald (*Rodney*)	Mr. Ring
Mr. Mitchell	Mr. Whiting.

Clause 6 was agreed to.

The Bill was reported to the House with amendments, and the report was adopted.

Sir WILLIAM McDONALD (Minister of Lands).—I move—

That this Bill be now read a third time.

Mr. WILTON (Broadmeadows).—I thank the Minister for his assurance regarding the survey to be conducted of the Little Desert region to determine the boundaries and the area to be reserved for the national park. I ask him to consider giving organizations directly interested in the conservation of flora and fauna the opportunity of taking part in any discussions in relation to this survey. Many organizations and individuals have an intimate knowledge of this region of Victoria and they would be glad to make submissions of value to the survey authorities. It may be desirable to incorporate certain sections of land within the boundaries of the national park. The Minister corrected my statement that, at present, there is no Kiata National Park.

Sir WILLIAM McDONALD.—I did not advert to it; you made the statement.

Mr. WILTON.—The Minister of Lands stated that the area had been reserved under the Land Act. Unless legislation in relation to this matter is passed within a specified time, the reservation may lapse.

Mr. MITCHELL (Benambra).—I thank the Minister of Lands for his patience during this lengthy discussion in which many points were made and a good deal of cause for reflection was given. I reiterate my earlier statement that this Bill should be withdrawn until the next sessional period to enable the mapping to be completed and to give honorable members an opportunity to visit the area.

The motion was agreed to, and the Bill was read a third time.

COUNTRY ROADS (DECLARATIONS) BILL.

The debate (adjourned from November 12) on the motion of Mr. Porter (Minister of Public Works) for the second reading of this Bill was resumed.

Mr. STONEHAM (Midlands).—The main purpose of this small Bill is to reduce the large number of occasions on which it is necessary for the Country Roads Board to obtain approval, or confirmation, of the Governor in Council for various purposes specified in the statutes. These new procedures will achieve a substantial reduction of paper work, with consequent saving of time and money, but at the same time all necessary safeguards are being retained. The Opposition is strongly in favour of doing away with unnecessary red tape. It will be noted that clause 2 of the Bill retains the requirement that appropriate resolutions of the Country Roads Board shall be published in the *Government Gazette*, but this clause obviates the necessity to obtain confirmation of the Governor in Council to all the Board's resolutions declaring new main roads, deviations or widenings of roads. The new clause will extend and apply to State highways, developmental roads, tourist roads, forest roads, by-pass roads and any other roads declared or proclaimed under the Country Roads Board Act.

Clause 3 obviates the need to obtain approval of the Governor in Council to carry out works of permanent improvement and provides the Country Roads Board with authority to approve such works within existing road reserves. Clauses 4 and 5 provide power to the Minister to give the Board authority to carry out permanent works on, or the maintenance of main roads. Clause 6 provides that where the Board has declared a deviation to be a main road or a developmental road in lieu of an existing road or part thereof, it may by resolution at any subsequent time discontinue such existing road or part thereof.

Mr. PORTER.—This is so in the vast majority of cases.

Mr. STONEHAM.—Yes. It is obvious that the amendment is necessary and I trust it is also clear that the Opposition does not oppose the speedy passage of the Bill.

Mr WHITING (Mildura).—The Country Party generally supports the Bill as it believes that the procedure of the Governor in Council ratifying all declarations for deviations or widening of existing main roads serves very little purpose. However, I wonder whether a notice declaring an existing road to be a main road should be required to be submitted to the Governor in Council, or whether this practice should also be dispensed with. Publication in the *Government Gazette* may not be necessary to emphasize the fact that an existing road has been declared a main road. Approval of the Governor in Council spreads the information that a road has been declared a main road. It is agreed that there is a need to carry out this procedure with regard to deviations or widenings; likewise, there is a need to state that these improvements have been completed.

It is suggested that the Minister should examine this provision with regard to its possible retention and emphasize that a particular road has been declared a main road. It is important to municipal councils that they should be fully aware of the roads that have been declared main roads. Councils usually ask for a certain road to be declared a main road and eventually the Country Roads Board agrees and goes to the Governor in Council for the final proclamation. Because not many roads are being declared main roads, this would not be an undue hardship. It is also agreed that the Country Roads Board Act does not provide for discontinuation of a road unless it is replaced by an alternative route.

The Country Party agrees that in the cases where there is a deviation or widening it is necessary that the matter should go to the Governor in Council. The declaration of an existing road as a main road could still go to the Governor in Council for further emphasis of the fact that this is a major step forward, because there are certain financial benefits to be gained by having a road declared a main road under the Country Roads Act. I agree that it is only a minor point, but it is one worthy of consideration. Where a road has been declared a main road and the Country Roads Board cannot legally declare it any longer a main road unless an alternative route is provided, this can be an embarrassment.

The Country Party is also in favour of other provisions where the Country Roads Board is carrying out permanent works and maintenance on declared main roads. The general situation with regard to country roads is gradually improving, although honorable members who travel widely in the country know that a tremendous amount of work still has to be carried out before all country roads, highways and main roads are brought up to a standard sufficient to cope with the amount of traffic they are required to carry. Even greater demands will be made on these roads in the years to come. The Country Party supports the Bill, with the one reservation I have mentioned, and trusts that the Minister may be able to give this matter consideration before the Bill goes to another place.

Mr. WHEELER (Essendon).—The honorable member for Mildura stated that anyone travelling throughout the State of Victoria would see some improvements in the road system.

The SPEAKER (the Hon. Vernon Christie).—Order! I ask the honorable member not to open up a general debate on country roads.

Mr. WHEELER.—I do not intend to, Mr. Speaker, but honorable members should take cognizance of what is happening today with our main roads and highways. Throughout

Victoria there are to be found deviations and by-passes, widening of roads, straightening of bends in main roads, and so on. Not sufficient commendation is given to the Country Roads Board for the amount of efficient work and general improvement it has effected throughout the State. From time to time we hear criticism of the roads and the high rate of road accidents, but I am of the opinion that with the various works, such as deviations, widenings and removing of bends, the safety of the roads for motor travel is being improved.

The SPEAKER.—Order! I must rule that, when discussing the general road toll, the honorable member is speaking wide of the Bill.

Mr. WHEELER.—Very well, Mr. Speaker, but when these bends are removed and the roads are widened the motoring public should appreciate the improvements and keep down the road toll.

The motion was agreed to.

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

WATER SUPPLY LOAN APPLICATION BILL.

The debate (adjourned from October 30) on the motion of Mr. Borthwick (Minister of Water Supply) for the second reading of this Bill was resumed.

Mr. STONEHAM (Midlands).—Records covering a period of years disclose that the Government could not be accused of having allocated excessive amounts of money for water conservation.

Mr. WHEELER.—You said that with tongue in cheek.

Mr. STONEHAM.—To prove how wrong the honorable member for Essendon is, the Bill provides for an allocation of $18,642,000. I remind the honorable member that in the last year in which the Labor Government was in office the amount actually spent on water supply was $19,000,000.

Mr. BORTHWICK.—At that time the Eildon dam was being constructed.

Mr. STONEHAM.—I have referred to this matter before. In addition to the amount I have mentioned, the Bill provides for continued expenditure until the next loan application Bill is introduced, so that the total amount for approval is $30,100,000. When he was extolling the Government's work in regard to water supply projects during his second-reading speech, the Minister stated, *inter alia*—

> With the establishment of Kerang and Rochester major works centres, in addition to Tatura works, the emphasis on channel remodelling and drainage is gradually moving westward. Including Campaspe district works, planned expenditure of loan moneys in the three centres in 1968-69 is expected to be as follows :—

	$
Tatura	1,000,000
Rochester	400,000
Kerang	700,000
	2,100,000

In reply to a question asked by the honorable member for Williamstown in the House yesterday, the Minister admitted that, in the Tatura district, concerning which he had boasted that so much money would be spent, eleven men were retrenched because the loan allocation was less than usual. At Rochester, five men were dismissed under similar circumstances. I hope the very glowing account that the honorable gentleman gave concerning the current year's water supply programme means that he will be able to assure the House that these men will be reinstated.

I do not intend to review the various water storage and conservation projects to which the Minister referred in his second-reading speech. However, I wish to refer particularly to a matter which I do not think the Minister mentioned or, if he did mention it, he did so inadequately. I refer

to expenditure on farm water supplies, to which I have alluded on previous occasions. At long last, the Government is beginning to heed the words of those who have directed attention to the unfavourable comparison between Victoria and New South Wales in this regard.

In 1965, the Government saw fit to transfer the jurisdiction for farm water supplies in non-irrigation districts from the control of the State Rivers and Water Supply Commission to the Soil Conservation Authority. I should have thought that, if the scheme which the Government had in mind was soundly based, provision would first be made for adequate expert, professional staff and facilities to be available within the Soil Conservation Authority. Naturally, there has been no lack of inquiries from farmers in respect of farm water supplies. Unfortunately, however, the Soil Conservation Authority is not properly equipped to discharge this responsibility.

The SPEAKER (the Hon. Vernon Christie).—I invite the honorable member for Midlands to advise me which part of the Bill relates to the Soil Conservation Authority.

Mr. STONEHAM.—I am referring to the fact, Mr. Speaker, that the responsibility for farm water supplies which, until 1965, was held solely by the State Rivers and Water Supply Commission, is now divided between that authority and the Soil Conservation Authority. The State Rivers and Water Supply Commission is still responsible for farm water supplies within the irrigation areas of the State, and it also has certain responsibilities in respect of dam construction outside the irrigation areas. As a matter of fact, a large number of primary producers and landowners in Victoria are bewildered and confused at the manner in which the Government has divided the responsibility for farm water supplies. To underline my point that before transferring additional responsibility to the Soil Conservation Authority, the Government should have made proper provision for that Authority to cope with the additional work, I propose to quote from the latest report of the Authority.

The SPEAKER (the Hon. Vernon Christie).—Does the honorable member for Midlands propose to quote from a report of the Soil Conservation Authority?

Mr. STONEHAM.—Yes, Mr. Speaker. My point is that the inadequacy revealed in this report should not have been permitted to exist when certain responsibilities were transferred from the State Rivers and Water Supply Commission to the Soil Conservation Authority. I assure the House that what I am saying is true, as is borne out by the following statement in the report of the Soil Conservation Authority:—

> Some 112 requests for feasibility investigations of proposed water supply schemes were received during the year.

The report enumerates the types of requests that were received.

> With the limited staff available and the necessity to establish administrative and technical procedures for this service, delay has been unavoidable in handling the requests.

The report contains details of investigations undertaken, but includes only one preparation of plans and specifications in progress. I emphasize that only one preparation of this type was undertaken.

Mr. BORTHWICK.—To which year are you referring?

Mr. STONEHAM.—I am quoting from the report of the Soil Conservation Authority for the year ended 30th June, 1967, which is the latest report available. No doubt, since then some progress has been made, and I shall be happy to hear the Minister deal with this aspect at the appropriate time. A comparison of Victoria's performance with that of New South Wales so far as farm water supplies are concerned reflects most discreditably on Victoria. Under the

heading "Farm Water Supplies", the annual report of the State Rivers and Water Supply Commission for 1967-68 states—

The demand for technical assistance increased during 1967-68, due mainly to the effects of the drought which emphasized to many landowners the importance of conserving water for domestic, stock and irrigation purposes. Some 780 inquiries were dealt with and the section was enlarged temporarily from two to four engineers. The complement has now reverted to two engineers and over 200 inquiries remain outstanding.

This report highlights the importance of the need to provide proper technical assistance for farmers who wish to construct dams. The report further states—

Several breached dams, mainly caused by inadequate spillway capacities, were reported following the heavy May rains.

Inspection of 150 dams on Narracan creek and tributaries was undertaken, with the result that over 90 per cent. of them were found to be unsatisfactory in some regard. Re-issue of permits is being deferred until required modifications have been completed. Similar investigations are under way in the Tarwin river and Ballarat areas.

It is significant that 90 per cent. of the dams inspected were found to be unsatisfactory in some regard. The State Rivers and Water Supply Commission and the Soil Conservation Authority have a tremendous responsibility to provide improved technical services in this regard.

A comparison of the arrangements made in New South Wales by way of financial assistance and in Victoria reveals a glaring contrast. I have a letter which was sent on 24th September of this year from the Premier's Department to a correspondent who had written inquiring concerning the type of assistance that was available for farm water supplies. This letter, which is signed by Mr. Coulthard, the secretary to the Premier's Department, states—

With regard to the availability of finance to landholders for farm water supply development, the Soil Conservation Authority may confer with the Rural Finance and Settlement Commission with a view to its granting a loan for works approved by the Authority which is always concerned with both technical and agricultural soundness of its advice. The term of repayment and the interest to be charged by the Commission is a matter beyond the jurisdiction of the Authority. However, so far the Authority has not been asked by any landholder to confer with the Rural Finance and Settlement Commission about finance.

In other words, the scheme is so unattractive to people who wish to proceed with the construction of dams and who require financial assistance for this purpose that not once has the Authority had to confer with the Rural Finance and Settlement Commission in this regard.

It appears that there has been a complete negation of the Soil Conservation (Water Resources) Act 1965, which authorizes the Authority to—

confer with the Rural Finance and Settlement Commission with a view to its granting a loan under the Rural Finance Act 1958 to any landholder who has insufficient means to carry out any proposed works approved by the Authority.

The Soil Conservation Authority is simply empowered to confer with the Rural Finance and Settlement Commission but, as the letter from the Premier's Department indicated, not one conference had been held up until September of this year.

An examination of the position in New South Wales is startling. Under the heading "Farm Water Supplies", the annual report of the Water Conservation and Irrigation Commission of New South Wales for the year 1966-67 states—

Since the Farm Water Supplies Act, 1946, first came into operation 24,423 requests for assistance have been received, including 1,380 during the year under review. Of these 23,985 have been investigated including 1,957 during the year; 20,227 inspections have been undertaken relative to bores, wells, tanks, dams, weirs and domestic stock, spray irrigation and flood irrigation systems, including 1,376 carried out during the year.

Forty-six engineering officers exclusively employed on field work for landholders' water supply schemes are stationed at Head Office, Forbes, Grafton, Tamworth, Taree. Albury, Bega, Bourke, Cootamundra, Maitland, Nowra, Moree, Lismore and Dubbo. The services of six hydrogeologists are also made available; inspections are undertaken and advice then tendered in respect of subsurface water supplies.

The majority of landholders who have received technical information (and including some who previously had applied for advances) have completed the works without financial assistance from the Commission. However, 3,866 applications for financial assistance and 2,857 applications for additional technical assistance have been received. Advances of $6,819,217 have been granted in respect of 2,532 applications for financial assistance and 278 other similar applications were still under consideration at the 30th June, 1967.

That is the most glaring contrast that one could imagine in the activities of two State Governments.

Recently, a water symposium was held in Melbourne. In the current issue of *Water in Australia,* this statement appears—

Commenting on the New South Wales scheme the Chairman of the Victorian State Rivers and Water Supply Commission, (Mr. A. L. Tisdall) told the symposium that Victoria's successful water conservation programme had passed through several stages and it was now evident that more attention was warranted in regard to on-farm water conservation and irrigation projects.

This is precisely what members of the Labor Party have been saying for years. Honorable members will no doubt be interested to learn that Mr. E. R. Smith, the former chief of the New South Wales Farm Water Supply Services, who attended the symposium to which I have referred, claimed that only one bad debt had been incurred over the twenty years' existence of the scheme. As I stated earlier, advances of almost $7,000,000 have been made, and in only one case has any bad debt been incurred. What I have said demonstrates how far behind Victoria has been in pushing the matter of farm water supplies.

The November issue of *Water in Australia* also contained an article headed, " Victoria Faces a Crisis on Farm Water Supplies " which states—

Why can't Victoria have a similar Farm Water Supply Services set-up to New South Wales and Queensland?

. . . . . .

The fact is that Victoria no longer leads Australia in irrigation development. The mantle now rests upon New South Wales.

Ultimately the honour will be Queensland's for the good reason that it possesses the largest share of Australia's water resources.

There is no doubt that this is a challenging situation to the Government and the State Rivers and Water Supply Commission of Victoria. The Shire of Myrtleford recently circularized shires throughout the State. I have a press cutting from a newspaper in my district which refers to a decision arrived at by Newstead Shire Council supporting the approach to the Premier which was initiated by the Myrtleford Shire Council. A five-point programme is set out, as follows :—

Loans to be made available to farm landowners to cover a reasonable proportion of cost of construction of an approved private farm water storage—the Government to set up a special fund for this purpose.

Interest on loans to be similar to the 3 per cent. recently extended under the drought relief scheme.

The proposed private storage would require the approval of a body such as the Water Commission in the design, construction and economics in relation to the property to be served.

The use and control of water from the private storage would rest with the farmer, with no restrictive stipulations on its individual use.

The suggested Government fund to be a continuing one. After the initial period of providing basic loans the repayments could then be relent to other landowners wishing to establish off-stream private storages.

There is evidence from every quarter that this is a live issue with the farmers of this State. It has been proven in New South Wales that in the aggregate, effectively and efficiently carried out, these storages can conserve a given quantity of water at a much cheaper cost than large reservoirs. This is not an argument against the construction of large reservoirs ; we must have both, of course, but there is no doubt that over the years Victoria has fallen behind in the responsibility of lending proper support, encouragement and assistance to farmers wishing to provide efficient farm dams.

I could refer to a number of other issues mentioned in the Minister's explanatory second-reading speech, but having regard to the circumstances I do not wish to occupy the time of the House

further, other than to ask the Minister to give an assurance that from now on, at long last, there will be no letting up in the campaign to provide modern, effective and efficient services in the sphere of farm water supply.

Mr. MITCHELL (Benambra).—I also wish to emphasize the need for assistance for farm water supplies. One hears on every hand that production must be increased. Farmers are producing more, but if the farmer is to produce more animals or more crops he must have more water in his farm dams. The question of spray irrigation, or irrigation by gravity or pumping from the river, must also be considered. It all boils down to the fact that the farmer cannot produce more animals or crops unless he has more water. Farmers have done a wonderful job in providing farm dams; if one travels by aeroplane from Corryong to Melbourne, the ever-increasing number of farm dams is evident. Australia is a new and comparatively waterless land; it is useless having irrigation schemes if there is insufficient water.

Two questions must be decided—what is a water-course, and who gets the water? These questions are not new because even back in Roman days there were arguments by Roman lawyers, such as Justinian and Tribonian, as to who should take what water from which creek. Therefore, the problem has existed for something like 2,000 years. It is not easy to find a solution, because farmer A must have water to produce his crops and animals, and farmer B also has to have his share. The question is what is a fair and equitable use of water so that maximum production may be obtained. No production is possible without the application of water.

An engineering question also arises. There is a move for the construction of bigger and higher dam walls. This is quite in order provided that the dam wall is built soundly. If it is not, the neighbour downstream may suffer damage from a flash flood if the wall of the dam breaks; he may suffer loss of animals and even lives may be lost. In the old days, a draught horse was used to pull a scoop, and with assistance from a few men with shovels a dam wall was constructed; this was good clean fun. However, in these days, large earth-moving equipment is available and some walls of farm dams are very high. Unless they are constructed properly and are well designed on engineering principles, they are a danger. It is useless having a 30-ft. high dam wall if it is liable to collapse when the dam is filled with water. It is of no use a farmer having a large dam if it lets the water go before he can use it. Farmers must have assistance on the engineering side, particularly from the point of view of safety, and also from the point of view of possible legal action resulting from damage to neighbours.

The Roman Senate passed a special Act—*Actio Suspensis Vel de Jectis*—in relation to the throwing of water from windows on the Appian Way. If Julius Caesar was going past in his chariot and a person threw a dish of water out of a window it was possible to bring an action against him. Victoria has adopted the old Roman law in regard to the illegal use of a motor car. A similar procedure could be followed in relation to water, but this question requires careful thought because it is a serious problem. It would be of advantage to call meetings in order to explain to farmers exactly what is involved in relation to farm water supplies, both legally and mechanically, and also in regard to the use of water. There is often an erroneous idea held by farmers that if water is spread over the land that is sufficient. My brother-in-law at Tumut undertook a certain amount of farm irrigation from strongly flowing mountain creeks, and he contended that water should run over the land for 24 hours before the grass obtained the full benefit. Discussions with farmers in regard to the use of farm water would be beneficial.

I believe additional storages should be constructed in the mountains. On several previous occasions I have raised with the Minister the question of completing the Pretty Valley dam in the Bogong high plains so that the water could be used for irrigation purposes in the Kiewa Valley. During the drought there was no water in the Kiewa river over a stretch of 5 miles. Action should be taken now to prepare for the next crisis. I have asked the Minister, on behalf of the shires of Bright and Yackandandah, to examine the question of building a large dam at Pretty Valley. This project was originally to go ahead, but it was scrapped when the Snowy Mountains scheme was undertaken. I always hold it against Sir Robert Menzies that he declined to visit this corner of his own State to assist a project which would have been a great boon to the Kiewa Valley. I should be glad if the Minister could proceed with the plan to construct this dam so that the shadow of drought would be removed from the farmers in the Kiewa Valley.

It must be remembered that irrigation is not confined to hot lands. As I have informed the House previously, when I visited New Zealand I noticed irrigation being carried on in cold country which was 16 degrees nearer than Melbourne to the South Pole. It is astounding what can be done with irrigation in cold country and the farmers in those districts want their share of irrigation water. The farmers desire to do their duty and increase production which will assist persons who live in districts where the land is not so good.

I realize that high priorities are set for the provision of certain dams, and that money is not easy to obtain, but I ask the Minister to consider receiving some time in the new year a deputation from the two shires, Bright and Yackandandah, concerning the completion of the scheme. I urge the Minister to expedite the construction of the Dartmouth dam. I have flown over the site on a number of occasions, and it is an ideal location. I appreciate that a Federal decision is involved in this matter. One of the advantages in this case is that good country will not be ruined. In the case of Groggin, a very good strip of farm land which is already in production would be ruined. There is a tendency to flood some of Australia's best land and to water some of the worst land. The country around Dartmouth is ghastly; it is two snakes to the acre type of land. I hope the Minister will advise me that he will receive the deputation I mentioned.

Mr. STEPHEN (Ballaarat South).—It is pertinent to refer to item No. 2, which concerns the Lake Merrimu project. Loan funds to the extent of $1,960,000 are being allocated for the completion of work on a new storage of 15,000 acre-feet on Coimadai creek near Bacchus March, together with associated tunnel works. The ultimate plan provides for increased urban and industrial requirements from a storage of 40,000 acre-feet. This particular area suffered greatly during the recent drought. The supply of water to the irrigation areas of Bacchus Marsh and Werribee was severely curtailed during the drought. The addition of the project I mentioned is a welcome improvement in the scheme. It should be appreciated that the Bacchus Marsh, Melton and Werribee areas are growing rapidly. The most important aspect of the project is the fact that, in the near future, it will provide for urban and industrial requirements.

On page 6 of the explanatory memorandum, reference is made to the inclusion of the sum of $6,465,000 in the fourth to seventh parts of the schedule, which represents provision for expenditure in approximately 160 locally-controlled centres on investigations, improvements and extensions of the respective town water supply systems. The amount allocated for actual expenditure on the planned works during the current financial year is $2,950,000. This assistance

for country water authorities is greatly appreciated and I congratulate the Government on the part it has played, since 1961 in particular, in its efforts to extend country water supply schemes to new areas. I am sure that provision will be made in the next annual measure for an allocation to a particular area in the Shire of Bannockburn and localities where people have been waiting for water for a number of years.

I commend the Government for what it is doing towards the provision of country water supply extensions, and trust that more loan funds will be made available in this field. While I realize the importance of irrigation, I point out that town water supplies are also entitled to some priority. It must be remembered that, to a certain extent, the people of the State subsidize those who are fortunate enough to receive irrigation water.

Mr. R. S. L. McDONALD (Rodney). —I support the Bill, which is to sanction the issue and application of loan money for works and other purposes relating to irrigation, water supply, drainage, sewerage, flood protection and river improvement. The measure makes provision for the expenditure of $30,100,000 on these works, and an amount of $18,642,000 has been allocated for expediture during the year 1968-69.

I believe Victoria is still the premier State in the Commonwealth in respect of irrigation. The Government's programme for the provision of water storages is very good and, while I cannot suggest improvements, I emphasize that it is necessary to conserve every drop of water that can be obtained. Reference was made to storages on farms, and I agree that these can be developed in certain places. However, at present there is not enough water in the State to adequately water land in the irrigation districts. This is achieved in proclaimed irrigation districts, but far less water than is needed to irrigate correctly is available.

Mention was made of Dartmouth and some of the main storage dams. I believe the State should proceed with these projects, but the money will have to be found. With the Snowy Mountains scheme reaching its conclusion, the dams could soon be built with the aid of the specialists who will become available, provided that the money is available. Money must be allocated for the necessary investigations to take place. Ultimately it will be necessary to proceed with a modified Chowilla project because that is the only area where it is possible to catch some of the flood run-off. At present, thousands of acre-feet of water run into the Murray because there is nowhere to store it downstream. This water comes from the Darling and Murrumbidge rivers.

I agree in principle with the moneys that are allocated in the Bill. In the first part of the schedule reference is made to the Eppalock reservoir, Lake Merrimu, Tarago reservoir, Lake Mokoan and Lake Corangamite projects, as well as other storages and head works including recreational facilities. I have no objection to the provision of such facilities, but am concerned about the money that is being spent at present. The honorable member for Midlands stated that in 1955 a far greater amount was allocated under the counterpart of this Bill. If one refers to what was allocated to country sewerage authorities and water trusts in those earlier years, one appreciates that there is a considerable difference in the total amounts allocated. Less and less money is being granted to irrigation areas, although the extension of irrigation is very desirable. We cannot have our cake and eat it too. Of course, we can only work within the moneys that are available, and I agree with the items set out in the schedule to the Bill.

I am interested in the provision of $400,000 for the Echuca Waterworks Trust, which is for a filtration

plant. This scheme has already commenced. Application has to be made to and approved by the State Rivers and Water Supply Commission at an early stage so that the projects can be listed. This must be done in an orderly fashion. I was amazed to hear the honorable member for Ballaarat South state that one town had been waiting for a water supply for years. Apparently application has not been made for loan funds. The sum of $30,000 is being provided for the Rochester Waterworks Trust, which is within my electorate. Those concerned are very progressive, and the same body of men are carrying out a sewerage scheme for Rochester. The provision of sewerage is one of the greatest advances any community can make. No one who has lived with this amenity would like to go back to the old can system.

The sum of $15,000 is being provided for the Tongala Waterworks Trust. This trust opened a filtration plant a couple of years ago. Tremendous growth is occurring in the district, and as the Tongala milk products company develops it will require more water. This firm has bought out the Glengowrie cheese factory at Stanhope. A number of dwellings have been provided in Tongala for employees. No doubt the honorable member for Mildura will refer to the fifth part of the schedule under which his district is receiving a good allocation. It is gratifying to see country areas being looked after in this way, and members of my party appreciate what is being done. The sum of $33,000 is being provided for the Cohuna Sewerage Authority, which is providing sewerage in that town. This is a very progressive centre which is entirely dependent on the surrounding irrigation areas. Many of the people there need more water.

I appreciate that officers of the water Commission and the Department of Agriculture are willing to assist people to obtain the maximum production from their farms. The Rochester Waterworks Trust is allocated the amount of $100,000 for sewerage works, which will be completed this year. I was interested in the remarks of the honorable member for Benambra concerning water storages. I agree that these are necessary, and that it is necessary to plan well ahead.

The water Commission has done a wonderful job in doubling the supply of water to irrigators over the past ten years. This must be boosting production and in Australia, irrespective of weather conditions, we must produce our primary products economically. Production from the Murray-Goulburn irrigation system is probably the highest in the State. It is the biggest and oldest irrigation area and the main water storage, which was built in the early 1900's, has been increased in size only once.

The sitting was suspended at 6.31 *p.m. until* 8.2 *p.m.*

Mr. R. S. L. McDONALD.—Before the suspension of the sitting, I pointed out to the Minister that loan funds made available under this Bill are quite inadequate for the works which have to be completed. Although they are intended to cover expenditure which is proposed in the current financial year, they are inadequate because there is so much to do. I am sure that all honorable members wish Victoria to maintain its position as the foremost irrigation State of Australia, but the only way in which it can is by the expenditure of funds. If funds are not made available, irrigation as well as sewerage and water supplies cannot be developed. Sewerage and water supply authorities need more money.

On 15th October, 1968, I asked the following questions of the Minister of Lands—

1. What was the estimated total cost of the drought to this State, including allowances for stock sent interstate on agistment?

2. What total number of livestock had to be sent interstate for agistment on account of the drought?

3. What was the value of stock lost due to the drought?

I mention those questions in support of my contention that the funds made available are inadequate. Later I shall deal with the Minister's answers.

I point out that the Mount Hope scheme has not yet got off the ground because there is no money for it. The scheme would cost the same as a normal storage; in fact, it would absorb the whole of the loan funds available for this financial year. It is idle to say that the scheme could not be completed, because the Snowy Mountains scheme is nearing completion and teams of men with the know-how to carry out this project are available. I venture to say that if the money were available the Mount Hope scheme could be completed in one year. However, we shall have to wait, three, four or five years. The scheme was chosen to replace that for the widening of the western channel and it was to bring immediate relief to the Tragowel plains area at the far end of the western channel, but funds are not available.

Drainage, of course, is complementary to irrigation, and many drainage projects should be undertaken. For the benefit of the Minister I point out that the Gannawarra drainage project has been in the course of construction for more than ten years, yet I thought it was the policy of the State Rivers and Water Supply Commission to finish all of its schemes within that period. The work was commenced in 1956 but, because of a shortage of funds, only a small sum has been allocated to it each year and very little progress has been made. The scheme has not been and will not be effective until it is completed. Part of this scheme is within my electorate and part of it is in the electorate of Swan Hill. Unless funds are made available, The work will drag on for years, even though the area concerned consists of 15,000 acres of very good country which, if adequately drained, would be extremely productive. I have mentioned before that in Victoria farmers should be producing from land which is economically suitable and not from areas where costs of production are high.

Last week I received a letter from the secretary of the Gannawarra Drainage Scheme which reads as follows:—

Many thanks for your continued interest and correspondence received. In answer to your query re name of scheme—Piccaninny Bar System.

The Piccaninny bar system drainage scheme is in an area from which salt water is diverted into Lake Tutchewop, from where the salt is evaporated. I believe that salinity is a major problem. This water at one time flowed back into the River Murray and the people at Mildura copped it properly—I think that is the most appropriate expression I can use. Thanks to Commonwealth Government assistance, the salt water is now being drained away and it is hoped to minimize the problem caused by the salt content of the waters of the Murray so that they may be used for irrigation.

Earlier I referred to questions I asked of the Minister, and I now turn to the answers he gave. He stated—

1. Whilst final production losses in primary production are not yet available from statistical records, a survey recently made and by no means exhaustive indicates that even at this time there will be a production deficit to Victoria in the vicinity of $180,000,000.

The total funds allocated to the State Rivers and Water Supply Commission for the current financial year amount to only $30,100,000, yet our drought losses were $180,000,000. I believe that this, of itself, is a particularly good illustration of the need for a greater allocation. The honorable member for Midlands mentioned that in 1955 the Government of the day

made available $38,000,000 and yet the amount allocated for actual expenditure for 1968-69 is below that figure. In view of the tremendous loss of $180,000,000 due to the drought, it is necessary that the Mount Hope scheme should be carried out but, as it would absorb the whole of the amount allocated for the current year, there is not much chance of anything being done about it.

The day will come when greater water storages will be required on farms. However, projects must be carried out in sequence, and I suggest that the building of adequate normal storages should be our concern at this time in order that people in irrigation districts may receive the water rights to which they are entitled and so that Victoria will maintain its place as the premier irrigation State. Earlier I mentioned the tremendous increase in the amount of water being delivered for use in irrigation. I am speaking now of the Goulburn-Murray irrigation system. My information was supplied by the chairman of the State Rivers and Water Supply Commission, but the water allocation was based on the belief that the Chowilla dam would be built by 1971. Plans for that dam have now been scrapped. Until some alternative storage is built in the catchment areas, there will be inadequate water supplies.

We should be thankful that the main water storages of the State are filled almost to capacity and, as a result, there should be no water rationing this year. However, some pockets of Victoria are dry at present. In the areas of New South Wales which are experiencing bushfires, the country is apparently suffering the same sort of drought that Victoria experienced recently. As one travels south from Sydney, one can see the changing condition of the country and, when one enters Victoria, it looks like the Garden of Eden. The fantastic development of Victoria in recent years can be maintained only if adequate water rights are available to users and sufficient loan money is available for the works necessary to keep Victoria as the premier irrigation State of the Commonwealth.

A Bill of this type comes before the House each year, and as usual, the Country Party supports this measure. However, it asks the Minister of Water Supply to consider increasing the financial provision so that some of the projects I have mentioned can be implemented.

Mr. WHITING (Mildura).—I endorse the remarks of other Country Party members who have spoken in this debate. Although water storages are being built at a reasonable rate in Victoria, we must never regard the job as almost complete or adopt the attitude that no further work need be done. If ever the weakness of our present storage system was brought to light, it was during the drought conditions of early this year and last year. Various projects are under way and one or two more are in the planning stage, but not enough planning is being done for more large storages. I realize that a number of smaller storages are under consideration.

One of the problems Victoria faces is that large amounts of Commonwealth money are needed for at least some of the projects. The Commonwealth Government made the sum of $50,000,000 available for water projects in the States, but Victoria has seen very little of that money. This State received some money which was spent on urgent work to divert saline water from the River Murray. The projects, which are now operating, were of a minor nature and cost much less than Victoria's share of the $50,000,000 made available by the Commonwealth. The only other project to which this money will be applied is the storage which will replace the proposed Chowilla dam. The feasibility of that dam is being investigated by a firm of experts. The Minister of Water Supply, by interjection, informs me that the Snowy

Mountains Authority is investigating the Dartmouth project. It is to be hoped that the Commonwealth makes the necessary money available.

The Commonwealth Government has made available $19,000,000 for water storage in the Emerald district of Queensland, and a further $8,000,000 for associated works. The Queensland Government renamed the dam there " Fairbairn ". Possibly Victoria's public relations are not as good as Queensland's, and perhaps we should adopt a different name for the Dartmouth project.

Mr. BORTHWICK.—What about " McEwen? "

Mr. WHITING.—There could not be a better name associated with the development of country areas of Australia. I agree with the Minister that consideration should be given to calling the new storage " McEwen ". I trust that the honorable gentleman will put the suggestion forward at the earliest possible moment.

The provision of loan funds covers a wide field for various projects throughout the State, and money will be made available to almost every water supply and sewerage authority in Victoria. In his second-reading speech, the Minister referred to the Irrigation Districts Maintenance Equalization and Renewals Account. This is commonly referred to in irrigation areas as the I.D.M.E.R. account. Money is obtained from the excess of revenue over operating costs of each of the local irrigation districts. In the Mildura area the State Rivers and Water Supply Commission operates irrigation districts at Merbein and Red Cliffs. For several years, in these districts, work has been carried out to replace open concrete channels carrying water to properties in the area with sealed concrete pipes. Water, which was previously lost by both seepage and evaporation, is being saved, and there has been less overloading of drains, which is a serious problem in the area.

The Minister stated that in the year 1967-68 the sum of $51,000 was spent on this conversion work at Merbein, and $83,000 was spent at Red Cliffs. He went on to say that smaller amounts would be spent in the current financial year because of the increasing costs of normal operations of the districts. This brings me to the point made by the honorable member for Rodney that, while the cost of work is increasing, the allocation of loan funds remains static. As a result, less work can be done. Eventually, water rates must be increased to provide money for necessary works, or no work will be carried out unless the Commission can do something drastic. I strongly urge the Minister of Water Supply to give serious consideration to this problem.

Saline water, which would have flowed back to the River Murray, is now diverted to Lake Hawthorn near Mildura and from Barr creek near Kerang. At this time last year, salinity tests of water at the various pumping stations along the River Murray regularly showed total dissolved solids to be between 200 and 400 parts per 1,000,000. The critical figure is about 300 parts per 1,000,000. If water has a greater saline content than that, damage is caused, particularly to citrus crops, but also to vine crops from which dried fruits are obtained and vegetable crops. At the 28th November this year, the tests showed that, at Swan Hill, the figure of total dissolved solids per 1,000,000 parts was 80; at Robinvale, it was 108; at Mildura, 169; and at Merbein pumps, 175.

There are two reasons for the difference between the readings taken last year and those taken recently. The first is the diversion of saline water from the river, and the second is the increased flow in the river. This highlights the fact that surplus water is being released from some storages because, if it is not released now, water would very soon flow over the spillways and cause more damage than can be afforded. On the 25th November, Mr. Harrison, the executive engineer of the River Murray

Commission, said he realized that the release of surplus water from Lake Hume was continuing. At this time last year, Lake Hume was almost empty and it is now almost overflowing. That Lake Hume can be filled within twelve months reinforces my contention that there should be more water storages on the headwaters of the River Murray and the Goulburn river. I again urge the State Rivers and Water Supply Commission to give further consideration at least to planning further water storages in the mountain areas of the State.

A large number of private diverters pump water from the River Murray for their own irrigation purposes. Item No. 10 of the second part of the schedule refers to the allocation of the sum of $75,000 for the installation of meters to register the flow through the pumps owned by private diverters and the appointment of additional staff to police the activities of private diverters. The Minister indicated that a quantity of water now being used would be brought under control. Perhaps that statement reflects on the private diverters.

Primary producers within my electorate—and I am sure this applies in all other areas—insist that they do not over-water; that they use enough water for maximum production of various types of crops, and no more. The installation and examination of meters will enable the Commission to learn how much water is used, but it does not necessarily follow that less will be used. The amount of $75,000 seems to be a large sum to allocate for this purpose. Perhaps this money could have been more wisely spent on increasing water storages or for some other purpose of greater benefit to the State.

A request for financial assistance has been made to the Commonwealth Government for pipelining of the Millewa stock and domestic water supply system, but I believe nothing further has been done in this regard. For some years the water has been reticulated along earth channels, and farmers' tanks have had to be filled during the winter months to avoid evaporation and seepage. Nevertheless, a tremendous loss of water occurs through seepage and evaporation. The pipelining of the system would be of benefit to the State as a whole and to the farmers in particular because it would reduce water losses. The Minister and the Commission should continue to put pressure on the Commonwealth to make a decision on the matter.

Money is being provided to enable the Melbourne and Metropolitan Board of Works to supply water to townships and districts on the outskirts of the Board's area. Last year, the water storages of Melbourne were at a particularly low ebb, but today's *Herald* reports that 64,270 million gallons of water were held in the Board's storages at 6 a.m. today, whereas the maximum capacity of those storages is 65,400 million gallons.

This is an argument in favour of the construction of further water storages on the Yarra river catchments. Plans are in hand for increasing the capacity some of the storages on the tributaries of the Yarra. Diversion of water from the Big river is entirely unnecessary if all the available water in the Yarra and its tributaries is stored, and every possible use is made of the water available in the Board of Works water-sheds. For some time, there was a cry that country areas were taking all the water from Melbourne, but this assertion has been proved false by the figures which I have quoted, and which indicate the rapid restoration of water levels in the Melbourne storages.

The process of desalination whereby partly saline water can be converted for farm usage has been a matter of concern for a few years. It is a most costly process. A constituent of mine has forwarded to me a letter from Havens Industries of San Diego, California, which operates what is known as the Osmotik process. This is apparently a reverse osmosis process which desalinates

brackish water. My constituent requested an estimate of the cost of providing a reasonably usable water supply, and a section of the letter states—

> At one time I took a sample of the water from the Gypsum works south of Merinee and had it analysed and I presume that your water is much the same. It is predominantly sodium chloride water, 98,000 parts per million total dissolved solids with a fair bit of magnesium.

The estimate provided was about $8 per 1000 gallons, which is completely out of the question for stock or domestic purposes.

No doubt, the State Rivers and Water Supply Commission has investigated the problem, but certainly not enough to provide a real guide to the people living in remote areas who have difficulty in obtaining sufficient water of reasonable quality. In the area west of Underbool to the South Australian border on the Murrayville line, the water is generally usable. However, there are fringe areas where highly saline water exists next door to areas which are able to obtain usable water from bores 50 feet to 100 feet deep.

The Country Party is interested in the works programme set out in this loan application Bill. As I have already said, the financial provisions are practically static, and unfortunately increased costs will mean that less work will be done in this financial year than has been done in the past. This matter will have to be closely watched, otherwise water storage and distribution development will move backwards rather than forwards.

Mr. FENNESSY (Brunswick East). —The honorable member for Mildura is acquainted with the needs of irrigators in northern Victoria, particularly in the area which he represents. On a number of occasions, I have participated in the debate on the Water Supply Loan Application Bill and I have always emphasized that, before further storages are constructed, greater consideration should be given to the saving of water or the salvaging of water in the present reticulation systems. In the Wimmera-Mallee system, open channels are used for water reticulation and 50 to 60 per cent. of the water which leaves the storage is lost by seepage and evaporation in distribution along the channels, particularly during warm weather.

After attending the Commonwealth Parliamentary Conference in Jamaica, I took the opportunity of visiting the United States of America and, through the courtesy of the State Rivers and Water Supply Commission which made the necessary arrangements for me, I inspected the Salt river project in Phoenix, Arizona. I was amazed to see the irrigation system in use. There, the laterals—not the main channels—were concrete pipes. The system of no-joint concrete pipes which is used is a particularly inexpensive method of laying a system of laterals and ensuring that evaporation is almost negligible. Consequently, nearly all the water that leaves the storage dam reaches its destination.

The State Rivers and Water Supply Commission has information on these no-joint concrete pipes, and I am informed that this method can mean a saving in cost of approximately 33 per cent. On my return to Australia, I corresponded for two years with the No-Joint Concrete Pipe Company which is located in Sacramento, California, and which handled the construction of these pipes. As a result of the efforts of the previous Minister of Water Supply, an officer of the Commission who was in America at the time visited the company's establishment.

Subsequently, Mr. McNeil, with whom I was corresponding, visited Australia and presented to the Commission his ideas on this system of pipe construction. Various honorable members were invited to attend the showing of a film and the lecture which was given by Mr. McNeil. Mr. McNeil and officers of the Commission visited northern areas of Victoria, where I think I can say his ideas were received with acclaim, because it is of no use building great

dams unless there is a good reticulation system which can minimize water losses. I realize that the Commission is undertaking a lot of work in this direction. With the limited amount of money which is made available to it, the Commission is concentrating on sealing off as many of the main channels as it can so that seepage and evaporation losses will not be so great as they have been in the past.

From information supplied to him by the Commission, I am sure that the Minister is *au fait* with the no-joint concrete pipe system of construction. On his visit to Australia, Mr. McNeil demonstrated the system to officers of the Commission and various private organizations interested in pipe work in this State, together with irrigators in the north of Victoria who are concerned about obtaining the maximum quantity of water. Apparently all the efforts that were concentrated in bringing Mr. McNeil from America have been completely wasted because advantage has not been taken to induce the State Rivers and Water Supply Commission or private enterprise to adopt the scheme that has been established in Phoenix, Arizona, a region that has an annual rainfall of 6 to 8 inches a year. It serves an irrigation area of 250,000 acres and supports a population of 400,000 people. The water stored from the Salt river and its tributaries is used to its maximum.

I hope the Minister of Water Supply will have the opportunity of visiting Phoenix, Arizona, to study this project. If he does, he will learn of the advantages that can be derived from this project in areas similar to those in the northern parts of Victoria. I should like to know what action has been taken following the visit of Mr. McNeil to Victoria two or three years ago. He exhibited films and lectured to members of Parliament and people concerned with water conservation. Representatives of the Rocla and Hume pipe companies were also present at this demonstration. The project envisaged by Mr. McNeil was kept from the Australian public by private monopolies. The development of the no-joint concrete pipes could do much for Victoria's water supply.

Mr. B. J. EVANS.—A municipal undertaking in Gippsland makes concrete pipes.

Mr. FENNESSY.—I do not doubt it. The No-Joint Concrete Pipe Company is prepared to sell its formula and machines to the Government or to private enterprise in Victoria. The State Rivers and Water Supply Commission could take up this matter; the Commission could obtain a licence and the machines could be operated by day labour or contract. It is an utter waste of public money to dam the water supply and waste so much in the distribution systems. It is estimated that 60 to 70 per cent. of the water in the Wimmera-Mallee system is wasted, and 40 to 50 per cent. is wasted in the irrigation areas. This loss could be overcome by the use of no-joint concrete pipes and it would cut costs by 33 per cent. I should like to know of the results that flowed from the visit of Mr. McNeil.

Mr. B. J. EVANS (Gippsland East).—This is one of the most vital debates to take place in this Chamber because of the important role that water supply plays in the urban and rural sectors of Victoria. It allows honorable members to express their views on the subject of water supply. I was interested to read recently that Australia is not the driest continent and that Antarctica has a lower precipitation.

I compliment the Minister of Water Supply for the prompt and pleasing result following my representations to him on behalf of the Orbost Waterworks Trust, which faced a series of crises in regard to the town water supply. It was proposed to cut the supply to the local butter factory, and even now residents must water their gardens only by buckets. Within 48 hours of my representations, the honorable gentleman authorized the

trust to borrow $200,000, and it is now putting in train the necessary works to overcome the problem. I place on record my personal appreciation and that of the people of Orbost.

On the debit side, I have a list of proposals for the improvement of water supply schemes and various other works needed in East Gippsland. Because of the development that has taken place in East Gippsland, particularly with the increase in population following the discovery of off-shore oil and gas and the consequent increase in housing developments in Bairnsdale and Lakes Entrance, the provision of adequate water supplies is becoming urgent.

The Maffra Waterworks Trust has undertaken an investigation into the supply of water from the Avon river to meet the needs of the townships of Maffra, Sale and Heyfield, and possibly Stratford. The water supply for Stratford is of a poor quality and there is need for an over-all scheme to cater for the requirements of this expanding area. I should be happy to see an increased allocation in this Bill to ensure that these towns had some prospect of carrying out the necessary works. Bairnsdale has in train a scheme for obtaining water from the lower reaches of the Mitchell river. At present the township obtains its supply from this river so far down-stream that it is necessary to place a barrier in the stream to prevent the salt water from seeping into the town supply. That barrier is not efficient because in times of low flow, the saline water gets into the town reticulation, and provides a poor standard of supply.

The Lakes Entrance Waterworks Trust will receive an allocation of funds under this Bill to enable it to overcome the difficulties it has experienced, particularly in that section of the supply line passing through boggy country. Occasionally movements in the soil cause the pipeline to part and the people who depend on this pipeline for water supplies have not been able to obtain water for long periods. This Bill provides funds to enable the trust to construct a service basin to help to overcome this difficulty.

Mallacoota, in the eastern corner of the State, is one of the most attractive tourist areas in Victoria. Its development has been hamstrung because of lack of a town fresh water supply. The process of forming a waterworks trust has been completed but the allocation made available under this Bill will not enable the trust to carry out sufficient works to ensure that this holiday resort will get fresh water for the holiday season after next. I hope this forecast is wrong and that next year's allocation will enable Mallacoota at long last to obtain a town water supply.

Mr. BORTHWICK.—That was the first town water supply I approved.

Mr. B. J. EVANS.—It was an auspicious occasion and it will long be remembered at Mallacoota when the pen was produced for the Minister to sign the approval of the scheme while he was standing on the wharf. Other water supply schemes have been proposed, particularly because of the dry conditions now being experienced. This is the second consecutive year of drought in East Gippsland, and in some areas it is really the third consecutive year of extremely dry conditions. Naturally enough, people who are affected in this way feel frustrated when fairly close at hand there is a substantial stream of water, yet they are unable to obtain a basic need of life—a good water supply. I refer to places such as Wy Yung, a small township on the outskirts of Bairnsdale. The Bairnsdale Waterworks Trust has a proposal to extend its supply to this area. It is a relatively small extension, but it seems as though the people of Wy Yung will have to wait at least another twelve months before they can hope for any move to supply them with water.

The people at Kalimna-Nungurner made representations when the Lakes Entrance Waterworks Trust was formed, but they still do not have a reticulated water supply, provision of which I sincerely hope is not far distant. The principal problem is that the Lakes Entrance Waterworks Trust is not in a position to undertake this extension until some of the problems in the present system have been cured.

The honorable member for Balwyn has experienced the difficulties encountered by the Metung Waterworks Trust in recent years. This is linked up with the lack of storage in the Lakes Entrance scheme because the Metung Waterworks Trust draws its supplies from the Lakes Entrance pipeline and when breakdowns occur the township of Metung is placed in a difficult position. It is unfortunate that these difficulties have arisen from what may be termed a mistake in engineering, in that the pipeline was taken across unstable ground. The engineers had to cut the suit to fit the cloth and had to make do with the amount of money available, so they took the shortest route and this has involved them in a problem.

Another area about which I am concerned is the small township of Briagolong, which has received approval to provide a water supply from a bore. A trust is to be set up shortly, but I understand that no provision has been made for finance to enable the scheme to get under way. This township is in the centre of what must be one of the driest parts of the State. On Monday last I travelled through Briagolong and it was distressing to see the country, which normally at this time of the year contains lush pastures with many of the fields literally covered with freshly baled hay. Now the land is bare and the district is in a bad way. It would be of great consolation to the people of Briagolong if they could expect that in the near future their township would be supplied with water.

Apart from town water supplies, this Bill deals with river improvement trusts, and I should like to know what the current situation is with regard to rationalization of boundaries between the Thomson river and the Macalister river improvement trusts. One of the first battles I engaged in when I entered this House was an effort to convince the then Minister of Water Supply of the need for the formation of a waterworks trust on the Thomson river, where a serious situation had arisen by the creation of some 7½ miles of breakaway from the original course of the stream. Eventually I was able to prevail upon the Minister to constitute a river improvement trust on part of this river. The situation is still by no means resolved, because a downstream section of the stream is not under the control of the river improvement trust. It is generally accepted that the logical aproach to this kind of work is to start downstream and work progressively upstream. It is completely contrary to this principle to establish a river improvement trust in the upper reaches of a stream, leaving the lower section without any control or construction works.

I should like the Minister to look into the situation of this section of the Thomson river, where no work is being carried out, because I fear there may be dire consequences in the event of serious flood conditions when the water will be much restricted by the growth of willows in the downstream section and there will be a serious breakaway in the stream.

In referring to the Thomson river, I return to the question of water storage, particularly in relation to the requirements of the metropolitan area. I wish to voice the feelings of the people interested in irrigation from the Thomson river. When the diversion of water was authorized from the upper reaches of the river, an undertaking was given that steps would be taken to make provision for irrigation from the remaining water

available in the river. The people interested in irrigation from the Thomson river do not believe they should have to wait until the Melbourne and Metropolitan Board of Works decides if, or when, it is going to build a storage. Frankly, I do not believe the Board will get around to building the storage on the Thomson river, as it would not be justified.

The SPEAKER (the Hon. Vernon Christie).—Order! The honorable member should not now discuss the Melbourne and Metropolitan Board of Works.

Mr. B. J. EVANS.—I am not endeavouring to discuss the Board, Mr. Speaker, but its operations and those of the State Rivers and Water Supply Commission regarding the Thomson river are dovetailed, and it is not possible to speak of the Thomson river without making some passing reference to the Board of Works. I simply wish to emphasize that those people hoping to irrigate from the waters of the Thomson river are anxious to see some work take place.

Most people consider that Gippsland is well-endowed with water and that the local residents do not have to worry about irrigation schemes, and the like. Anyone familiar with the area knows that there is a substantial irrigation scheme in the Macalister district and that the rainfall over a considerable portion of Gippsland is such that irrigation is necessary to maintain a steady level of production from year to year. People interested in irrigation are anxious to see further development of water storages, and in particular are hopeful that before long they will receive an indication from the Commonwealth Government of what it proposes to do with regard to this State's applications for assistance under the Commonwealth–State irrigation scheme arrangement.

Of the seven schemes submitted by the Victorian Government to the Commonwealth Government, two have been accepted for consideration, and of those two one is the proposed scheme for the Mitchell river. The people interested in this scheme have carried out a tremendous amount of ground work, and I place on record the sensible and logical approach that these people have adopted to obtain the information necessary for the presentation of their case to the State Rivers and Water Supply Commission to emphasize the importance of the Mitchell river in the over-all irrigation prospects of this State.

I recall that not long ago in this House the Minister made reference in strong terms to the position with regard to Commonwealth allocations. He indicated that he wished the Commonwealth Government would hurry up and decide what it proposed to do, because the State Rivers and Water Supply Commission had its own programme to prepare. He said that until it received an indication from the Commonwealth the Commission could not logically prepare any certain programme in the immediate future. I therefore join with the Minister in expressing the wish that the Commonwealth Government will make up its mind quickly, one way or the other, and it is sincerely hoped that the Mitchell river will be one of the schemes it is prepared to finance.

Concerning the Macalister river, there is a strong body of opinion urging the construction of an additional storage to enable expansion of the district. This scheme also has its strong points and inevitably it will go ahead sooner or later. It is to be hoped that it will not be delayed for too long. I suggest that this whole area warrants a close scrutiny to link up the various schemes that have been proposed.

There are also people anxious to see a water storage constructed on the Avon river for the purpose of supplying the city of Sale, and the

towns of Maffra, Heyfield and Stratford. It is hoped that such a storage would be large enough to warrant irrigation from that stream.

In discussing these various propositions, I emphasize that I have been able to do so only briefly. I should like to present each case to the House in considerably more detail, but I appreciate the terms of this debate and understand that the functions of the House would be unduly held up if each honorable member presented a great deal of detail. Therefore, I content myself by registering the fact that these matters are of great interest and concern to people of my electorate, and I again thank the Minister for his very prompt action in relation to the Orbost scheme.

Mr. MUTTON (Coburg).—I did not intend to participate in the debate on this Bill until I heard the honorable member for Mildura mention the tapping of the Big river and certain aspects relating to the Melbourne and Metropolitan Board of Works. At the outset, I should like to congratulate the Minister of Water Supply for the excellent work that he is doing. The honorable gentleman probably had the most difficult task of all Cabinet Ministers in endeavouring to steer Victoria through the most devastating period of drought ever endured by this State. For the information of Country Party members, I emphasize that, although I live in the metropolitan area, I am not parochial in my outlook concerning water supply. Furthermore, I wish to emphasize how generous the people in the metropolitan area are to their country cousins.

An examination of the explanatory memorandum attached to the Bill reveals that the net capital liability of the State Rivers and Water Supply Commission for country water supply works and related works as at the 30th June, 1968, was $359,429,000, of which an amount of $280,089,000 was borne by the State of Victoria, leaving the sum of $79,340,000 to be financed by other means, namely, waterworks trusts, local governing bodies and so on, operating throughout the country areas of the State. It is interesting to note that the total liability of the Melbourne and Metropolitan Board of Works is $352,000,000. The metropolitan ratepayers must meet every cent of loan redemption and interest payments in connexion with the Board of Works. In this regard, metropolitan ratepayers receive no subsidy from the Government.

In addition to meeting the indebtedness of the Melbourne and Metropolitan Board of Works amounting to $352,000,000, metropolitan ratepayers must contribute towards the capital liability of the State Rivers and Water Supply Commission of approximately $280,000,000, which is borne by the State of Victoria. In other words, metropolitan ratepayers are paying a subsidy to country residents as well as making provision for their own water supply. Of course, so far as water supply is concerned, it is not reasonable to draw a line of demarcation between city and country residents. Primary producers are just as important as secondary producers, and vice versa. All residents of the State, whether they are on the land or are city dwellers, should be prepared to pool the water resources of the State for the common good. Many important lessons were learned by the members and officers of the Melbourne and Metropolitan Board of Works and the State Rivers and Water Supply Commission as a result of the recent disastrous drought. These lessons should prove beneficial in the future.

I listened with interest to the remarks of the honorable member for Brunswick East, who has had a good deal of experience as a member of the Public Works Committee, which inquired into the State's water resources. The honorable member dealt with something which does not appear ever to have been attempted by the State Rivers and Water Supply Commission—I refer to a complete investigation into

ways and means of conserving water that has been captured in our catchment areas. It is a comparatively simple matter to tap a stream, build a wall across it, and store water, but a good deal of the water which has been captured from nature is returned to nature by means of evaporation. The Government of the United States of America has spent millions of dollars on experiments which are designed to conserve water in storage reservoirs. Probably, one of the best means of conserving water is to convey it from the storage reservoir to the point of consumption by means of enclosed pipelines and not by streams or open aqueducts. It has been proven beyond doubt by the American authority that this method saves a tremendous amount of water which would otherwise be lost as a result of seepage and evaporation.

A recent publication issued by the Institute of Public Affairs contains some interesting statistics concerning water conservation. A perusal of the information in this booklet confirms certain facts submitted by other honorable members. The booklet also provides some interesting information concerning the amount of water that is utilized for primary production. It has been stated by Melbourne people that at least 60 per cent. of the State's water supply is used in primary industries. I am sure, from figures that I shall quote, that Country Party members will realize the tremendous responsibility which devolves upon them so far as our water supplies are concerned. The figures to which I refer were quoted by Professor J. R. McMillan, Dean of the Faculty of Agriculture at Sydney university. Professor McMillan stated that it takes—

> 110 gallons of water to produce an orange.
>
> 3,300 gallons of water to produce a gallon of milk.

I do not think Professor McMillan was referring to watered milk.

> 560 gallons of water to produce a loaf of bread.
>
> 1,100 gallons of water to produce a pound of meat.
>
> 168,000 gallons of water to produce a pound of wool.

The figures that I have quoted, which are fantastic, are not figments of my imagination ; they were supplied by a man who is recognized as an authority on water supply and who is also conversant with the needs and requirements of agriculturists. It would be wrong for any honorable member to dissent from the factual figures which I have supplied. Professor McMillan further stated—

> Evaporation is a big problem with irrigation projects. . . . . a quarter of our total agricultural output is produced by means of irrigation. Irrigation is extremely costly. . . . . The Hume reservoir, for example, loses half of its storage capacity every five years through evaporation.

No doubt, the loss of water by evaporation at the Hume reservoir is heavy because of the huge expanse of water and the fact that the reservoir is probably not as deep as it should be.

> A third to two-thirds of all water leaving the storages is lost before it reaches Victorian irrigation farmers, and 90 per cent. evaporates before it finally reaches dry farms in the Mallee. For every gallon of water traversing 250 miles of open channel, only a pint ultimately reaches the farm.

Those figures, which I have quoted on previous occasions in this House, will serve to emphasize that, although the State Rivers and Water Supply Commission is doing magnificent work in increasing our water storage capacity, it must give urgent consideration to reducing the loss of water by evaporation, perhaps by the use of enclosed pipelines instead of open aqueducts. Again, I should like to praise the generosity of the ratepayers who reside in the metropolitan area. Professor McMillan further stated—

> Victorian farmers pay only $2 an acre-foot compared with $68 an acre-foot by Melbourne householders for their water.

The professor emphasizes that it costs Victorian taxpayers $14,000,000 a year for interest paid on irrigation works and that irrigation farmers are, therefore, heavily subsidized by the taxpayers for the water they use.

I have quoted Professor McMillan not in an attempt to attack the Country Party, but in an explanatory sense. I am endeavouring to remind Country Party members that, if it were not for the generosity of the Melbourne taxpayers, farmers in Victoria would become insolvent.

As honorable members know, as a result of the recent drought, many farmers in Victoria were brought to the verge of bankruptcy. The State and Commonwealth Governments came to their assistance to get the farmers out of their predicament by means of subsidies. I am always conscious of the fact that when the crops fail, perhaps as a result of drought or some other calamity, the taxpayers must subsidize the primary producers who have been adversely affected. Perhaps this is more applicable in the case of a failure of the water supply. It is interesting to note that, during the last drought, many farmers put down water holes on their own properties. Honorable members who travel throughout the State can see for themselves that this is one of the lessons which was learned by the farmers as a result of the drought.

Many farmers had not previously thought there was sufficient water on their properties to last for a season. At all times, the taxpayer must subsidize the man on the land who suffers financial loss, but these subsidies are always provided after the loss has been sustained. Why could not action be taken before a catastrophe occurs? Many small farmers are struggling to make a living, and they have not sufficient capital to undertake the digging of a large water-hole to provide them with an independent water supply. It may be possible for the Government to provide financial assistance to such farmers at a low rate of interest—before they have to be subsidized—so that they may construct dams on their properties to provide a water storage sufficient for at least one season. I have made some inquiries from small farmers, who agree with my suggestion, because they have been hard hit by the drought and it will be many years before they overcome the hardships which they have endured. I commend that suggestion to the Minister.

The honorable member for Gippsland East stated that he could speak on this Bill indefinitely. Any honorable member in this House could do likewise. Water has been provided by nature for the sustenance of all types of life—not only human beings, but also animals and vegetation. Without water, all forms of life would cease to exist. When Bills relating to the provision of water supplies are debated in this House, every honorable member should approach them, regardless of party affiliations, with a view to assisting everybody in the community. I trust that my comments have conveyed that impression to the House.

Mr. SCANLAN (Oakleigh).—It was suggested by the honorable member for Coburg that the generosity of the Melbourne taxpayers prevents farmers and irrigators from becoming insolvent. A great deal has been said in recent months about the so-called charge per acre-foot imposed on the Melbourne ratepayer for the water he uses. Perhaps many honorable members, and some Commissioners of the Board of Works, do not appreciate that there are two different systems of distributing water supplies in the State of Victoria.

The SPEAKER (the Hon. Vernon Christie).—Order! This Bill relates to rural water supplies.

Mr. SCANLAN.—That is precisely the point I am coming to, because the honorable member for Coburg suggested that Melbourne ratepayers are charged $68 per acre-ft. of water, whereas rural irrigators—I am open to correction by the honorable member for Coburg on this point—are paying $2 per acre-ft., according to the advice of Professor McMillan. I point out, without going into detail, that residents of the City of Geelong

pay $68.75 per acre-ft. for their water supply; the charge in the City of Bendigo is $68.75, and in the City of Warrnambool it is $90.75.

Mr. BORTHWICK.—Who is your authority?

Mr. SCANLAN.—The State Rivers and Water Supply Commission and the Minister of Water Supply, on the same question which has so distressed the Board of Works and the honorable member for Coburg.

The SPEAKER.—Order! This Bill does not deal with the Board of Works; it relates to rural water supplies.

Mr. SCANLAN.—In refutation of the contention of the honorable member for Coburg and the Melbourne and Metropolitan Board of Works, I suggest that the charge for urban water supplies in Victoria ranges between $41 and $90, and that the residents of Melbourne are paying a charge that is no more nor less excessive than that paid by residents of urban communities in the State.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Issue and application of money from Loan Fund for purposes specified in schedule).

Mr. BORTHWICK (Minister of Water Supply).—I wish to thank the nine honorable members who have contributed to this debate. Each honorable member raised a variety of matters—some affecting the State as a whole, and many affecting their particular electorates. I assure honorable members that I shall closely study their remarks, and, where appropriate, will in due course supply the information sought.

The clause was agreed to, as were the remaining clauses and the schedule.

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

WHEAT INDUSTRY STABILIZATION BILL.

This Bill was received from the Council and, on the motion of Sir WILLIAM McDONALD (Minister of Lands), was read a first time.

MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET BILL.

This Bill was received from the Council and, on the motion of Mr. PORTER (Minister of Public Works), was read a first time.

AERIAL SPRAYING CONTROL (SECURITY) BILL.

This Bill was received from the Council and, on the motion of Sir WILLIAM McDONALD (Minister of Lands), was read a first time.

DANDENONG VALLEY AUTHORITY (AMENDMENT) BILL.

The debate (adjourned from November 13) on the motion of Mr. Borthwick (Minister of Water Supply) for the second reading of this Bill was resumed.

Mr. STONEHAM (Midlands).—This Bill is largely of a machinery nature. It is designed to improve procedures of the Dandenong Valley Authority and to some extent to clarify an issue which at present may not be clear. The first amendment provides for the annual election of a deputy chairman of the Authority in addition to a chairman. The deputy chairman will, of course, automatically act in the capacity of chairman if and when required. This will obviate the existing procedure by which one of the members is elected to occupy the position from time to time when the chairman is absent.

The second amendment increases the chairman's annual special allowance from $400 to $1,000. This will bring this payment into line with that of the chairmen of comparable bodies

such as the Latrobe Valley Authority and the Geelong Water and Sewerage Board. The third amendment provides specifically for the description and designation of "flood prone areas". That is set out in clause 4, which provides—

> In sub-section (1) of section 27 of the principal Act for the words "to be within the flood plain of any river or group of rivers within that district" there shall be substituted the words "and within the flood plain of any river or group of rivers within that district to be a flood prone area".

This is for the purpose of clarification. Under clause 5, the Authority will be enabled to issue certificates as to whether particular lands are affected by resolutions or proclamations of the Authority. This provision is directly related to clause 4. It is obvious that the Bill is designed to improve the working of the Dandenong Valley Authority, and consequently the Opposition favours its passage through the House.

Mr. WHITING (Mildura).—The Country Party, too, supports the measure and would like to congratulate the Minister of Water Supply, who had a good deal to do with the birth of the Dandenong Valley Authority. Of course, part of the Authority's area was within the honorable gentleman's former electorate. The object of the provisions in the Bill is to provide for a deputy chairman of the Authority and to increase the allowance payable to the chairman from $400 to $1,000 a year. There is no provision for the deputy chairman to make use of the increased allowance when he relieves the chairman, but I presume the commissioners will make some suitable arrangement in this regard.

A further provision in the Bill relates to flood-prone areas. This is a good provision because persons who seek to build in the area will be required to obtain a certificate, which will define the building line, so that they cannot make the mistake of encroaching into the flood-prone area and thus become victims of the periodic floodings which come down this valley. The provisions are sensible and, as they will assist the operations of the Dandenong Valley Authority, the Country Party supports them.

The motion was agreed to.

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

PERSONAL EXPLANATION.

STATEMENT IN DEBATE.

Mr. LOVEGROVE (Sunshine) (*By Leave*).—I wish to make a personal explanation to the House. Yesterday during the debate on privilege, I prefaced my speech by observing that the Leader of the Opposition had rested his case on Standing Order No. 86 of the Standing Rules and Orders of the House. You, Mr. Speaker, corrected me by pointing out that it was Standing Order No. 90. I replied that it was Standing Order No. 86 in the Library's edition of the Standing Orders of the House. In doing so I unintentionally misrepresented the Library which, with its usual efficiency, has the same edition as the House. It is Standing Order No. 90 in the Library edition. In fairness to the Library, I wish to withdraw my earlier statement.

LIQUEFIED GASES BILL.

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

Mr. LOVEGROVE (Fitzroy).—The Opposition does not oppose this Bill, which follows procedurally the measure introduced by the present Minister of Public Works when he was an Honorary Minister on the 28th November, 1957, as reported in *Hansard*, vol. 254, at p. 3281. On that occasion, the late Honorable A. E. Shepherd, who was then Leader of the Opposition, handled the Bill on behalf of the Opposition. The title of the measure was the Liquified Petroleum Gas Bill, and that legislation is now being repealed by this measure. At

that time the then Leader of the Opposition moved an amendment to the Bill, which was accepted by the Minister in charge of it. I spoke during the debate on the earlier measure, and therefore have some interest and knowledge of the procedures which are covered by the legislation.

In view of the changes that have taken place since 1957, this Bill proposes to introduce additional and better safety precautions, and to establish a measure of public and industrial safety of a type which is required by the modern gases being produced and the variety of conditions under which they are being transported and used. For that reason the Opposition does not oppose the Bill.

One of the Opposition's criticisms of the Bill in 1957 was that it did not name a controlling authority, but the measure now before the House names the Mines Department which, through its explosives and gas examining branches, will exert control over the liquefied gases mentioned in the Bill. Whilst it may be asserted that this Bill, as all Bills of similar description must be, is an experimental piece of legislation, I have no doubt that the experience gained by the Mines Department with the Liquified Petroleum Gas Act will enable it to make great headway in the control of these gases.

I desire to raise only one matter, which has already been mentioned to the Minister, and I understand that the honorable gentleman will be good enough to reply for the record in the terms of both his and the Department's understanding of the problem. The day after I received a copy of the Bill, I informed four trades unions affiliated with the Trades Hall Council of the Bill and the Minister's second-reading speech. I gave this information to the Storemen and Packers' Union, the Boilermakers' Union, the Transport Workers' Union and the Federated Gas Employees' Industrial Union. I received one observation from the gas employees' union which I shall read to Parliament. The letter, which is dated the 20th November, 1968, and addressed to myself reads —

> The union is concerned with the Bill now before the Victorian Legislative Assembly "to regulate the storage, handling and transportation of certain liquefied gases and for other purposes" insofar that clause 7 (4) thereof places certain obligations upon an employee and, as a consequence thereof, the subsequent clauses 10, 13, (1) and (2), 14 (1) and (2) provide discipline and penalties.
>
> Whilst it well may be that it is customary in this type of legislation to place onus on the various echelons of employees in an establishment, covered or affected by the legislation, it is the considered opinion of this union that acts of contravention of the legislation, or of the regulations under same, should be the entire responsibility of management, except of course where an employee by a deliberative or wilful act, knowingly, and with intent, contravenes or disregards the legislation.
>
> It is considered, also, that the legislation should clearly provide, as an obligation upon management, to fully inform employees of the requirements under the Act, this is to be done both orally and by exhibited notification in which the relevant provisions and requirements are expressly set out.
>
> Otherwise, this union has no further observations to make on the Bill, as it considers that other features of the Bill are for comment by those who are or who may become affected.
>
> Yours faithfully,
> M. POYNTON.

The manufacture of gases is controlled and, from the viewpoint of industrial safety, regulated in the main by the Department of Labour and Industry, and in a number of instances under the Local Government Act through the uniform building regulations. However, the storage and transportation in particular of the new gases, and their use in some instances, according to the Department, obviously should be under the control of an organization such as the Mines Department. An example is the use on farms of ammonia as a fertilizer applied directly to the soil, and the requirements for storage of this gas in country towns.

The Opposition wishes the Bill every success. I think it is fair to say, in conclusion, that the Opposition cannot take responsibility for this

kind of legislation because of its experimental nature. No Government or Department can accurately predict exactly what problems will be encountered before the administration of the legislation is commenced, and therefore it would be improper for the Opposition to accept any responsibility for the new Act. It may well be that, as in the case of the Act which preceded this and which sought to deal with the innovation of portagas and bottled gas in country areas, difficulties may be encountered. I have no doubt that if they are its experience will enable the Mines Department to take appropriate action. I thank the Minister of Mines and the officers of the Mines Department for the information that has been placed at the disposal of the Opposition.

Mr. B. J. EVANS (Gippsland East).—With the developments which have been taking place in recent years following the discovery of natural gas and oil, and the various by-products which will be produced as a result of these discoveries, we are entering a phase in which the transportation of various types of gases quite unknown to us hitherto will become an everyday occurrence. I think it is fair to say that in regard to the storage and transportation of these gases, many of which are of a very dangerous nature, the average man in the street has no direct knowledge of or interest in the provisions governing them.

As has been stated by the honorable member for Sunshine, in recent years there has been a great deal of development in the use of liquefied petroleum gases, particularly in country areas, and nowadays people are quite accustomed to handling cylinders of gas. In fact, they take this for granted. It is fair to say that they rely on Government administration to ensure that these commodities are handled and transported safely and that people who are in the proximity of the containers are not running a risk of an explosion causing serious damage and injury.

We rely heavily on the branches of Government administration which have a first-hand knowledge of the problems which may arise through lack of proper care to advise what ought to be done under the circumstances. On this basis the Country Party has no objection to the proposals contained in the Bill.

The Government is implementing the principles contained in the measure on the recommendation of persons experienced in the handling of this type of product. They are aware of the dangers which the uninitiated or uninformed would not know about, and therefore, members of my party have no qualification in accepting the Bill.

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 the Liquified Petroleum Gas Act 1958.

Mr. BALFOUR (Minister of Mines).—I thank the honorable members for Sunshine and Gippsland East for their comments on the Bill. The honorable member for Sunshine referred to correspondence which he had received from the Federated Gas Employees' Industrial Union, and he was kind enough to make a copy of that correspondence available to me. It will be more appropriate for me to deal with this matter when clause 7 is being considered by the Committee.

The clause was agreed to, as were clauses 3 to 6.

Clause 7 (Evidence).

Mr. BALFOUR (Minister of Mines).—In his second-reading speech, the honorable member for Sunshine indicated that he had received a letter from the president of the Federated Gas Employees' Industrial Union, Mr. Poynton, pointing out certain things in relation to this Bill. These matters are dealt with primarily in clause 7. The union has expressed

concern that the provisions of sub-clause (4) would place an obligation on an employee which might result in his incurring the penalties provided in clauses 10, 13 and 14.

I have discussed this matter with officers of my Department and we believe the union has misconstrued the provisions of sub-clause (4), which must also be read in conjunction with sub-clause (3), which provides—

> Any statement made by an officer of a body corporate shall be admissible as evidence against that body corporate.

This allows an officer of the Department to take evidence from an employee which is admissable as evidence, but at the same time it does not put any obligation upon him to give evidence, and does not in any way suggest any penalty for not having given the evidence. The effect of this sub-clause, in so far as it relates to employees, is to enable admissibility as evidence in court of a statement made by an employee of a body corporate which might otherwise be held to be inadmissible. The statements are envisaged to be made by the employee to an inspector who investigates an alleged offence by the body corporate, and the statements must be confined to matters of which the employee properly has knowledge. There are similar provisions in other Victorian statutes.

The honorable member for Sunshine also suggested that there should be an onus on management to inform employees of their various requirements and obligations. It would be difficult to incorporate this in the Bill as such, and it could be better dealt with under the regulation-making powers contained in paragraphs (*m*) and (*n*) of sub-clause (1) of clause 22.

Mr. LOVEGROVE (Sunshine).—I thank the Minister for his explanation.

The clause was agreed to, as were clauses 8 and 9.

Clause 10 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.

BUILDING SOCIETIES (AMENDMENT) BILL.

The debate (adjourned from November 20) on the motion of Mr. Meagher (Minister of Housing) for the second reading of this Bill was resumed.

Mr. TURNBULL (Brunswick West).—This is a small Bill to amend sections 4C and 4D of the Building Societies Act 1958. The House was told by the Minister of Housing that the amendments are being made on the recommendation of the Registrar of Building Societies. Under the provisions of section 4C, a building society is permitted to make special advances to borrowers. In section 4C a special advance is defined, to mean among other things, an advance made by a society on the security of freehold or leasehold estate being an advance of any amount to a body corporate, or an advance of a certain sum to a person other than a body corporate. The amendment contained in the Bill, in effect, increases the amount of the special advance from its present level to $20,000. This is brought about largely by the erosion of money values as a result of inflation, and we know who is responsible for inflation.

In his second-reading speech, the Minister stated that the special advance was being increased to enable people in the higher income group who require more expensive homes to obtain loans for this purpose. I congratulate people in the higher income bracket in being able to borrow up to $20,000 in order to purchase a home. The Opposition has no objection to the Bill and commends it to the House.

The motion was agreed to.

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

INFLAMMABLE LIQUIDS (PETROL SERVICE STATIONS) BILL.

The debate (adjourned from September 18) on the motion of Mr. Balfour (Minister for Fuel and Power) for the second reading of this Bill was resumed.

Mr. LOVEGROVE (Sunshine).—This Bill seeks to rectify an anomaly in the appropriate Act which arose through a mistake. It was introduced in another place by the Minister for Local Government on 10th September, 1968, and passed through that place on the 17th September. Then it was introduced in this House by the Minister for Fuel and Power, and has been on the Notice Paper of this House for the past two months.

The Opposition does not oppose the Bill, and the only point I wish to make is that the Minister's second-reading speech in this House is practically identical with the second-reading speech of the Minister for Local Government in another place. The anomaly which the Bill seeks to rectify will be removed by excluding from certain control bulk storages of inflammable liquid comprising 10,000 gallons or more. At page 186 of *Hansard* of the 18th September, 1968, the Minister is recorded as saying—

> As things stand, it is possible that in one street some service station would be subject to regulations made under the Petrol Pumps Act whilst others in the same street, because they have 10,000 gallons or more in storage, would be subject to the Inflammable Liquid Regulations.

He pointed out that it was never intended that petrol stations should be included in the Inflammable Liquids Act.

Subsequent to the Minister's second-reading speech, I asked the following questions of the Minister of Public Works for the Minister for Local Government on 13th November, 1968, because at that time the Bill had not been discussed in this House:—

> 1. How many petrol stations have 10,000 gallons or more storage capacity?
>
> 2. What control is exercised over these petrol stations?

The answers supplied by the Minister for Local Government were—

> 1. The number is believed to be few but is not readily available. It will be sought and passed on to the honorable member as soon as practicable.
>
> 2. Petrol filling stations are subject to regulations made under the Petrol Pumps act 1958—Statutory Rule No. 88 of 1965—the administration of which is the responsibility of the municipal council.

The only observation I wish to make is that, whilst the Bill might well be justified in terms of an anomaly in the principal Act, it would appear that before the Minister for Local Government introduced it in another place he should have ascertained how many petrol stations were affected. In the absence of that information, the Bill lacks the requisite weight to justify its existence.

Mr. R. S. L. McDONALD (Rodney).—The Country Party supports this Bill, which exempts petrol service stations from the provisions of the Inflammable Liquids Act 1966. The design of most modern service stations precludes any danger in connexion with the petrol carried in stock. The old petrol stations, which had kerbside pumps, have been forced out of existence by by-laws. The Country Party supports to the utmost this measure which has been fully debated in another place. Clause 2 of the Bill provides that in section 2 of the principal Act, there shall be inserted:—

> "Petrol service station" means a service station where the business of selling motor spirit wholly or mainly by retail to the general public is carried out.

This is exactly what all modern petrol stations are doing. All they are looking for in the main is petrol sales, from which they receive their livelihood. The Country Party is aware that an anomaly has existed and now supports the Bill.

The motion was agreed to.

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

TOMATO PROCESSING INDUSTRY (AMENDMENT) BILL.

The debate (adjourned from October 30) on the motion of Sir William McDonald (Minister of Lands) for the second reading of this Bill was resumed.

Mr. STONEHAM (Midlands).—This Bill, which amends the Tomato Processing Industry (Uniform Agreement) Act 1964, is important to the tomato growers in my electorate. Since the passing of that legislation, a better situation has undoubtedly obtained in the industry between producers and processors. The amendments at present before the House arise from requests made by the producers through the Victorian Farmers' Union. The processors have agreed to them after negotiations, which took place under the chairmanship of an officer of the Department of Agriculture.

The Minister has clearly explained the actual provisions of the Bill. I do not think it is necessary for me to repeat them. They have been agreed to by members on both sides of the House. Obviously, they are fair, and they improve the existing arrangements. The Opposition is in favour of the Bill.

Mr. R. S. L. McDONALD (Rodney).—The Country Party supports this measure, but I should like to comment on the changes that are proposed. As has been pointed out, under the Tomato Processing Industry (Uniform Agreement) Act the industry has been running smoothly. In the past, processors paid for their crops within fourteen days of the end of each month, and this is now being altered to the end of each three weeks. I hope this period is not reduced further.

In the country there are small processing plants, and they play a valuable part in providing a decentralised employment industry. One country centre had three processing industries at one time but there is now only one, and outside capital is invested in it. If the period of payment is reduced further, small companies could be forced out of business, and I am sure that that is not the intention of this Bill. The small companies can meet the requirement of paying every three weeks but would be in difficulties if the period were any less.

I have a copy of a letter written by Manger & O'Neill Pty. Ltd. of Echuca to the Minister of Agriculture on 7th November, 1968. That company has been processing tomatoes for many years. A section of the letter reads as follows:—

> I refer to Proposal C. 'that payments be made at fortnightly intervals'. I can see that while larger public company's will be able to meet these requirements comfortably, I fear it could put unnecessary financial pressure on the smaller decentralized industries processing tomatoes.
>
> Our growers have always been perfectly happy with the current payment terms and I feel that the requests for the amendments to this clause could be coming from a minority group of growers.
>
> I am sure you would agree that the smaller processor operating in the country is of importance to the industry.

I mention this matter because at present tomato paste is being imported at prices below those at which it can be produced here. It is mixed with pulp and products are manufactured. I believe the Government should be careful not to reduce the period of three weeks further because such a period is not inconvenient to growers and gives smaller processors an opportunity to make financial arrangements to meet their obligations.

The motion was agreed to.

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

MARKETING OF PRIMARY PRODUCTS (EGG AND EGG PULP MARKETING BOARD) BILL.

The debate (adjourned from September 18) on the motion of Sir William McDonald (Minister of Lands) for the second reading of this Bill was resumed.

Mr. EDMUNDS (Moonee Ponds).—The Opposition supports this Bill, which changes the period in which the Egg and Egg Pulp Marketing Board has to prepare a roll of the list of names of producers who are eligible to vote at elections from three to five months. It also assists the Board to avoid the expense of preparing lists if there is only one candidate. I point out that this year there was only one nomination and it was that of a sitting member ; nevertheless, the Board was put to the trouble and expense of compiling a list of those eligible to vote and carrying out other procedures and when this was completed it was redundant because when nominations closed only one had been received.

The provision in the Bill will be convenient in the administration of the Egg and Egg Pulp Marketing Board. The Board has found it difficult in the past to finalize the preparation of a roll within the time limit of three months, and by extending the period to five months that difficulty will be overcome. The next election should not be until 1970, but it is necessary for this amendment to be passed to meet the situation of an extraordinary by-election. This is a further step in the orderly marketing of primary products.

Mr. TREWIN (Benalla).—The Country Party supports this measure, which, as has already been explained by the honorable member for Moonee Ponds, allows the Board more time in which to prepare a roll and clarify the situation with regard to nominations for election. The amendment proposed will overcome certain difficulties that have been experienced in the past by the Board. It is interesting to note that the Marketing of Primary Products Act includes sections which deal with different types of primary products. The Egg and Egg Pulp Marketing Board has been in existence for a long period and, according to some producers, it is doing an excellent job, although others consider its operations not to be in the interests of the producer. I believe that if it had not been for the existence of the Board the industry could have been in more distress than it is today. There is a tremendous quantity of egg powder in the stores and goodness only knows how it can be disposed of. This Bill assists in the administration of the Board, and the Country Party supports it.

The motion was agreed to.

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

CHILDREN'S WELFARE (PROSECUTIONS) BILL.

The debate (adjourned from October 16) on the motion of Mr. Manson (Minister of State Development) for the second reading of this Bill was resumed.

Mr. WILTON (Broadmeadows).—This is a short Bill, the main purpose of which is to provide that no proceedings for an offence shall be brought against any person under the age of eighteen years who is not the parent or guardian of a child who has been left without proper supervision, or any other person, except with the consent of the Chief Secretary. If, at any time, the law enforcement authorities, or some other person, wish to take legal action against a person under the age of eighteen years, it will first be necessary to obtain the permission of the Chief Secretary. The Opposition does not oppose the Bill, which will provide a safeguard to certain persons in the community.

Mr. R. S. L. McDONALD (Rodney).—The Country Party supports this measure, which has already been passed by another place. Honorable members will recall that the Children's Welfare (Amendment) Bill which was passed by Parliament during the last sessional period, made it an offence for any parent, guardian or other person having the control of a child to leave the child without making reasonable provision for its supervision and care for a time

"which is unreasonable having regard to all the circumstances of the case". Some doubt was raised concerning the exact meaning of the expression "for a time which is unreasonable". This small Bill will insert the following new sub-section in section 71 of the principal Act:—

(2) No proceedings for an offence against this section shall be brought against—

(*a*) any person who is under the age of eighteen years not being the parent or guardian of the child; or

(*b*) any other person except with the consent of the Chief Secretary.

I believe that paragraph (*b*) of the proposed new sub-section is the provision which members of the Country Party sought in the original measure. I support the Bill and wish it a speedy passage.

The motion was agreed to.

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

ESTIMATES.

The House went into Committee of Supply for the consideration of the Estimates of Expenditure for the year 1968-69.

PARLIAMENT.

BALANCE, $482,655.

Progress was reported.

ADJOURNMENT.

COUNTRY ROADS BOARD: BLACK'S SPUR ROAD.

Mr. MANSON (Minister of State Development).—I move—

That the House, at its rising, adjourn until tomorrow, at half-past Nine o'clock.

The motion was agreed to.

Mr. MANSON (Minister of State Development).—I move—

That the House do now adjourn.

Mr. STOKES (Evelyn).—Last week I attended a combined meeting of the councils of Alexandra and Healesville shires, which unanimously agreed to a resolution, summarized as follows:—All those present urged that the control and management of the Black's Spur road be transferred from the Melbourne and Metropolitan Board of Works to the Country Roads Board. The motion was proposed by Councillor Frogley, president of the Shire of Healesville and seconded by Councillor Coates, president of the Shire of Alexandra.

A four-lane highway, which is nearly completed to Lilydale, will be continued to Healesville, and probably beyond the Maroondah dam. A section of approximately 8 miles over the Black's Spur, now under the control of the Melbourne and Metropolitan Board of Works, is the bottleneck. This section of the road holds up traffic on public holidays and weekends, and is a great danger, the road being narrow with many turns and twists.

At the northern side of Black's Spur, the roads have recently been reconstructed, and are in splendid condition on to Buxton, Taggarty, Marysville, Thornton, Eildon and Alexandra. If a modern freeway is built over the Black's Spur, one alternative could be along the survey made many years ago for the railway extension beyond Healesville over the mountains. Much easier routes are available than the out-dated road now being used.

The SPEAKER (the Hon. Vernon Christie).—The honorable member for Evelyn should state the purpose of his inquiry and relate it to Government administration.

Mr. STOKES.—I have been asked by the councils of the two shires to present their views. I felt that I should not only explain the motion adopted by the two councils but also give reasons why the Government should seriously consider their proposal.

The SPEAKER.—The honorable member should state the case as a matter of Government administration.

Mr. STOKES.—I shall make two points. At the meeting, it was expected that the Country Roads Board

might object to taking over this mountain section of the road, owing to its present high cost of upkeep, but with a new, properly graded, divided freeway, following modern world practice and with toll gates at both entrances to the proposed mountain spur road, it could be a great money earner for the Board.

The SPEAKER.—The honorable member should state his reason for bringing up this matter and how it is related to Government administration.

Mr. STOKES.—I am speaking on behalf of an important section of my electorate. I have been asked to see that this change of the Government's administration and control of the Black's Spur road is made in the interests, not only of the shires, but of tourist development and the opening up of areas served by the Black's Spur road. The two shires consider that the control of the road should be transferred to the Country Roads Board, which has shown that it is the most qualified authority to construct a modern highway in the area, which would be much more suitable than the antiquated mountain road now being used. For that reason, I should like to give reasons why the change should be made.

The SPEAKER.—The honorable member has only one minute remaining to him.

Mr. STOKES.—It was thought that the Melbourne and Metropolitan Board of Works might claim that the travelling public would interfere with the purity of Melbourne's water supply. A modern highway built on American lines, fenced in through the catchment area, for non-stop normal traffic, should completely remove this fear. The old road could be left for those who might not wish to pay a toll, were not in a hurry to reach their destinations, and enjoyed travelling along narrow, twisting mountain roads.

The SPEAKER.—The honorable member's time has expired.

Mr. MANSON (Minister of State Development).—The honorable member for Evelyn has raised a most interesting subject to which I shall direct the attention of my colleagues, the Minister for Local Government and the Minister of Public Works. If I might make a suggestion to him, if he considers it to be a matter of urgency, he might help his case considerably by sending the two Ministers concerned a copy of the documents to which he referred.

The motion was agreed to.

The House adjourned at 10.54 *p.m.*

Legislative Council.

Thursday, November 28, 1968.

The PRESIDENT **(the Hon. R. W. Garrett)** took the chair at 11.25 a.m., and read the prayer.

DANDENONG VALLEY AUTHORITY (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.

LIQUEFIED GASES 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.

BUILDING SOCIETIES (AMENDMENT) BILL.

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

MENTAL HEALTH AUTHORITY.

OBSERVATORY CLINIC SHELTERED WORKSHOP.

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

Is it proposed to close the Observatory Clinic sheltered workshop in Birdwood-avenue, South Yarra; if so—(i) when and for what reasons; and (ii) will another centre be found for training, and in that case, where?

The Hon. V. O. DICKIE (Minister of Health).—The answer is—

Following a fire at the Observatory Clinic workshop this area has been closed but clinic activities have not been interrupted. Limited workshop activities are being conducted in makeshift accommodation but a workshop cannot be reopened until other accommodation is available.

Several alternatives are being explored and it is not possible to say, at this stage, where the workshop will be relocated.

STATE RIVERS AND WATER SUPPLY COMMISSION.

THOMSON RIVER CATCHMENT: TALBOT CREEK STORAGE.

For **the Hon. R. W. MAY** (Gippsland Province), the Hon. H. A. Hewson asked the Minister for Local Government—

(*a*) In the interests of sound planning, the future development of the Thomson river valley, and the voluntary and honorary efforts of local councillors and members of honorary organizations interested in the development of Gippsland, what progress has been made in the investigation of the Talbot creek storage proposal on the Thomson river as recommended by the Public Works Committee and adopted in principle by the Government and announced by the Minister for Local Government on 3rd October, 1967 (page 397, *Hansard*)?

(*b*) Why should a decision to build this storage dam be delayed, and when will a decision be announced, specifications prepared and tenders called?

The Hon. R. J. HAMER (Minister for Local Government).—The answers are—

Approval has been given by the Government for the progressive development of the Thomson river catchment for water supply purposes.

Detailed planning has proceeded on the works associated with stages 1 and 2 in the order of the priority recommended by the Public Works Committee. As indicated by the committee, stage 3 requires further detailed investigation. The committee recommended that such a dam would not be needed until 1989.

WESTERNPORT REGIONAL PLANNING AUTHORITY.

FINANCIAL ASSISTANCE.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister for Local Government—

Does the Government propose to give financial assistance to the Westernport regional authority to relieve the shires concerned of the heavy burden of land acquisition for various public purposes; if so, what will be the machinery used to provide this assistance?

The Hon. R. J. HAMER (Minister for Local Government).—The answer is—

The Westernport Regional Planning Authority is not yet in existence. The costs of land acquisitions for various public purposes under any regional planning scheme which such an authority may eventually adopt can be provided in several ways, depending upon the intended purpose, and the Government will certainly consider appropriate forms of assistance as the need arises.

HOUSING COMMISSION.

DEMOLITION ORDERS IN INNER SUBURBS.

The Hon. G. J. O'CONNELL (Melbourne Province) asked the Minister of Agriculture—

How many orders for demolition have been issued by the Housing Commission in the cities of Fitzroy, Collingwood and Richmond respectively, in the years 1966, 1967 and to October, 1968?

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

	C'wood.	Fitzroy	Richmond
1966	37	48	21
1967	64	34	56
To October, 1968	32	41	54
TOTAL:	133	123	131

EDUCATION DEPARTMENT.

BONEO STATE SCHOOL: USE OF PORTABLE PARTITIONS.

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

Following a letter dated 27th May, 1968, from the Assistant Minister of Education stating that the provision of portable partitions in the single class-room of Boneo State School has been made on an experimental

basis and that it was expected that departmental officers would visit the school shortly to examine their effectiveness, has this inspection taken place; if so, when and what decision was made; if not, why?

The Hon. L. H. S. THOMPSON (Minister of Education).—Owing to pressure of work, the visit to the Boneo State School has not taken place. However, I have asked the Assistant Director of Primary Education to visit the school before the end of the year. The honorable member will be notified of the date of the visit.

LAKES ENTRANCE.

SANDBAR PROBLEM.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Agriculture—

(*a*) Further to the answer given to question No. 7 asked in this House on the 27th instant, who is building the extensive model referred to and who is carrying out the tests?

(*b*) When was work on the model authorized and when will such work be completed and the results known?

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

(*a*) The model referred to in the answer to question No. 7 on the 27th instant was built at the State Rivers and Water Supply Commission's laboratories at Werribee. Public Works Department officers carried out the tests.

(b) The study has been completed and is currently being analyzed. It is not possible at present to indicate when the results will be known.

MILK BOARD (AMENDMENT) BILL.

The House went into Committee for the further consideration of this Bill.

Clauses 2 and 3 were agreed to.

Clause 4, providing, *inter alia*—

Section 18c of the Principal Act shall be amended as follows:—

. . . .

(*b*) After paragraph (*b*) of sub-section (4) there shall be inserted the following expression—

" or

(*c*) that the person whose licence is cancelled shall not be entitled to the issue of another licence for a period determined by the Minister (which shall not exceed six months from the date of cancellation of the licence).";

The Hon. G. L. CHANDLER (Minister of Agriculture).—The amendment contained in this clause appears as an alternative to paragraphs (*a*) and (*b*) of section 18c of the principal Act. However, the Minister must order the renewal or cancellation of a licence under these paragraphs before he would be in a position to order that the licence should not be re-issued for a period of up to six months. To clarify the position, but not to alter the principle, I therefore move—

That paragraph (*b*) be omitted with the view of inserting the following paragraph:—

'( ) After sub-section (4) there shall be inserted the following sub-section:—

" (4A) Where the Minister makes an order pursuant to paragraph (*a*) or paragraph (*b*) of sub-section (4) he may further order that the holder of the licence immediately prior to the order of non-renewal or cancellation (whichever is applicable) shall not be entitled to the issue of another licence in respect of the said premises for a period determined by the Minister (which shall not exceed six months from the date of the order of non-renewal or cancellation)." '

The amendment was agreed to, and the clause, as amended, was adopted.

Clause 5, providing, *inter alia*—

After section 18c of the Principal Act there shall be inserted the following section:—

'18CA. (1) Any person other than a dairyman who transports or delivers milk in a quantity greater than 15 gallons to a milk shop shall be guilty of an offence.

The Hon. G. L. CHANDLER (Minister of Agriculture).—Mr. May directed my attention to the fact that sub-section (1) of proposed new section 18CA provides that any person other than a dairyman who transports or delivers milk in a quantity greater than 15 gallons to a milk shop shall be guilty of an offence, but it does not specify how many times a day he can deliver that quantity—there is no limitation. To cover that situation, I move—

That, in sub-section (1) of proposed new section 18CA, after the word "who" the words "in any one day" be inserted.

The Hon. R. W. MAY (Gippsland Province).—I thank the Minister of Agriculture for his consideration. The Country Party believes that this clarification is necessary.

The Hon. ARCHIBALD TODD (Melbourne West Province).—I hope the insertion of these words will not interfere with a person who transports or delivers milk to more than one shop in a day. He may want to make a trip to one shop, and later he may make a delivery to another shop. He should not be limited as to these deliveries.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—I think that the object of the Minister's amendment is to limit a person to carrying no more than 15 gallons in any one day. Therefore, I suggest that the position might be met if the proposed new sub-section (1) were amended to read—

Any person other than a dairyman who transports or delivers milk in a quantity greater than 15 gallons to a milk shop in any one day shall be guilty of an offence.

The Hon. R. W. MAY (Gippsland Province).—This provision does not apply to dairymen. I think it is designed to protect the industry from exploitation by the operators of supermarkets. Therefore, the Country Party feels that the amendment moved by the Minister is necessary, and it has our blessing.

The amendment was agreed to, and the clause, as amended, was adopted.

Clause 6 (Amendment of No. 6318 s. 19).

The Hon. ARCHIBALD TODD (Melbourne West Province).—This clause provides for the fixation of a retail price, but power is given to the Governor in Council to allow milk to be sold below the retail price. In his second-reading speech, the Minister mentioned that this could apply to works canteens and similar places. Once a retail price is fixed for the sale of milk, Parliament should be careful about writing into the Act an escape provision to be applied under certain circumstances. During the second-reading debate, I made the point that this was something to be approached with caution.

The clause was agreed to, as was the remaining clause.

The Bill was reported to the House with amendments, and passed through its remaining stages.

WATER SUPPLY LOAN APPLICATION BILL.

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

That this Bill be now read a second time.

It seeks authority for expenditure of $30,100,000 on works of water supply, irrigation, drainage, sewerage, flood protection and river improvement throughout the rural areas of the State over approximately the next twelve months until such time next year as a further Water Supply Loan Application Bill has been approved by Parliament.

It must be borne in mind that loan Acts have effect during calendar years, and cover part of two financial years. For this reason, the Bills should not be confused with actual allocation of funds which relate to financial years only. This point is made to ensure that honorable members are aware that Parliament is not being asked to approve cash expenditure but merely to approve the carrying out of specified works subject the limits imposed and the purposes defined in the Bill. The explanatory memorandum which has been supplied to honorable members sets out expenditure authorized by Parliament in previous loan application Acts, and the actual expenditure in financial years.

An amount of $18,642,000 has been allocated for expenditure on works during the 1968-69 financial year. However, the authority of Parliament is required for expenditure up to the $30,100,000 set out in the Bill so that work may be continued beyond the end of the financial year until another loan Bill is passed in 1969. Although portion of the provision in the loan Bill is a re-vote of expenditure authorized in the previous loan application Act, it does not mean that any funds actually provided last year

were unexpended. The funds provided last financial year amounted to $18,414,000, all of which was expended within the period it was available.

Before discussing the items of the schedules and explaining their significance in greater detail, it is appropriate at this juncture to mention the vital contribution made by the works of the State Rivers and Water Supply Commission towards the progress and prosperity of Victoria. The need for more and improved water conservation measures has been highlighted as the State emerges from the worst drought in recorded history.

Honorable members will recall that, some five years ago, the Government approved a ten-year water conservation plan in Victoria. It has proved of immense benefit in many ways, in forward planning and in continuity of work. Storages have since been completed virtually at the rate of one a year. These storages included Bellfield in the Grampians, the first stage of Buffalo, Devilbend on the Mornington Peninsula, Nillahcootie on the Broken river near Benalla and the recently completed Tarago reservoir project near Warragul.

I turn to the schedule to the Bill. The First Part provides for expenditure by the Commission on major storages and headworks operation, and deals mainly with the various projects embraced by the ten-year plan for water conservation mentioned earlier. The first item provides $1,000,000 for continuation of the Eppalock reservoir project. This may be taken to be wholly for reconstruction and enlargement of the Campaspe Irrigation District. A feature of these works is the use of underground pipelines in lieu of open channels in the area to the west of the Campaspe river. Portion of the money provided will enable work to progress at a rate appropriate to the development programme of the Rural Finance and Settlement Commission. It is expected that all works will be completed in three years' time.

The second provision in the First Part of the schedule is for continuance of works construction for Lake Merrimu, a storage on Coimadai creek mainly to receive water diverted from Goodmans creek, a tributary of the Lerderderg river. Excellent progress has been made with this scheme, which is now in its second year of construction, and completion to storage stage is scheduled for May, 1969. The second-reading notes then refer to the Bacchus Marsh and Werribee areas, and the effect of the drought on a number of other areas of the State.

Provision of $2,700,000 has been made for the fourth item in the Bill, the Lake Mokoan project. A further storage on the Broken river, Lake Nillahcootie, was completed last year and filled to overflow stage during the winter of 1968.

The notes contain much detailed information and an explanatory memorandum has been circulated with the Bill. It is not desirable that I should bore the House by reading 25 pages of explanatory notes concerning this Bill but, if any honorable member desires specific information on any aspect of the measure, I shall supply it for him.

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 the next day of meeting.

THE PRESIDENT.

TEMPORARY RELIEF IN CHAIR.

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

That, during the absence of the Chairman of Committees, one of the Temporary Chairmen of Committees may take the chair as Deputy President whenever requested to do so by the President during a sitting of the Council, without any formal communication to the Council.

The motion was agreed to.

PUBLIC LANDS AND WORKS (AMENDMENT) BILL.

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

That this Bill be now read a second time.

The Bill makes a number of desirable changes in the Public Lands and Works Act 1964 in the light of modern developments. Section 8 of this Act places upon the Minister of Public Works the responsibility for making decisions in relation to plans, specifications, requisitions and tenders for public works and buildings of Government Departments. The Minister is not empowered to delegate his duties in this regard. As a result, the Minister finds himself increasingly inundated with the task of signing approvals for many small items of expenditure, the majority of which involve expenditure of amounts less than $4,000.

It is considered desirable that the Minister should be empowered to delegate this responsibility in respect of items which are estimated to cost less than $4,000. The amount of $4,000 is a desirable one ; it coincides with the definition of " minor works " determined by the Treasury on the loan works programme. Furthermore, under the Public Accounts and Stores Regulations shortly to be gazetted, the Public Works Department will not be required to call public tenders for works estimated to cost less than $4,000. Provision is made in the Bill for revoking the appointment of a delegate to exercise these powers, and proposed new sub-section (1c) of section 8, as contained in clause 2, provides that the appointment of a delegate shall not prevent the carrying out of any duty by the Minister.

Clause 3, which inserts a new subsection (3) in section 8 of the principal Act, deals with an entirely different matter, namely, the power of the Minister to grant a sublease of portion of lands or premises taken on lease and not required for public purposes. This power has been exercised by successive Ministers of Public Works, but apparently doubt has been cast upon the authority of the Minister to act in this manner, although in the past it has frequently been necessary for the Minister to do so. A good example of this is the group of small shops which face Little Collins-street at the basement level of the State Offices Annexe at 107 Russell-street, Melbourne. These shops are leased to tenants who are engaged in the retail business. Clause 3 simply removes all doubt concerning the Minister's power to sublet premises of this type.

The first amendment proposed in clause 4, which inserts a new section 8A in the principal Act, relates to a somewhat similar problem. It places beyond doubt the power of the Minister to sublet portions of buildings on Crown land. Honorable members are aware of the fact that, in the new State Offices in Treasury-place, there is a branch of the State Savings Bank on the ground level and a cafeteria in the western annexe. The provision of facilities of this type is highly desirable for the use of public servants. In order that such facilities may be provided, it is necessary for the Minister to sublet sections of Crown buildings.

The Hon. J. W. GALBALLY.—On the question of subletting portions of Crown buildings, the Bill seems to give wide powers to the Minister.

The Hon. L. H. S. THOMPSON.—For some years, this power has been exercised by successive Ministers, but doubt has been raised concerning the practice. If Mr. Galbally can see certain legal difficulties in the proposal, the matter will be examined, but the Government feels that the facilities that I have described should be provided. After all, they supply a service for public servants and, in some cases, for members of the public who are visiting the public offices. The Postmaster-General's Department also conducts a post office in the State Offices, which has been very useful.

The second provision in clause 4 relates to the granting of leases to persons to occupy buildings that have been erected on piers, wharves or jetties. It is envisaged that the Minister will be empowered to continue to grant leases to fishermen's co-operatives. Much vandalism takes place on wharves and jetties under the control of the Public Works Department, and it is felt that, if a stable element of the community is present in the vicinity of them, the amount of vandalism will be reduced. It is thought that this stable element could be provided by fishermen's co-operative organizations, which would have a particular interest in safeguarding the buildings and properties which they leased. This provision will remove doubt concerning the Minister's power to grant leases of this type.

Clause 5, which repeals a redundant expression in the Third Schedule to the Act, is of minor consequence. Generally speaking, the Bill will modernize the Public Lands and Works Act in the light of modern developments and to meet the need for the Minister to have some discretionary power in granting leases to desirable organizations in the interests of the public servants of the State.

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, December 3.

COUNTRY ROADS (DECLARATIONS) BILL.

The Hon. V. O. DICKIE (Minister of Health).—I move—

That this Bill be now read a second time.

The purpose of this Bill is to reduce the large number of matters which, under the terms of the Country Roads Act, require the approval or confirmation of the Governor in Council. The proposed amendments will achieve this purpose and considerably reduce paper work.

Under existing legislation, the confirmation of the Governor in Council is required to a resolution of the Country Roads Board declaring any existing road to be a main road. If it appears desirable to the Board that land should be acquired for the construction of a new main road or a deviation from or widening of an existing declared main road, the approval of the Governor in Council is necessary to enable the Board to acquire the land, construct the new road or deviation or widening and use its funds for such purposes.

When the work has been completed and the road is fit to be used as a public highway, the Board, by resolution, declares the new road or deviation or widening to be a main road or part thereof. The confirmation of the Governor in Council is also required to the Board's resolution.

As the approval or confirmation of the Governor in Council is required, first, to the original declaration of an existing road to be a main road, and, secondly, to the acquisition of land and the construction of a new road or the deviation or widening of an existing main road, it appears to be unnecessary, following completion of the work, for the Governor in Council to confirm the Board's resolution declaring the new road, deviation or widening to be a main road or part thereof.

Clause 2 of the Bill obviates the necessity to obtain the confirmation of the Governor in Council to the Board's resolution declaring such new roads, deviations or widenings, but retains the requirement that the resolution shall be published in the *Government Gazette.* As in the case of the existing sub-section of the Act, the new clause will extend and apply to State highways, developmental roads, tourists' roads, forest roads, by-pass roads and any other roads declared or proclaimed under the Country Roads Act.

Section 58 of the Country Roads Act provides that when the Board declares a deviation to be a main

road or part thereof, the Board may also declare that the deviation shall be in lieu of the existing road and that, with the confirmation of the Governor in Council and on publication in the *Government Gazette*, the existing road shall cease to be a main road or be discontinued. The Crown Solicitor has advised the Board that it has no power to discontinue an existing main road unless at the same time it declares a deviation in lieu of the existing road.

In many cases when a deviation is declared, the existing road is not required for road purposes and is discontinued and sold. In other cases, however, when a deviation is declared, the existing road is not discontinued and sold because it is required to be kept open for traffic. In such cases, the only action taken by the Board concerning the existing main road is to rescind its declaration as a main road. There are many short sections of rescinded main roads throughout the State which should be discontinued because of changed circumstances since the declaration of the deviations. However, because the declarations of the deviations were made some time ago, the Board has no power to discontinue and sell these sections of rescinded main roads. Clause 6 of the Bill gives the Board power to do this at any time subsequent to the declaration of the deviation. As in the case of the existing section of the Act, the new clause will extend and apply to State highways, developmental roads, tourist roads, forest roads, by-pass roads and any other roads declared or proclaimed under the Country Roads Act.

The Board is required to obtain the approval of the Governor in Council for all works of permanent improvement on main roads. The Country Roads Act defines "permanent improvements" as including—

all works of every description exclusive of maintenance which are in the opinion of the Board calculated to increase the utility of the carriage way of a main road and includes drains for draining such carriage way.

The Board allocates funds for many hundreds of such works on main roads each financial year. The Crown Solicitor has expressed the opinion that the approval of the Governor in Council is a prerequisite to the carrying out of permanent improvements by the Board or municipal councils. He has also indicated that, if the Board or anyone interferes with a road without the sanction of Parliament directly or indirectly given, the Board or the person concerned is liable to an action for damages at the suit of anyone who has suffered damage as a result of that interference. In view of this the Crown Solicitor has advised the Board that it should obtain an Order in Council for all works of permanent improvement on declared main roads or that it should have the wording of the Country Roads Act amended.

Section 22 of the Act relating to permanent improvements has remained unchanged since the first Country Roads Act was passed by Parliament in 1912. At that time it may have been reasonable for the approval of the Governor in Council to be required for all permanent improvements on main roads because all such works were carried out with loan moneys raised by the State of Victoria, and the number of permanent improvements carried out each year was very small. However the length of declared main roads throughout the State now totals approximately 9,100 miles and very little expenditure on them is charged to loan funds.

Clause 3 of the Bill obviates the necessity to obtain the approval of the Governor in Council to carry out works of permanent improvement on main roads and provides the Board with the authority to approve of such works being carried out within existing road reserves.

The provisions of the Country Roads Act impose a statutory obligation on municipal councils to carry out all permanent works on and the maintenance of declared main roads within their municipal districts. Such

work shall be carried out to the satisfaction of the Country Roads Board. The Act also provides that the Governor in Council may by order direct that any permanent works or maintenance specified in such order shall be carried out by the Country Roads Board. It is considered that the approval of the Minister would be sufficient to give the Board authority to carry out permanent works on or the maintenance of main roads. Clauses 4 and 5 of the Bill give the necessary power to the Minister. I commend the Bill to the House.

On the motion of the Hon. J. M. WALTON (Melbourne North Province), the debate was adjourned.

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

PUBLIC WORKS LOAN APPLICATION BILL.

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

That this Bill be now read a second time.

The purpose of the Bill is to authorize the expenditure of loan funds to an amount not exceeding $112,841,850 on a wide range of public works and services. As honorable members will be aware, the Public Works Loan Application Bill covers all items of loan expenditure which are not dealt with by the House in the more specific loan application Bills in the fields of water supply, railways and forests, or by standing loan appropriations under other legislation.

The amounts proposed to be issued and applied from the Loan Fund under this Bill will cover expenditure on the 78 items contained in the schedule from the passing of the Act until another loan application Bill is introduced and passed in the spring session next year. The Bill thus provides for expenditure which will be incurred on the various items during the balance of the current financial year as well as expenditure during the early months of the 1969-70 financial year.

In accordance with the usual practice, I have arranged for a printed explanatory statement to be circulated to honorable members setting out in respect of each item included in the schedule the actual expenditure incurred during 1967-68; the estimated expenditure in the current financial year; and the amounts to be issued and applied from the Loan Fund under the Bill. I have also arranged for honorable members to receive copies of the detailed notes to which I will refer during the course of this speech.

The three clauses of the Bill are standard provisions and are identical with the existing legislation. Clauses 1 and 2 state the short title of the Act and authorize expenditure from the Loan Fund on the works and services enumerated in the schedule up to a total figure of $112,841,850. Clause 3 is the standard provision which provides that upon the passing of this Bill all unexpended appropriations under the Public Works Loan Application Act 1967 will be cancelled and all future expenditure for the works and services involved will be charged against the provisions contained in this Bill.

ITEM 1: School buildings, &c., $36,000,000—A total allocation of more than $42,200,000 has been approved for expenditure in the current financial year on buildings, equipment and associated works in the education field. This represents about 27 per cent. of the estimated expenditure on the total Government works programme this year. The bulk of this expenditure is covered by item Nos. 1 to 6 of the schedule to the Bill.

Item No. 1 of the schedule covers expenditure in the fields of primary, secondary and junior technical education. Last financial year the Public Works Department built a total of 1,023 new class-rooms for schools in these three categories. Seventeen new primary schools and five new high schools were completed last year and major class-room extensions

were built at 23 existing high schools. New junior technical schools were built at Wodonga and Shepparton South.

The approved works programme for the Education Department for 1968-69 includes a further allocation of $1,200,000 to cover payments towards the cost of assembly halls under the Education Department's special branches include Visual Education, Psychology and Guidance, Curriculum and Research, Speech Therapy and Music. As indicated in the explanatory memorandum, the total estimated expenditure in 1968-69 under item No. 1 is $31,840,000.

A contract has been let for the project for the addition of new floors and the re-modelling of existing floors at the building located at the corner of Queensberry and Leicester streets, Carlton, which will house the headquarters of the special branches of the Education Department. The special branches of the Education Department. The special branches include Visual Education, Psychology and Guidance, Curriculum and Research, Speech Therapy and Music. As indicated in the explanatory memorandum, the total estimated expenditure in 1968-69 under item No. 1 is $31,840,000.

ITEM 2: Colleges of advanced education, $3,500,000—The estimated expenditure from the Loan Fund on colleges of advanced education in the current financial year is $3,100,000—an increase of $655,000 or more than 25 per cent. over the actual payments made last year. Item No. 2 covers expenditure at these colleges on approved building works and on major items of equipment coming within the scope of the arrangements between the Commonwealth and the State Governments for financing developments at these institutions.

ITEMS 3 and 4: University of Melbourne, $2,750,000; and Monash University, $2,750,000—The total expected expenditure under items Nos. 3 and 4 of the schedule in 1968-69 will be $3,300,000. These two items provide for grants from the Government towards expenditure on buildings, equipment and for other approved purposes, at the University of Melbourne and at Monash University. The Government grants to the universities are to match Commonwealth grants for approved projects during the current triennium.

Loan funds for expenditure on buildings and other capital works associated with the development of La Trobe University have been specially provided for in the La Trobe University Act of 1964. Expenditure on approved works and equipment at La Trobe University in 1968-69 will be $2,400,000.

ITEM 5: University residential colleges, $300,000—On the recommendation of the Australian Universities Commission the Commonwealth Government makes available grants on a $1 for $1 basis to residential colleges affiliated with the universities towards the cost of approved building works. To assist the residential colleges in matching these Commonwealth grants, the Victorian Government has agreed to make available grants equal to one-half of the amount provided by the Commonwealth Government.

ITEM 6: Agricultural education, $300,000—Item No. 2 of the schedule to the Bill, to which I have already referred, covers payments by the Government towards the cost of approved building works and for the provision of equipment at agricultural colleges in respect of their courses conducted at the tertiary level and which are approved for Commonwealth assistance under the provisions of the States Grants (Advanced Education) Act 1967. Expenditure on other items associated with agricultural education this year is estimated to be $226,000—an increase of more than $120,000 over actual payments last year. The approved works programme for the current financial year includes provision for the completion

of a new building at Dookie, which will provide modern accommodation for single members of staff as well as providing accommodation for visiting departmental officers and members of the advisory committee. Further provision has been made this year to complete the water harvesting scheme at Dookie which is a combination of soil conservation, water harvesting and irrigation, based on the control of the run-off of water from " hill country " at Dookie college. Planning is under way for the new agricultural college to be established at Glenormiston.

ITEM 7: Agricultural research farms and stations, &c., $1,700,000—The significantly lower expenditure under item 7 of this year follows the completion of the Gilbert Chandler Institute of Dairy Technology at Werribee for which special financial provision has been made under this item over recent years.

ITEM 8: Government Cool Stores, Victoria Dock, $250,000—The project for the major reconstruction of the Government Cool Stores at Victoria Dock, including the replacement of obsolescent plant and the improvement of refrigeration facilities, is well advanced and it is expected that expenditure during the currency of this Act will see the completion of this particular work.

ITEM 9: Parliament House, $170,000—The total estimated expenditure on various works at Parliament House this year is $126,000. Special provision has been made in the works programme to expedite the completion of the work on the restoration of the external stonework and for a start to be made on a special three-year programme for the modernization of toilet facilities throughout the building. Funds have also been allocated for further improvements to the electrical system and for general renovations throughout the building.

ITEM 10: Government House, $120,000—Item No. 10 of the schedule provides for the expenditure of up to $120,000 during the currency of the Act on various works and services at Government House. The major expenditure proposed this year is on the completion of the external renovation of this important building.

ITEM 11: Soil Conservation Authority, $100,000—The estimated expenditure on buildings, residences and associated works for the Soil Conservation Authority in the current financial year is $93,000. The significant reduction in expenditure over the figure for last year follows the completion of the new wing at the Authority's head office block at Cotham-road, Kew.

ITEM 12: Fisheries and Wildlife Branch, $800,000—The total estimated expenditure on the various aspects of the loan works programme of the Fisheries and Wildlife Branch for 1968-69 at $793,000 is some $650,000 higher than actual expenditure last year. The major element in the increased expenditure is the construction of the Arthur Rylah Fish and Wildlife Research Institute at Heidelberg, which is now well under way.

ITEM 13: Social Welfare, Family Welfare Division, $900,000—An allocation of $580,000 has been approved for 1968-69 for expenditure on buildings and other requirements of the Family Welfare Division of the Social Welfare Branch. The works programme provides for the completion of the first stage of the new reception centre at Turana and for a commencement of the second stage of this project. The first stage will provide accommodation for 60 boys and the second stage accommodation for a further twenty boys and, in addition, a school and administration centre.

Provision has been made for expenditure on the completion of the new nursery extensions at Allambie. This much-needed extension will provide additional accommodation for approximately 40 babies. It is proposed to erect another

family group home during the year to accommodate children and cottage parents at Northcote.

ITEM 14: Social Welfare, Youth Welfare Division, $900,000—Expenditure under this item of the schedule in 1968-69 financial year is $621,000. A further allocation of funds has been made for the development of Malmsbury Youth Training Centre, including the provision of additional staff residences. At Langi Kal Kal provision has been made for the commencement of the second stage of the class-room block, for the erection of additional staff residences, and for the sealing of one and a half miles of roadway at this centre. Further development will take place at the Acheron youth camp and this year it is proposed to complete the ablutions block and boiler house.

ITEM 15: Social Welfare, Prisons Division, $900,000—Expenditure on works for the Prisons Division this financial year is estimated at $553,000. Projects at Pentridge include the completion of the second stage and the commencement of the third stage of the young offenders block. The completion of the second stage this year will provide accommodation, employment and training facilities for 80 young offenders. It is proposed to commence work also on the provision of accommodation for an additional 60 prisoners in the trial and remand section in D Division. Renovation works will be continued on D Division kitchen and this project is expected to be completed this year. It is also proposed to commence work on a new visiting block for Pentridge at an estimated cost of some $30,000. At Geelong, work will continue on the renovations and remodelling of the prison kitchen and on additions to the prison industries.

The Won Wron Reafforestation Prison is expected to be completed this year and will provide accommodation for 92 prisoners. Work will also proceed on the renovation and remodelling works at Dhurringile Training Centre which it is planned will form part of the proposed Alcoholics' Service for the State.

ITEM 16: Social Welfare, Training Division and Probation and Parole Division, $50,000—This is a new item in the schedule to the Act. Up to date expenditure for the Training Division and the Probation and Parole Division has been provided under the appropriation for the Prisons Division. In order to assist in providing clearer and more complete information about the works programme of the Social Welfare Branch, it has been decided to introduce a new item to cover the two latter Divisions. This year the project proposed is one of renovation and improvements at the Branch's training centre at Lissongrove, Hawthorn.

ITEM 17: Police Department, $1,750,000—Expenditure on buildings, residences and equipment for the Police Department in the current financial year is $1,626,000—more than double the expenditure last financial year. The main element in this increase is expenditure on the new police head office block at Russell-street. This is a seven-storied building which will house the Criminal Investigation Branch and the Information Bureau. Provision has also been made in the building for living quarters for 49 single men.

ITEM 18: State Library, &c., $300,000—The total proposed expenditure under this item in the 1968-69 financial year is $135,500. In addition to expenditure on the general restoration programme and on the electrical re-wiring of the building, funds have been approved to complete the erection of a new roof over Queen's Hall. Work has commenced on the progressive renovation and re-arrangement of space in the main building, following the transfer of the Art Gallery to the new Arts Centre in St. Kilda-road.

ITEM 19: Attorney-General's Department, $2,750,000—The new civil and criminal courts building being

constructed on the south-west corner of William and Lonsdale streets is expected to be ready for occupation early in 1969. The new building will provide accommodation for the County Court and Courts of General Sessions. The building includes 19 court rooms, together with Judges' chambers, crown prosecutors' chambers and office accommodation for the County Court Registry and associated staff.

A new court house is under construction at Dromana for the Court of Petty Sessions to replace the rented accommodation which has been used for some years. A contract for extensive alterations to the Warrnambool court house was let in March of this year. This work is expected to be completed early in 1969. Planning is well advanced for the erection of a new court house at Robinvale to replace the existing rented accommodation. A contract for extensive alterations to the Box Hill court house was let in March, 1968. This building is expected to be ready for occupation early in 1969.

A jury pool room for the provision of civil juries for both the Supreme Court and the County Court is at present provided in leased accommodation at 470 Bourke-street, Melbourne. This accommodation will be vacated during March, 1969, when separate jury pool rooms will be required for the Supreme Court and County Court respectively. The new civil and criminal courts building will provide the necessary accommodation for civil juries for the County Court. Planning for the jury pool room to serve the Supreme Court is well advanced and this project is expected to be completed early in 1969.

ITEM 20: Government Printing Office, $150,000—The estimated expenditure under this item during the current financial year is $70,000. The proposed expenditure covers the purchase of equipment and printing machinery and minor works required at the Government Printing Office, North Melbourne.

ITEM 21: Botanic Gardens, $300,000—Tenders have been called for the erection of a modern restaurant in the Royal Botanic Gardens to replace the existing kiosk. The proposal is to locate the new restaurant on a promontory on the north side of the main lake almost opposite the existing kiosk. Subject to the receipt and acceptance of suitable tenders, it is expected that most of the work involved in the new building will be completed during the current financial year.

ITEM 22: Public buildings and residences, $5,500,000—The total estimated expenditure on this item in the current financial year is $4,400,000. The major project to be financed during the year is the completion of the second stage of the new public offices in Treasury-place and the first stage of the combined laboratories and car park building.

A sum of approximately $700,000 is required to meet expenditure on the new public office blocks being erected at Warragul and Horsham. Preliminary planning is also in progress for the construction, in due course, of new offices at Shepparton, Korumburra and Geelong. Planning for the Korumburra offices is being developed along the lines of a State centre in the town which will include a court house, police station and general public office accommodation.

ITEM 23: Weights and Measures Branch, $70,000—The approved loan works programme for the current financial year includes an allocation of $40,000 to meet further expenditure on the provision of vehicles and testing equipment for the Weights and Measures Branch.

ITEM 24: Mines Department, $300,000—Provision is made under this item for expenditure on the purchase of drilling plant and equipment by the Mines Department and for expenditure on works at that Department's core laboratory at Port Melbourne. Estimated expenditure on these items in the current financial year is $206,500.

ITEM 25: Explosives Branch, $20,000—Funds are provided for expenditure up to $20,000 during the currency of the Act on various minor works and services associated with the storage of explosives at the Point Wilson Reserve.

ITEM 26: Sanatoria, $850,000—The major project to be financed under this item in the current financial year is the new chest clinic at Prahran.

Another major project is a new 40-bed tuberculosis hospital block, complete with ancillary services, being built adjoining the existing ward area at the Heatherton Sanatorium. At Sale, a new 10-bed unit for the treatment of tuberculosis in-patients with facilities for an out-patients chest clinic is being constructed at the Gippsland Base Hospital, Sale. Design work is proceeding for the erection of a new chest clinic at Geelong. The new clinic will replace the very old sandstone structure currently located in Ryrie-street, Geelong.

Other projects to be financed under this item include new surgeries at the School Dental Centre, North Fitzroy, and the re-building of the Marathon special school for spastic children.

ITEM 27: Bush nursing hospitals, $350,000—Funds are provided for the payment of grants to the committees of management of bush nursing hospitals towards expenditure on hospital building projects and on the purchase of equipment. An allocation of $300,000 has been made available from the Loan Fund for these purposes in the 1968-69 financial year.

ITEM 28: Cancer Institute, $500,000—The major project in the works programme of the Cancer Institute for this year is the second stage of the alteration and re-fitting of the property located at 278 Lonsdale-street, Melbourne. The total cost of this project is some $350,000.

ITEM 29: Mental Health Authority, $6,000,000—The total estimated expenditure this year for building works and associated purposes for the Mental Health Authority is $4,835,000. The major project under construction is the new mental hospital at Bendigo. The century-old buildings at Beechworth were showing considerable signs of decay, and the area most affected was the central area associated with the administrative building. The front of this building has been entirely re-faced with local stone at a cost of more than $200,000.

The Ambermere hospital property in Shepparton was purchased some three years ago as a first step towards the provision of a psychiatric service in the Goulburn Valley area. Renovations to the old building to provide 23 in-patient beds for early treatment and the erection of an occupational therapy building and an associated services block will provide for the operation of Ambermere as an out-patient clinic and a day hospital.

When Hobson Park Hospital at Traralgon was opened it consisted of four wards and a boiler house. Two of the wards were used for purposes other than the treatment of patients—one as an administrative centre and store and the other for an occupational therapy unit. Recent additions to the hospital at a total cost of some $600,000 now provide a new administrative building, store and occupational therapy unit which are now almost ready for occupation.

Another major project under way this year is the provision of a special unit at Travancore for the care and treatment of disturbed children. Work on the alterations, which will cost in excess of $200,000, is well under way and should be completed in the very near future. The facilities for carrying out out-patient interviews at the Malvern clinic have been inadequate for years and alterations are now in course towards the extension of the clinic.

The mental hospital at Warrnambool consists of five wards and a total patient population of approximately 200 persons. It is proposed to expand this service by two additional male

wards, one of 36 beds and one of 28 beds. Item No. 29 includes provision for expenditure on alcoholism services. Consideration has been given towards the building works necessary to implement the plans for a complete alcoholism service. It is expected that Pleasant View will be utilized as an assessment centre, and to back this up it will be necessary to have a hospital for alcoholics who are physically ill.

ITEM 30: Dredging and blasting operations $1,400,000—This item is included in the Public Works Loan Application Bill each year to cover expenditure involved in dredging operations for the development, improvement and maintenance of ports and harbors throughout the State, including the shipping channels in Port Phillip Bay. In addition, this year provision has been made in the works programme for the expenditure of some $40,000 on works at the Williamstown Dredging Depot.

ITEM 31: Piers, wharves and jetties, $150,000—Provision is made in this item for the expenditure of up to $150,000 during the expected currency of the Act on the construction and improvement of wharves and jetties and other harbor facilities under the control of the Ports and Harbors Branch.

ITEM 32: Navigational aids, $75,000—This is another annual provision which provides for the expenditure of loan funds on the installation and improvement of navigational aids on the main shipping channels and also in the harbors around the Victorian coastline.

ITEM 33: Foreshore protection works, $200,000—The approved loan works programme for the current financial year includes an allocation of $168,000 to cover expenditure on a continuation of works for the protection of foreshores along the Victorian coastline.

ITEM 34: Plant and depots, $200,000—The item covers the expenditure of loan funds by the Public Works Department on the purchase of plant and equipment and for expenditure on its workshops and depots.

ITEM 35: Floating plant, $500,000—It is proposed to continue with the programme of adding to the floating plant available to the Ports and Harbors Branch and to replace as quickly as possible those items of floating plant which are reaching the end of their economic life.

ITEM 36: Harbor facilities at Westernport, Act 7018, $100,000—Honorable members will recall the Westernport, Act No. 7018, $100,000—Honorable members will recall the new refinery jetty and the provision of harbor services at Westernport at a cost to the State not exceeding $7,000,000. The sum provided under this item in the schedule represents the amount required to wind up this project and includes the final payments in respect of consultants' fees and other items.

ITEM 37: Harbor facilities at Westernport, Act No. 7652, $3,500,000—Construction of the Long Island inflammable liquid cargo facilities authorized under the Westernport Development Act 1967, No. 7652, is now well in hand and is scheduled for completion in March, 1969.

ITEM 38: Harbor facilities at Westernport, general, $1,000,000—This item makes provision for channel demarcation for the Long Island channel extension, further sea-bed investigations, and other projects associated with the development of the port.

ITEM 39: Yarra Boulevard works, $10,000—This sum has been included in the Bill to cover expenditure during the currency of the Act on various minor works which may become necessary in that part of the Yarra Boulevard area which comes within the responsibility of the Public Works Department.

ITEM 40: National Parks Fund, $300,000—Contributions amounting to $210,000 are estimated to be made from the Loan Fund into the National Parks Fund during the current financial year. These contributions will include $175,000 for expenditure on water supply, fire protection and improved facilities generally in national parks throughout the State. In addition, a special allocation of $20,000 has been approved for a further stage in the development of the Fraser National Park.

ITEM 41: Tourist Fund, $250,000—Provision is made under this item for further contributions from the Loan Fund to the Tourist Fund to cover expenditure on capital works and services associated with tourist development, including capital works at Government tourist bureaux. An allocation of $200,000 has again been made available to the Country Roads Board for expenditure by the Board specifically on tourist roads.

ITEM 42: Soil Conservation Authority, works—$450,000—Expenditure of loan funds by the Soil Conservation Authority this financial year on soil conservation and erosion control works and on the development of rural water supplies is estimated to be $360,000 or $46,000 more than actual expenditure last financial year.

ITEM 43: Soil Conservation Authority, loans and advances, &c., $50,000—This item provides for a continuation of the Authority's programme of making grants and loans to landholders and municipalities for soil conservation projects. The estimated expenditure from the Loan Fund on this item in 1968-69 is $22,000.

ITEM 44: Soil Conservation Authority, plant and equipment, $50,000—This is a recurring item in the schedule which covers the purchase of equipment and vehicles which are necessary for the work of the Soil Conservation Authority.

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ITEM 45: Advances to officers, cars for official duties, $50,000—The Government has again approved a specific allocation of funds this financial year to continue its policy of making available short-term loans to public officers to enable them to purchase motor vehicles which are necessary for the exercise of their official duties.

ITEM 46: Aboriginal Affairs Fund, $800,000—The allocation from the Loan Fund to the Aboriginal Affairs Fund has been increased by $90,000 this year to a figure of $340,000. This increase will materially assist the new Ministry of Aboriginal Affairs in its plans to speed up the improvements of housing and other facilities for our Aboriginal people.

ITEM 47: Zoological Board, $60,000—The Government has approved a further loan allocation of $50,000 this financial year for the Zoological Board to assist in carrying out a further stage of its master plan of major improvements at the Zoo.

ITEM 48: Country art galleries, $100,000—This item provides for the expenditure of loan funds in accordance with the Government's policy of assisting by way of capital grants approved projects for the construction and improvement of art gallery buildings in country towns where there are substantial art collections worthy of adequate housing.

ITEM 49: Youth clubs, &c., $200,000—The approved loan works programme for the current financial year includes an allocation of $150,000 to be made available by way of grants for the development of facilities for both recreational and social activities being provided by a wide range of youth clubs and other bodies associated with the welfare of youth in the community.

ITEM 50: Youth hostels, $60,000—A further allocation of $60,000 has been approved in 1968-69 to cover further grants being made to various organizations for capital works and renovations in connexion with hostels

which provide accommodation, under the supervision of the Social Welfare Branch of the Chief Secretary's Department, for young people in employment.

ITEM 51 : National Art Gallery and Cultural Centre, $3,500,000—This item provides the authority for contributions from the Loan Fund by the Government to the National Art Gallery and Cultural Centre Trust Fund.

ITEM 52 : Kindergarten Training College, Kew, $100,000—During the past five financial years, loan funds totalling $327,000 have been paid by way of capital grants to the Kindergarten Training College at Kew. This item provides a further $100,000 for this purpose.

ITEM 53 : Council of Adult Education, $4,000—This item makes provision for a further instalment of the loan which the Government has agreed to make to the Council of Adult Education to finance certain renovations to the property at 41-43 Gipps-street, East Melbourne.

ITEM 54 : Royal South Street Society, $17,350—In 1964-65 and 1966-67, the Government made available grants totalling $78,000 towards the cost of purchase, alteration and renovation of the property known as Her Majesty's Theatre in Ballarat, as a permanent home for the Royal South Street Society. After the passing of the Public Works Loan Application Bill 1967, the Government agreed to make available a further matching grant of $17,350 on a $1 for $1 basis to complete the renovation programme. Item No. 54 provides the necessary appropriation to cover this final grant.

ITEM 55 : Alexander Miller Memorial Homes Trust, $30,000—In 1963, the Government approved a total grant of $150,000 being paid at the rate of $30,000 per annum to the Alexander Miller Memorial Homes Trust, which controls homes in a number of country centres throughout the State. This grant was made available for the specific purpose of modernizing the toilet and bathing facilities in the trust properties. The over-all situation of the homes has been reviewed at the end of the original five-year programme and the Government has agreed to continue its assistance to the trust towards the cost of the modernization programme. Item No. 55 provides the necessary appropriation accordingly.

ITEM 56 : Grants to life saving clubs, $40,000—Since 1964-65, the Government has made available grants to life saving clubs on a $2 for $1 basis, subject to a maximum grant of $6,000 for any one club, to assist in the provision and improvement of club buildings. Provision is made under this item for expenditure in the current financial year on a continuation of this policy.

ITEM 57 : Grants to non-departmental teachers' colleges, $200,000—This item provides the necessary appropriations for payments under the Government's scheme of assisting on a $1 for $1 basis the cost of approved capital projects at institutions which are training teachers for the registered schools system.

ITEM 58 : Rural Finance and Settlement Commission, Agency Department, $500,000—This item is included each year in the Public Works Loan Application Bill to cover payments from the Loan Fund to the Agency Department of the Rural Finance and Settlement Commission for approved purposes coming within the provisions of section 35 of the Rural Finance Act. Payments include advances by way of relief and assistance to primary producers affected by the drought, bush fires, hail and storm damage.

ITEM 59 : Drought Relief Act, $3,750,000—Earlier this year, the Drought Relief Act 1968, No. 6765, was passed by the Parliament to make available assistance by way of grain and fodder subsidies to farmers in drought areas. Item No. 59 provides for expenditure of loan funds of up

to $3,750,000 involved in these subsidies and in the general administration of the Drought Relief Act.

ITEM 60: Vermin and noxious weeds destruction, $2,400,000—The allocation under this item is required to continue the Government's efforts to eradicate vermin and noxious weeds in all parts of the State.

ITEM 61: Lands Department survey equipment, &c., $70,000—This item provides for the expenditure of a further $70,000 on the purchase of photo-grametric, photographic, and survey equipment, and vehicles, which are required for the aerial, field survey and general photographic work of the Survey Branch of the Department of Lands and Survey.

ITEM 62: Wire netting advances, $5,000—The Wire Netting Act 1958 provides for advances to be made to farmers to finance the supply of wire netting in various circumstances described in the Act. The amount of $5,000 provided under this item is to cover advances which may be made during the current financial year.

ITEM 63: Buchan Caves, $50,000—The major part of the expenditure to be provided for under this item will be devoted to continuing the first stage of the electrical reticulation system at the caves.

ITEM 64: Road construction—Crown lands, $30,000—This item provides the annual allocation of loan funds necessary to provide access roads to Crown lands in the process of being subdivided and settled in various areas throughout the State.

ITEM 65: Road construction—Shires of Kaniva and Lowan, $50,000—During recent years, funds have been spent on the construction of access roads to lands being developed by the Australian Mutual Provident Society in the shires of Kaniva and Lowan, works which are carried out by the Country Roads Board. The provision of $50,000 in this financial year is to cover the costs of providing access roads to the last of the blocks to be settled under the society's scheme.

ITEM 66: Purchase of land and improvement of Crown lands, $20,000—Provision is made under this item for the purchase of land for public purposes and for expenditure on improving and developing Crown lands which is not covered by other appropriations relating to particular departmental activities. The item also covers expenditure by the Public Works Department on reclamation works on Crown lands at Port Melbourne.

ITEM 67: Tostaree Pilot Farm, $5,000—The Tostaree Pilot Farm was established on Crown lands south of the Princes Highway between Nowa Nowa and Orbost under the supervision of a committee comprising representatives of the Department of Crown Lands and Survey, the Forests Commission, the Department of Agriculture and the Rural Finance and Settlement Commission, for the purpose of ascertaining the likely costs of land settlement in the area. Provision is made under this item for expenditure of a minor nature on the further development of this project.

ITEM 68: Municipal subsidies, $4,500,000—It is expected that approximately $3,500,000 will be spent on the various items comprised under this heading during 1968-69.

ITEM 69: Hobson's Bay main sewer, $500,000—This item provides the first part of the Government's share of the cost of lowering the Hobson's Bay main sewer where it passes under the Yarra river.

ITEM 70: Installation of boom barriers, $240,000—This is the first appearance in the loan programme of an item necessary to finance the Government's share of the three-year programme for the elimination of gate crossings by the substitution of boom barriers.

ITEM 71: Advances to water and sewerage authorities, $25,000—An amount of $25,000 is provided under this item to enable advances to be be made, in appropriate cases, to municipalities and to other local

authorities towards the cost of providing water, sewerage and drainage facilities for schools, mental hospitals and other public buildings.

ITEM 72 : Grants to agricultural and pastoral societies, $125,000—This item provides for the continuation of the Government's policy of assisting agricultural and pastoral societies wishing to improve facilities at country show grounds.

ITEM 73 : Grants to young farmers' clubs, $20,000—A further $20,000 is provided under this item for expenditure during the next twelve months in the making of grants to young farmers' clubs.

ITEM 74 : Hospitals and charities, $16,000,000—This is a recurring item in the Bill covering the payment of grants from the Loan Fund to hospitals and other charitable institutions towards the costs of building works and equipment. The estimated expenditure in the current financial year for these purposes is $13,100,000.

ITEM 75 : Loans to public cemeteries, $60,000—This item will provide the funds necessary to enable loans to be made to the trustees of public cemeteries during the next twelve months. An amount of $60,000 will be available during the currency of the Bill and the loans which may be made are for the purpose of assisting the trustees to meet the cost of approved schemes for the improvement and development of the cemeteries under their control.

ITEM 76 : Subsidies to infant welfare centres, &c., $450,000—In the past five years, more than $1,700,000 has been allocated and spent in subsidizing capital expenditure on prenatal, infant welfare and pre-school centres throughout Victoria. A further $400,000 has been allocated this year in accordance with the Government's established policy of assisting the construction of centres of this kind.

ITEM 77 : Mentally retarded children's centres, $300,000—In the past five years, the Government has made available some $900,000 by way of capital grants to voluntary organizations which assist in the provision of facilities for mentally retarded children. These grants are made available on a $4 for $1 basis and the facilities provided are day training centres, kindergarten units, sheltered workshops and other facilities of a similar nature. An amount of $240,000 has been allocated for expenditure during 1968-69 on these subsidies.

ITEM 78 : Oral education of the deaf, $15,500—The amount of $15,500 provided under this item is to meet the cost of grants made to the Victorian Committee for Oral Education of the Deaf.

ITEM 79 : Advance to Wattle Gully Gold Mine No Liability Company, $60,000—This item has been added to the schedule of the Bill to provide for the payment of an advance of $60,000 from the Loan Fund to the Wattle Gully Gold Mine No Liability Company to assist the company in continuing its gold mining operations.

In accordance with the Government's recent decision in this matter, $30,000 of the amount being advanced is in the form of an interest-free loan secured by a lien over the company's plant. The remaining $30,000 is to be repaid out of the gold produced by the company at such times as may be specified by notice in writing served on the company by the Minister of Mines.

I trust that honorable members are not disappointed that I have not read the whole of the explanatory notes on this Bill. I referred to the various headings, but the notes are full of information which I trust honorable members will examine closely.

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 December 3.

WEIGHTS AND MEASURES (AMENDMENT) BILL.

The debate (adjourned from November 12) 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. M. WALTON (Melbourne North Province).—Amongst other things, the effect of this Bill is to make it obligatory for Government Departments to conform to the Weights and Measures Act. Section 7 of the Act provides—

> Arrangements may be made and carried into effect by and between the Minister administering any Government Department and the Superintendent or any local authority for the carrying into execution by inspectors of all or any of the provisions of the Act with respect to weights measures weighing instruments and measuring instruments used or to be used in or in connexion with that Department.

It would appear that under this provision, if the Minister did not so elect, the law would not apply to his Department. The Bill proposes that all Government Departments shall conform to the Weights and Measures Act, with the exception that a section of the Railways Act allows the Railway Department to appoint its own inspectors for purposes of checking departmental machines. The Bill provides that all other Government Departments, either through the Minister or heads of Departments, shall conform to the Act. The effect of the amendments contained in clause 2 of the Bill will be to eliminate the local authority, and this would increase the work of the few administration inspectors.

An examination of the annual report of the administration of the Weights and Measures Act for the year ended 30th September, 1967, which recently became available, shows that, although the central administration is supposed to supervise local administration, according to the statistics supplied only 27 of the 212 municipalities were visited to ascertain whether the Act was being efficiently administered. Some of the 27 municipalities in question were making honest and conscientious attempts to administer the Act. According to information on page 4 of the report, eleven municipalities had no weights and measures administration; and at page 5 the report states that seven municipalities had no valid standards. Would it not be better to concentrate on those areas where it is known that no administration exists and where the Act is not administered? Why should the consumers in those areas be subjected to fraud, intentional or otherwise?

It is well known that large areas throughout the State have not had effective weights and measures administration for various reasons, including failure to appoint sufficient local inspectors. Responsibility for this failure lies with the central administration. Municipalities, whether by themselves or in the form of unions, should have an adequate number of weights and measures inspectors. The Bill requires the Departments, with the exception of the Railway Department, to conform to the Weights and Measures Act, whereas in the past they had the right and opportunity to make use of their local unions. This right has been abolished. In addition, where the work may have brought some remuneration to the authority, this is now being denied. The central administration, because of the lack of staff facilities, is unable to carry out the work it is expected to do.

Clause 3 of the Bill extends the time limit in certain cases when a weight or measuring instrument is of a kind exempted by the regulations. This period, which was earlier extended from two to three years, is now being extended from three to five years.

Weighing instruments are used by manufacturers in the packing of various household commodities. It would be interesting to know if representations have been made to the Government by the manufacturers to have this time limit extended. It is

more likely that there should have been representations from the consumers so that the time would not be extended. After all, a period of five years should allow sufficient time in which manufacturers and producers could bring their machinery up to the proper standards. In these days, the majority of products are prepacked and, in the main, pre-packaging machines fall within the category of equipment that is being excluded for a further two years. It is time the Government insisted that manufacturers and producers brought their equipment up to the standards required by the law.

The Bill also provides for selective increases in penalties for more serious breaches of the provisions. Clause 7 deals with commodities that vary in weight because of climatic conditions. The Minister explained certain types of commodities that could thus be affected, such as knitting wools, and so on, which gather moisture from the atmosphere, causing their weight to vary from time to time. The words " to the like effect " in sub-clause (1) of the proposed new section 81IA may legalize a vast multitude of phrases instead of providing a uniform presentation, especially when uniformity is supposed to be the key word in this legislation. Undoubtedly, a wide interpretation will be placed on these words, and the Government should further examine this point before lengthy litigation takes place as to what the words actually mean. The Bill should be more specific.

The Bill is an attempt to bring the Weights and Measures Act up to date and the Opposition has taken the opportunity of making certain suggestions to the Government. It is hoped that during the Committee stage, the Minister will be able to give a further explanation of the matters I have raised. The Opposition does not oppose the Bill.

The Hon. A. R. MANSELL (North-Western Province).—This small Bill deals with matters which have not been of great concern to the Government over the years. Although the Weights and Measures Union has been in existence, everyone has attempted to foist the responsibility for weights and measures from one group to another, notwithstanding that these matters affect all business and domestic dealing in the community. Clause 6 brings to light the fact that there has ben no increase in the penalties since 1939, although penalties for other offences have been increased from time to time. There is no need for me to deal with the Bill in detail. The Minister in charge of the Bill and Mr. Walton have dealt adequately with its various provisions and I agree entirely with Mr. Walton's comments.

I was disappointed that, in his second-reading speech, the Minister did not refer to what is proposed in regard to the change-over to the metric system for weights and measures. Australia's currency has been changed to the decimal system and honorable members are aware of the advantages that have been derived from that. One wonders, therefore, why we still stick to the long ton and short ton system, which causes so much confusion. Recently I heard an argument between two men in a factory concerning output, and one man stated that he was selling on the short ton and buying on the long ton, but he did not realize the tremendous difference it made in his balance sheet at the end of the year. The present system is confusing to both the consumer and the producer, and it is time a move was made towards the metric system.

Perhaps during the Committee stage the Minister could give an indication of the Government's policy on this matter. Although it might be within the jurisdiction of the Federal Government, something must be done by State Adminstrations, and it is time this important facility was brought up to date and operated in accordance with modern lines of thought and conditions.

My sons are selling produce at various fruit and vegetable markets throughout Australia. At the Melbourne fruit and vegetable market they sell in case lots, whereas in South Australia they sell by numbers. In various places produce is sold in bunches of a dozen and in other places in bunches of ten. In addition, the size of bunches varies. We are one nation and we should bring our legislation into line, so that there is some uniformity in these matters.

I have had something to do with weights and measures unions, and appreciate the problems faced by the municipalities. A good deal has been done in regard to the heaviest scales, but in many places insufficient trained staff are available to ensure that the purchaser receives a fair deal. I do not suggest that dishonesty is associated with this; the difficulty arises because insufficient staff are available to check scales. I have had some experience of differences in weight occurring through sheer accident. I could not understand why weights of goods on my truck were different. On checking at the weighbridge, I found that the tare bar on my truck had been set for one particular frame and during the course of maintenance work another bar had been installed, which was not correct. This shows that it is essential for an authority to check these things periodically. I support the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Act to bind Government Departments).

The Hon. R. J. HAMER (Minister for Local Government).—I am inclined to agree with Mr. Mansell that, in the past, sufficient attention may not have been given to some of the difficulties associated with implementing the law relating to weights and measures. I agree also that this is an important activity because so many transactions between citizen and citizen, and shopkeeper and purchaser, depend upon reliance and confidence in the instruments used for weighing and measuring.

In recent years, a great deal more packaging of goods has been done in the absence of the purchaser, who has to rely on the weight stated on the package. That was the basis of legislation enacted last year. From my own experience since the Weights and Measures Branch has been under my jurisdiction, there seems to have been constant activity. This is the third measure on this subject which has been before Parliament in the past eighteen months. My Department is attempting to make this activity an integral part of the administration of Government, but one of the difficulties is that there is unequal performance amongst the municipalities, which resist any attempt to take this responsibility from them and centralize it. Of course, I am not encouraging such action, but one has to take cognizance of the end result and give consideration to this unequal performance by municipalities. Some areas are not adequately covered by proper weights and measures administration which is brought about, in some cases, by insufficient interest on the part of a shire council in appointing a qualified person. In other cases, the person appointed is not really trained.

The Hon. A. R. MANSELL.—In some cases, it is not economic to make an appointment.

The Hon. R. J. HAMER.—That is so; the fees derived from the service do not cover the costs, but the Government is attempting to overcome this position. Honorable members may remember that, in a Bill which was before this Parliament not long ago, provision was made for the central administration to carry out some of these functions at the request of the local council. However, at present the central administration is

not staffed with fully trained personnel to the extent that I should like. Good inspectors are difficult to find, but the standards are improving from month to month.

Mr. Walton had some comments to make on clause 2, the purpose of which is not so much to change the law as to clarify it. Under the Weights and Measures Act as it now stands, provision is made for arrangements to be arrived at between the Minister administering any Government Department and the superintendent or any local authority for the carrying out of the provisions of the Act. That provision was enacted so that a public authority or a Government Department which did not want to carry out the provisions of the Weights and Measures Act could arrange for them to be carried out by experts. This has been interpreted as meaning that, if there is no such arrangement, the Government Department concerned is not subject to the provisions of the Weights and Measures Act. This was not intended and is quite the wrong result. All that clause 2 does is to make it quite clear that Government Departments and authorities, as well as private citizens, are bound by the Act. Then clause 2 repeats what the provisions of section 7 of the Act made possible, namely, for this arrangement to be made.

The Hon. J. M. WALTON.—It leaves out the local administration, which is important.

The Hon. R. J. HAMER.—I understand this was done at the request of the Institute of Weights and Measures, but I shall check on that point. In some cases it is difficult for a local administration to carry out the provisions of the Weights and Measures Act. If there is any desire on the part of any local administration to do this work, arrangements can easily be made for it to be done.

Mr. Walton also referred to clause 3, which extends by two years the period allowed for the transfer of patterns for weighing and measuring equipment. This arises from the difficulties which the National Standards Commission is having in bringing into this field all the instruments which were formerly exempt. The Commission has requested more time to enable it to complete this work. As the present provision expires at the end of December of this year, it seems that the Commission will not have sufficient time in which to get all weighing instruments properly checked, and therefore it is proposed to grant the Commission extra time. I believe the Commission is operating well, and there is an advantage in that it is operating on a uniform basis, even if it is administered by the Commonwealth. Therefore, in this transition stage probably more time is desirable. However, I agree with Mr. Walton that these instruments should not be operated indefinitely without being checked. I assume that this checking will be carried out as soon as possible.

Mr. Mansell asked about the metric system, which is a Commonwealth matter in the sense that the Commonwealth has now assumed its powers under the Constitution to lay down standards. At one time the Commonwealth laid down few standards, but now it is moving into this field and therefore it must make the first move. It would not be of much use Victoria adopting a metric system if the other States did not. I believe there would be general support for a change, but the move would have to be gradual and well organized. The Commonwealth Government has also given some earnest to its interest by appointing a Senate committee to inquire into the metric system. That committee has taken evidence on the subject and I believe there will be a move towards the metric system after its report becomes available. The views expressed by Mr. Mansell agree very much with those that I hold, and I believe there will be a move towards the metric system as soon as possible.

The Hon. A. R. MANSELL.—Is the Senate committee inquiring only into weights?

The Hon. R. J. HAMER.—I think its terms of reference include measurements of distance and length as well.

The clause was agreed to, as were clauses 3 to 6.

Clause 7 (Articles that may be marked "Net weight at standard condition").

The Hon. J. M. WALTON (Mel-Melbourne North Province).—During my second-reading speech, I referred to the words "to the like effect", as contained in proposed new section 182A, and the problems which may arise from their inclusion. There is also the question of the use of the words "net weight at standard condition". As the standard condition has not been laid down in the Bill, I should like to know the standard envisaged and who will set it.

The Hon. R. J. HAMER (Minister for Local Government).—This covers one of the most knotty problems associated with statements on the weight, contents and volume of packages. One of the problems is how to sheet home to the manufacturer or the packer the responsibility for short weight or short volume. There are cases in which it is difficult to do so because the actual weight or volume varies according to humidity or climatic conditions. If a package is weighed at the premises of a retailer and found to be short, that does not necessarily mean that it was short when it was originally packed. This point led to good deal of discussion at meetings of the Ministers who are concerned with weights and measures.

The clause is based upon a Tasmanian provision, and envisages that this standard condition will have to be laid down for the particular goods described; for instance, in the case of wool the standard condition may be that it must be at so many degrees of temperature and humidity, or something like that. There may be a different set of standard conditions on other commodities such as soap flakes and breakfast foods, but there must be some standard against which the loss or addition of weight can be assessed. In the regulations, a standard condition will be set out as a term of reference against which all measurements will be made, but it will vary from product to product. I can assure Mr. Walton that the Government intends to keep the list of products as small as possible; there are only a few which are subject to this kind of variation.

The Hon. J. M. WALTON.—What do the words "to the like effect" mean?

The Hon. R. J. HAMER.—"Net weight at standard condition" is a term which is used in most States. That does not really matter, however, so long as there is an inference that there is a standard against which weights, volumes and contents can be measured and assessed. Some words have to be used. The expression does not necessarily have to be "standard condition"; it could be "at sea level", or "at so many degrees of temperature". So long as the standard is provided, the actual wording is not important.

The Hon. A. R. MANSELL.—Could those words mean "net weight when packed"?

The Hon. R. J. HAMER.—Yes. There are variations of the wording which mean or could mean the same thing. It could be that "standard conditions" mean "net weight when packed". That would apply in the case of goods which are not subject to variations in weight. Various forms of words could be used to mean the same thing. The important point is that a standard is to be established by regulation, and an

inspector will be able to assess whether there has been an excessive loss or gain in weight against that standard.

The clause was agreed to.

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

The sitting was suspended at 1.5 *p.m. until* 2.20 *p.m.*

VALUATION OF LAND (AMENDMENT) BILL (No. 2).

The debate (adjourned from November 12) 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. M. WALTON (Melbourne North Province).—The Labor Party will oppose only one clause of the Bill. I shall refer to that later. Clause 2 provides that the Valuer-General may make valuations for Government Departments, at the request of a Minister or the permanent head of the Department, at such fees "as may be prescribed". Members of the profession are concerned that this could lead to the valuations being made at fees lower than those normally charged. I do not suggest that that is the intention of the Bill, but it is appropriate that the Minister should consider the possibility that valuations for Ministers or heads of Departments may be carried out at fees that are lower than normal.

The Labor Party takes issue with the Government on clause 3. First, the clause restates provisions already in the Act by providing that the Valuer-General or any of his deputies may enter on land to make a valuation, speak to the owner, and so on. However, it makes a very important modification by providing that such a valuer may inspect any books, documents, or papers, for the purpose of making the valuation. This allows serious and unnecessary intrusion into a person's private affairs. Since 1965, valuers have been able to make satisfactory valuations without requiring that sort of information.

The provision to which I object would allow a valuer to examine the private bank books and private correspondence or any other documents which might throw some light on the value of the land. Values for probate, land tax and so on, have been set by the Valuer-General since 1965 without the necessity for this sort of intrusion into the privacy of the individual. The valuer who obtains this information is sworn to secrecy, except for the purposes of the Act. If he discloses information otherwise, the valuer renders himself liable to a heavy penalty. A valuer acting under this new provision is required to take an oath of secrecy, and is subject to a penalty of $400 if he does not do so. A person who acts in wilful contravention of the true intent of the oath may be fined $1,000 or imprisoned for twelve months, or he may suffer both penalties. The Minister in charge of the Bill may argue that the private business of an individual landholder is protected by those penalty provisions, but I emphasize that, as the Valuer-General has been able to carry out his functions satisfactorily without obtaining information in this way, the provision is completely unnecessary. Except for clause 3, the Labor Party does not oppose the Bill.

Sir PERCY BYRNES (North-Western Province).—To some extent, this is a machinery Bill, which transfers officers from the Land Tax Office to the office of the Valuer-General. Probably this is necessary; I have no doubt there is some redundancy. Consequently, the Valuer-General's staff and his powers will be greatly increased. However, if valuations are to be uniform, I presume they must be set by one authority.

The Valuer-General has too much authority, extending throughout the State, and his excessive powers

should be brought under the control of a Minister or a board. I cannot move an amendment to this Bill for the purpose of creating such a board because that would be "increasing the burden" on the people who have to pay for it, and therefore it is not within the competence of this House. That is the only reason why I shall not move to amend this Bill. As honorable members know, I have introduced another Bill relating to valuation.

Mr. Walton has directed attention to provisions in the Bill which are unnecessary and indeed dangerous. Power is being given to valuers employed by the Valuer-General to force people to produce books and documents. Why should these officers have the power to enter property, demand documents and books, and assert that if they are not produced the person concerned renders himself liable to be fined and will be reported to the authorities?

The duty of the valuer is to make a valuation of the property and the land. It is proposed to give the valuer or the Valuer-General the power to say, "I want to make a valuation of your property, hand me your keys and I shall go through your books". This should be allowed only under a court order. If a suspicion arises that a person is evading income tax, such a provision may be reasonable, but not in relation to valuation matters.

Although my party does not oppose the machinery provisions of the Bill, I shall not cease to campaign to have the powers of the Valuer-General reduced to an appropriate level and to have his office transferred to the administration of another Department. I suggest the appropriate Department would be the Lands Department. Valuers have wide powers and many of our trials and troubles are caused by high rates and taxes. The Minister should re-examine clause 3 with the view of reducing the powers proposed to be given to valuers in the Valuer-General's office.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6653 S. 3.)

The Hon. R. J. HAMER (Minister for Local Government).—The main issue which arose during the second-reading debate concerned clause 3. Sub-section (1) of section 3A of the principal Act now provides that—

> The Valuer-General the Deputy Valuer-General and any valuer appointed pursuant to the provisions of this Act may, when reasonably necessary for the purposes of any valuation, enter at all reasonable hours in the day-time into and upon any land without liability for trespass and may put either verbally or in writing to the owner or his agent or the person in occupation or charge of that land any relevant questions to enable the making of a true and correct valuation.

That is not unreasonable. The valuer could ask questions relating to carrying capacity, and so on. Clause 3 re-enacts the basis of section 3A and adds that the valuer may—

> inspect any books documents and papers for the purpose of such valuation.

That is only a small extension to the principal Act, and it is compensated by the obligation of secrecy contained in sub-section (3) of proposed new section 3A, as contained in clause 3.

The Hon. A. K. BRADBURY.—Why is it necessary to inspect books in relation to the valuation of land and buildings?

The Hon. R. J. HAMER.—In some municipalities the valuer is obliged to arrive at a net annual value. In many municipalities it may be difficult to do this unless the valuer refers to books and papers. It is not an unreasonable extension of the valuer's powers. I am obliged to abide by the decision of the Committee, but I urge it to consider whether or not this is an unreasonable provision. More accurate and satisfactory valuations

will be obtained if some of the information which is contained in books and papers is made available to the valuer, rather than that such information be obtained in the form of a questionnaire. I do not like the idea of private books and papers being examined, but the provision is limited to the purposes of the valuation and a person would not be asked for private correspondence.

The Hon. SAMUEL MERRIFIELD.—Could the provision be made more specific in relation to the relevant information? It is the wideness of the provision which worries honorable members.

The Hon. R. J. HAMER.—I should be glad to consider Mr. Merrifield's suggestion. I am on the side of the citizen, and I do not want the valuer to have unreasonable powers of inspection in relation to documents. However, all honorable members are interested to ensure that accurate, sensible and soundly based valuations are obtained. I can understand some circumstances in which the information contained in books and documents may well be vital to the making of a good valuation. I shall examine Mr. Merrifield's suggestion that the provision should relate only to the documents that are needed for the purpose of the valuation.

The Hon. SAMUEL MERRIFIELD.—The information should be confidential to the valuer alone.

The Hon. R. J. HAMER.—That is the effect of sub-section (3) of proposed new section 3A, as contained in clause 3. I shall be happy to examine Mr. Merrifield's suggestion. It is not my intention to give unreasonable powers to valuers, but simply to ensure that accurate and sensible valuations are made. If the wording of the provisions of this clause is wider than is required, I shall be happy to examine it with the object of confining it to what is really necessary.

The Hon. J. W. GALBALLY (Melbourne North Province).—The Minister for Local Government has proposed a sensible course. Proposed new section 3A has been drafted a little widely. It should be limited to documents relevant to the purposes of the valuation. The proposed provision may contain a risk.

The amount of information extracted from the citizen during his lifetime is enormous. If it was fed to a computer, there would be no privacy left to anyone; a person's whole life would be on the official files. This is clearly an invasion of a fundamental right. Once this information is obtained from the subject, it should be under complete secrecy and not be made available to any other arm of government.

The Hon. A. K. BRADBURY.—What is the purpose of taking extracts?

The Hon. J. W. GALBALLY.—I should think that is required to enable the valuer to make a valuation.

The Hon. A. K. BRADBURY.—Is there any guarantee where this information will finish up?

The Hon. J. W. GALBALLY.—I am not arguing the case for the Minister. I believe there should be proper safeguards. It is all very well to probe into a man's private affairs, but there must be some limit. The other day I read where, after the death of a distinguished Australian in public life, full details of his personal affairs were made known. Those details were not obtained from him during his life-time, and he was entitled to protect them. Although a person may enter public life, the number of watches that he owns or the value of certain articles is strictly his own affair.

The Hon. H. M. HAMILTON.—That is another example of the bad manners of the press.

The Hon. J. W. GALBALLY.—It is another instance of the need at all times to protect a man's privacy. We

all have a fundamental right to be left alone in regard to certain aspects of our life. What we say as public men is open to criticism and publicity, but surely how many suits one owns and that kind of information should not be made public. The House is indebted to the Minister for his quick response in relation to what may be an invasion of privacy under the Bill.

The Hon. J. M. WALTON (Melbourne North Province).—During the second-reading debate, I referred to the payment of fees to be prescribed. Under clause 2, it may be possible for a valuer in the Valuer-General's Office to operate at a fee less than that normally charged by the profession. I should like the Minister to comment on this point.

The Hon. R. J. HAMER (Minister for Local Government).—Mr. Walton's point is well taken. I am sure that no honorable member wants to see the Valuer-General's Office take over the work of other valuers in the community. I understand that the fees prescribed at present are the same as those set out by the Commonwealth Institute of Valuers. I have received a deputation from the Institute on this point, and I have given an assurance that there shall be no advantage one way or the other, that the fees shall be the same whether the work is done by valuers inside or outside the Department. Other charges, such as travelling expenses, should also be the same so as to put all valuers on an equal basis. I believe the House would desire this and I have given an assurance that when the regulations are drafted, they will prescribe the same fees for all Government and private valuers.

The Hon. J. M. WALTON (Melbourne North Province).—If the Minister feels that way, I suggest the position could be safeguarded if, in proposed sub-section (4) of section 3, after the word "prescribed", the words "being not less than such fees and charges as are set out for the time being in the scale of fees for the Commonwealth Institute of Valuers (Victorian Division)" were inserted. The matter would not then be left to the regulations and thus run the risk of the very thing happening that we are trying to avoid.

The Hon. R. J. HAMER (Minister for Local Government).—I intended to ask the Committee to report progress, so that I might consider the matter raised by Mr. Galbally in relation to clause 3. I should also like to examine in particular the fees prescribed by the Commonwealth Institute of Valuers to see whether they are binding upon members of the institute, which I think is a relevant matter to be considered.

I thank Mr. Galbally for his suggestions on the preservation of a person's private life, with which I absolutely agree. I should like the opportunity to examine whether the provisions of the clause in fact go further than is necessary, or in what way the clause can be amended to make it clear that the valuer should not go beyond what is absolutely necessary for making a valuation. Therefore, I suggest that progress be reported. I shall report back to the Committee as soon as possible.

Sir PERCY BYRNES (North-Western Province).—I thank the Minister for his offer to consider clauses 2 and 3. I am still not convinced that there is any need to amend the present section, which has afforded the necessary protection. The Government appears to be taking advantage of the transfer of officers from the Land Tax Office to the Valuer-General's Office to alter clause 3, but in my opinion the proposed alteration is not necessary.

I cannot conceive of any circumstance which would necessitate a valuer having access to private documents. Under the Federal taxation laws, if a person is suspected of avoiding the payment of tax, a taxation officer can request him to produce his papers, and ways and

means are available to force him to deliver those papers. But how can a man who is having his land valued be accused of defrauding anybody, let alone a Department? A valuation of land is an essential matter and one at which a person has to look with a good deal of circumspection because it may be necessary for him to lodge an appeal against the valuation in the courts. If the person desires, he can make all of his papers available to the valuer, but they are private property and he is entitled to keep some of his business to himself. A person should not be under the control of officers of a Government Department at any time. I ask the Minister to provide a satisfactory reason why it is necessary to amend the present section.

Progress was reported.

CONSUMERS PROTECTION (AMENDMENT) BILL.

The debate (adjourned from November 20) 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 revises the constitution of the Consumers Protection Council, an organization which has been in existence for only three years. When the legislation establishing the council was debated in Parliament, members of the Labor Party warned the Government that, at best, the organization would be a toothless one. I believe this amending Bill does not alter the situation.

If one conscientiously examines the report of the council for the year ended 30th June, 1967, from beginning to end, one will see references to cases where obviously unscrupulous persons in our community have been trying to defraud the ordinary consumer. The council's recommendations to the Government have been completely ignored because no action is being taken to amend the Act in order to give the council the necessary power to carry out its job properly.

Under this measure, it is proposed to increase the membership of the council by two. At present, the council consists of a chairman, a representative of retail traders, a representative of manufacturers and three consumer representatives, two of whom are women. Now, as a result of pressure or a request, it is proposed to add to the council a representative of the advertising section of the community and, in order to retain some sort of balance, another consumer representative.

If one delves into the history of this organization since its inception, one finds that in an address to the Market Research Society of Australia (Victorian Division) on the 8th October, 1968, the previous chairman, Mr. Bottomley said—

> The Consumers Protection Council has received about 4,500 consumer complaints since its inception on the 1st September, 1965. The council's files bulge with information of potential benefit not only to consumers but also to marketing men and Governments.

It is no wonder that all sections of the marketing community want to get their finger into the pie with regard to the Consumers Protection Council. The council should be composed of consumers, not a balance of persons who have the opportunity to defraud the consumer with an equal number of consumers, and a chairman with a casting vote. I believe Mr. Bottomley was in some way interested in business, too. It could be said that the Consumers Protection Council was constituted in such a way that the consumers did not have a majority on it. If the council is to operate efficiently, the consumers should have such a majority.

Some time ago, a member in another place alleged that a certain television and radio repair firm had charged exorbitant prices to carry out repair work. A member of the family of the person who raised this matter

was a member of the organization known as Retravision. This organization discovered that, by banding together, various television repair servicemen could offer service to the community, thereby keeping in contact with persons who had purchased television sets in the hope of scooping off a little of the cream for repairs and obtaining further sales. When television was first introduced into Australia—its introduction was held up by the Federal Government, with the result that it came with a rush—many retailers were so busy selling new appliances that they were not interested in the service side. Later, however, when sales had fallen off, they realized that in order to get contacts for future sales it was necessary to enter the service side of the business.

The Retravision group, which has an ear on the Consumers Protection Council, invites the public to submit to it complaints about television repair firms. Naturally, the complaints which relate to members of the Retravision organization are dealt with by the organization, whereas other complaints are referred to the Consumers Protection Council. This position is reflected in the reports of the council which are published from year to year. The complaints emanating from the great body of persons who complain about service supplied by Retravision servicemen are not referred to the Consumers Protection Council, nor are the complainants advised to consult a solicitor. It will be seen, therefore, that there are wheels within wheels ; it is not a one way affair.

Increasing the personnel of the council, as proposed by this Bill, will simply open the door to the advertising representatives to obtain, as Mr. Bottomley said, information of potential benefit not only to consumers, but also to marketing representatives and the Government. No wonder there is a waiting list of persons who seek representation on the council! The Government has not succumbed to this pressure so far, other than allowing one extra representative to be appointed to the council. If the principle were extended further and all interested parties were given representation on the council, there would be an organization more unwieldy than the Melbourne and Metropolitan Board of Works. Although this measure appears to be simple, there is more in it than meets the eye.

If the Consumers Protection Council is to render valuable service to the community, the majority of its members should represent consumers. If there is a complete balance on the council as between consumers and producers, one of the business representatives would only have to coerce one of the consumer representatives to his way of thinking and no action would be taken to protect the consumers. The council has no teeth with which properly to carry out its functions. Honorable members have only to read the report of the council to realize that my assertion is correct. As the Government saw fit to establish a Consumers Protection Council —it may have done so simply for propaganda purposes—it should ensure that the council has the necessary power to enable it to carry out its work.

The Hon. A. K. BRADBURY (North-Eastern Province).—The Country Party reluctantly supports this Bill on the same grounds that it stated four years ago when the Consumers Protection Council was established. On that occasion, members of the Country Party joined with the Labor Party in pointing out that the legislation was a sop to the consumers of the State to delude them into thinking that action was being taken to protect them against unscrupulous advertisers, retailers and other trading people in the community.

The Consumers Protection Council lacks teeth. One of the weaknesses of the legislation, which was emphasized when the original measure was under consideration, is that the council is directly under the jurisdiction and thumb of a Minister. The council has

no power of its own to investigate complaints that are sent to it. The only matters which it can investigate are those which are referred to it by the Minister. I am not casting reflections upon the Minister concerned, but I believe many consumers in the State would be willing to submit to the council complaints of unscrupulous trading, misleading advertising and the like if they believed that the complaints would be investigated. There is no guarantee that any complaint will be investigated, because the complaints which will be investigated are determined at the whim of the Minister. Rather alarmingly, the Minister of Agriculture stated in his second-reading speech—

> There has been some criticism of the Government from some quarters because it has not so far acted on council recommendations for amendment of various statutes touching on various aspects of consumer protection.

Is the Government putting into effect the recommendations of a body which has now been in existence for four years, and which has carried out 1,183 investigations? After having investigated so many complaints, the members of the council must have acquired a great deal of knowledge which would enable it, in the interests of the consumers of the State, to deal with dubious trading practices.

The Bill simply proposes to amend the original legislation to increase the number of personnel of the council. This is not good enough ; it is simply a lot of eyewash and window dressing. If the Government were genuine in its desire to protect the consumers of the State, it would give the council some teeth to enable it to function effectively. At page 15 of the latest report of the Consumers Protection Council—it relates to the year ended 30th June, 1967—these interesting comments appear—

> The council wishes to express its gratitude to its staff of three, the secretary and his two female assistants, for their splendid efforts in carrying out the day-to-day administration of the council and in handling the 1,530 complaints. They have been under considerable strain and the council requires additional staff. The council has been informed that a second administrative officer will be appointed early in the new year. However, to relieve congestion in respect of typing matters the council requires the services of another typiste. A staff of five should be sufficient to cope with the present work load but at the risk of incurring consumer displeasure, a ceiling will have to be placed on the number of complaints received for investigation.

Honorable members have not been told whether the Government considered the council's request for additional staff to enable it to function effectively, or whether the Government is deliberately stifling the council by keeping its staff to a minimum, which would handicap the council in its inquiries. It must be disappointing for a body of people, who have been handed this important responsibility, to know that their activities are being frustrated because the Government will not provide adequate staff.

According to the council's latest report, if the Government does not accede to its request for increased staff, it will be necessary to place a ceiling on the number of complaints that the council will investigate during any one year. The number of complaints referred to the council each year is rapidly increasing, but the maximum number which the council feels it can handle with its present staff is 2,400. Surely, the Minister in charge of the council is interested in protecting the consumers of the State. If the number of complaints received in any one year exceeds 2,400, who will determine which complaints are to be investigated? The matters which are referred to the council are worthy of investigation and there should be no screening of them or priorities allocated. Members of the Country Party support this Bill reluctantly. We do not believe for one moment that the reconstitution of the council, as proposed in this measure, will assist that body to protect the consumers of the State. The council is entitled to have available to it the services of a solicitor to guide it on

many matters that come before it for investigation from time to time.

The report mentions that 282, or 14 per cent., of the total number of complaints investigated related to television and radio repairs. The people of Victoria are being held to ransom because of the unscrupulous advertising of retailers and repairmen and other tradespeople. Members of the Country Party see no alternative but to agree to the Bill, which will add two members to the Consumers Protection Council. However, I do not consider that this will provide the council with any real teeth to enable it to carry out its proper function of affording protection to the consumers of this State.

The Hon. D. G. ELLIOT (Melbourne Province).—The question of consumers' protection is a serious matter, although it has been taken rather lightly, not only by individuals but by companies throughout Australia. Let me hasten to say at the outset that the vast majority of companies in Australia have strictly honest intentions. They might indulge in high pressure sales tactics, but they have honest intentions, and one can do nothing but wish these people well in their business. However, today too many people are being hoodwinked consistently by sharp business practices and by overpowering tactics which, when they are met in the confines of the home, leave the female of the species somewhat defenceless in the face of an organized form of approach which the average housewife finds it hard to resist.

I shall quote some classic examples which indicate clearly that legislation is necessary to preserve the sanctity of the home, the time-honoured tradition that it is the castle of the person to whom it belongs. I will go so far as to say that nobody should have the power to enter a home except at the express invitation of the householder. If I had my way, no one in the community would have any right to enter a person's home for any sales purposes whatever without a direct invitation from the householder. These are proven examples of incidents which often occur. I refer to house cladding or siding, which takes a number of forms. It may be aluminium covering which is fixed over weatherboards; it may be textured siding or wallboard covering for a weatherboard house, or a synthetic covering which is sold on a high pressure basis to the unsuspecting customer in the confines of the home.

Many cases have come to the notice of the Consumers Protection Council—or for that matter to any consumers protection organization in Australia, the British Commonwealth of Nations or the United States of America. I can not quote some cases because they are subject to police investigation, but this is one example. Suppose a housewife is sitting or working at home and the telephone rings. This type of approach is made regularly day after day. It is step No. 1 in this undesirable, dishonest sales approach, in an unsolicited manner. At the other end of the line a sweet voice—probably female—says, "Well, Mrs. Smith, I have been trying to ring you all day. I am glad that I have caught up with you at last. You will know about our company because Mr. Edwards, our senior salesman"—or perhaps our senior architect or senior builder—"called at your home today." The housewife may say, "Nobody called today; in fact, I was out all day." The voice then says, "Oh, well Mrs. Smith, he was not able to contact you. He was out to look at your home because I have a note here and he has underlined your name and address. Mr. Edwards has reported to us that your house is suitable for a proposition that we would like to make to you. May our Mr. Jones call on you tonight?" This is not only an unsolicited approach—there is nothing illegal about making a sales approach—but it is also a tissue of lies because "our man" does not

even exist in many cases. This is dishonest advertising, which should be ruthlessly prosecuted by some form of legislation.

I know that this matter has been brought to the Government's attention on hundreds of occasions by the Consumers Protection Council, but the Government has been dilatory in its approach. I believe there is a strong lobby somewhere in relation to this matter. I am not suggesting that there is any form of dishonesty in a straight lobby; that goes on in Parliaments everywhere. However, there is something rotten in the state of Denmark, and I think it is right at the foot of this Government. There is something wrong when the Government can be persuaded—perhaps by Eric White and Associates, whom I happen to know have been deeply involved with certain customers and who have made varying approaches to the Government to further their interests. I should like to hear from the Minister in this regard. I expect a flat denial, but the rumblings in this direction are too solid to be ignored.

Reverting to the case I mentioned, what has happened is that a "prospector" has driven round the area; he may not even have done that, for the names may have been taken from the telephone book. Perhaps some one has driven past merely noting down weatherboard houses. Another approach is: "Mrs. Smith, I am ringing to congratulate you. Today you won a prize in our survey"—the prize consisting of some discount on the proposition to be made. I could quote many examples—I have pages of them—but it is not necessary for me to do so because they all amount to the same thing. How private is a person in his own home? When the Medical (Organ Transplants) Bill was before the House, members of our party made a plea for the right to privacy. On many occasions Mr. Galbally has uttered a plea for privacy of the individual.

I do not think any person should be subjected to a high-pressure sales approach in his own home. In fact, a sales approach in many instances is a format for most of the petty, and not so petty thieves throughout Victoria. They approach a person's home boldly and knock on the door with some sort of specious approach; if the householder is not home they have a quick look at the lie of the land. That is how a lot of thieving is being carried on in the community. Apart from the regular form of service which is provided by the milkman or the baker—newspapers are usually delivered outside the home—any form of sales approach should be made only at the householder's direct request.

The Hon. H. M. HAMILTON.—Does that include television?

The Hon. D. G. ELLIOT.—Certainly. I am not trying to be smart or to take a rise out of anybody, as is Mr. Hamilton. This is a serious matter, but all Mr. Hamilton is interested in is making snide remarks. I emphasize that the Government should seriously consider what legislation is necessary to protect the individual in his or her home. I am not going to suggest the answer at this juncture; I do not think it is up to the Labor Party to make such a suggestion, but if the Government invites us to do so we will give the matter some thought and draw up legislation which may help. However, in the meantime, we shall assume that the Government has some common sense and will take some action in this regard.

Most of the details that I have in my possession are standard formats of approach. There are a lot of genuine door-to-door salesmen. For instance, the Electrolux people call regularly at people's homes. Back in the 1930s, I was an Electrolux salesman, and I know that this firm's salesmen adopt an honest approach. An Electrolux salesman will visit a person's home and give a demonstration of a vacuum cleaner,

which the person may or may not buy. I admit that the salesmen submit the householder to fairly intensive sales approaches. At the school conducted by this firm an answer is provided to almost any situation that could be envisaged. Although they adopt a strong approach, at least they are basically honest. I do not mind a heavy selling approach so long as there is no misrepresentation. However, there is too much blatant dishonesty being carried on in Victoria.

Mr. Hamilton mentioned television. One man in this city has been getting away with illegal tactics for years and making a fortune. He calls at a home and insists on taking away the television set for repairs, but does not return it until such time as the exorbitant account is paid. I have had many cases referred to me in relation to the service effected by this person. In many cases his inspection to determine the trouble is of undetermined scope. The person who owns the television set does not know what service has been done, or whether any service has been carried out. The service that is undertaken may be sufficient to put the set back into operation, but in many cases the amount of work done is a figment of the imagination of the firm or individual concerned.

The Hon. H. M. HAMILTON.—The remedy lies in the court.

The Hon. D. G. ELLIOT.—A defenceless pensioner, 73 years of age, would not want to go to court. In many cases, apart from obtaining a cheap meal two or three times a week, a pensioner's only enjoyment is watching television. The mere mention of the court would frighten such people out of their wits. I do not suggest that the Government would countenance blatant dishonesty, but it is afraid to implement legislation until absolute necessity or tragedy impels it to do so, or there is a strong enough lobby to compel it to take action.

The Hon. H. M. HAMILTON.—Who started this mill, anyhow?

The Hon. D. G. ELLIOT.—I did not mention any names. The only person who mentioned a name was Mr. Hamilton, and that will appear in the record.

The Hon. H. M. HAMILTON.—I did not mention anyone.

The Hon. D. G. ELLIOT.—The most suspicious circumstances surrounded the regrettable exit of Mr. David Bottomley, the former chairman of the Consumers Protection Council. I have never met this gentleman, but I know that his reputation is strong and sound. Two or three weeks ago I asked a question on a report which Mr. Bottomley presented to the Minister in January of this year. This report came in for no comment whatsoever although it made specific reference to a blatant approach by a certain public relations firm concerning certain firms that were going pretty close to the wind in their approach to the public. All of the circumstances suggest to me that the Government is apprehensive about this issue, so apprehensive that it is hastening slowly despite the strong evidence which has been presented to it on these matters. By their absence from the Chamber, it is evident that members of the Government party are not interested in this Bill; it is a classic example of their ignorance.

I feel that there is something most regrettable about the exit of Mr. David Bottomley from the Consumers Protection Council. I understand that the man who has taken over as chairman of the council is not a "yes-man". I believe he has a strong character and a mind of his own, and he will probably do a good job. I do not know whether Mr. Bottomley resigned because of the five-year period required by the Government, but I understand that his services will be available to the council for five years as a member, not as chairman. Perhaps the Government can provide some information on this matter. Mr. Bottomley was not prepared to commit himself to a further five years

as chairman mainly because of other pressures, but he felt that as a member of the council his commitment would not be so heavy. It would be interesting to know if any offer was made by Mr. Bottomley in that direction, and, if so, what was the Government's reaction. The services of a man such as Mr. Bottomley, who has done such a great job as chairman of the Consumers Protection Council, should not be lost overnight. and he should be retained as a member of the council even if he is not chairman of it.

Legislation relating to consumers' protection must be tightened, and other honorable members have referred to this aspect of the measure in no uncertain terms. There is precedent for my suggestion that there should be no forms of sales approach in a person's home without a direct invitation by the occupier of the home. Such legislation exists at present in Hawaii, and similar forms of legislation have been introduced in many States of the United States of America. The Government is invited to examine this legislation closely with a view to implementing similar provisions in Victoria. If the Government is not interested in doing so, members of the Opposition would like to know why, and particularly when the Government intends to put real teeth into the legislation to make the activities of the Consumers Protection Council of maximum effect in its service to the people of Victoria.

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 3 of the Principal Act is hereby amended as follows :—

(*a*) For paragraphs (*a*) to (*d*) inclusive of sub-section (1) there shall be substituted the following paragraphs :—

. . . . . .

(*d*) four persons representing the interests of the consumers of whom at least two shall be women ; and

The Hon. V. O. DICKIE (Minister of Health).—I have listened with interest to the remarks of honorable members who have spoken on this Bill, and much of what has been said has great merit. I remind the Committee that it was this Government which actually brought in legislation in 1964 for consumers' protection. The Government agrees that there have been difficulties during the past three years in the activities of the Consumers Protection Council and in carrying out its recommendations. It will be recalled that, when this legislation was first enacted, its administration came within the responsibility of the Attorney-General, which meant that any matters raised by the Consumers Protection Council would have been referred to the Minister and then, the council being under the jurisdiction of the Attorney-General, the Police Company Fraud Squad was required to investigate.

As mentioned in the council's report, literally hundreds of these matters were raised, and the very purpose of this Bill is to streamline the workings of the council. Now that the council will be under the administration of the Minister of Labour and Industry, he will be able to use the inspectorial staff of his Department to investigate matters raised by the council.

The Hon. A. W. KNIGHT.—What are the powers of the council?

The Hon. V. O. DICKIE.—The Department of Labour and Industry has the necessary power and there is greater opportunity to police these matters under that Department than under the Law Department. Perhaps it would be as well to reiterate the functions of the Consumers Protection Council. As set out in the Act they are—

(*a*) to investigate any matter affecting the interest of consumers referred to it by the Minister ;

(*b*) to make recommendations with respect to any matter calculated to protect the interest of consumers ;

(*c*) to consult with manufacturers retailers and advertisers relating to any matter affecting the interest of consumers.

It must be realized that the deterrent for eliminating or reducing these complaints is publicity to bring them to the notice of the public, so that they are aware of what is going on. The fact that the Consumers Protection Council has power to consult various people they believe are doing things they should not be doing is in itself a deterrent. These people might not be obvious to the community at large, but the fact that they are under surveillance by the council has a real effect.

Mr. Elliot raised the matter of door-to-door salesmen. There is a Bill on the Notice Paper which specifically refers to this matter. The point raised by Mr. Elliot may be better discussed when that Bill is debated. However, if a matter warrants the attention of the Consumers Protection Council it can be put before the council by the Minister for investigation.

The Government agrees that over the past three years much could have been done by the Consumers Protection Council. As a result of the increase in its membership and the fact that it will be placed under the Department of Labour and Industry, the council will be able to undertake some real work and the Government will be able to carry out any recommendations the council may make to the Minister in respect of the various functions which are its responsibility. This Bill is a step forward and, because of it, I am certain that in the future the public will be protected to the degree intended by the Government when the original Bill was introduced in 1964.

The Hon. J. M. WALTON (Melbourne North Province).—The Minister boasts that it was his Government that established the Consumers Protection Council in Victoria, but in other States, particularly New South Wales, the Victorian Consumers Protection Council is held up as an example not to be followed when similar legislation is contemplated. It is not a representative body of consumers, but rather a body that is heavily overloaded with manufacturers, retailers and friends of the Government. Why should there be anyone other than consumers on a Consumers Protection Council? At present it is provided that representatives of manufacturers and retailers shall equal in number the representatives of the consumers. The Government is obviously frightened to give the consumers a balance of power in this council. The Minister of Labour and Industry has stated that the main weapon this council can have is publicity. I shall read the sorry record of this Government in providing funds for the council. Mr. Bottomley said—

> The first year's budget was substantially accepted but of the $4,000 requested for publicity and printing there was no sign. Even in the second year a request for a paltry $300 for a special effort to support the Standards Association new Care Labelling Code was refused.

The excuse provided by the Minister of Labour and Industry, who is in charge of this legislation, is that, through publicity, the Consumers Protection Council ought to be able to warn the public, but how can the council do that without funds? The Government has deliberately ignored and deprived the council of funds for this purpose. It would appear to have been done deliberately, because the council received the other moneys it requested, but did not receive the funds which the Minister in charge of the organization specifically stated would be most effective, that is, for publicity. It is obviously deliberate that this Government is trying to stop the main methods by which the public may be informed of the misdemeanours of persons and organizations that are trying to take them down.

On a previous occasion when this legislation was before the House, the Opposition stated that a representative of the Victorian Trades Hall Council should be appointed to the Consumers Protection Council. After all, the trade union movement represents the working classes in the community, who are most likely to be

approached by these unscrupulous operators. The Trades Hall Council receives complaints from consumers who write to their unions thinking they ought to receive some satisfaction from that quarter. They are unaware of the Government's nominees on the council, but they do know their own trade union officials, and the Opposition considers that it would be a good thing to have a nominee of the Victorian Trades Hall Council included on the Consumers Protection Council. I therefore move—

That, in proposed new paragraph (*d*) of sub-section (1) of section 3 of the principal Act, after the word "women" the words "and one a person nominated by the Victorian Trades Hall Council" be inserted.

The ACTING CHAIRMAN (the Hon. G. W. Thom).—Order! I invite Mr. Walton to submit that amendment in writing.

The Hon. D. G. ELLIOT (Melbourne Province).—While Mr. Walton is preparing the amendment, I wish to refer to the remarks made so grandiosely by the Minister concerning publicity, and his beautiful story of what lies ahead now that the Government has decided to change the constitution of the council. I have it on good authority that out of his own pocket, Mr. David Bottomley paid certain funds for publicity purposes because of his frustration at not receiving funds from the Government. This is a disgrace and indicates how hypocritical the Government can be. I recall a former member of this Chamber, the Hon. Patrick Kennelly, saying, "Brother, what you can do to people when you have the numbers!" That is all the Government has; it has not the logic. There is an absolute air of dishonesty about this; it stinks to the heavens and I put the blame at the door of the Government. There is something decaying about this business and I know that some of the back-bench members of the Government party are disturbed.

California has a very good system of warning people who subject others to high-pressure sales practices which smack of dishonesty. The legislation permits a warning to be given and then a fine for a subsequent offence. People who engage in these dishonest practices can implement the Victorian law to the letter by getting prospective customers to ask them to come to their homes. They are not allowed to enter the home without permission.

What is the import of the Minister's statement concerning the use of inspectors from the Department of Labour and Industry? How many inspectors are currently employed by the Department and what are their duties? How are they to find time to carry out this extra work? Does the Government intend to double the inspectorial staff of the Department of Labour and Industry? That is what will be required.

Fancy the chairman of a Government-appointed council, because he has been given the complete wipe-off by the Government, being compelled, because of his sincerity, to pay the cost of publicity and printing out of his own pocket! The Government sits back with fatuous self-satisfied smiles and tries to bluff its way out of its difficulties. It should be completely and absolutely ashamed that such facts can be presented to Parliament.

The Hon. V. O. DICKIE (Minister of Health).—The Government cannot accept the amendment moved by Mr. Walton. A great deal of thought has been given to the representation on the reconstituted Consumers Protection Council, which, if the amendment were accepted, would be out of balance. Because it believes the proposed representation will adequately protect the consumers of this State, the Government will not accept the amendment.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—I sometimes believe the refusal of the Government to accept a delegate or a nominee from the Trades Hall Council as a representative of consumers is to the detriment of

the Government's judgment and is perhaps laying too much emphasis on bias. In all dealings with employers' federations and chambers of manufacture, and indeed employment and industry generally, the Trades Hall Council and the Australian Council of Trade Unions are held in high regard. Whenever committees are formed, it is usual for representatives from the Trades Hall Council and from the employers' federation involved to be appointed in equal numbers with an independent chairman.

Every time members of the Labor Party have submitted an amendment for the appointment of a delegate from the Trades Hall Council to represent consumers, the amendment has been rejected. Can Government supporters tell me of one occasion when nominees of the Government representing the consumers have made a report to a representative body of consumers? I suggest that, if a representative of the Trades Hall Council was appointed to the Consumers Protection Council, on any Thursday night when the Trades Hall Council met he could make a report concerning the functions of the Consumers Protection Council, if required.

The trade union movement represents about 300,000 organized workers, and its applications for wage adjustments and better conditions of employment affect all the workers in this State. In my opinion, not one of the representatives to be appointed by the Government to the Consumers Protection Council would be associated with an organization representing anything like 50,000 people.

I can understand the reluctance of the Government to accept the amendment because this is a Government measure, which has proceeded to a certain stage through Parliament. The Government would be most reluctant to redraft the measure at this stage. However, the Trades Hall Council is an efficient, responsible and elected body capable of making a greater contribution to committees established by this Government than any of the other organizations which will have representatives on the Consumers Protection Council.

The Committee divided on Mr. Walton's amendment (the Hon. G. W. Thom in the chair)—

Ayes	8
Noes	20
Majority against the amendment ..	12

AYES.

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

NOES.

Mr. Byrne	Mr. Houghton
Sir Percy Byrnes	Mr. Hunt
Mr. Dickie	Mr. McDonald
Mr. Fry	Mr. May
Mr. Gleeson	Mr. Mitchell
Mr. Granter	Mr. Swinburne
Mr. Grimwade	Mr. Thompson.
Mr. Gross	
Mr. Hamer	*Tellers:*
Mr. Hamilton	Mr. Campbell
Mr. Hewson	Mr. Clarke.

PAIR.

Mr. Galbally	Mr. Chandler.

Clause 2 was agreed to, as was clause 3.

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

STATE ELECTRICITY COMMISSION BILL.

The debate (adjourned from November 20) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. A. W. KNIGHT (Melbourne West Province).—The principal purpose of this Bill is to correct an erroneous assumption that the Government should never have made; that is, that the State Electricity Commission was free from liability to pay municipal rates. The recent decision of the court has made it clear that the Commission is rateable; and when one reads the

speeches which have been made in Parliament ever since the passage of the original legislation which established the Commission, one will see that at no time has there ever been reference to whether the Commission should be exempt from paying municipal rates. It is not good enough to assume that the Commission is exempt from paying rates. If that had been the Government's intention it would have been laid down in legislation which has been enacted from time to time since the Commission's inception.

The Government hastily imposed a turnover tax of 3 per cent. on the State Electricity Commission which must return millions of dollars to the Treasury; in addition, the Government receives royalties on brown coal which is mined by the Commission in the Latrobe Valley. These burdens were placed on the Commission by the Government for the same reason that municipal councils have asked that the Commission should be taxed. The Government considered that the Commission should not be on a different footing from private enterprise and, as the Commission did not pay income tax, the Government decided that it must bear the burden of paying a turnover tax and a royalty in order that the coffers of the Treasury should be lined. Municipalities took the view that if it was good enough for the Government to tax instrumentalities, it was good enough for municipalities to do the same thing. I remind members of this House that municipalities are always being praised for their magnificent work.

The learned and esteemed gentleman who is chairman of the State Electricity Commission, Dr. Willis Connolly, is a friend of mine, and I should like to quote from a speech he made on a visit to the Latrobe Valley. A passage from his oration, which appears in the *State Electricity Commission News,* No. 115 of 14th November, reads as follows:—

"Let me touch briefly on another prevalent misconception—no doubt arising largely from the monopoly misconception.

"There are many who seem to think the Commission is an enormously wealthy concern, a prize milking cow. In fact, a most extraordinary cow which can be milked at both ends and in the middle simultaneously by all and sundry.

"Let me add that only skim milk is left in the cow, and not much of that—all the cream has gone.

The cream has been taken by the Liberal Government by means of its turnover tax and royalty charges; and the legislation now proposed will increase the present burden upon municipalities. Mr. Connolly continued—

The State Electricity Commission has no Treasury full of money into which it can dip to meet any extraordinary demand or impost on it. It can only dip into the consumer's pocket—whether for payment of interest, debt redemption, salaries and wages, taxes and rates, plant, goods and services, or anything else.

When one reads the questions asked in another place and notes the properties leased by the Commission, it is obvious that some tightening up is necessary within the Commission with regard to leases. However, that is a matter to which I shall advert later.

Clause 2 of this Bill deals with different classes of electrical contractors, and the Opposition agrees it is time that section 50 of the principal Act was repealed and all electrical contractors were placed on the same footing. The Opposition has no objection to that amendment. The Labor Party opposes the whole concept of clause 3 and will call for a division when it is dealt with in Committee.

Clause 4 deals with electrolysis and cathodic systems of protection. The Opposition is of the view that the State Electricity Commission and other instrumentalities are doing a magnificent job in relation to this serious problem, and supports the amendment of section 110 of the principal Act, as proposed in the clause.

In his Speech at the opening of Parliament, His Excellency the Lieutenant-Governor mentioned this question of rating. He said—

The whole question of exemptions from municipal ratings is being considered by the Government following the report of the Statute Law Revision Committee on the subject. It is believed that specific proposals now being drawn up for submission to Parliament represent a more logical approach to the question than the current provisions which are not appropriate to modern conditions. The proposals will be included in a Bill to revise Parts X. and XI. of the Local Government Act, which will be the second step towards the intended complete revision of the Act.

The Minister for Local Government has intimated that the Local Government Act will be amended. It is interesting to note that in the Local Government Act several other Departments are referred to. I now read part of section 251 of Division 1 of Part X. of the Local Government Act which deals with rates and rateable property; and I remind honorable members that in his judgment Mr. Justice Gillard referred to this section. Sub-section (1) provides, *inter alia*—

All land shall be rateable property within the meaning of this Act save as is next hereinafter excepted (that is to say) :—

(*a*) Land the property of Her Majesty whether in right of the State of Victoria or of the Commonwealth of Australia which is unoccupied or used for public purposes.

(*b*) Land used exclusively for—

(i) Commons.
(ii) Mines.
(iii) Public worship.
(iv) Mechanics' institutes.
(v) Public libraries.
(vi) Cemeteries.
(vii) Primary schools in which education is given free to the scholars.
(viii) Institutions or schools for technical instruction which receive in aid of their funds any sums from the Consolidated Revenue.
(ix) Charitable purposes.
(x) Lands permanently reserved as sites for State Agricultural Colleges.

(c) Land vested in or in the occupation of or held in trust for or under the management and control of—

(i) any municipality or the council thereof; or
(ii) any Authority under the Water Act 1958.

(*d*) Land vested in fee in—

(i) the Victorian Railways Commissioners.
(ii) the Minister of Education.
(iii) the Minister of Public Works.
(iii*a*) the Minister of Lands.
(iii*b*) the Railway Construction Board.
(iv) the Commissioners of the Melbourne Harbor Trust.
(v) the Melbourne and Metropolitan Board of Works.
(iv) the Commissioners of the Geelong Harbor Trust.
(vii) the Geelong Waterworks and Sewerage Trust.
(viii) the National Art Gallery and Cultural Centre Building Committee.
(ix) the Commissioners of the Portland Harbor Trust.

It is interesting to see that the State Electricity Commission is not included in that section. If it had ever been intended that the Commission should be exempt from the payment of rates, why is it not listed? I have read all of the speeches which have been made in Parliament concerning the passage of legislation affecting the Commission and, as I have already said, since the inception of the Commission in 1918 to the present time nowhere in a speech by any member of Parliament, regardless of political colour, is there to be found a reference to the State Electricity Commission in relation to municipal rating. A report on the Town of Yallourn, with particular reference to local self-government, was furnished to the then Minister in Charge of Electrical Undertakings, Mr. J. G. B. McDonald, M.L.A. in 1944, and at page 13 the following passage appears :—

It will be noted that no buildings are included in the municipal assets declared in Table No. 2, for there is not one permanent building owned by the Commission which it would be appropriate to transfer to any new local authority. Commission-owned premises used for commercial purposes or otherwise tenanted are listed in Appendix No. 4. The proprietors of the following businesses will be liable for "municipal" rates :—

Hotel, garage and service station, bread, fruit and vegetable depots, guest house, Yallourn cinema theatre.

Few of the buildings not owned by the Commission will be subject to rating; these non-Commission premises also are listed in Appendix No. 4.

It is clear that if municipal councils made an error, the same error was made by the State Electricity Commission at the time, and this should have caught the notice of the Government of the day, irrespective of its political colour. In local government circles, there was a misunderstanding. Many councils thought the State Electricity Commission could not be rated. This matter was brought to the attention of the clerk of the Williamstown City Council. So-called independent councillors, who have a political colour in other spheres, asserted that the State Electricity Commission was not rateable. A Queen's Counsel gave clear advice to the South Melbourne City Council that the State Electricty Commission could be rated, but the Williamstown City Council was told that, if it took action against the Commission, it would get nothing. My colleague in another place proved that it was possible for an action against the Commission to succeed. A member of the Country Party in another place, the honorable member for Benambra, agreed with my colleague and said that the municipalities should be allowed to proceed against the State Electricity Commission, perhaps in circumstances such as obtained in Williamstown, where the power station created a nuisance. That matter was settled out of court. Conferences were arranged between the municipality and the Commission. Conferences are still held periodically between council representatives and the chairman and various senior officrs of the Commission who are concerned with power generation.

Later, the council had to tell the Commission that, unless certain moneys were paid, it would no longer be allowed to dump its garbage and refuse, including thousands of bricks from the boilers, in the municipal dump. The Commission says that it makes *ex gratia* payments when services are rendered by municipalities, but in this instance it would not make any payment until it was demanded. It was the responsibility of the Commission to notify councils that it was prepared to make these *ex gratia* payments.

I do not know how the State Electricity Commission values the services rendered to it, about which my colleague in another place obtained so much information. The Melbourne City Council repairs the streets in front of Monash House, the old building owned by the Commission at 22 William-street, and its building in Flinders-street. The council fills in any excavation, no matter how it is caused—by digging, by vehicles, or even by women's spiked heels. The Minister for Local Government was well aware that these services were rendered to the State Electricity Commission. No one would suggest that, when sweeping the streets, either with a mechanical sweeper or a hand broom, a council employee would leave an area in front of a Commission's building unswept.

The report on the Town of Yallourn relates to the creation of the township. Paragraph 104, at page 23, states—

> The proposal to excise such an area from all municipal control was unique for Victoria, and the deficiencies in the plan have left the Commission in a quandary. While its powers on excision would be short of those needed for proper local government it could not ask the Morwell council to assume the responsibility for administering an area intended to be severed from it and in which it was at least doubtful whether the residences occupied by Commission employees could be rated.

At that time the Commission itself was in doubt about the position. It was then the responsibility of the Commission to obtain clarification from its legal advisers. The matter could have been cleared up long before the City of South Melbourne instituted proceedings. Appendix 4 of the report lists the buildings which were owned by the Commission, and which were used for commercial and other purposes. They comprised the following:—the Yallourn Hotel, a dwelling at 2 Maiden-street, a garage and service station, the Yallourn general

store and butchery, a fruit and vegetable depot, a bread depot, a guest house, a dwelling at 1 Southway, a dwelling at 4 Office-place, the Yallourn Theatre, a health centre, a fire station and hall, a dwelling at 4 Hillside—used by No. 10 Squadron, A.T.C., an electrical showroom and workshop, and a housewives' hut. Buildings not owned by the Commission were owned by the Postmaster-General's Department, the Railways Commissioners, the Education Department, the State Savings Bank, various churches, the National Bank, the Girl Guides' Association, and the Returned Sailors Soldiers and Airmen's Imperial League of Australia. I commend the report to all honorable members.

When the Commonwealth Government bought the building on the north-west corner of Elizabeth and Bourke streets, Melbourne, the Premier and the Lord Mayor of Melbourne attacked it for doing so, on the basis that they would lose rates and taxation. Now, the Premier is instituting a policy, to the detriment of municipalities, similar to that against which he protested when it applied to Victoria. The honorable gentleman cannot have it one way for himself and another way for others. The Premier should be consistent but, unfortunately he never has been. I am sorry to have to say this about the Premier, but I must do so in order properly to represent my constituents. The municipalities are sick and tired of paying Government taxes, on the one hand, and providing the Government with free services, on the other. The result is that municipal ratepayers are twice taxed.

A report of the State Electricity Commission was tabled today, but the last I have been able to study is that for the year 1966-67. At pages 15 and 16 of that report the following reference is made to the rating problem :—

> Since its inception in 1919, the Commission has functioned on the assumption that as section 21 of the State Electricity Commission Act No. 6377 provides that its principal responsibilities are conducted "on behalf of Her Majesty" it is to be regarded in these respects as entitled to the exemptions which apply to the Crown.
>
> . . . .
>
> The Commission considers that the matter should be clarified by legislation to ensure that intentions of Parliament are complied with and included this proposal in evidence presented to the Parliamentary Statute Law Revision Committee in November, 1966, as related to the review being undertaken by that committee into exemptions from municipal rates generally.
>
> At the date of this report the Supreme Court hearing is complete and judgment is awaited.

It was wrong for the State Electricity Commission to assume that it was exempt from rating. It should have learned a lesson from the Grain Elevators Board case and from the Hydro Electricity Commission of Tasmania case. It was necessary to enact legislation to protect the Grain Elevators Board. If this indicates the standard of legal advice given to the State Electricity Commission, it should look for better solicitors.

In his second-reading speech, the Minister spoke about the street lighting services which were apparently "charitably" provided by the Commission. However, at no time has the Commission been prepared to state what the charges and costs are. It is therefore reasonable to assume that municipalities pay the full cost of street lighting at all times. On the 26th March of this year, I asked the Minister of Agriculture—

> (*a*) What are the electricity tariffs charged by the Melbourne City Council to its consumers for industrial, commercial, bulk, domestic, and heating usage?
>
> (*b*) How do these charges compare with other municipal suppliers of electricity and the State Electricity Commission and what are the charges made by these suppliers for similar tariffs?

The Minister replied—

> The electricity tariffs charged by the State Electricity Commission of Victoria and the metropolitan electricity undertakings (including the Melbourne City Council undertaking) which are supplied in bulk by the Commission are those which are set out in the summary of standard electricity tariffs which is contained on pages 54 and 55 of the Commission's last annual report, which was presented to Parliament on 14th November, 1967.

There are some minor variations, but only one of any significance. The Melbourne City Council's commercial and industrial power and heating and all purposes tariffs contain a proviso that if the capacity of the space heaters exceeds 10 per cent. of the fixed power installation all electricity used for space heating will be separately metered and charged for at the rate of 4.85c per kWh. This does not apply to the use of electricity for space heaters at off-peak rates.

There is a reference to variations; this is the nigger in the woodpile; there could be hundreds of them, and I assume that there are. When full details of costs and charges are not supplied, one can assume that the State Electricity Commission makes a full charge for so-called subsidized street lighting. When Kings Way was constructed, the South Melbourne City Council was forced to pay an enormous electric light bill for the lighting that was provided for the project. The same principle was applied in relation to the lighting required by the Traffic Commission for traffic works within municipalities. Again, the municipalities are required to foot the bill. I could instance many projects for which the ratepayers of the various municipalities have virtually been taxed for the benefit of other sections of the community. The Sunshine, Newport and St. Albans over-passes have been fitted with lighting according to the code of the Traffic Commission, and the expense must be borne by the councils concerned. The magnificent lighting provided for grade separation designed to prevent traffic accidents must be paid for by the ratepayers. The same situation exists in provincial cities.

The Hon. ARCHIBALD TODD.—Will the same situation apply in relation to West Gate?

The Hon. A. W. KNIGHT.—That is an interesting question. The true costs have not been provided, and until the charges are made available, one must have grave doubts. I refer to a letter dated 21st September, 1964, addressed to the town clerk of the City of Sunshine relating to public lighting for the Albion over-pass. I shall not read all the letter, but shall state the schedule of the annual operating costs for the existing lighting, the lighting that is ordered, and the proposals of the State Electricity Commission incorporating the suggested amendments. The figures are "illuminating", and they are as follows:—

——	Number, Size and Type of Lights.	Annual Cost.
		$
Existing Lighting	2–100 watt incandescent	21.60
	3–2/20 watt fluorescent	32.40
	3–200 watt incandescent	48.60
	2–300 watt incandescent (including one to remain)	43.20
	10–500 watt incandescent	312.00
	2–140 watt sodium (including one to remain) ..	65.40
	Total ..	523.20
		$
Ordered Lighting	48–140 watt sodium (including one existing sodium)	1,579.60
	41–300 watt incandescent	885.60
	10–2/20 watt fluorescent	108.00
	Total ..	2,573.20
		$
Amended Proposal of Lighting	72–140 watt sodium (including one existing sodium)	2,354.40
	20–300 watt incandescent (including one existing 300 watt incandescent)	432.00
	11–2/20 watt fluorescent	118.80
	Total ..	2,905.20

I hope the Minister for Local Government will indicate to the House the true situation regarding lighting provided by municipalities. Until that is done, I shall not believe that the State Electricity Commission subsidizes municipal lighting, as he stated in his second-reading speech. I refer now to a letter of 13th November, 1968, from the Shire of Altona setting out the current public lighting charges effective on acts rendered by the State Electricity Commission on or after the 1st November, 1968. They are as follows:—

Size and Type of Lamp (Lighted from approximately one quarter-hour after sunset until approximately one half-hour before sunrise).	Rate Per Lamp Per Annum.
	$ c.
(*a*) *Incandescent Filament Lamps* (General Service)—	
100 watts	11.40
200 watts	17.04
300 watts	22.68
500 watts	32.76
750 watts	45.36
(*b*) *Electric Discharge Lamps*—	
2–20 watts fluorescent	11.40
3–20 watts fluorescent	17.04
4–40 watts fluorescent	34.32
4–80 watts fluorescent	47.88
100 watts sodium	32.52
140 watts sodium	
250 watts mercury with colour correction	38.64
400 watts mercury without colour correction	42.00
400 watts mercury with colour correction	51.24
(*c*) *Special Floodlights*—	
250 watts	22.68
500 watts	32.76

The Hon. G. W. THOM.—How do you relate this matter to the Bill?

The Hon. A. W. KNIGHT.—I am glad Mr. Thom raised that question because it gives me the opportunity of refuting the statement of the Minister for Local Government that the State Electricity Commission gives magnificent service to the municipalities and is, in effect, subsidizing municipal street lighting. The boot is on the other foot. I shall carry the question of charges a step further. The State Electricity Commission charges $40 per pole for the erection and supply of steel poles, and the cost of providing underground cables is approximately $100 per pole. In addition there is the cost of overhead wiring of approximately $40 per pole. These costs are borne by the council, and where underground cables are laid, backfilling and reinstatement are carried out by the council. The Commission has indicated that the cost of steel poles and installation are subsidized by the Commission because the actual costs are far in excess of those I have just stated. However, the Commission did not say what the costs were. The letter continues by setting out the charges to the Shire of Altona as follows:—

(*a*) The public lighting account to the State Electricity Commission which is paid monthly amounts to $26,000 at the present rate on the existing number of lights. With the reconstruction of parts of Millers-road nearly completed, further lights will be installed, which will increase our payments in the near future.

(*b*) Millers-road lighting account, when reconstruction is completed, will cost $13,008.00 per annum, which represents $4,336.00 per mile per annum. The type of lights installed in Millers-road are 100 watt sodium lamps, and the lighting charge is $32.52 per lamp, per annum.

(*c*) Mason-street—the section between Hansen-street and Millers-road has recently been reconstructed and street lighting improved for the duplicated pavement, over a distance of 5,050 feet—approximately 1 mile. The old lighting comprised 19–2 tube 20 watt flourescent lamps at a total annual cost of $216.60. The new lights installed, which number 105, are sodium lamps and cost $3,414.60 per annum. The cost of providing this lighting system, which involved additional steel poles and underground cables, totalled $4,625.00 which is paid for by the council.

I hope I have convinced the House of the validity of the complaints by the municipalities in relation to lighting charges.

The Hon. ARCHIBALD TODD.—Shylock was a rank amateur compared with the State Electricity Commission.

The Hon A. W. KNIGHT.—That is so. It is interesting to read the progress report from the Committee of Public Accounts on the State Electricity Commission together with appendices that was ordered by the Legislative Assembly on 4th December, 1962, to be printed. At page 25

the report sets out the costs for the following townships that were supplied by the Commission—

—	1960–61.	1961–62.
	$	$
Yallourn	595,200	590,000
Kiewa (Mount Beauty and Bogong) ..	238,800	139,800
Newborough	96,200	103,000
Yallourn North ..	109,400	93,200
	1,039,600	926,000

For Kiewa, Mount Beauty and Bogong the charges for water, sewerage, garbage, plantation, recreation and other services were $27,200. The report also listed the charges for Yallourn, Newborough and Yallourn North, but I shall not weary the House by quoting all these figures. Honorable members know the history of Newborough and of the litigation that took place relating to acquisition. Earlier I referred to the inquiry by the Statute Law Revision Committee regarding exemptions from municipal rating. I hope that the Minister will provide some information on that subject.

The Hon. I. A. SWINBURNE.—You will not get that too soon.

The Hon. A. W. KNIGHT.—That is so. Briquette depots are located in many municipalities, and the briquettes are sold on a commercial basis. If it is provided that the showrooms of the State Electricity Commission should be rateable, the municipalities should not be denied rates that should flow from the briquette depots of the Commission. The municipalities are justly entitled to this revenue. I do not agree with the statement of the Minister for Local Government that the whole of the State Electricity Commission building in Flinders-street should be rated. I believe that only the showroom on the ground floor should be rated.

The Hon. R. J. HAMER.—You are now speaking with two voices.

The Hon. A. W. KNIGHT.—No, I am not. It was argued that only the commercial enterprises of the Commission should be subject to municipal rating. The electricity supply department and other administrative sections of the Flinders-street building are not commercial enterprises. Accounts flow to this section from all parts of Victoria and are fed through the computer. The Melbourne City Council should not be entitled to rates on the activities of that section. It has already been logically argued that the commercial activities of the Commission should be rated, and this would apply only to the showrooms. No valid argument has been advanced in support of rating the whole building, or of sub-stations and thermal stations. However, I consider that the properties of all commercial enterprises should be rated.

In the defence of the Commission, it must be admitted that it is a good organization from the point of view of both employees and consumers. The Commission is one of the best electrical generating organizations in the world, and I pay tribute to it. It may appear that I have been knocking the Commission and that I am now squaring off, but I blame the Commission's legal advisers for the position in which the Commission has found itself.

Not long ago, I asked a question regarding the rates and charges made by the State Electricity Commission for supplies to various oil refineries and in his reply the Minister for Fuel and Power said that he believed detailed information concerning the supply of electricity to individual consumers should remain confidential as between the consumer and the electricity supply authority, and therefore he did not feel it proper to

supply the information requested. In the absence of a reply regarding Alcoa of Australia, one can assume the subsidy to that company was of the order of $6,000,000. One can again assume, despite the contrary assertion of the Commission, that the charges for street lighting are the total charges.

Honorable members have had the opportunity of reading the judgment of his Honour Mr. Justice Gillard in the recent case involving the Commission. In the light of the court decision, the Government should examine the position of other instrumentalities, which very shortly could find themselves in the same position. A municipal councillor has a right and a responsibility to see that rate revenue from all sources goes into the municipal coffers. It is not up to me to tell the Government which instrumentalities could be affected by the recent decision.

The State Electricity Commission has provided huge sums for road, bridge and beautification works in the Shire of Morwell, and I do not think it should have been billed for such a huge sum for non-payment of rates within the shire. Although I might be taken to task for making this statement, I do not believe Morwell Shire Council was fair dinkum in its claim; I think the other municipalities were.

The Hon. R. J. HAMER.—What about the Melbourne City Council's claim for $80,000?

The Hon. A. W. KNIGHT.—The House heard enough about the Melbourne City Council last night, and I could make much stronger statements about that body.

The PRESIDENT (the Hon. R. W. Garrett).—This Bill is not connected with the Melbourne City Council.

The Hon. A. W. KNIGHT.—I have already referred to the Local Government Act, and I ask the Minister to explain why the Commission is not referred to in that Act.

On the motion of the Hon. I. A. Swinburne, for the Hon. H. A. HEWSON (Gippsland Province), the debate was adjourned.

It was ordered that the debate be adjourned until the next day of meeting.

NATIONAL PARKS (LITTLE DESERT AND MOUNT RICHMOND) 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.

ROAD TRAFFIC (CROWN LAND) 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.

DANDENONG VALLEY AUTHORITY (AMENDMENT) BILL.

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

That this Bill be now read a second time.

This Bill proposes three amendments to the Dandenong Valley Authority Act. Clause 2 provides for the election of a deputy-chairman to take the chair when the chairman is not available. I think this is a reasonable proposition. Provision is made in clause 3 for an increase from $400 to $1,000 in the annual special allowance of the chairman. The chairman of the Dandenong Valley Authority has given a great deal of his time to the work of the Authority, and I do not think he should be out of pocket. The increased allowance proposed is reasonable.

Specific provision is made in clause 4 for the description and designation of flood prone areas. Clarification is required in this regard as the marginal note of the relevant section of the Act refers to " flood prone areas " without any specific definition of this term, either in the section itself or elsewhere in the Act.

In clause 5, the proposed amendment will enable the Authority to issue certificates showing lands affected by the prescription of a building line as provided under section 24 of the Act, or by the proclamation of a flood prone area under section 27 of the Act. These certificates will be made available upon written application giving the name and address of the applicant and the particulars of any land in respect of which the information is required.

The measure also provides for a charge of $1 to be made for the issue of these certificates to cover the administration expenses of the Authority. The Bill will tidy up this important Act, and I commend it to the House.

On the motion of the Hon. I. R. CATHIE (South-Eastern Province), the debate was adjourned.

It was ordered that the debate be adjourned until the next day of meeting.

BUILDING SOCIETIES (AMENDMENT) BILL.

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

That this Bill be now read a second time.

Under section 4c of the Building Societies Act 1958, the special advance that a building society may make to a person on the security of freehold or leasehold estate is limited to an amount not exceeding $14,000, or such other sum as may be prescribed under the section. With the rise in building costs over recent years, the Registrar of Building Societies has recommended that the amount of a special advance should be increased to $20,000. This seems to be a reasonable suggestion. The Bill also removes from the Governor in Council the power to alter the amount prescribed. There will now be a statutory maximum of $20,000, and if it is desired to vary the amount in future, Parliamentary sanction must be obtained. 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 the next day of meeting.

FORESTS (AMENDMENT) BILL.

The debate (adjourned from November 26) on the motion of the Hon. L. H. S. Thompson (Minister of Education) for the second reading of this Bill was resumed.

The Hon. ARCHIBALD TODD (Melbourne West Province).—This amending Bill deals with several unrelated amendments to the Forests Act. The main amendment will provide a better working basis for the legislation, particularly in regard to the exchange of lands between the Forests Commission and any landholder who may have freehold land or who may be holding land under a Crown lease. The measure will also enable the Commission to make a contribution towards the cost of promoting the use of timber, which is not possible under the existing legislation. I understand that the major cost involved in promoting the use of timber will, in the long run, be borne by the sawmillers. I find no fault with the proposal, which will tend to keep the industry prosperous. At present, in many country areas, the timber industry is stagnant. Men are being retrenched at timber mills, particularly in the Colac area.

The other amendments in the Bill which relate to the acquisition and exchange of lands are machinery provisions concerning which no fault can be found by the Opposition. Members of my party examined the proposals in this Bill before the measure was dealt with in another place and we agreed with them. For a while, we were somewhat confused by the use of the expression "an inchoate right of purchase" but we now know from Webster's dictionary that the word "inchoate" means "to open" or "to make an opening" or "to make a start". The Opposition agrees in principle with the Bill and, therefore, supports it.

The Hon. I. A. SWINBURNE (North-Eastern Province).—This is a Bill to amend the Forests Act 1958. As Mr. Todd stated, the measure deals with several unrelated matters, the most important of which is probably the provision which relates to the method by which transfers of land between the Forests Commission and the Lands Department and vice versa, and from private individuals to the Forests Commission, will be effected.

Clause 2, which amends section 42 of the principal Act, will clarify the position with respect to the issue by the Lands Department of Crown grants to those persons whose lands have been acquired, giving such persons rights to the land they receive in exchange equal to those which they had in the land that has been acquired. I have participated in many negotiations with the Forests Commission and the Lands Department over the years and I have stated on different occasions in this Chamber that certain areas of land held by the Forests Commission would be more suitable for agricultural purposes, and that some areas of land under the jurisdiction of the Lands Department would be eminently suitable for timber production. In the straightening out of boundaries of properties under the control of the Forests Commission and the Lands Department, certain transfers of land have been effected to enable them to be used for the most suitable purpose. I wonder whether the two Departments could introduce a more streamlined procedure by which these transfers could be brought about.

Just recently in the area which I represent a transaction was concluded which will enable a farmer to use an area of land for agricultural activity. This transaction has been going on for the past six or seven years. I realize that finalization was held up for a time because of the change in the principle of land being made available under the land purchase agreement system; for two years, it was delayed pending the passage of the enabling legislation through Parliament. Possibly, the Minister of Education, who is a former Minister of Forests, could induce the present Minister of Forests and the Minister of Lands to produce a method by which these matters could be expedited. Long delays have occurred, particularly in relation to isolated areas, although they are not as frequent in respect of big areas of land.

A further proposal in the Bill will enable municipal councils or corporations, rather than groups of individuals, to act as committeees of management of areas of land set aside for various purposes under the Forests Act. There is a tendency in this State to accept municipalities as the corporate bodies charged with the responsibility for these reserves, which is a good procedure.

Clause 6, which amends section 51 of the principal Act, proposes to insert in the legislation the expression "alpine reserve" in place of the expression "alpine resort". Possibly, there is some difference of meaning between the two expressions. The amended wording, which will bring back certain areas under the heading of reserved forest, will enable development to take place and allow leases to be granted for certain classes of development designed to improve the tourist industry on the snowfields.

Clause 7, which substitutes a new section 56 in the principal Act, relates to the power of a lessee to assign or sublet his rights in land held under a lease granted pursuant to this legislation. Flats, which are being built in some alpine areas of the State, are being sublet to tenants, particularly during the snow season, but also at other times. Under the new provision, private investment will be encouraged to assist the tourist industry by providing good quality accommodation in alpine resorts. Any assistance that can be given to develop the tourist industry is worth while and is a step in the right direction.

The last provision in the Bill—Mr. Todd referred specifically to it—relates to the establishment of a body comprising representatives of the Forests Commission and the timber industry to promote the use of home-grown timber. I believe that too much timber is being imported into Australia and much more of our locally-grown timber could be utilized. Any action that will promote the use of local timbers is welcomed. I know what has been done already by the industry so far as *pinus* timber is concerned. Representatives of the timber industry have taken every opportunity to display samples of *pinus* timber in public buildings and wherever people congregate throughout the State. The proposed committee will make an excellent contribution towards the promotion of timbers grown in Victoria and throughout the Commonwealth. I have much pleasure in supporting the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6254, section 42).

The Hon. L. H. S. THOMPSON (Minister of Education).—Enjoying the inchoate right of reply arising from the fact that I am handling the Bill in this House, I shall reply briefly to Mr. Swinburne. I agree with his sentiments concerning the need to speed up the machinery for transfers of land. Perhaps, to a degree, I am at fault for having supported the system for so long. These transfers are not effected with jet-like speed, but I hope the passage of this measure will expedite the process so far as land transfers involving dedicated forests are concerned.

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.

LIEUTENANT-GOVERNOR'S SPEECH.

PRESENTATION OF ADDRESS-IN-REPLY.

The PRESIDENT (the Hon. R. W. Garrett).—I desire to inform the House that the arrangements for the presentation of the Address-in-Reply have been altered. The Address will now be presented to His Excellency the Governor at Government House at 10 a.m. instead of 11 a.m. on Wednesday next, 4th December. Cars will therefore leave Parliament House steps at 9.45 a.m.

ADJOURNMENT.

BUSINESS OF THE HOUSE: ORDER OF BUSINESS.

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

That the House do now adjourn.

This sessional period is drawing to a close and I hope that next week honorable members will be prepared to deal with the Bills in the order in which they appear on the Notice Paper. It is difficult to arrange the business of the House if, to suit the convenience of members, Bills are dealt with out of the order in which they are listed. The pressure will be severe for the next couple of weeks.

The motion was agreed to.

The House adjourned at 5.17 *p.m., until Tuesday, December* 3.

Legislative Assembly.

Thursday, November 28, 1968.

The SPEAKER **(the Hon. Vernon Christies)** took the chair at 10.30 a.m., and read the prayer.

DEATH OF COLONEL THE HONORABLE SIR WILLIAM WATT LEGGATT, D.S.O., M.C., E.D.

Sir HENRY BOLTE (Premier and Treasurer).—I move—

That this House expresses its sincere sorrow at the death of Colonel the Honorable Sir William Watt Leggatt, D.S.O.,

M.C., E.D., and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as member of the Legislative Assembly for the electoral district of Mornington from 1947 to 1956; Chief Secretary from 1948 to 1950; Commissioner of Crown Lands and Survey and Minister of Soldier Settlement in 1950; Attorney-General and Minister of Labour and Industry in 1955; Minister of Education and Minister of Immigration from 1955 to 1956; and Agent-General for Victoria in London from 1956 to 1964.

I am sure I can say with certainty that all honorable members who knew the late Bill Leggatt were shocked when they learned of his sudden death yesterday. I had a very close personal association with the late Bill Leggatt. We were elected to Parliament on the same day in 1947 and we were appointed Ministers on the same day in 1948. He was a Minister in my first Cabinet in 1955 and he resigned after a year and went to London, where he and Lady Leggatt served the State with great distinction for eight years.

There is a term of usage of address in the House of Commons which would apply to the late Bill Leggatt. As a lawyer he would be entitled to be addressed as learned and as a colonel he could be addressed as gallant. Both forms of address would apply to the late Bill Leggatt. He was a learned and kindly man; he was a firm man who had a very keen and real sense of humour, and he would not tolerate any nonsense at any stage of his long career.

As a soldier he served in two wars. In the second world war he was a prisoner of war for three years in Changi Camp, and people who were incarcerated with him have told me that he was a great inspiration to his men during the whole of that dreadful period. He was also an inspiration to everybody who came into contact with him.

The late Bill Leggatt gave excellent service outside this Parliament as president of the Shire of Mornington. It would be safe to say that of all the leading citizens who have come from that district Bill Leggatt was the first citizen. I am sure there are many sad hearts in the Mornington district today, as there are in this Parliament.

I can add little more but to express to Lady Leggatt and her family our very real and sincere sorrow. A State funeral will he held, as there should be, for the late Bill Leggatt tomorrow. The time will be announced later today. I know that his friends would wish that he should be given a State funeral, because if any man in this community has earned one it is the late William Watt Leggatt.

Mr. STONEHAM (Midlands).—It is with deep feelings that I second the motion moved by the Premier. It was my pleasure to know Bill Leggatt before he entered this Parliament in 1947 and I endorse everything that the Premier has said about him. His notable characteristic was his hatred of humbug, and he was not the sort of person who held sectarian views on any subject. I found him to be an honest and friendly person.

The Premier has spoken about his ability in several spheres, and I am sure that anyone who met him in London when he was Agent-General will agree that both he and Lady Leggatt did a magnificent job for this State. It was a great privilege to know the late Bill Leggatt as a man because of his wonderful qualities, and I am sure that honorable members generally will want to pay tribute to the magnificent service that he rendered to the State in many capacities. On behalf of Opposition members, I express sincere regret and sorrow to Lady Leggatt and her family. In the passing of the late Bill Leggatt from our midst, the State of Victoria has sustained a grievous loss.

Mr. MITCHELL (Benambra).—In the absence of my Leader and my Deputy Leader at the funeral of Lady Hyland, I should like, on behalf of the Country Party, to add not only my party's tribute but also my own to the late Bill Leggatt. He was an outstanding Australian for several reasons. First, as a young man he

went to the first world war at a time when we were reeling under the full force of the German onslaught and when, because of the Treaty of Brest-litovsk, 57 German divisions were thrown into the battle and made a desperate effort to crack the armour of the Allies before fresh American troops could be thrown in to save the day. The late William Leggatt was typical of those who will not give in no matter how desperate the situation is, and he led his men well at a time when plans were being made to defend England. His country acknowledged his work by decorating him for his bravery.

During the second world war he did not rest on the laurels he had earned during the first world war. Although not in the first youth, he enlisted again and gave wonderful service to his country. I was a young subaltern in the battalion of which he was second in command. We had all been brought up with the idea that there would be no more wars, but other people had different ideas, and we had to fight a desperate war for national survival. Bill Leggatt, with his experience, steadied us. His knowledge of what was required of a human body and mind was of great value to us and gave us a rallying point. He got us together and helped weld us into a fighting unit.

I was with him in Changi Camp, and I can probably appreciate his qualities more than anyone else. One quality which has not been referred to in the House today was his sense of humour. He always had a little smile on his face no matter how black things were. In Timor he took a battalion into a hopeless situation and did a magnificent job. It was not his fault that they were overwhelmed by the Japanese. In those days of degradation and disgrace in Changi, when we might have dropped our bundle, his quality, worthiness of character and strong principles were an inspiration to the men.

On his return from the war, fortunately our former colleague did not lose his desire to serve his fellow man. He entered Parliament and did a magnificent job. Then he was appointed as Victoria's Agent-General in London, at a time when England was very much in the melting pot and he did not know where she was going. Sir William and Lady Leggatt upheld the Australian traditions, and not only helped to foster the ties between the Motherland and this country, but also contributed to the task of helping the country to rehabilitate itself after the years of strain and stress of the second world war. The Country Party unhesitatingly supports the motion that has been moved by the Premier and seconded by the honorable member for Midlands.

Mr. MEAGHER (Minister of Housing).—I join with previous speakers in paying a tribute to the memory of the late William Watt Leggatt. I first met Bill Leggatt in Java in the dark days when he was a prisoner of war in the camp in which I found myself. Although he was not a young man, he had commanded his unit, as the honorable member for Benambra said, in a hopeless situation with distinction. In the rather depressing and terrible conditions of a prison camp under a ruthless enemy, I found that Bill Leggatt was able to act with dignity and courage, and respect for his fellow man, which, after all, was very important under those conditions. Unfortunately, I lost track of him when I went to the Burma railway and he went back to Changi.

We did not meet again until I returned to Australia and was summoned to the Manchester Unity building in Swanston-street to meet the officer in charge of the war crimes investigation in Melbourne, who was Lieutenant-Colonel William Leggatt. I was summoned to give evidence against certain Japanese criminals. When Bill Leggatt and I met again, he was helpful not only in assisting me to prepare my evidence, but also

in advising and assisting me on some of the problems associated with the repatriation of my men to their homes in Australia.

I believe I can speak also on behalf of the people of Mornington, whom I have the honour to represent in this House and who were represented with great distinction by Bill Leggatt in earlier days. He was a respected citizen of Mornington for many years. His passing will be mourned by virtually every person who lives in the district. In expressing my sympathy to Lady Leggatt and the other members of the family, I do so not only as a great friend but also as the representative of that district. I know that I am expressing the views of everybody who knew Bill Leggatt. I join previous speakers in expressing regret at the passing of a great Australian.

Mr. ROSSITER (Minister of Labour and Industry).—I speak in the dual capacity of the Minister in this place who represents the Minister of Education and of one who feels a deep sense of personal loss. William Leggatt's contribution to this House and to the State of Victoria in the field of education and his whole political career will remain on the record as outstanding.

In 1961, I was associated with the Agent-General in London where I observed Lady Leggatt's kindness and humanity, and the high esteem in which Sir William Leggatt was held in high places. I should like to conclude by quoting these words of Chaucer—

He was a very parfit gentle knight.

Mr. DUNSTAN (Dromana).—I wish to add my tribute and to associate myself with the remarks of previous speakers who have mourned the passing of Colonel the Honorable Sir William Watt Leggatt, D.S.O., M.C., E.D. He would be the last to want his full title and decorations included, because over the years he preferred to be known by everyone simply as Bill Leggatt.

I pay this tribute and associate myself with the motion because when Bill Leggatt was sent by the Government to London as Agent-General for Victoria my life changed considerably. I was faced with the very difficult task of trying to fill the shoes of a man who had been highly admired and esteemed as a member of Parliament. He was also highly regarded amongst ex-servicemen, not only by those who were associated with him personally during the war but also by those who appreciated his work among ex-servicemen of both world wars.

The late Bill Leggatt was also esteemed and admired by the legal profession. Prior to his election to Parliament, he was well known on the Mornington Peninsula for his activities and the wisdom which he gave to municipal affairs as shire solicitor and for many years as a councillor of the Shire of Mornington. He was first appointed Agent-General in London for a period of five years, but his appointment was extended for a further two or three years.

Whenever a guest speaker was required for the Anzac Day service at Mornington, during the many years Bill Leggatt lived there, before he was a member of Parliament, after he became a member and when he returned to Mornington following his term as Agent-General, the Mornington sub-branch of the Returned Services League never had to worry about looking for someone outside. Year after year, inevitably Bill Leggatt was the guest speaker at the Anzac Day service. As the Minister of Housing has said, probably Bill Leggatt will be best remembered where he was most highly regarded and respected—by the people of Mornington.

The SPEAKER (the Hon. Vernon Christie).—I am sure that honorable members would wish me to say that this motion is fully supported with great sorrow and deep feeling. The late Colonel Sir William Leggatt made

a very gallant, difficult and telling contribution to this nation in two world wars. He made a dignified and wise contribution to the work of this House and to his own profession. Some honorable members knew him longer than others, but all of us who met him are aware that he had a very solid personality and character.

Sir William and Lady Leggatt made a great contribution to the State's representation in London, and his work in the Executive Government of this State was outstanding. I feel sure that we all join together in supporting this motion and our desire to convey to Lady Leggatt and family our very deep sorrow and our sympathy in this loss to the family, the State, and the nation.

The motion was agreed to in silence, honorable members signifying their unanimous agreement by standing in their places.

GRIEVANCES

The Order of the Day for the House to resolve itself into Committee of Supply was read.

Mr. G. O. REID (Attorney-General). —I move—

That Mr. Speaker do now leave the Chair.

Mr. TREZISE (Geelong North).—I welcome the opportunity of again taking part in a grievance debate. I wish to direct the attention of the Minister of Transport and the Chief Secretary to the plight of an ever-growing number of people in our community who are desperately unhappy and are in urgent need of assistance from those in authority who are in a position to afford such assistance. I refer to deserted wives and their families. Being in constant contact with a number of deserted wives and families, I believe that the community does not extend to them the same degree of support and understanding as is extended to others who are in a comparabe position—such as widows, the aged and the disabled. I believe the plight of a large percentage of deserted wives and families would be greatly eased if the Housing Commission were prepared to appoint welfare officers to operate in the large Housing Commission areas of this State.

The majority of deserted wives who are in urgent need of assistance live in Housing Commission units. Formerly, many lived in private homes and, after being deserted by their husbands, in nine cases out of ten, they had to find accommodation in Housing Commission units. I am sure that all honorable members will agree that, since its inception, the Victorian Housing Commission has played a valuable part in contributing to the welfare of the community. Over the years, hundreds of thousands of families have been given security which would otherwise have been denied them because they were in the lower or middle income brackets, but I believe that, after giving these people a home, the Housing Commission has a responsibility to carry on the task of assisting and guiding them if required.

In my opinion, on a percentage basis, the majority of problem families in our community today are living in Housing Commission areas. These people, who are in lower or middle income groups, are faced with many more problems, particularly of an economic nature, than those in the higher income brackets. If a welfare officer were appointed to work solely in Commission areas, he would be able to assist not only deserted wives and families but also other families which are in necessitous circumstances. One of the main problems experienced by these families, whether deserted or not, appears to be with their weekly dues to the landlord—in this case, the State. There will always be the problem of families falling into arrears in the payment of their rent. Many of the families do not or cannot keep within their budgets and, after many months of non-payment, their arrears of rent frequently amount to a large sum. Often this amount is far beyond their means, and they receive a notice to quit. The

only step left for many of them is to leave the Housing Commission unit and move to a private unit, at an even higher rent.

If a welfare officer were employed in large Commission areas, he could guide these people. He would be able to call regularly on families which were having trouble in paying rent, discuss their problems and ensure that arrears did not mount up until they were beyond the families' capacity to pay. After all, when a family is evicted from a Housing Commission home the debt owing for rent is not the only loss suffered by the State. In the majority of cases, these people are forced to leave their homes over a debt of perhaps $100, and they go into private accommodation for which they must pay as much as $18 or $20 a week, which in practically every case, is beyond them. In too many cases the family breaks up, and the youngsters finish up as wards of the State. This means that the State has to accept the responsibility and added cost of keeping the youngsters for many years. I contend therefore that the appointment of a welfare officer to assist these people, to keep them up to date with their rent, and to guide them in connexion with financial problems, would not only assist in keeping the families together under the one roof but would also be of financial benefit to the State.

There are, of course, many needy people in Housing Commission areas, but I believe, as a member of this House representing one of the largest Housing Commission areas in the State — at Corio and Norlane — that the problem of deserted wives and families constitutes the greatest challenge to those responsible for Housing Commission areas. There is a tremendous need for a guidance officer to assist these particular families with their burdens. They are left to fend for themselves in cruel circumstances, often penniless, because the bread-winner has deserted them.

The 1967 report of the Victorian Family Council showed that, on an over-all basis, the problem of deserted wives and families is increasing in this State year by year. The figures quoted in that report reveal that in the years 1965, 1966 and 1967 there was an increase in the number of deserted wives and families of approximately 10 per cent. per annum. This increase, which is greater than the natural increase in population, demonstrates the magnitude of the problem. In the Geelong area, which I presume is typical of all Housing Commission areas throughout the State, of the 2,500 rented homes 463 are occupied by women tenants. Some of those are widows, but the overwhelming majority are deserted wives. In other words, 20 per cent., or one in every five Commission homes, is occupied by a woman who has been left alone. I repeat that the majority of these women are deserted wives.

It was somewhat satisfactory to read recently that certain local municipalities in the metropolitan area have appointed welfare officers to look after people in their particular municipalities. In Geelong at this stage no local municipality is setting such an example, but a welfare officer is urgently needed in the local Housing Commission area at least. Last year I asked the Minister of Housing whether he would consider the appointment of welfare officers in the Housing Commission to serve in the larger Commission areas of the State. In fairness to the Minister, I must say that he advised me that the matter would be considered. However, two weeks ago I was disappointed to receive, in answer to a question, a statement from the Minister that, while consideration had been given to such an appointment, there would not be an appointment, that it was a matter for the Social Welfare Branch. I do not care whether a welfare officer comes from the Housing Commission or from the Social Welfare Branch, so long as one is appointed.

Taking a realistic view of the situation in the Geelong district—and I suppose the same situation exists elsewhere throughout the State—it is impossible for the present single welfare officer to cope with the demands of our district. For the past ten years, only one social welfare worker has been allocated to cover the entire area from Werribee to the South Australian border. This officer—Miss Lloyd—does tremendous work in the circumstances, but she must cater for all cases arising in such cities and towns as Werribee, Geelong, Camperdown, Colac, Koroit, Port Fairy and Warrnambool. Obviously, it is impossible for one social worker to carry out the volume of work involved.

Yesterday morning, I telephoned Miss Lloyd's office from this House concerning a serious problem that had arisen. A woman with four young children had been deserted. My purpose was to ask Miss Lloyd to call on this family. Owing to her having young children, the mother could not go into the city. Miss Lloyd informed me that because of pressure of work she was unable to visit the home during the day. At times, when I ring the welfare office in Geelong to seek early assistance for desperate deserted families, I am informed that Miss Lloyd is absent from the Geelong area for a week or more. When a woman who has a young family is deserted, she needs assistance and guidance as early as possible and a delay of even a week is far too long because during that period many adverse things can happen to affect that family.

An additional welfare officer is urgently needed at Geelong. In fact, three or four extra officers would be kept busy in the district. Honorable members who have come into contact with deserted wives realize that the every-day cases of this type which confront us are the most depressing that we face. Personal experience with this problem makes one realize the stunned atmosphere which descends upon a wife and her children when they are left alone. After all, usually a husband is the foundation of any family; he is the partner of the marriage who brings in the finance and assumes certain family responsibilities. He is the one who provides companionship and is the backstop for the wife and kiddies. Therefore, a woman who has been deserted suddenly finds herself alone, with no money coming in to the household. Very often, she is confronted with a pile of debts, which have been left behind by the runaway husband. The children have no father to whom to talk, and it is difficult to explain to a child of two or three years of age why dad is not home to sleep. A deserted wife needs someone to whom she can turn for advice and comfort at this critical hour and, in this respect, a welfare officer would provide an extremely valuable service. Members of Parliament who encounter problems of this type are not competent or suitable to handle them, as they must at present.

Last Monday, I spent the entire morning trying to console a young mother of twenty years of age with two children, one aged three years and the other one year, who had been deserted. This young woman, in her state of shock, felt helpless and did not know where to turn. I believe it is the responsibility of the State to ensure that prompt assistance shall be available in cases of this type. It is significant that nervous breakdowns amongst deserted wives are extremely high within the first six months of separation. Children must also suffer mentally when a father leaves the home, and naturally, when a mother sees her children suffering, she is apt to wonder whether she is not to blame for the situation, whatever the original cause might have been. I remind honorable members that for the first six months following a separation, a deserted wife is not eligible for the full widow's pension—a six months' qualifying period is required before such women fall within this category. Deserted wives

receive a small pittance on which they are expected to survive but, in most circumstances, it is totally inadequate.

If additional welfare officers were appointed to take over the work that is now being performed by members of Parliament in this sphere, they would be able to console deserted wives more satisfactorarily and advise them on the assistance that is available. It is necessary to contact the landlord or the Housing Commission and inform them that a woman has been deserted. If she occupies a Housing Commission home, arrangements must be made for a rental rebate. It is also necessary to contact the Commonwealth Social Services Department and arrange for the necessary claim forms to be filled in. A deserted wife should also be advised that her children who are attending school are eligible to receive assistance for books.

Of course, many deserted wives must seek employment and, in this regard, a welfare officer could assist not only in finding suitable employment but also in advising the mother concerning child-minding centres or families with whom the children may be left during the day. The most urgent need, however, is to enable the deserted wife to pour out her troubles, as it were, to a sympathetic person who can show her that there is hope for her future and that someone does care. Members of Parliament do not have the ability, background or training to cope with this personal situation even though we try. Finally, I remind the House that whether children come from families of high or low income, all kiddies today are looking forward to receiving their promised basket balls, cricket bats, dolls and other toys from Father Christmas. It is sad to realize that during our festivities many children from deserted families will receive nothing on Christmas morning unless a good samaritan can be found.

The solution to much of the over-all situation must rest with this House. Therefore I ask the Minister of Housing or the Chief Secretary to reconsider the appointment of welfare officers or guidance officers in Housing Commission areas at least in the immediate future. The lives of many people, including problem families, pensioners, widows and especially deserted wives, would be made much brighter if my suggestion were adopted.

Mr. ROSS-EDWARDS (Shepparton).—I was somewhat disturbed yesterday at the replies furnished to a question asked by me concerning the availability of natural gas to provincial cities of Victoria, excluding Geelong. I asked the Minister of Fuel and Power when natural gas would be available and by what method it would be distributed. I was informed by the honorable gentleman that the question was under consideration, but that the study had not yet reached the stage when a definite statement could be made. The most disturbing part of the Minister's reply was a statement to the effect that, if and when natural gas is taken to provincial cities, it is expected that it will be transported by pipeline. Obviously, it would be uneconomical and impractical to construct a pipeline for natural gas to Mildura. Serious consideration should be given to the possibility of transporting gas to such places as Shepparton and Benalla by means of road tanker or by rail.

Mr. BALFOUR.—Natural gas cannot be transported by that means.

Mr. ROSS-EDWARDS.—I am referring more particularly to the products of natural gas. I agree that the city of Geelong is entitled to be supplied by pipeline. I understand that plans are being prepared to pipe supplies of natural gas to Sydney, and recent press reports indicate that large quantities may be supplied to Japan.

The supply of natural gas to Melbourne and Geelong will provide those cities with distinct economic

advantages over other parts of the State. Honorable members who represent areas outside the Melbourne metropolitan area are continually worried concerning the decentralization problem, to which there is no single answer. If action is not taken to supply liquefied petroleum gas to the provincial cities of Victoria at the same time and at the same price as it is supplied to Melbourne and Geelong, the problems of decentralization will become intensified. The discovery of natural gas off the coast of Victoria will give a tremendous boost to the State, and I suggest that the whole of the State should benefit from it. I request the Minister for Fuel and Power to re-examine this question and give serious consideration to supplying natural gas to the provincial cities of Victoria, at the same time and at the same price as it is supplied to Melbourne and Geelong, so that the whole State will derive some benefit from this important discovery.

Mr. LOVEGROVE (Sunshine).—I wish to bring to the attention of the Chief Secretary, the youth recreation and other facilities made available in the City of Sunshine by an organization called Cross-Roads, and I propose to ask the Chief Secretary's Department to provide financial assistance for this organization. A few years ago, the Methodist Church of Australasia, through its Sunshine circuit, headed by the Reverend John Blacker, and other ministers of religion in the vicinity, took over an old factory in Sunshine and, with the assistance of Massey-Ferguson (Australia) Limited and other firms in the district, furnished the property with recreational facilities for youth, with the idea of bringing the big teenage population of Sunshine in direct contact with established religion and the concept of God.

This enterprise proved to be a success overnight, and an initial attendance of about 100 teenagers —ranging from 15 to 20 years of age, but mainly in the 17 to 20 years of age group—increased to a week-end attendance, on Friday, Saturday and Sunday nights, of about 600 young people a night. At present during a week-end a total of approximately 1,800 local young persons attend this centre in the new premises which have been made available by the Sunshine City Council.

After the initial sponsorship by the circuit of churches in the City of Sunshine, the Sunshine City Council made available a large portion of the old town hall building in Hampshire-road to provide facilities for a dance hall, coffee lounge, soft drinks bar, television lounge, chapel and games room. With the assistance of local industries including Massey Ferguson, one of the largest teenage centres in Australia and certainly in Victoria, has been established and has been operating for the past two years in an unorthodox fashion compared with the usual type of youth club. This organization has certain objectives. The leader of this enterprise, the Reverend John E. Blacker, has stated that the objectives are—

> To create a place of friendship and fellowship, under supervision, for young people of all creeds, faiths and nationalities.
>
> To encourage youth especially to understand the Christian gospel and assist them to know Jesus Christ as their Redeemer and Lord.
>
> To establish a pattern of activity and thought, based on trust, that will help all participants to appreciate that the religion of Christ is applicable to the whole of life.

The manager of the youth centre Cross-Roads is Mr. Ken Porter, who left a highly lucrative and responsible job as a staff member of Massey Ferguson's to take on a full-time job at the youth centre.

I visited this centre, because of the unorthodox nature of its approach to work amongst the teenage groups in the community, unannounced and at a time when my visit was not expected, so that I could personally examine the kind of activity that takes place there. I was agreeably surprised to find high standards of conduct among a group of teenagers of the number I have related who, in

the main, come from families in the area which are not over-blessed with this world's goods. In the area of Sunshine that I represent, there is a Housing Commission estate of some 1,600 homes and a Railway Department estate of some 460 homes; altogether, there are about 2,000 homes owned by the Government in this district. They house a large section of the low income group, and although one encounters the usual behaviour patterns that occur in every part of the world in modern teenage groups the prevailing behaviour patterns in the vicinity of this youth centre are amazingly good.

The only expressed resemblance in an understandable way that I could see between the behaviour patterns of the huge teenage group attending this centre and those of society generally is that in their kind of music the percussion generally drowns out the harmony. Of course, this is not peculiar to the teenage groups in society today; indeed, it is the most distinguishing characteristic of adult behaviour, unfortunately, everywhere in the world.

I have been greatly impressed by the opportunities that have been given to about 1,800 teenagers every week-end and to observe the behaviour of up to 160 voluntary workers who man Cross-Roads, who ensure that law and order is maintained and who assist the teenagers with some of the personal problems that they cannot always solve within their own families. These workers generally oversee the work of the combined churches in Sunshine in building a bridge between those adults who believe in God and a large teenage group which is being ever more exposed every day through the mass media to a psychology of materialism and a psychology that has little to do, I regret to say, with some of the better forms of moral behaviour. I refer to moral behaviour in its widest and fullest sense.

This kind of organization is unique in Victoria; it does not follow the pattern of any of the established youth clubs; in many ways it breaks all the rules under which youth clubs are established in so far as it undertakes personal case work of a character which is related more to the activities of the Social Welfare Branch. The Reverend Blacker, Mr. Porter and the 160 voluntary workers —both men and women—who assist this organization are doing a magnificent job. In view of the fact that this year, for the first time, they have applied to the Government for financial assistance, I respectfully request the Chief Secretary to examine their claims and if necessary to send to the Cross-Roads for personal investigation any of the officers of his Department he wishes. If he is satisfied that in fact this organization is doing a magnificent job for the teenage population of Sunshine, I ask the Chief Secretary to make available to it the most generous financial assistance that the resources of his Department will permit.

Mr. GINIFER (Deer Park).—I direct to the attention of the Minister of Education an anomaly which in some respects militates against persons entering the Teaching Service from other Government Departments. I refer to the transfer of credits of long service leave and sick leave. This anomaly has been brought to my attention through the case of a teacher, Mr. Neil Botten, who is employed by the Education Department at the St. Albans Technical School. Mr. Botten was previously employed in Bendigo at the Commonwealth Ordnance Factory, and after applying was accepted for the Teaching Service. He completed his service with the ordnance factory at Bendigo on the 31st January, 1968, which was a Wednesday; he travelled to Melbourne on the Thursday, and commenced duty with the Education Department on the 2nd February, 1968. After some correspondence, it was discovered that he was allowed to transfer his credit of long service

leave which was due to him for his service with the Commonwealth, but sick leave credits were not allowed.

A letter dated 21st June, 1968, was forwarded from the Teachers Tribunal in reply to an application from this teacher asking that his sick leave credits should also be transferred. The acting secretary of the Teachers Tribunal, Mr. G. Travers, replied—

> I am directed to inform you that the Tribunal has approved of service as below by Mr. N. Botten, St. Albans Technical School, being credited for Long Service Leave :—
>
> Commonwealth Department of Supply—14.1.57 to 31.1.68.
>
> Because there was a gap in service of one day, service cannot be credited for sick leave.

The point I make is that if Mr. Botten had taken Thursday as a day without pay in the Commonwealth service, his resignation would have dated from the Thursday, and if he had commenced duty with the Education Department on the Friday, he would have been entitled to have his sick leave credit transferred.

A principle is involved, and apparently an amendment to the legislation would be required to overcome the difficulty. I should like consideration to be given to this matter because one can understand the temptation that exists on occasions to seek a variation in a resignation date or a commencing date to overcome the anomaly to which I refer. I realize that this is not a proper or correct practice, but human nature being what it is, attempts are made to obtain the best conditions that are available. If a person took a day's sick leave or a day without pay, the difficulty could be overcome.

I direct this matter to the Minister's attention and ask him to examine the position. If it is in order for long service leave credits to be transferred, it should be in order for sick leave credits also to be transferred, allowing a reasonable time for a person to transfer from one position to another. If the person concerned has to travel from one location in the State to another, travelling time should be taken into consideration and allowed as a bona fide reason why a day or two may elapse before he commences duty with the Education Department.

The other matter I desire to raise involves four Ministers, and relates to noxious weeds at Lake Eildon. The problem affects the responsibilities of the Minister of Water Supply, the Minister of Forests, the Minister of Lands and the Minister of State Development, or the proposed Department of Tourism. Yesterday, I asked the Minister of State Development what action is being taken to control St. John's wort in the national parklands adjoining Lake Eildon. The Minister's reply was—

> Control is being undertaken by the Vermin and Noxious Weeds Destruction Board. A team of four men have carried out spraying through the Fraser National Park on St. John's wort over a period of five weeks using knapsack mister units. The area known as Bolte Bay is being dealt with biological control of insects. An area yet to be treated is Taylor Bay, which will be sprayed using the new Tordon chemical and it is expected that the men will be working on the area for a further week or ten days unless spraying is terminated earlier because of the stage of growth of plants.

The pertinent aspect is the stage of growth of plants. St. John's wort is about to flower, and soon will be seeding. From information I have gleaned, it appears that it will be impossible for the situation to be controlled under the present programme of spraying. I am led to believe that the seed of this noxious weed can be water borne. Lake Eildon weir is now within 4 feet of high-water mark, and some of this weed is growing on the banks below the high water mark. Because of the prevailing weather conditions water may shortly have to be released from the lake, and I am disturbed about what may happen if water-borne seed is spread into the Goulburn Valley. I issue this warning, hoping that the Minister will give consideration to the problem.

Consideration should also be given to the control of St. John's wort in the State forests that adjoin Lake Eildon. Yesterday, in reply to a question that I asked, the Minister of Forests indicated that the control of noxious weeds was a function not of the Forests Commission but of the Vermin and Noxious Weeds Destruction Board, which is administered by the Lands Department. He stated that the 13-mile-long plantation on the south shore of the Howqua arm of Lake Eildon will effectively cope with the St. John's wort on the planted country. He also said that some control along roadsides, firebreaks and the reservoir frontage may still be required, but this again is not the Commission's responsibility. Apparently it is the Minister's belief that, with the growth of the forest, the undergrowth will die out. In the meantime, along this margin of the forest St. John's wort is growing below the high-water mark of the lake. Within the next two or three weeks it will go to seed, and this section, which comes under the control of the Minister of Forests, will also comprise a threat to the Goulburn river area.

To add to the problem, one of the substances used in the control of this weed is the new chemical, Tordon, which, in very minute quantities, can be most harmful and can cause the death of fish if rain should run it into the lake. I hope the Minister of State Development will ascertain whether sufficient research has been conducted into the use of this chemical in the Lake Eildon area. National parks will be under the control of the Minister of Tourism and it may be found that indiscriminate use of this chemical will seriously damage the attractions of Lake Eildon. If the matter is not attended to within the next fortnight, the Minister of Tourism will have a golden landscape in the area, composed of cape weed supplemented by St. John's wort. I hope the Minister will treat the matter as urgent and that abutting landowners will be made to comply with the law relating to St. John's wort and other noxious weeds.

Finally, I desire to express appreciation to the Minister of Labour and Industry, in his capacity of Assistant Minister of Education, for the assistance given to schools in connexion with libraries and assembly halls. The Minister has taken great interest in special fields of education and has indicated to me that plans are afoot for the establishment of special schools for assisting and teaching mentally retarded children in the western suburbs area. In reply to a question I asked in the House on 22nd October, 1968, reported at page 1086 of *Hansard*, the Minister said—

> A preliminary survey has been made of the number and location of deaf children in these areas. A search is being made for a suitable existing building centrally located for the children concerned with a view to the establishment of a centre.

I had asked the Minister whether the Education Department had any plans for the establishment of a centre for deaf children in the western suburbs, and if so where and when it would be established. To give further encouragement to the Minister in this regard, I point out the problems confronting parents in the western suburbs who have children so handicapped. At present these children attend the Burwood Kindergarten for Deaf Children and it is necessary for them to be at the North Melbourne railway station at 8.20 a.m. each day to commence their journey to Burwood. It is difficult for parents to have small children out of bed, dressed and ready for the day's outing in time to get them to the North Melbourne station so early in the morning, particularly if there are other young children in the family requiring attention. These facts may not be known to the Minister, and I look to him for support and assistance in the matter.

Whilst speaking of the facilities available to deaf children, I mention that on Sunday last I, together with members of the Williamstown Quota Club, which is a service organization

of professional women, visited the centre at Portsea known as Delgany, which is conducted by the Dominican Sisters for the teaching and training of deaf children. I should like to place on record the appreciation of many people of the service and training which is being given at this institution. I was astounded to learn that not only were the Sisters giving assistance to children from the metropolitan area, and many other parts of the State, but that some children enrolled at the institution had come from Queensland, New South Wales, Western Australia and Tasmania. This speaks volumes for the work that is being done in caring for deaf children at this boarding school. I commend this institution to the Government's attention when consideration is being given to the question of assistance for deaf children. The Education Department, too, may gain a wider experience and knowledge of the teaching of deaf children from discussions with the staff at Delgany.

Sir EDGAR TANNER (Caulfield).—I direct attention of the Ministers concerned to the traffic situation which exists in both Orrong-road, Hotham-street and Williams-road in my electorate. The situation is daily becoming worse and nothing effective has been done to alleviate it. Thousands of citizens travel along these roads daily and suffer the inconvenience of wasted time, personal danger and damage to their cars. It has passed beyond the realms of fair play. It is time that the Traffic Commission gave consideration to a matter that needs urgent attention.

The situation could be improved by enabling a continuous flow of traffic along both Orrong-road and Hotham-street–Williams-road if under-passes were built where these roads intersect Dandenong-road, which is the main link between the metropolitan area and Gippsland. The volume of traffic on this important roadway is increasing daily—in fact, hourly. Both Orrong-road and Williams-road–Hotham-street also carry a great deal of traffic, mainly to and from the southern suburbs and the Mornington Peninsula, and for that reason particular attention to the present situation is desirable. I draw the attention of the Ministers concerned to the dangers now existing along both roads, as well as the time wasting delays that are caused by traffic congestion.

I also direct attention to the abuse of the road rule that requires traffic to give way to the right. Infringement of this rule is becoming the practice of certain motorists, who, I imagine, classify themselves as smart but who would be regarded by decent motorists as road hogs of the worst type. They ignore traffic lights and cut into the main traffic stream from small side streets, particularly at peak traffic periods. In the vicinity of Charles-street and Vale-street in St. Kilda, there are two sets of traffic lights within 200 yards, and long lines of traffic continually dodge the traffic at corners and use these two narrow streets at peak periods. On reaching the main street this traffic turns to the right and breaks into the main traffic flow. Of course, the traffic from these side streets has the right of way and exercises that right; I think this is completely unfair, despite the fact that it has been said during the past week or so by various organizations that there is no need to declare major and minor roads. I consider that the amendment of the Act by the insertion of a few words would make certain that these traffic hogs did not break into the main flow of traffic.

Mr. TURNBULL (Brunswick West).—I desire to refer to the safeguards provided by banks against armed holdups. On 1st October of this year I asked the Chief Secretary two questions relating to this matter, and in the past the Deputy Leader of

the Opposition has asked similar questions. The first question I asked the Chief Secretary was—

> Whether the Government has considered the necessity for trading banks to safeguard such institutions against hold-ups and to afford bank staffs adequate physical protection in the event of holdups; if so, whether it has any proposal or proposed legislation to reduce such dangers?

I also asked the honorable gentleman how many people had been convicted of indictable offences arising out of holdups of banks. The Chief Secretary supplied a list of the numbers. By interjection, I said that the numbers were increasing and the honorable gentleman properly and promptly replied that these were convictions and that in practically in every instance the police had been successful in obtaining a conviction.

It is true that, having regard to the strength of the Force, the police are doing their job in an adequate and proper manner, but I am concerned that week after week bank holdups occur. Some time ago a bank officer at Glenferrie was shot and a bank clerk at Brighton suffered a similar fate in carrying out his duties. Similar events will occur unless prompt action is taken to give bank employees protection.

The Chief Secretary stated that conferences were held on this matter in 1967. I agree that the Police Force is doing everything within its power, but is real protection given by the trading banks against this type of offence? A bank customer walks up to a counter similar to that which is in any shop in the city. Surely some kind of protection could be given to bank officers. Advances in science have made available facilities by which a bank clerk can give an adequate warning by pressing a button located on the floor near his feet and instant photographs can be taken of what is happening in the bank.

Bank officers give the public adequate and earnest service, and to afford some sort of protection it is the duty of the bank either to install a screen behind which the bank officers can work or to adopt a scientific method by which they can communicate with people out on the street or with the police. Unless action along these lines is taken, bank holdups will continue and eventually someone will be shot.

I refer now to practices adopted by various news media. Sometimes honorable members have the opportunity of viewing the evening news on television. Last night when I got home my wife complained bitterly to me about a news item which appeared on Channel 9. Recently this Parliament passed an Act relating to the publication of certain material. As I understand the position, last night a news item on Channel 9 depicted a female wearing a look-through bra. Surely women are entitled to some dignity and privacy in regard to the garments they wear. Television channels and the daily press should carefully police the type of advertising they permit.

Mr. Moss.—What are your views on the mini-skirt?

Mr. TURNBULL.—It depends on who is wearing the mini-skirt. In my opinion the television news item to which I am referring borders on indecency, and I ask the Chief Secretary to examine the matter.

Mr. TREWIN (Benalla).—I wish to refer to school bus services. Towards the end of the school year it is customary for head masters and principals of secondary schools to conduct surveys in the areas surrounding their schools to determine whether or not alterations are needed to school bus services. Over the past two or three years several problems arose in regard to these services, and as a result a survey was taken and the policy concerning school buses was examined.

Generally speaking, the policy in regard to school bus services has been that students from high schools, technical schools and registered schools can use the services, and that primary school pupils may use them

if there is sufficient room for them and the bus takes them to the nearest primary school. In several areas in my electorate, sufficient room is available on the buses for the primary school pupils but they have been unable to use the services because the buses do not go to within 7 or 8 miles of their homes. Over the past two or three years I have used examples in the Euroa district where, on the north-western side of the shire, three primary schools existed previously, but because the children in the area reached the school-leaving age and left, these primary schools were closed and the need for transport facilities no longer existed.

With the passing of time a new generation has come into the district; the former students have married and now have families of their own, with the result that there is a new group of primary school pupils. Because farm holdings are now larger than they were previously, insufficient numbers of pupils are available to justify re-opening the schools. However, because of the present policy in regard to school bus services, it is not possible to provide a bus service for these children who attend primary school. Under the present policy, a bus service will be extended if five secondary school students are in the area to use it. I should like this policy to be altered so that a bus service could be provided for a smaller number of students—say, three—and I should also like the same policy to be adopted for primary school pupils.

At present in the areas to which I refer, primary school pupils have to be taken 7½ miles by car by their parents to meet the school bus, and this means that the parents are carrying a greater burden than their counterparts in other parts of the State. I suggest that the number of secondary students required before a bus service is extended should be reduced to three, and that the same principle should apply to primary pupils. If this were done, justice would be given to the families concerned and more opportunities would be available to the students, even though the Education Department would be involved in more expenditure.

It is important that students who travel by bus have opportunities equal to those who live in areas closer to schools. Where bus services cannot be extended, the 10 cents per day travelling allowance is inadequate and should be increased. A travelling allowance of 10 cents daily aggregated over a period of six months would hardly be sufficient to buy a bicycle pump. This anomalous position has existed for a long time and, having regard to the fact that costs have increased so much, the matter should be examined seriously and some relief given.

Another matter of interest to me and the people in my electorate is that, although an excellent train service is provided in the north-east of Victoria by trains using the standard-gauge railway, for some years the people in that area have been trying to have a goods loading platform provided at Benalla. An excellent passenger service is provided, but no opportunity is afforded the people of the north-east and the Goulburn Valley to load goods on to trains for Sydney.

As honorable members are aware, the north-eastern area of Victoria is very highly productive and has reasonably consistent seasonal conditions. There is an outlet for hay and grain to be taken to northern areas, but year after year produce has been taken to Albury by road transport or train and there trans-shipped on to trains using the standard-gauge railway. I ask the Minister of Transport to examine this matter. The provision of a goods loading platform at Benalla would be beneficial to the people of the north-east, the railways and the State in general.

Mr. EDMUNDS (Moonee Ponds).—I direct the attention of the Minister of Public Works to the

fact that a very important book has been out of print for a considerable number of years and that, to my knowledge, it is not planned to reprint it in the near future. The book is entitled *Sailing Directions for Victorian Waters.* It is published by the Ports and Harbors Branch of the Public Works Department and is a well-known text book on navigation in Victorian waters. It is used by sailors and navigators ranging from amateur yachtsmen to the Conference shipping lines. It is a book which is carried at all times. The copy I have, which comes from the Parliamentary Library, was published in 1959. It is the sixth edition and when published, its price was £1.

I know that other people are seeking this book, and I have searched Melbourne for a copy of it, but it has been out of print for something like eight years. I believe this to be a matter of some urgency because there have been a number of tragedies in Victorian waters, involving citizens or fishermen entering or leaving Port Phillip Bay. General opinion amongst sailors is that there is nothing comparable with this book. The Ports and Harbors Branch issues tide tables, but they do not compare with a volume such as *Sailing Directions for Victorian Waters.*

The book is published to assist those who use the sea, and I am concerned to find that publication of the seventh edition is still a long way off. I ask the Minister to examine this matter within his own Department to see whether publication can be expedited. I have contacted the Government Printer about the matter and have been assured that it is no fault of his that the seventh edition has not come to light. The position appears to be that a considerable number of amendments, rewording and author's corrections are required. However these are technical matters, and should be able to be expedited.

From the point of view of safety of lives at sea, I believe this to be a matter of some urgency. In my opinion, it is necessary that this book should be freely available to the public, because if it is not, there is uncertainty as to the correct procedures to be followed when entering or leaving various ports. Admiralty charts do not deal fully with all of the problems associated even with sailing through Port Phillip heads, but this book goes into great detail and examines every aspect of it. It is essential for all navigators to have a copy of this book.

With regard to the technicalities involved in the printing of the book, I understand that there are many proofs yet to be corrected but most of the material is standing ready to print. If the Minister looks at the matter seriously, and arranges for officers of the Ports and Harbors Branch to expedite proof corrections, I am sure that the seventh edition could appear on bookshelves within a short period.

Mr. WILKES (Northcote).—The matter I wish to raise under privilege of this debate is the Government's appalling lack of ability to recruit more police and the effect of the Government's failure upon crime, the road toll and other aspects of law enforcement in this State. The failure of the Government has not been because it has not been advised from time to time by people who should know what the recruitment requirements are in this State or because the Opposition has not advised the Government, but because of its own inability to overcome the problem.

The Police Association recently wrote to the Chief Secretary, the Premier, municipal councils and chambers of commerce throughout Victoria pointing out the dangers of the policies of the Government with regard to law enforcement. On the 19th of this month, the association sent to municipalities a facsimile of a letter it wrote to the Chief Secretary in which it quoted a resolution which had been carried by the association. The resolution was—

> That owing to the growing apprehension of police at the continued police shortage we communicate with the Premier, Chief

Secretary and Chief Commissioner of Police stressing the urgent need for increases in strength and production of recruits in quantity and to express our bitter disappointment at the Government's attitude and failure to recruit sufficient men to meet the present shortage and the continued recruitment of civilian clerks as a futile attempt to balance the lack of trained police.

This executive has doubts as to the sincerity of the efforts to recruit additional police or alternatively feels that the advice put before the Governor in Council has been inappropriate and obviously ineffective.

In its letter the association urged the Chief Secretary and the Government to allow the recruiting situation to be used as a factor before the Police Service Board in assessing appropriate salaries for police officers. When police salaries are being dealt with by the Board, the advocate appearing on behalf of the police has been unable to use as evidence the fact that here is an acute shortage in the Force. In my opinion, this is a notable omission. When appellants appear before wages boards or other tribunals they are entitled, if their industry is suffering an acute shortage of skilled tradesmen, to put this fact before the tribunal. In hearings concerning salaries, remunerations and working conditions of police officers, however, evidence of that type is inadmissible. As a result, decisions are made on the basis that there are sufficient police officers, and in the view of the Opposition this is a completely wrong understanding of the actual situation.

It means that the Board is using wrong criteria in reaching its decision. In my opinion, when a case is put before the Police Service Board for an increase in salaries and improvement in conditions of police officers, the fact that there has been an acute shortage for the past seven or eight years should be placed fairly and squarely before the tribunal. I feel free to make these remarks because there is no case at present before the tribunal, and therefore the matter is not *sub judice*. If the fact that there was an acute shortage of police officers were permitted to be put before the tribunal by the advocate appearing for the police, it is obvious, and one would expect, that the tribunal would look at the question in a different light. If such evidence were admitted, it would inject the ingredient of work value into the Board's consideration.

I agree with the Police Association's contention that this is a very serious omission in the determination of salaries and conditions, and I hope the Government will arrange for evidence of this kind to be permitted in future applications to the Police Service Board. In any industry where there is a shortage of skilled men salaries are higher, because industries have to compete with each other for the services of the men available. The trade union movement of Victoria supports private agreements between employers and employees; and that there is competition between employers is evidenced by the payment of over-award rates.

Because the salaries of police officers are restricted, outside interests such as watching services and private agencies are able to offer greater inducements to policemen. Police officers are highly skilled, and their training has cost the State many thousands of dollars. Although they are at peak efficiency, their services are being lost to the State because private enterprise can offer them better prospects. If salaries and conditions were determined on a realistic basis and in proper perspective, the number of policemen leaving the Force would be reduced.

The situation is so alarming that it has been commented on by Chief Commissioners. There is a steady balance between the numbers recruited to and the number leaving the Force for reasons other than normal retirement because of age, sickness and so on. As a result, the number of policemen in the Force does not increase.

This situation can be overcome only by providing better conditions in the Police Force. I know that the Minister of State Development has

close contacts with the Chief Secretary's Department and that he has very capably acted as Chief Secretary. I suggest that he should speak to the departmental officers about this problem. Providing better conditions would be one way of increasing the confidence of the Police Force in the Government and in the community. Despite its deficiency in numbers, the Victoria Police Force is very efficient. Its efficiency is greater than that of most police forces in the world, but that efficiency can be maintained only if its members are able, without impediment, to put their claims on wages and conditions to an independent tribunal and have them heard on a just basis.

I know that the Chief Secretary disagrees with what I am about to say, but I endorse the suggestion of the Police Association that the minimum height for recruits to the Police Force should be reduced to 5 ft. 8½ in. There are many positions in which it is not necessary that a policeman should be 6 feet tall. I am surprised that this recommendation of the Police Association has not been adopted. At least, it should be given a trial for a period so that the Government can determine whether the arguments advanced by members of the association and many other people are valid. The association is just as interested in maintaining the Force at its high standard as are the Government and the community.

The association also suggests that additional funds should be provided for an advertising campaign, through press, radio and television, on the advantages of a career in the Police Force. Private enterprise generally, trading banks, and Commonwealth Government Departments—I realize they have more money than State Departments—conduct advertising campaigns through the various media to attract recruits to their staffs, and there is no reason why this should not be done by the Victoria Police Force.

The Police Department needs a first-class public relations officer to improve the image of the Police Force among the general public. It is statistically possible that every motorist in the State will, within the next five years, receive a notice for infringing the traffic regulations. Because the Police Force must enforce these regulations, it has a hurdle to get over in maintaining good relations with the public. There is nothing more irritating to a man than to be pulled up for a minor traffic offence when he believes that, even if he committed the offence, other motorists are committing the same offence or worse offences. I do not suggest the offenders should not be booked, but it is because police must do these things that the Force needs a public relations officer. The appointment of a promotions officer or a public relation officer would help in the recruiting of men to the Force and in maintaining good relations between the Force and the community.

The Victoria Police Association also suggests that greater emphasis should be placed on recruiting police than on recruiting civilian clerks. There is an optimum number of civilians who can be gainfully employed in any police force. The number cannot be increased unless the number of police is also increased; otherwise, there would be an imbalance within the force. It is desirable that civilians should be employed within the Victoria Police Force on work for which it is not essential to employ a policeman, but it is important that the balance between civilians and police should be maintained.

The association has sent a letter to all municipal councils and chambers of commerce in Victoria appealing for assistance in its campaign for more police. This is not a political action by the association; it is merely an attempt to highlight the urgent need for more recruits. Many municipalities have complained about police stations being closed down, insufficient police, and increased crime rates, and one would expect that they would be

only too willing to support the Victoria Police Association in its efforts and to back its representations to the Government. One would expect the same sort of co-operation from chambers of commerce throughout the State.

The association asserts that the shortage of police in Victoria has been so obvious that, for some considerable time, it has been apparent to all sections of the community and to all citizens. It also expresses the opinion that the shortage of police is reflected in the increasing road toll and the upsurge of robberies and crimes of violence. The honorable member for Brunswick West referred to that problem this morning.

In his report, not for this year but for 1966-67, the Chief Commissioner referred to what he called an epidemic of crime in Victoria. There are many reasons for this epidemic, but it is brought about largely by the shortage of police. Criminals can operate in this State with the knowledge that the rate of detection must fall because there are not enough police. That so many criminals have been apprehended and proceeded against reflects great credit on the Force, with its restricted numbers. The association, in its letter to municipalities and chambers of commerce, also stated that it was of the opinion that, unless constructive action was taken by responsible groups such as those to which it was writing, the position must deteriorate further and ultimately become of grave public concern. The letter went on to say—

> For the past five years the Police Association has been drawing attention to the shortage of police and the undue strain placed on members trying to maintain a satisfactory police service with inadequate numbers.

Recently, a Bill relating to illegal gambling was before the House, and, to obtain some information about the Gaming Branch, I addressed a question to the Chief Secretary. The part of his answer which related to the mobility of the Gaming Branch astounded me. During 1956 and 1957, one motor vehicle was made available to the Gaming Branch from the transport section of the Police Department. From 1966, two motor cars were allotted to the Gaming Branch, but they were also available for use by the Licensing Branch and the Vice Squad. That is, there were two motor cars for three very important sections of the Police Force. How can the Force function with that type of transport system? The members of these squads must use public transport or bicycles to get to places where they should go at a moment's notice. The situation is incredible.

I certainly do not criticize any of those three sections of the Force but, if their mobility is restricted in that fashion, how can they carry out their functions properly? Possibly this is a rare example of a critical mobility problem within the Force. In his answer to my question, the Chief Secretary also stated—

> As from the 1st November, 1968, the Vice Squad was transferred to the former North Fitzroy police station and it will no longer be calling on the Gaming Branch for the use of either of the vehicles allotted to that branch.

Apparently, the Vice Squad now has a vehicle of its own. A similar situation exists in many other sections of the Police Force. There is a serious lack of mobility of officers attached to important stations in the metropolitan area where, if it were not for the use of private cars, the position would be critical. The use of private vehicles on police work is restrictive because when a policeman whose car is used on the job finishes work he takes his vehicle home with him.

I understand the problems facing the Department and the Government, but I emphasize these points because they are the most important problems and have been referred to by the Police Association. On the 6th

September of this year, the association in a letter to the Chief Secretary stated—

Our executive would like you to examine the present proportion of superintendents to other ranks in the Victoria Police Force. We put this forward on two grounds :—

1. That the increase in the number of superintendents is necessary for efficient administration in at least eight districts : and

2. An immediate increase of three superindents is necessary to provide relief for the other 23 superintendents each year when absent on leave, sick-leave, &c.

The eight districts, 'A', 'B', 'H', 'P', 'Q', 'T', 'X' and 'C.I.B.', contain more than three-quarters of our total police strength, yet there are only eight superintendents to administer and supervise this large group. . . .

A total of fourteen superintendents are available to supervise the remaining one-quarter of the strength of the Victoria Police Force. Melbourne "A" district has a greater strength than most Australian police forces and more than half the total strength of the South Australian or the West Australian force, yet this district has only one superintendent. "T" district has a strength of approximately 700 men, which again is more than the total of many police forces. With this huge strength and the current accent on traffic, the appointment of a second superintendent must surely improve efficiency. Mr. Crowley went on to state—

The ratio of inspectors to superintenents in several districts is also remarkable. For example, Melbourne has one superintendent to 31 inspectors, 'T' District has one superintendent to eight, whilst the C.I. Branch has one to ten. These ratios compare oddly with other districts, where we find many ratios of one superintendent to two or three inspectors and four districts with only one of each.

With six weeks' leave per annum, we find that the present 23 superintendents are absent a total of 138 weeks per year. To provide an adequate relieving staff for them would require three additional superintendents. This would work out exactly at 156 weeks (3x52) including their own leave of six weeks (18 weeks in all, giving 138 plus 18).

The appointment of these three superintendents would not involve any additional expenditure as upgraded inspectors are now receiving this pay whilst the superintendents are on leave. It would help with promotions and pensions. At present it seems unfair that a chief inspector can be precluded from becoming a superintendent after reaching 57 years of age but is still asked regularly to relieve superintendents and ultimately be forced to retire on a chief inspector's pension.

On 2nd August, 1968, we put these recommendations in writing to Mr. Arnold and, after inquiry, he replied to them on 27th August, 1968. We are very disappointed in his answer.

Although it is of secondary importance we would also point out that the promotional situation is such in the Victoria Police Force today that the appointment of three (or six) additional superintendents would give members some encouragement.

I trust that the Chief Secretary will favourably examine the proposals of the association. The Minister of State Development is interested in this aspect of Government administration, and I know that he pays attention to submissions of the association. Three additional superintendents are required to improve the staff situation and the morale of the Force to make it more functional and operative.

The Police Association also referred to the number of resignations from the Force; this has increased to alarming proportions. These resignations have now caused the Chief Commissioner, for the first time, to implement the statutory provision requiring a member to give three months' notice of resignation. This has unfairly precluded members of the Police Force from leaving the Force to take better positions in outside industry. It is deliberately intended to prevent members of the Force from bettering themselves. If the Government and the Department cannot offer an inducement to encourage policemen to improve their positions within the Force, it should not stand in their way of improving their positions in private enterprise. The Government cannot have its cake and it it too. Mr. Crowley stated—

A classic instance of accepting a resignation on the spot was that of Detective Jacobson, ex-Homicide Squad, who resigned following the present abortion investigations and publicity thereon. A number of similar resignations have been accepted on the spot in recent years.

In certain circumstances it is imperative that the Chief Commissioner should allow resignations to take effect outside of the normal statutory period.

The overtime provision now existing in the Victoria Police Force is another serious bone of contention to members. Mr. Crowley stated that payment for overtime was a feature of contemporary employment which had helped to increase the average weekly earnings in Victoria to approximately $65 a week. In his letter to me, Mr. Crowley stated—

> In time of an acknowledged shortage of police, why did the Government engage counsel to oppose a claim by the Police Association for paid overtime? This claim was defeated and members of the Police Force are being denied an opportunity to supplement their earnings. They are prevented by law from taking other employment so they are in the unique position of being only able to earn a wage that is fixed for a 40-hour week.
>
> Some indication as to why constables are not joining the Police Force and how their initial pay is out of step with the average earnings in the community can be gathered from the attached sheets 7 and 8, used by us before the Police Service Board.

These sheets were attached to the letter. I commend my remarks to the Minister of State Development, Crimes of violence, including holdups and rape, and accidents normally increase over the Christmas period. Whilst these crimes cannot be entirely eliminated, they can be reduced by the provision of adequate staff for the Police Force. People are entitled to a greater recruiting effort than has hitherto been the case. The Government should put its best foot forward and accept the advice of the Police Association, the municipalities and the chambers of commerce with the view of stepping up the drive for recruitment and generally improving the position of policemen.

Mr. BIRRELL (Geelong).—Recently, a serious collision on the Geelong-road at Laverton between a police vehicle and a car travelling in the opposite direction resulted in the death of a policeman. The police vehicle was taking a girl on remand to Melbourne.

Greater facilities should be provided at Geelong for arrested female prisoners and for the detention of young girls and women who have been held overnight by the police. Geelong has an urban population of 120,000 people, and 150,000 people reside in the Greater Geelong district. Such a large population must always contain a certain percentage of girls and young women who have been arrested or who have been detained for certain periods. I discussed this subject this morning with a lady who, for many years, has been most interested in the welfare of young women. She suggested that, to cope with the increase in the number of these persons, some type of hostel accommodation for girls should be provided in the Geelong district.

The local superintendent of police at Geelong agreed with my suggestion that extensions should be made to the Pirra Girls' Home at Lara, which is administered by the Prisons Division of the Social Welfare Branch to accommodate the type of young women to whom I have referred. The provision of this additional accommodation would not be costly. The Geelong area is growing rapidly and the Government should provide these facilities. Inevitably this type of institution will become a necessity in the major provincial cities, and the need is now apparent in Geelong.

Mr. FLOYD (Williamstown).—I refer to the reduced tramway services and the way in which the Melbourne and Metropolitan Tramways Board has been financially treated by the Government. I sympathize with the Board because, for some years, it has been required to provide an uneconomic service at times when the private operators pack up and go home—these operators never bother to run night services.

A recent press report suggested that it cost the Tramways Board $5 to earn $1. Even public transport could not carry on under those circumstances. The Government should consider providing finance for

the Board to purchase the 100 new trams stated by the chairman to be urgently needed in Melbourne. I do not subscribe to the idiotic argument advanced by some people that trams should be abolished. They do not run in Adelaide and Sydney because the rolling-stock became so run down that the people became conditioned against their use and it suited private enterprise to get rid of them.

The Melbourne tramways system is comparatively new and the capital value of the rolling-stock and installations is too great to throw away, despite the fact that certain sections of the daily press never cease to write about our archaic trams. When compared with modern trams of the world, those in use in Melbourne are archaic. It should be noted that I used the expression "modern trams of the world". Many European cities still use trams because they are the best means of transporting large numbers of people. Every time the tramway employees go on strike, the greatest critics of the trams are the first to complain about the traffic congestion on the roads. Trams do not clutter up the roads; they carry more people down the centre of the road than all the cars in Melbourne. It has been said that if all tramway passengers had to travel by car, the number of cars required would stretch from Melbourne to Bairnsdale. The Government must face up to the fact that trams will remain in Melbourne for many years, and it should provide finance to enable the Board to purchase new trams. The chairman of the Board has said that, with modern trams, maintenance costs, which are a particularly large item of expenditure for the Board, would be reduced.

Because of crowded conditions during peak periods and an insufficiency of trams, fares are being lost. On previous occasions, I have suggested that honesty boxes should be fitted to the trams so that passengers, instead of pushing through the crowded trams to pay their fares to the conductor, could place the money in the honesty boxes. The argument that this system has been tried but people did not respond does not alter my view.

Mr. MANSON.—It works in Glasgow.

Mr. FLOYD.—If this system works in Glasgow, it will work anywhere; it is worth another try in Melbourne.

Mr. B. J. EVANS.—In Russia, the passengers obtain their tickets from a machine.

Mr. WILTSHIRE.—What about Afghanistan?

Mr. FLOYD.—It may surprise the House to know that trams are used in Karachi. The Board's public relations activities should be expanded and its services improved. People will not walk to a tram; the tram must be brought to the people. It is a marvel to see how large crowds at football grounds are dispersed so quickly by public transport. When trams operated in Sydney, trams from a dozen different lines were at the Sydney Cricket Ground when the game finished, and the crowd was dispersed in a short time. A tram loop should be provided into the area surrounding the Melbourne Cricket Ground. Complaints might be made that parklands were being alienated for tramway purposes, but it should be remembered that on the days on which the trams would move into the parklands the lands would be used for car parking anyway. Tramway loops should also be constructed for trams to service the Carlton and North Melbourne football grounds. People will use trams if they are close at hand, but they will not walk to a pick-up point. They would rather share a taxi with three or four other persons.

I have previously asked for an improvement to be made in tramway services, and the obvious answer by the Government has been to ask where the money will come from. I believe it should be a capital charge against the

State. I have often been criticized because I was a member of the Public Works Committee which did not recommend an extension of the East Preston tram line for one block. In my opinion it was not worth while extending the line for only that distance. People who are now critical of the recommendation did not bother to appear before the committee.

The proposed extension would have served nobody, and would have interfered with the network of private buses which are integrated with the public system. Above all, and this is my alibi in this regard, it would have interfered with the railway service. The railways and the tramways should not serve the same areas along parallel lines, but should fan out to serve larger areas. The report of the Public Works Committee referred to the then proposed La Trobe University, and recommended that, when the university developed, the tram line should be extended from Tyler-street, East Preston, to the La Trobe University.

I have previously said that the Government should provide a financial transfusion to the Board to permit it to purchase new trams so that maintenance costs may be reduced and a better service provided. If a better service were provided, people would again use the trams. Somebody has to start things off. Since its inception, the Tramways Board has been handicapped by financial burdens. For years, the Board contributed from its funds to, of all things, the infectious diseases hospital, the Metropolitan Fire Brigades Board and the Licences Reduction Fund. Why the Board was ever forced to contribute to that fund, I shall never know. When an hotel was closed and the Government had to compensate the proprietors, the Tramways Board had to contribute towards the compensation. This payment no longer operates, but the Board still needs assistance to enable it to provide a more efficient service.

Mr. DIXON (St. Kilda).—I thank the honorable member for Williamstown for cutting short his remarks to enable me to speak on a matter connected with education. This financial year, the Government has allocated approximately $265,000,000 for education. We would all like to think that this colossal amount of money, which involves capital and human resources, is used in the best possible way. Of that amount approximately $13,000,000—5 per cent. of the total—will be spent on studentships.

I pose for the consideration of the Minister of Education and those officers in the Education Department who are responsible for formulating the policy of bonding of student teachers a suggestion as to how the State may retain the same quantity, and I hope quality, of studentship holders and at the same time reduce some part of the studentship allowance. This could be done by substituting a loan for part of the studentship allowance which would be repayable to the State over a long period of time. A substantial amount of money would then be available to the State for spending in other areas of its education programme.

An important area to which the money could be channelled is the improvement of conditions under which teachers teach in schools, particularly in regard to staff rooms and the general way in which teachers are assisted or rather not assisted by clerical assistants, typists, and so on. Conditions could be improved by the use of money which would be made available as a result of boys and girls paying back a portion of the studentship costs which would be deemed to be a loan.

This type of scheme is in operation in Sweden where for each student the amount involved for each academic year is 5,000 Swedish kronor, which is approximately

equivalent to $900 Australian. A period of twenty years is allowed for the repayment of the loan, but if there is an illness or some other acceptable reason, the interest does not have to be repaid. If the recipient is unable to pay on account of continued ill-health, repayment is cancelled in full.

The bonding of students must be considered in conjunction with this scheme. The reason for bonding students who receive a tremendously valuable allowance is that conditions in outside industry may, on the completion of their courses, attract many of these young people away from the Education Department. On the other hand many students would become teachers or would consider teaching as a career if it were not for the bond. A bright young man may not wish to tie himself down shortly after completing matriculation, and contract to spend three years with the Education Department.

From the funds repaid, it may be possible to improve teachers' conditions and many people, having been attracted to teaching, may take on a studentship without a bond and remain in the Teaching Service. Improved teaching conditions would make it much easier to retain these young teachers. On the average the girls who take on a studentship, stay with the Department for only 3.2 years. An enormous cost is involved in obtaining this average which is calculated by including female teachers who have served in the Department for 40 years. Studentships are therefore of great value to girls relative to their direct contribution back to the State. The establishment of a loan, repayable over twenty years, could attract married women to return to the Teaching Service.

I do not agree with the argument, which could be used against this proposal, that by reducing the overall value of a studentship many boys would be attracted to other employment. Assistance under a studentship would still be more valuable than any other scholarship, including Commonwealth scholarships. Very few scholarships or cadetships are available in private industry. Therefore, by reducing the value of the studentship already around $1,500 by a loan of, say, $500 per annum, the State would not lose many potential teachers.

I stress that I submit this proposal only as a suggestion. I have not given as much consideration to it as would be needed before a decision could be made. However, the Government must think seriously about ways and means of improving the results obtained from its financial allocations for education purposes. This system has worked well in Sweden and in many other countries throughout the world. The Minister should consider substituting some part of each studentship allowance by a loan which would be repayable over, say, twenty years.

The motion for the House to resolve itself into Comittee of Supply was negatived.

The sitting was suspended at 1 p.m. until 2.7 p.m.

MILK BOARD (AMENDMENT) BILL.

This Bill was received from the Council and, on the motion of Mr. BALFOUR (Minister for Fuel and Power), was read a first time.

AUDITOR-GENERAL'S SUPPLEMENTARY REPORT.

The DEPUTY SPEAKER (Mr. L. S. Reid) presented a supplementary report of the Auditor-General for the year 1967–68.

It was ordered that the report be laid on the table and be printed.

WHEAT INDUSTRY STABILIZATION BILL.

Mr. BALFOUR (Minister for Fuel and Power).—I move—

That this Bill be now read a second time.

This Bill is complementary to the Commonwealth wheat stabilization legislation, and is essential to the Australian wheat stabilization plan, which has operated successfully for the past twenty years. It is in accordance with the decisions of the Australian Agricultural Council, of which the Minister of Agriculture is a member, and although dissatisfaction has been expressed by wheat-grower members of the Victorian Farmers' Union with some aspects of the legislation, the over-all plan has been accepted by the Australian Wheat-growers' Federation.

The Bill replaces the Victorian Wheat Industry Stabilization Act 1963, which covered the seasons 1963-64 to 1967-68, and provides for the continuance of orderly marketing of wheat by the Australian Wheat Board for a further seven seasons, 1968-69 to 1974-75. It will be noted that the "life" of the Australian Wheat Board has been extended for two years beyond the normal five-year stabilization period in order to allow the Board to make forward plans for the sale of the two crops immediately succeeding the expiration of the new scheme.

The vital part of the Victorian legislation, which is paralleled in other States of Australia, is that it authorizes the acquisition of wheat, and establishes a home consumption price and a guaranteed price. Under the Commonwealth legislation the guaranteed price will apply to exports up to a maximum of 200,000,000 bushels from the crop of any season from 1968-69 to 1972-73.

The 1967-68 season was the last season of four consecutive five-year stabilization plans, during which the wheat industry has prospered and expanded in all States of the Commonwealth. In 1960, the area planted to wheat in Australia was about 13,500,000 acres. This year it is about 26,000,000 acres. Production in 1960 was a record 274,000,000 bushels; two years ago it reached a new record of 467,000,000 bushels, and this year that record could be exceeded.

As honorable members will know, the stabilization plan provides wheat growers of Australia with a guaranteed price for all wheat consumed in Australia as flour, breakfast foods, stock feed and so on, which price is fixed under State legislation, and a guaranteed price by the Commonwealth Government for a specified quantity exported from Australia in each of the five years of the plan.

In all previous plans, the home consumption price and the price guaranteed on export wheat have been identical, and have been the same as the cost of production as determined by the Commonwealth Minister for Primary Industry after consultation with the Ministers of Agriculture in each State. Each five-year plan has been preceded by a cost-of-production survey conducted by the Bureau of Agricultural Economics, and the wheat price for each year of the plan has been calculated and recommended by the Wheat Index Committee, comprising representatives of the Bureau of Agricultural Economics, the Australian Agricultural Council and the Australian Wheat-growers' Federation, taking into account annual variations in production costs.

The 1968-69 to 1972-73 stabilization plan departs from a one-price cost-of-production formula for home consumption and export wheat, and increases by 50,000,000 bushels, up to 200,000,000 bushels, the quantity of wheat for export on which a guaranteed price will be paid in respect of any season. It is estimated by the Commonwealth Government that retention of the previous formula for fixing prices would have cost something like $250,000,000 over the next five years compared with approximately $95,000,000 for the

five years just concluded. Much of this additional cost is attributed to inflated values for wheat-growing land.

The new Commonwealth legislation establishes a two-price plan—a home consumption price of $1.70 per bushel, which will return the grower 5½ cents per bushel above the last year of the previous plan, and a guaranteed price of $1.45 per bushel f.o.b. on 200,000,000 bushels of wheat for export. These prices are for the 1968-69 crop and are subject to annual review according to fluctuations in movement in actual cash costs, including wages, rates of charges—including rate of interest—on wheat-growing operations, transport, handling and storage of wheat. The home consumption price would be adjusted annually by the same amount as the guaranteed price is adjusted.

As I indicated earlier, the departure from the cost-of-production formula for home consumption and export prices has met with some opposition by the Victorian Farmers' Union on behalf of wheat growers of this State. This organization advanced an alternative plan which differed from the Commonwealth plan in that it sought a single price of $1.50 f.o.r. ports for both home consumption and export wheat as against the Commonwealth figure of $1.70 for home consumption and $1.45 f.o.b. as the guarantee for export; f.o.r. differs from f.o.b. by approximately 3½ cents per bushel. In addition, the Victorian Farmers' Union sought to have both cash and imputed costs included in the annual assessments of home consumption price and guaranteed export price by the Wheat Index Committee.

On 7th October, 1968, the Minister placed the union's views before the Commonwealth Minister for Primary Industry, but they were not accepted. During the negotiations he was particularly concerned about the increased price of wheat to poultry farmers, pig producers and stock feed manufacturers, and the inflationary effect that the new home consumption price would have on the costs of such basic commodities as bread, flour, eggs, milk and breakfast foods. The Minister's concern about these matters was conveyed to the Commonwealth Minister, but without success.

It is estimated that the home consumption price will apply to approximately 60,000,000 bushels of wheat annually, so that the new legislation provides a guaranteed price for up to 260,000,000 bushels—an increase of some 50,000,000 bushels above the previous plan. In view of the expanding wheat production throughout Australia, this is an important change to the wheat grower.

The Commonwealth legislation will continue the loading on the home consumption price to cover cost of shipment of wheat from the mainland to Tasmania. For the year beginning 1st December, 1968, it will be 1 cent per bushel—it was 1.5 cents in the previous season—and this freight loading will be subject to variation as may be necessary in subsequent years.

As in previous plans, the Commonwealth legislation provides for a Wheat Prices Stabilization Fund to meet the difference when export prices are below the guaranteed export price. When export prices reach a level of 5 cents a bushel above the guaranteed price, the additional return, up to a maximum of 15 cents per bushel, will be paid into a fund to meet losses incurred when the export price falls below the guaranteed export price. This stabilization fund has a ceiling of $80,000,000. When funds are not available in the stabilization fund, the Commonwealth Treasury will meet the deficit.

For the information of honorable members, I shall now refer to the principal variations from the 1963 State Act. The title of the Bill includes a reference to "the marketing of wheat" as the Bill provides for the marketing and pooling scheme to remain in operation for two years

longer than the stabilization provisions. This is mainly to enable the Wheat Board to make forward sales of wheat towards the end of the five-year stabilization period. Clause 4 deals with the repeal of the 1963 Act. The form of sub-clause (2) has been simplified, and sub-clause (3) has been included to cover payments to the Board by the Commonwealth in respect of losses arising from the devaluation of sterling and other currencies. By clause 5, the definition of the Commonwealth Act has been altered to include any amendments to that Act, and definitions of wheat and wheat products have been included for the purpose of clarity.

Clause 6 has been split into two parts, as some provisions of the Bill apply for seven seasons and some for only five seasons. In comparison with the previous Act, the wording of paragraph (*c*) of sub-clause (1) has been altered to empower the Board to make forward arrangements for the sale or disposal of wheat and the other specified items. In paragraph (*f*) of sub-clause (1) the wording has been slightly extended to cover matters which are conducive to the exercise by the Board of the powers conferred on it under clause 8.

The provisions of clause 9 correspond with a clause in the Commonwealth Bill, but this provision was not included in the previous State Act. However, it is now considered desirable to make provision in the State legislation indemnifying members of the Board when performing functions under the State Act.

Some drafting changes have been made with a view to making clause 11 more effective than was section 10 of the 1968 Act. In sub-clause (4) the exception of old wheat has not been included, as it is covered by the definition of "wheat" in clause 5. The words "without reasonable excuse" have been inserted in paragraph (*a*) of sub-clause (5), and the penalty provision has been altered to take account of the fact that, unless new legislation is enacted in 1973, there will be no guaranteed price in the last two seasons.

In view of the fact that licensed receivers may not be in a position to receive all wheat when offering, and may be authorized by State laws to regulate deliveries, sub-clause (1) of clause 12 has been altered from the provisions of section 11 of the previous Act. Sub-clause (2) permits the application of the provisions of the Grain Elevators Act relating to the delivery of wheat in this State.

Sub-clause (1) of clause 13, relating to unauthorized dealings in wheat, applies to wheat of any season, thus making it unnecessary for the Board to prove the season to which wheat belongs. This is considered reasonable, as there would be no wheat still in existence that had not been subject to prohibition of unauthorized dealings under previous legislation. As in clause 11, the penalty provision has been altered to cover the possibility of there being no guaranteed price.

Clause 14 relates to the price to be paid for wheat. The wording of paragraph (*b*) of sub-clause (2) has been simplified and brought into line with the actual practice of the Board. Provision has been made in paragraph (*c*) of sub-clause (2) to enable the Board to deduct from growers who deliver bagged wheat the additional costs incurred in handling that wheat. Paragraph (*b*) of sub-clause (5) has been reworded to clarify the Board's power to apportion administration costs between seasons. In regard to sub-clause (6), paragraph (*a*) has been included to cover moneys received by the Board which were not the subject of specific provision in the previous legislation; and paragraph (*b*) has been inserted to authorize the Board to charge against the appropriate pool payments made or received by the Board on exported wheat in accordance with the Commonwealth Act. It would seem that such payments have been made in the past without proper authority.

The provisions of sub-section (7) of section 13 of the 1963 State Act detailing how the amount payable out of the Wheat Prices Stabilization Fund under the Commonwealth Act is determined have been omitted from sub-clause (7) of clause 14. These details are not considered to be legally necessary. In the same sub-clause, the words "average price per bushel contracted to be paid" have been substituted for "average price per bushel obtained".

This alteration is related to the provision made in paragraph (*b*) of sub-clause (8) concerning the date on which foreign currencies are to be converted. It is contemplated that the Board will protect itself against exchange variations by arranging forward exchange cover. A variation in exchange rates between the date of contract and date of payment could, of course, operate against or in favour of the Board. The average price is to be ascertained on a f.o.b. basis, insead of a f.o.r. basis. The guaranteed price in the Commonwealth Act has been arrived at on the same basis.

Sub-clause (4) of clause 15 is designed to apply to assignments, whether made before or after the commencement of the Act.

Clause 16 fixes the 15th September, 1968, as the final delivery day for the relevant season. Clause 20 gives effect to the proposals concerning the home consumption price. The cost per bushel to cover freight to Tasmania has been altered to 1 cent per bushel for the season 1968-69. In subsequent seasons, this freight loading may be varied by a determination of the Commonwealth Minister.

This Bill is an integral part of the Commonwealth wheat stabilization scheme. The previous legislation, under which the scheme operated, has now expired. It is therefore essential for the new legislation to be passed during the present session in order that the stabilization and marketing arrangements will apply to the current wheat crop. I commend the Bill to the House.

Mr. Balfour.

On the motion of Mr. WILTON (Broadmeadows), the debate was adjourned.

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

MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET BILL.

Mr. PORTER (Minister of Public Works).—I move—

That this Bill be now read a second time.

This Bill makes the necessary legislative provision for the transfer of the wholesale fruit and vegetable market, at present conducted at the Queen Victoria Market site, to a new location in Footscray-road and also provides a charter for the subsequent operation of the market by the Melbourne City Council. Preliminary work on the new site was commenced by the council in 1962, and it is expected that by August, 1969, the new market will be ready for occupation.

It is interesting to trace the history of the fruit and vegetable market. Melbourne's first fruit and vegetable market was established at the western market site in 1841 and, with the incorporation of the Town of Melbourne in 1842, power to operate the market was transferred to the town council. The eastern market was an important market for fruit and vegetables from 1853 until 1878, when the Growers Wholesale Fruit and Vegetable Market was transferred to the Queen Victoria site. The Melbourne General Market Act 1917 granted an additional 10 acres to the Melbourne City Council to be added to the Queen Victoria site for market purposes. This was the site of the old Melbourne General Cemetery. With the transfer of merchants from the western market to the Queen Victoria Market in 1930, the latter became the only wholesale market for fruit and vegetables in Melbourne. The wholesale market occupies 13½ acres of the 16-acre site. Portion of this is used for retail purposes after wholesale activities have ceased. The remaining 2½ acres are occupied by meat and dairy produce markets, shops and licensed produce agents stores.

Facilities at the market have been inadequate for many years. In 1949, in a report to the Melbourne City Council, the Superintendent of Markets and the city architect recommended the transfer of the wholesale fruit and vegetable market to a site in Footscray-road. The West Melbourne Market Land Act 1956 made a Crown grant to the Melbourne City Council of 50 acres for market purposes. The purchase price was an amount of $400,000. The fish market was subsequently erected on portion of this land, leaving an area of 41 acres for the proposed wholesale market. In August, 1959, the Melbourne City Council announced a plan to transfer the wholesale fruit and vegetable market to the Footscray-road site. The Victorian Chamber of Fruit and Vegetable Industries opposed the council plan and, in February, 1960, announced that it had prepared a suggested plan and scale model for redevelopment of the Queen Victoria Market.

In May, 1960, the Government appointed an inter-departmental committee comprising representatives of the Department of Agriculture, the Public Works Department, and the Rural Finance Corporation, to examine and report on the proposal by the city council to transfer the market to Footscray-road and the alternative proposal of the Victorian Chamber of Fruit and Vegetable Industries for rebuilding of the market on the present site. The committee furnished a report to the Minister of Agriculture in November, 1961. It did not favour the proposal of the Chamber of Fruit and Vegetable Industries for a three-level market on the Queen Victoria site. It considered that a market built on this principle would not be efficient, economic or practicable. The committee recommended the transfer of the market to the Footscray-road site held by the City Council, but considered that the area should be increased to 56 acres by the addition of the adjoining 15 acres then owned by the Melbourne and Metropolitan Tramways Board. This transfer was effected by the West Melbourne Lands Act 1968, which granted the land to the Melbourne City Council for the sum of $200,000. The committee also recommended the establishment of a statutory authority, on the lines of the Brisbane Market Trust to construct and administer the market.

In April, 1962, following discussions between representatives of the Government and the Melbourne City Council, it was tentatively agreed that, subject to certain conditions, the council should operate a wholesale market on the Footscray-road site. The conditions were:—

1. That the area of the site would be increased to 56 acres.
2. That the council, as market authority, would have sole wholesale rights within a radius of 10 miles.
3. That an advisory committee should be set up. This was a suggestion made by the then Lord Mayor.
4. That the city council by-laws relating to hours of trading, conditions of trading and market dues, should be subject to approval of the Governor in Council.

The advisory committee which had been agreed upon was established in 1963, pursuant to the Fruit and Vegetable Marketing Advisory Committee Act 1963. It comprises representatives of traders and growers, with a chairman who is a senior officer of the Department of Agriculture. Its function is to consult with and advise the council on fees and charges at the market and the general conduct and management of the market. The Fruit and Vegetable Marketing Advisory Committee Act is to be repealed. Its provisions, with minor amendments, are being incorporated in the present measure.

Further legislation enacted in 1963, in anticipation of the establishment of the new market, defined the rights of existing traders to accommodation

there. This was the Wholesale Fruit and Vegetable Market (Traders) Act 1963. The interpretations of "existing licensed trader", "wholesale trading area", and "Queen Victoria Market area", in this Bill, are taken from that legislation. The provisions as to the entitlement of certain applicants to accommodation at the market and the restrictions on wholesale trading in the Queen Victoria Market area and the wholesale trading area are also based on this legislation.

The legislative powers available to the Melbourne City Council for the administration of markets are set out in a number of old statutes, to which I shall make reference later. The provisions were intended to apply to circumstances very different from those now prevailing, and they are not readily available for reference. For these reasons it was considered that fresh legislation should be enacted to provide for the establishment and control of the market. As I have already said, that is the purpose of the present measure.

The Bill comprises two parts. The first deals with the establishment and operation of the new market and the second, as previously mentioned, re-enacts the provisions of the Fruit and Vegetable Marketing Advisory Committee Act. Clause 1 sets out the short title which incorporates the name now adopted by the city council for the new market, namely, the Melbourne Wholesale Fruit and Vegetable Market. Various terms used in the Bill are defined in clause 2. The interpretation of "market land" provides for additional areas. The only adjustments currently proposed involve the inclusion of a former Government road in the market site and an excision to provide a site for a Department of Agriculture inspection station.

The Melbourne City Council, by a notice or notices in the *Government Gazette,* is empowered to formally close the old market for the wholesale marketing of fruit and vegetables and to open the new market. This power is provided in clauses 3 and 4. Tenancies at the market are dealt with in clause 5. Under the Wholesale Fruit and Vegetable Market (Traders) Act 1963 certain persons were granted a right to accommodation at the new market and, on the application of any such person, the council is required to provide him with appropriate accommodation. Sub-clause (2) of clause 5 sets out the grounds on which tenancies may be terminated. It will be noted that the power may be exercised by the appropriate committee to which the council has entrusted management and control of the market.

Clause 6 simplifies any legal proceedings by relieving the council of the necessity to prove certain formal matters unless evidence is given to the contrary. Provision for the enlarging of the market area is made in clause 7. On publication of notice of the enlargement, all relevant Acts and by-laws will apply to the area as so enlarged.

Clause 8 is based on the provisions of the Wholesale Fruit and Vegetable Market (Traders) Act 1963. The franchise granted to the Melbourne City Council as the market authority covers the area within 10 miles of the General Post Office. Within that area, but outside the new market, the wholesale selling of fruit and vegetables is limited to certain businesses which were in existence in December, 1962. It is also subject to certain conditions. The original legislation did not include trading in potatoes, onions, and cut flowers in these restrictions, and this has been followed in the present measure. The appointment of market staff by the council is provided for in clause 9, which also authorizes council officers to institute proceedings and prosecute on behalf of the council. Clause 10 fixes penalties for breaches of the legislation. The same penalties are prescribed for breaches of by-laws, that is, maximum penalties of $100, and $10 per day for a continuing offence.

The council is required by clause 11 to keep separate accounting records for the market and to prepare

annual statements to the 30th September each year. Copies of the statements are to be supplied on request at a cost of 20 cents. The need for separate statements to be readily available arises from the fact that the market will not be merely a municipal market. It will be, as the Queen Victoria Market now is, the wholesale fruit and vegetable market for the whole of Victoria. Its efficient operation is a matter of keen concern to growers and traders throughout the State as well as the ratepayers and council of the City of Melbourne. Revenue from such uses of the market area as parking, and accommodation for banks and restaurants, must be included in the market accounts to give an accurate result of the operation of the market each year.

Clause 12 empowers the council to make by-laws governing the operation of the market. Certain of these require approval of the Governor in Council. The council is also required to seek a written statement of the views of the Fruit and Vegetable Advisory Committee, and to submit copies of the statement to the Minister for Local Government and the Minister of Agriculture. The heads of power which cannot be exercised without Governor in Council approval are all of direct concern to growers and traders using the market. They include the powers to fix hours of trading and the rentals for stalls, stands, stores and offices, used for trading, the terms and conditions of letting and the conditions to be observed by sellers and buyers. Charges for accommodation for service facilities, such as cafés and banks, and for casual parking will not be subject to Governor in Council approval.

Clause 13 provides that certain existing legislation shall not apply to the new market. This is the Markets Act 1958 and certain Acts specified in a schedule to that Act notably Act 6 Victoria No. 18. The Melbourne City Council has administered the Queen Victoria Market and other markets under powers conferred by this legislation. The Markets Act is based on a 1839 Act of the New South Wales legislature, Act 3 Victoria No. 19, and provides for the establishment of markets and the making of by-laws for the regulation of such markets. Act 6 Victoria No. 18 is an 1843 Act which gives the City of Melbourne power to levy and collect tolls and dues in markets. The Melbourne General Market Lands Act 1917 provided specifically that what is now section 762 of the Local Government Act should apply to the Queen Victoria Market instead of the corresponding provision of the Markets Act. Section 762 authorizes councils to levy and collect rents, tolls and dues at markets not exceeding the limits fixed by the Governor in Council. However, the Melbourne City Council elected to operate under Act 6 Victoria No. 18 for this purpose. As I have mentioned previously, it was felt that the market should operate under fresh legislation specifically prepared for the purpose, particularly in view of its size and importance.

As has been indicated earlier, Part II. of the Bill is to be a re-enactment of the existing Fruit and Vegetable Marketing Advisory Committee Act 1963. It should be noted that the responsible Minister in respect of this Part is the Minister of Agriculture and not the Minister for Local Government, who is responsible for the legislation as a whole. However, reports by the committee on by-laws must be furnished to the Minister for Local Government in the case of by-laws to be submitted to the Governor in Council since it is that Minister's responsibility to submit the by-laws. Clause 17 is a new provision providing for appointment of temporary members in the case of the absence through illness or otherwise of any members. Clause 25 also varies the original legislation by providing for reference to the Governor in Council of any differences between the Melbourne City Council and the committee with respect to any alterations or additions to the market.

The legislation will give growers and traders a voice in the management of the market and this, together with the skill and experience of the Melbourne City Council and its officers in this type of administration as well as the excellent design and layout of the market, should ensure the success of the new venture. I commend the Bill to the House.

On the motion of Mr. CLAREY (Melbourne), the debate was adjourned.

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

AERIAL SPRAYING CONTROL (SECURITY) BILL.

Mr. BALFOUR (Minister for Fuel and Power).—I move—

That this Bill be now read a second time.

Its purposes are to amend the provisions of section 8 of the principal Act relating to the security to be lodged by the owner of an aircraft from which spraying is carried out. The Aerial Spraying Control Act 1966 was given Royal assent on the 17th May, 1966, and came into operation on the 15th November, 1966. The Aerial Spraying Control (Amendment) Act 1968, which, among other things, included a new section in substitution for section 8 of the principal Act received Royal assent on 7th May, 1968, and came into operation on 5th June, 1968.

The Aerial Spraying Control (Amendment) Act was enacted to implement the recommendations of a meeting of interstate representatives held in Melbourne in October, 1967, to discuss, at the request of the Australian Agricultural Council, the problems of the differences between the terms of insurance policies, the liabilities of aerial operators and the wording of the security provisions of the various State Aerial Spraying Control Acts.

It was stated in the second-reading speech on the Aerial Spraying Control (Amendment) Bill that—

Insurance companies cannot be compelled to write policies and, therefore, it is considered reasonable to amend the Act to ensure that the terms of insurance policies, available to aerial operators, are such that the policies can be approved by the Director of Agriculture for lodging under section 8 of the Act.

The Australian Aviation Underwriting Pool Pty. Ltd. has written all the policies at present lodged by owners of aircraft with the Director of Agriculture for approval, as required by section 8 of the principal Act. This company made substantial amendments to the wording of its chemical liability policy after the discussions at the meeting in October, 1967, at which it was represented. It was thought that the amendment to section 8 of the Act and to the wording of the policy would enable the Director to approve the chemical liability policies lodged by aerial operators as soon as the Aerial Spraying Control (Amendment) Act came into operation.

However, the Crown Solicitor has advised recently that the Australian Aviation Underwriting Pool Pty. Ltd. chemical liability policy does not satisfy the statutory requirements of sections 8 and 9 of the Act because of the numerous provisions therein which, on the one hand, could render the policy void even in the course of carrying out aerial spraying and, on the other hand, could, without voiding the policy, disentitle the insured from being indemnified in respect of loss or damage caused by aerial spraying or spray-drift.

The Government is therefore faced with a dilemma. First, the insurance companies cannot be compelled under the provisions of the Act to write policies without the exclusions, warranties and special conditions which the Crown Solicitor states prevent the Director of Agriculture from approving the insurance policies. It was the Government's view—and I believe the view of this House and another place—that owners of aircraft engaged in aerial spraying operations should be required to provide protection for those who may suffer damage following such operations by making it compulsory for aircraft owners to lodge an insurance

security of at least $30,000, in similar terms to the policies which had already been taken out voluntarily by many of them for a cover of the order of $2,500, prior to the introduction of aerial spraying control legislation in this State.

The Government had no intention of loading the aerial agricultural industry with excessive premiums which would be required for the type of insurance policy which, in accordance with the Crown Solicitor's recent opinion, would be necessary to meet the present statutory requirements. Further, as some of the provisions in the present policy include such traditional insurance conditions as, "If the assured shall make any claim knowing the same to be false or fraudulent, as regards amount or otherwise, this policy shall become void, and all claim thereunder shall be forfeited", it is extremely doubtful whether any insurance company would write a policy without such a condition and the other exclusions peculiar to aerial operations.

The Government therefore has no alternative but to accept the fact that the present chemical liability policy of the Australian Aviation Underwriting Pool Pty. Ltd., or a similar policy, constitutes the best security which can be obtained by owners of aircraft for lodgment under section 8 of the Act.

Secondly, if the Director of Agriculture informs owners of aircraft that the chemical liability policies lodged by them cannot legally be approved by him—as now indicated by the Crown Solicitor's opinion—any aerial spraying operation in Victoria would then be an offence under section 9 of the principal Act, and liable to a penalty not exceeding $200. It was never the intention of the legislation to prevent aerial spraying operations from being carried out in this State.

The Government has decided therefore, as an interim measure, to make an amendment to the Act, which will enable the Director of Agriculture, after consultation with the Minister of Agriculture, to approve the insurance policies at present lodged with him by owners of aircraft. I should give notice that, as the aerial spraying control legislation is to be uniform between States, further amendment of this section of the Act may be necessary following interstate negotiation and agreement. Victoria faces this problem because it was the first State to pass this legislation and bring it into operation.

I shall now explain the Bill. Clause 2 provides for the insertion of two new sections 8A and 8B, after section 8 of the principal Act. The proposed new section 8A will enable the Director of Agriculture to approve insurance companies, such as the Australian Aviation Underwriting Pool Pty. Ltd. and Lloyds of London, which are in fact a pool of companies and do not strictly comply with the interpretation placed by the Crown Solicitor on the word "company" in paragraph (*b*) of sub-section (2) of section 8 of the principal Act.

Sub-section (1) of the new section 8B validates the approval of the Director of Agriculture of one contract of insurance lodged by an owner of aircraft and believed, prior to the recent opinion of the Crown Solicitor, to meet the security requirements of the principal Act. For this purpose provision is made in sub-clause (1) of clause 1 of the Bill for this amending Act to come into operation on 15th November, 1966, the operative date of the principal Act.

Sub-section (2) of the new section 8B provides that any further approvals of insurance policies by the Director of Agriculture under sub-section (1) shall be given only after consultation with the Minister. The provisions contained in sub-sections (1) and (2) of section 8B are temporary and may be withdrawn by the Governor in Council by notice published in the *Government Gazette*. Sub-section (3) of section 8B provides for a consequential amendment to section 9 of the principal Act.

This Bill will enable aerial spraying operations to be carried out legally in this State under the existing legislation pending consultation with insurance companies and with other States to ascertain whether more suitable insurance policies can be developed for the particular purpose of aerial spraying operations. I commend the measure to the House.

On the motion of Mr. WILKES (Northcote), the debate was adjourned.

It was ordered that the debate be adjourned until Wednesday, December 4.

WEIGHTS AND MEASURES (AMENDMENT) BILL.

This Bill was received from the Council and, on the motion of Mr. PORTER (Minister of Public Works), was read a first time.

Mr. PORTER (Minister of Public Works).—I move—

That this Bill be now read a second time.

This Bill makes general amendments to the principal Act which are mainly of a minor nature but include also some matters of importance.

Clause 2 substitutes a new section for section 7 of the Weights and Measures Act. Section 7 was intended to give Government Departments, which can be made to include Government instrumentalities and authorities, the option of having their weighing and measuring equipment verified and stamped by either a Government or a local authority. However, a legal opinion has been given to the effect that, unless the Minister administering a Government Department has exercised that option by making an arrangement with either the Superintendent of Weights and Measures or with a local authority, section 7 results in the Act not applying to that Department.

In general principle, it seems wrong that a Government Department engaging in trade should not comply with the requirements which are considered appropriate to private traders and industry. The Bill corrects this, subject to continuance of existing arrangements prescribed in the Railways Act, under which the Weights and Measures Branch checks standard weights and measures for the Railways Commissioners who otherwise have full responsibility for the accuracy of weighing and measuring equipment vested in them.

Clause 3 proposes an amendment to sub-section (2) of section 32 of the principal Act which envisages that all weighing and measuring equipment used in trade are of patterns approved either under former State law or by the National Standards Commission which has been the authority dealing with that matter as from 1966. In general, there has been no consequent problem with instruments such as scales and petrol pumps for which a compulsory State approvals system has been in operation for some years. In the case of certain weights and measures of simple construction, however, application of the former State approvals system was not compulsory, and provision for exemptions in this connexion by regulations, is made in the existing law; this provision expires at the end of this year, and I am advised that, pending completion of some work by the Commission on what may be called general approvals, serious hardship to traders will result unless an extension is given. Under this Bill, such exemptions will be able to apply for a further period of two years.

Section 39 of the principal Act refers to "local standards" and, to be consistent with other sections of the Act and Commonwealth legislation clause 4 provides that the word "local" shall be deleted.

Sub-section (5) of section 53A requires a copy of the statement of accounts of a union certified by an auditor to be forwarded to the superintendent in October or November each year. This is often not practicable, as the secretary of a union is

not in a position to direct when the municipal auditor appointed for the purpose shall conduct the audit. It is therefore provided in clause 5 of the Bill that the statement shall be forwarded to the superintendent within one month after the auditor has certified the accounts.

Clause 6 prescribes increased penalties for breaches of the principal Act. General penalties for breaches of the Weights and Measures Act have not been increased since the coming into operation of the 1939 Act, although the recent uniform packaging law provides for some increases. A suggestion from the Royal Victorian Society of Honorary Justices, in connexion with penalties for offences relating to weights of bread, has led to a general review of the position, taking into account also the changed value of money. Following this review, the Bill provides for further selective increases of penalties.

In the uniform Weights and Measures Act relating to packaging, provision has been made for the use of "alternative words" instead of "net weight when packed". It had been intended that this should permit somewhat different treatment, by regulations, of certain goods such as knitting yarn and cotton wool, the weight of which can either increase or decrease, according to the atmospheric humidity. The expectation was that correct weight under some specified conditions of humidity, to be known as "standard condition", would be made acceptable. However, legal opinion has been given that the Act does not provide power which would authorize such a regulation and that use of "alternative words" meant no more than permitting marking of packages in terms of net weight when packed, although with different wording. Clause 7 includes provision for recognition of markings in terms of "net weight at standard condition", with a meaning as originally intended. I commend the Bill to the House.

On the motion of Mr. GINIFER (Deer Park), the debate was adjourned.

It was ordered that the debate be adjourned until Wednesday, December 4.

NATIONAL PARKS (LITTLE DESERT AND MOUNT RICHMOND) BILL.

The debate (adjourned from November 12) on the motion of Mr. Manson (Minister of State Development) for the second reading of this Bill was resumed.

Mr. WILTON (Broadmeadows).—The purpose of this Bill is to transfer to the control of the National Parks Authority land in the Little Desert area in the northern part of Victoria. The land concerned has an area of 2,870 acres. In addition, the measure extends the existing Mount Richmond National Park to an area 2,036 acres, 3 roods, 33 perches. The Opposition does not oppose the Bill, but I shall make certain comments regarding the area of land which is to be known as the Little Desert National Park. As honorable members are aware I recently introduced a private member's Bill for the purpose of establishing a national park of approximately 18,000 acres in the Little Desert area.

The Minister of State Development, in his second-reading explanatory speech, referred to a decision taken by the Government in recent weeks to provide for some 80,000 to 90,000 acres of Crown land to be transferred to the control of the National Parks Authority. He was then referring to the same area of the State to which the current Bill applies. At page 1555 of issue No. 9 of *Hansard*, in the report of the debate on the 12th of this month, the Minister stated—

> This is the first instalment of a larger national park in the Little Desert. The Government has agreed, within the past two weeks, to transfer an area of 80,000 to 90,000 acres to the control of the National Parks Authority.

The Minister then said—

> However, I give the House an assurance that, if the Minister of Lands can define the exact boundaries of the enlarged park, I shall introduce a Bill during this session to have the land incorporated in the national park.

I thank the Minister for his assurance. It is appreciated by everyone in the community who is keenly interested in the development of our national parks and the protection of our flora and fauna. However, I ask the Minister to inform the House what progress has been made in determining the boundaries. In his assurance the Minister indicated that, if the boundaries could be determined, he would introduce a Bill during this sessional period.

Mr. MANSON.—If it were possible.

Mr. WILTON.—I appreciate that; but, as the sessional period is drawing to a close and there are not many sitting days left, I ask the Minister to indicate if a start has been made on the survey work. This area of 80,000 or 90,000 acres is a very large one, and a considerable amount of field work will be required to define the boundaries in such detail as would be necessary before a Bill could be introduced. The proposed legislation would include a schedule to the Bill which would have to contain a detailed description of the land involved and, for that reason, a detailed survey involving a considerable amount of field work would be necessary. I request the Minister to inform the House whether such a survey has been commenced. If the work has not been started, could the Minister indicate when it will be undertaken? The outcome of any assurance given by the honorable gentleman will be keenly watched by those in the community who are interested in the development of national parks.

The national park dealt with in the Bill will be considerably smaller than Labor members hoped. We will anxiously await further legislation to extend its area. In recent years in Australia, there has been a marked change of attitude to national parks. Scientists, naturalists, and nature lovers have long been convinced of their value. The studies carried on in national parks by scientists, to gain scientific knowledge, or for the benefit of humanity, are becoming more and more extensive. It is essential that those administering national parks should develop them to the stage at which the community can obtain maximum benefits from them.

A strong case could be made for Commonwealth financial assistance to States to assist in this development, which is closely related to the tourist industry, one which is becoming very important to Australia. It earns money from overseas and contributes to Australia's overseas credits. Although it could possibly be argued that the Constitution prevents Commonwealth money from being made available for this purpose, I remind the House that the Commonwealth has seen fit to make money available for the construction of beef roads in various States because the beef industry earns overseas income. I suggest that the Government should prepare a case on these lines, asking for Commonwealth financial assistance, and I hope that, if it does, its representations will be successful.

Some members have reservations about the establishment of more national parks in Victoria. Now is the time when national parks should be established; tomorrow will be too late. Once Crown land is alienated and used for agricultural or other purposes, it becomes too expensive to repossess for the creation of national parks. The United States of America has had this experience. Great amounts of taxpayers' money have been used to acquire land to annexe to established parks or to create new parks. On alienated land, flora and fauna are destroyed, and they cannot be replaced. It is already impossible to reproduce some of the flora and fauna that once existed in Victoria. The Commonwealth Government has as much a duty to protect our land,

air, and water, and the natural environment of man, against pollution and destruction as to protect the country against a foreign enemy. It should be made aware of this responsibility, and it should accept it. I appreciate that, currently, the relationships between the Commonwealth Government and the Victorian Government are not good, but I am sure that the Minister of State Development could eloquently present a persuasive case on this subject.

The security of flora and fauna and the development of national parks for public use must go hand in hand. Our bushland gains its security from the voices of its public admirers, of whom there are many. It is by their statements and representations that the Government is kept aware of the needs of the community. Our bushland can be kept secure only by good management. Soon, our universities and technical colleges will educate people to take up the management of national parks, and their graduates and diplomates will fill vacancies in the higher echelons of management of national parks. It is impossible to take people off the street and place them in charge of these important State assets. The administrators must be trained in many scientific and technical skills. I shall not go into the details of those skills, as I am not sufficiently familiar with them. In order to produce capable people, the educational institutions will need Government assistance, and I ask the Minister of State Development to consider this in relation to the future of national parks.

I also suggest that the Minister should closely examine the way in which the National Parks Authority is presently constituted. Most of its members are overworked public servants who carry a heavy burden in administering their Departments. The Government should consider placing the Authority under the administration of the recently created Ministry of Tourism. It would be possible for the Government to set up an authority, not necessarily as large as that existing at present, consisting of experts who have had a lifelong association with the protection of flora and fauna and who are best equipped to produce progressive ideas for the development of national parks.

Most of Victoria's parks have not been developed to their full potential; much work remains to be done. That work will be done only if there is a properly prepared programme which can be carried out over a number of years. I ask the Minister to give serious consideration to the points I have made. I trust that, if not in this sessional period, then in the autumn sessional period next year, the Government will present to Parliament further measures relating to the Little Desert area and to the reconstitution of the National Parks Authority. It is not satisfactory that the Authority should be comprised of men who can give only part of their time to it. The Government should submit a plan which could be directed by competent people. I am not being derogatory of the present Authority, but many of its members work only in a part-time capacity. If the plan is administered by experts, something worth while could be done for the national parks of Victoria, and it would silence the critics who are saying that the present land is not being used. The Government must realize its responsibility in protecting the flora and fauna of Victoria.

Mr. MITCHELL (Benambra).—The Country Party offers no objection to this short measure because it is practical and sound and within the scope and capacity of proper management. In his second-reading explanatory speech, the Minister of State Development referred to the national park in the Little Desert area in these terms—

> This is the first instalment of a larger national park in the Little Desert.

It is unfortunate that he made that statement. He also said—

> The Government has agreed within the last two weeks to transfer an area of 80,000 to 90,000 acres to the control of the National Parks Authority.

It is well known that the Government has not that power, because, when the principal Act was enacted, the Honorable I. A. Swinburne, who represents the North-Eastern Province in another place, was instrumental in legislation being enacted to provide first, that no new national parks could be created except by Act of Parliament; and, secondly, that no national park could cease to be such except by Parliamentary action. The Government can do only what the Parliament decides. If this House does not agree to this measure, the National Parks Authority will not have control of this large area of 80,000 to 90,000 acres. I do not want to be unduly critical of the Minister, who has put a lot of work into this measure. But such a misstatement of fact starts the hares running. Apparently arising out of the Minister's statement, the *Age* newspaper today misreported the matter when it stated—

ASSEMBLY PASSES NATIONAL PARKS

The Legislative Assembly yesterday passed a bill to establish two national parks in western Victoria's Little Desert.

The legislation also provides for 200,000 acres of land stretching from the Little Desert to the South Australian border to be broken up into farming blocks.

If the bill passes the Legislative Council a 9,000-acre national park will be established between the Wimmera River in the east and the Nhill-Gymbowen road in the west and a 22,400-acre park at Lower Glenelg.

A report of this nature leads people to believe that the park has already been established.

Mr. WILTON.—Is that a breach of privilege?

Mr. MITCHELL.—The honorable member for Broadmeadows should direct his question to the Premier, who is an authority on such matters. The *Wimmera Mail-Times* also reported that a national park would be declared in the Little Desert area. It has created the impression that the park is already there. I shall leave the honorable member for Lowan to speak on that aspect, because he is an authority in regard to that region. The people are being led up the garden path. A similar misconception occurred in relation to the Fraser National Park at Eildon. Before the enabling Bill was introduced, the National Parks Authority said that it had control of the Fraser National Park.

The National Parks Authority is in a hopeless mess of chaotic inefficiency. Mr. Dunbavin Butcher has gone on record as saying that the National Parks Authority should be disbanded. He has never said a truer word. The honorable member for Broadmeadows raised the question of the boundaries of the proposed park. In the ensuing discussion, the Minister of Lands was severely castigated. What areas do the boundaries cover? Honorable members cannot answer this question and in not disclosing the information the Government reveals its inefficiency. The present National Parks Authority was established on a trial basis to see what it could do and how it worked. There is no need to be down-hearted because it has not worked; we must endeavour to produce something that can work. The Authority should be reformed and left as a separate entity. I pledge the Minister every possible assistance in hammering out a plan that will work, and I am sure that the honorable member for Broadmeadows will also assist in this regard.

I proffered similar assistance to the late Mr Fraser and I suggested that the various areas should be visited. Yesterday, I told the Minister that he should inspect the Little Desert area. The National Parks Authority can work for the welfare of Victoria only if it is transferred to the Forests Commission. A similar arrangement works well in Queensland. The Forests Commission has the money, the men, the equipment and the know-how to assist in the management of national parks. The National Parks Authority vehemently opposed cool burning as

a prophylaxis to prevent the outbreak of bush fires. However, the skill and the know-how of the Commission could not be bettered. On the other hand, the Authority could be merged with the Fisheries and Wildlife Department. Mr. Dunbavin Butcher has proved to be an outstanding administrator. With all respect to Dr. Smith, who has a high degree of technical knowledge, he is not an administrator, nor has he displayed any ability in administering the Authority. He should be retained as a technical advisor, but he must not continue as an administrator.

The honorable member for Broadmeadows, who has visited the Little Desert area, has given a great deal of practical study and thought to the requirements of national parks. He has shown his sincerity by the introduction of a private member's Bill relating to the Little Desert area. He made an excellent point concerning the provision of Commonwealth finance. However, from my experience, there are always strings to financial assistance provided by the Federal Government. His reference to the beef industry was an excellent analogy. If the Commonwealth Government provided assistance for the tourist industry in Victoria, roads and other amenities could be constructed. I shall do all I can to investigate that aspect.

A sensible approach must be adopted. Because of the chaotic state of inefficiency of the National Parks Authority, this national park should not be placed under its control, but should be left with the Lands Department and earmarked as a future reserve. It would be rank tragedy for the area to be controlled by the Authority with the possibility that it could become infested with vermin or burnt out by bush fires. If the area were reserved as a future national park, it would prevent the land from being alienated. America has had the experience. An inefficient body should not be allowed to mishandle the proposed park, which should be reserved for the future.

It is all very well to say how nice it would be to preserve certain plants or insects, or animals so that they would not disappear from the Australian scene. However, preservation must be carried out in a practical way and no notice should be taken of all the so-called information that flows around the place. I think the siren must have sounded in the ears of the honorable member for Broadmeadows. It is all very well for the bug hunters to say that certain species of our flora and fauna should be preserved. The honorable member for Albert Park once called these people fadists—they are also called titty-witty people. With due respect to the titty-wittys and the bug hunters, or whatever one likes to call them, although they are sincere, their ideas are thoroughly impractical. That is the trouble with Dr. Smith.

The honorable member for Broadmeadows has rolled out the old clichés such as "now is the time, tomorrow may be too late" but this does nothing to assist in defining a policy on the establishment of national parks. We should exercise restraint and wait a little longer before reserving the land for the future. The area will not be lost, and we can make certain that the right policy is adopted before we go ahead with the proposal. The honorable member for Broadmeadows acknowledged this when he used the words, "There must be proper management". At the moment there is no proper management of our national parks, which need improving. We do not want to rush in and enlarge the areas immediately.

The honorable member also referred to the training of technical men. A man cannot be trained for this type of work at a week-end crash course. It takes time, but we can take up with the Minister how many men are needed and whether they should be biologists, engineers, road employees or car park attendants. The spokesman for the Opposition

also sounded the same note of warning when he referred to the need for a properly planned programme. The establishment of a large national park does not constitute a properly planned programme. How can the Government look after the park, what money will be required and what do we ask the Commonwealth for?

Mr. WILTON.—As much as we can get.

Mr. MITCHELL.—A case must be submitted to the Commonwealth. The Government wants to establish the Little Desert National Park and to extend the Mount Richmond National Park. I pledge my assistance to the honorable member for Broadmeadows and to the Minister to hammer something out.

Again, the honorable member for Broadmeadows showed that he had not been bedazzled by the numerous songs and melodies of the titty-wittys and the bug hunters because, in speaking about a properly planned programme, he stated that the present national parks had not been developed to their full potential. This is my argument; the National Parks Authority should not be saddled with extra responsibilities until the existing parks are developed to their full potential. If this is not done the present mess will only be duplicated.

I reiterate that, like the honorable member for Broadmeadows, I am deeply concerned about the matter and I will be quite happy to do what I can to assist the Minister. I pledge myself to give him every possible help to straighten out something that could really be a magnificent asset to this State.

Mr. McLAREN (Bennettswood).—This Bill will provide a welcome addition to the national parks of this State. From 1946 to 1957, I was chairman of the Wyperfeld National Park in the Mallee, which is the largest national park in Victoria. I believe the Little Desert National Park is only a further addition to this area, some sections of which should be retained for the future in their natural state.

The land which it is proposed to reserve is in fact a unique section of the country, because it contains particular species of both flora and fauna, especially the Mallee hen. In May of this year, I returned to the Wyperfeld National Park and with Mr. Campbell, the ranger, I visited a number of areas where the Lowan fowl exists. I observed that the condition of the park at this stage was more advanced than it had been for many years. This is due largely to the work of the National Parks Authority, the committee of management of the park and the appointment of a permanent ranger. The State is fortunate to have a resident ranger of the capabilities of Mr. Campbell, who has been looking after the area for some time, in charge of Wyperfeld National Park.

I agree with previous speakers that there is a need for the Authority to increase its activities and I should like to see a further drive in its work. Perhaps the suggestions about the association with the wildlife and forests sections of the State should be considered. With the introduction of the Ministry of Tourism, which is at present being organized, there will be a need for a closer association between that Ministry and the National Parks Authority.

I resigned as chairman of the committee of management of the Wyperfeld National Park because I objected to the fact that the National Parks Authority consisted of too many public servants. I agree with the honorable member for Broadmeadows that some of the Public Service members of the Authority can spare little time for this work of national importance. I held the view at the time when the Authority was established, and I still hold it, that outside persons should be appointed to the Authority to bring to the organization drive and managerial and other experience.

I am sure that all honorable members support the Bill. Despite the comments by the honorable member

for Benambra on the Minister's statements in explaining the Bill that this was the first instalment of a larger national park in the Little Desert, the Minister's statement is an indication that the Government supports reservation of larger areas in Victoria for national parks. Even if the honorable member for Benambra does deal with semantics and the different shades of meanings of words, what he considers the Minister says and what the Minister in fact said are two different things. The Minister's statement that 80,000 to 90,000 acres will come under the control of the Authority indicates the Government's desire to provide additional areas. I support the Bill and trust that these areas will again be used for the enjoyment of the many millions of people who will visit national parks in future.

Mr. BIRRELL (Geelong).—I support the Government's action in introducing this measure. In debating legislation of this type, the House should consider the key duty of the Authority, which appears to have been overlooked during this debate. The primary duty of the Authority, as set out in section 10 of the Act, is as follows:—

> Unless inconsistent with any special purpose for which a national park has been proclaimed, to maintain every national park in its natural condition and to conserve therein ecological associations and species of native plants and animals and protect the special features of the park and as far as practicable to exterminate exotic plants and animals therein.

I often feel that the House becomes confused with tourist promotion and the development of national parks, whereas the two are not automatically reconcilable.

The admittance of the public to national parks as a general principle means that various ecological associations and balanced development of the flora and fauna life are upset. Therefore, there is a clash of interests between genuine conservation and the desire for promotion activity.

The DEPUTY SPEAKER (Mr. L. S. Reid).—Order! I am having difficulty in relating the remarks of the honorable member to the Bill. All the Bill does is to constitute two new parks.

Mr. BIRRELL.—In the enlargement programme it is inherent that at least some protection should be afforded to the assets existing within the parks. Normally, a small park experiences difficulty in retaining its flora and fauna as a long-term proposition. The enlargement of these parks will make the task less difficult. I welcome the Bill and with its introduction I believe we are on the threshold of another leap forward in the realm of national park additions and administration in the coming year.

Mr. BUCKLEY (Lowan).—Most of the facets of the Bill have been clearly dealt with by previous speakers. Therefore, it is not my intention to repeat what has been said, except to point out that the new Little Desert National Park will be an important tourist, scientific and recreational asset.

The 80,000 to 90,000-acre park will adjoin the present Lowan bird sanctury at Kiata, and in the east Horseshoe Bend tourist reserve on the Wimmera river at Dimboola. This is a tract of natural desert land running almost parallel with the Western Highway to the South Australian border. Because of its geographical position, the area could be developed as one of the best national parks in the State.

The park is approximately half-way between Melbourne and Adelaide. Tourist buses travel each way past the park on seven days a week and the bus operators are always looking for points of interest to show tourists. This park could prove to be a real boom to the tourist industry. It is the natural habitat of the Mallee fowl, which is found only in north-western Victoria. The flora and fauna should be preserved at all costs, otherwise they will be lost forever; once they

are lost, they can never be replaced. The Wimmera Regional Committee has led the fight for some years for the preservation of flora and fauna in this area, and the committee should be commended for the interest it has shown.

Page 9 of the 1965 annual report of the National Parks Authority refers to flora and fauna and states—

> During the year, two new species of birds were recorded bringing the bird list for Wyperfeld up to two hundred species. The list of plants recorded now exceeds four hundred species. In addition, there were two records of the Mitchell hopping mouse.

I have quoted that reference to Wyperfeld National Park because it is in close proximity to the proposed Little Desert National Park. In its report, the National Parks Authority stated that more than 5,000 persons visited the park during the year, which represented an increase of approximately 1,000 on the figure for the previous year. The report proceeded—

> There is no doubt that the provision of amenities and a good access road has enabled many people to enjoy the experience of Wyperfeld.
>
> Notable visitors included His Excellency the Governor of Victoria, Sir Rohan Delacombe, K.C.M.G., K.B.E., C.B., D.S.O., who honoured the park with his second visit, and Sir Robert Blackwood, Chancellor of Monash University.

If 5,000 people visit the Wyperfeld National Park each year, there must be a tremendous potential for a park to be created on the Western Highway, which so many people traverse every day of the week. This Bill is a step in the right direction. I hope that in years to come the area will develop into our greatest national park.

Concerning the preservation of flora and fauna, I pay a tribute to Mr. Keith Hateley, the ranger of the Lowan Bird Sanctuary, who was secretary to the old committee of management from 1956 until he was appointed to his present position.

The DEPUTY SPEAKER (Mr. L. S. Reid).—The honorable member's remarks are interesting but they do not relate to the Bill, which deals with the Little Desert National Park. I invite the honorable member for Lowan to return to the subject matter of the Bill.

Mr. MANSON (Minister of State Development).—I rise to a point of order, Mr. Deputy Speaker. The honorable member for Lowan is in order in referring to Mr. Hateley and the Little Desert National Park, which are mentioned in the Bill.

The DEPUTY SPEAKER.—The honorable member for Lowan may continue.

Mr. BUCKLEY (Lowan).—From 1956, until he was appointed Ranger of the Lowan Bird Sanctuary, Mr. Hateley was a keen preservationist. In fact, from the early 1930's, he has gone far beyond the call of the duties entrusted to him in connexion with the sanctuary. I feel that I would be failing in my duty if I did not bring this matter to the attention of the House because Mr. Hateley has given almost one-half of his lifetime to the preservation of flora and fauna in the area which is now under consideration. I commend the Bill to the House, and hope that it has a speedy passage.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Little Desert National Park).

Mr. MANSON (Minister of State Development).—It is never my intention to delay the passage of a Bill that I am handling on behalf of the Government, but I feel that I should reply to one or two matters raised during the second-reading debate. The honorable member for Broadmeadows asked a specific question relating to a survey of the boundaries of this area. As I understand the position from the Minister of Lands, this survey is just beginning and I do not know how long it will take to complete. In fairness to all concerned, I should point out that in quoting from my second-reading

speech the honorable member for Broadmeadows carefully omitted to read a little of what I said. It stated—

> I realize that transfers such as this are not simple. They entail a great deal of work in defining exact areas.

I emphasize that it takes a long while to complete a task of this nature but, as soon as it is finished, I shall introduce a Bill to have the land in question incorporated in the national park. I hope the honorable member for Broadmeadows realizes that he is dealing with a Minister sympathetic to national parks.

The honorable member for Broadmeadows further stated that the Government should prepare a proper case regarding tourism and national parks for presentation to the Commonwealth Government and that assistance should be sought from that Government. It was my privilege last week-end to be present in Tasmania at a meeting of the Tourist Ministers' Council. At that meeting, a number of propositions were submitted to the Commonwealth Ministers responsible for tourism, but no results were achieved. It is worth trying again so far as national parks are concerned, but I am not very optimistic. I do not think I would be any more successful if I took up the matter with the Leader of the Opposition in the Federal Parliament.

The honorable member for Benambra indulged in semantics when he stated that I had no right in my second-reading speech to say—

> The Government has agreed, within the past two weeks, to transfer an area of 80,000 to 90,000 acres to the control of the National Parks Authority.

If the honorable member's assertion is true, and I do not agree that it is, no Government would have the right to say that it had agreed to do anything. It is always implied in statements of this type that the enabling legislation will be passed by Parliament, but that does not prevent the Government from trying to do something, which is what I said.

The honorable member for Benambra also took me to task over a speech, reported in yesterday's *Age* newspaper, which did not deal with this Bill; he also quoted from the *Wimmera Mail-Times* of 1st November. I made my second-reading speech on this Bill on 12th November. Hence, whatever was published in the *Wimmera Mail-Times* of 1st November could not have related to anything I said and, so far as I know, it had nothing to do with this Bill.

The majority of honorable members who contributed to the debate on this Bill dealt with provisions in the measure. Other honorable members referred to provisions of another Bill and the structure of the National Parks Authority, which have nothing to do with this measure. I have given careful consideration to the present structure of the National Parks Authority which, I believe, could be greatly improved. I hope it will be improved in the not-too-distant future.

The clause was agreed to.

Clause 3 was verbally amended, and, as amended, was adopted, as were the remaining clause and the schedules.

The Bill was reported to the House with an amendment, and the report was adopted.

Mr. MANSON (Minister of State Development).—I move—

> That this Bill be now read a third time.

Mr. WILTON (Broadmeadows).—When this Bill was dealt with in Committee, the Minister was kind enough to answer a question that I posed during the second-reading debate concerning the survey of a certain area of land. The honorable gentleman intimated that the survey was just beginning. I should like to ask the Minister if he would be prepared to confer with his colleague, the Minister of Lands, regarding the possibility of consultations taking place between the survey parties and the organizations that are directly concerned with the conservation of flora and fauna.

I refer to such organizations as the National Parks Association, the Native Plants Preservation Society

and the Conservation League. These organizations have worked for many years in this field of conservation and, in my capacity as the Opposition member responsible for conservation, I am frequently in touch with them. I have been amazed at their intimate knowledge of certain areas of the State where they consider that conservation work should be carried out. Some of their intimate knowledge of the district would prove invaluable in connexion with the survey that is to be undertaken. They may be able to ensure that some odd pocket of rare species of plant or animal life is not overlooked.

Mr. MANSON (Minister of State Development) (*By leave*).—I am delighted to assure the honorable member for Broadmeadows that I will discuss this matter with the Minister of Lands. Already, I have discussed it with the various organizations named by the honorable member.

Mr. B. J. EVANS (Gippsland East).—During the Committee stage, the Minister referred to a news item in the *Wimmera Mail-Times* of 1st November, although he did not know the source of the information. I have a copy of the relevant newspaper and, for the benefit of the Minister, I point out that the information was supplied to the newspaper by the Minister of Lands.

Mr. MANSON (Minister of State Development) (*By leave*).—I did not wonder where the information came from. I really pointed out that the information was available to the press before I made my second-reading speech on this Bill on 12th November, so that I could not be blamed for anticipating the will of Parliament.

The motion was agreed to, and the Bill was read a third time.

ROAD TRAFFIC (CROWN LAND) BILL.

The debate (adjourned from November 12) on the motion of Mr. Manson (Minister of State Development) for the second reading of this Bill was resumed.

Mr. WILKES (Northcote).—This small Bill is a rather amazing measure despite its size. It is suggested that in relation to certain Crown lands, namely, on roads in the Albert Park reserve and also in Treasury-place, the illegal parking of motor cars cannot be handled by the traffic officers of the Melbourne City Council, the South Melbourne City Council, the St. Kilda City Council, or members of the Police Force. The Government proposes to authorize certain officers of the Albert Park committee of management and of the Lands Department to place parking infringement notices on vehicles which are illegally parked in these areas. Despite the plea of the Albert Park committee of management, I should have thought there already existed ample means of dealing with the illegal parking of vehicles within the curtilage of Albert Park.

One of the reasons advanced for the proposal is that the chairman of the Albert Park committee of management informed the Government that the roads through the reserve already carry heavy traffic which is expected to increase as a result of road projects at St. Kilda junction. Normally, these roads would be considered to be highways and members of the Police Force could control illegal parking. However, the Chief Commissioner of Police quickly came to the Government's rescue and stated that he approves of the proposal. Of course, he does, because unfortunately he has not sufficient men to do the job, although the Melbourne City Council has enough men for this purpose.

In regard to the proposal as it affects Treasury-place, honorable members have not been informed which officers of the Lands Department will be given authority in regard to vehicles which are illegally parked in this area. The Melbourne City Council employs 94 traffic officers, who are well known. I should have thought this number would be sufficient to enforce the laws relating to the parking of vehicles. The South

Melbourne City Council, which is not as well off as the Melbourne City Council, employs nine traffic officers. The chairman of the Albert Park committee of management desires that certain officers should be given this power, but the Bill does not specify who these officers will be, nor does it specify who the officers of the Lands Department will be.

I recall that eight or nine years ago the Government proposed to empower tramway inspectors to take certain action against motorists. As a result of this Government's muddling over the years, it was said that cars were banking up along the tram tracks. Parliament rightly rejected that proposal. On that occasion it was stated that such powers should rest only with members of the Police Force or with council traffic officers who were delegated this authority.

Mr. FLOYD.—That proposal was more justified than this measure.

Mr. WILKES.—That is so. Traffic officers are not authorized to direct traffic or to launch prosecutions for other than the illegal parking of vehicles. The power to prosecute in relation to traffic infringements rightly resides with the members of the Police Force. In this case, it is said that there is a problem with the illegal parking of motor cars in Treasury-place and in the Albert Park reserve. At week-ends, there are always cars parked at Albert Park where sporting activities are carried on. Will motorists be prohibited in future from parking their cars in this locality at week-ends? The Bill does not supply this information, nor does it mention any prescribed hours for parking in the Albert Park reserve or in Treasury-place. The Government should make a further examination of the Bill and re-submit it in a proper form.

So far as the revenue angle is concerned, the Albert Park committee of management and the Lands Department, respectively, desire to control the parking of vehicles in the reserve and in Treasury-place. Fines imposed for parking infringements at Albert Park will be paid to the Albert Park committee of management, and fines imposed for infringements detected by officers of the Lands Department will be paid into Consolidated Revenue. The Government has no right to introduce legislation and fail to provide necessary information to Parliament as to the identity of the officers who will be delegated this authority. Before long it may be proposed that officers of other Departments should have the right to place parking infringement notices on vehicles in other localities. It must be remembered that certain powers are delegated to members of the Police Force and municipal traffic officers. To how many other people does the Government desire to delegate similar authority? I have no doubt that there are problems in relation to the parking of vehicles in Treasury-place and in Albert Park, but I consider that those problems could be handled by the existing authorities.

It is a dangerous intrusion to delegate authority to other persons. It may be suggested that similar powers should be delegated to officers in relation to Yarra Bend National Park, or some other national park and some municipalities may seek a further extension to be granted to their officers. The Government should carefully consider this proposal. Members of the Opposition do not oppose the Bill, but we remind the Government that it should prescribe certain hours during which cars may be parked legally in both the Albert Park reserve and Treasury-place. No prohibition or inhibition should be imposed on the motorist who wishes to park his car in Albert Park during the week-end while sporting events are being conducted there. Motorists should also be permitted to park in Treasury-place at certain times without running the risk of receiving an infringement notice. These matters should be covered in the Bill, and I suggest that the Government should attend to this point before the Bill

reaches another place. With those few remarks, I advise the Government that the Opposition does not oppose the Bill.

Mr. EDMUNDS (Moonee Ponds).—I wish to make one brief observation. The Deputy Leader of the Opposition mentioned that requests may be submitted to the Government for similar powers to be granted to other authorities and that the Bill does not provide for sufficient control over authorities in relation to parking matters. I point out that it would have been possible to make provision for control to be exercised over pressing parking problems in Housing Commission estates. The Bill has been presented for the benefit of the Albert Park committee of management and the Lands Department in relation to certain Crown lands. In some Housing Commission estates, including the Ascot estate at Ascot Vale, parking problems are acute.

The DEPUTY SPEAKER (Mr. L. S. Reid).—Order! The honorable member's remarks are not relevant to this Bill.

Mr. EDMUNDS.—I suggest that this Bill could have included additional powers to control the parking of cars in Housing Commission estates. I do not intend to take this suggestion any further, but the problem of car parking in Housing Commission estates can be solved only by legislation. I suggest that before the Bill is submitted in another place it should be examined with my comments in mind.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6359 s.4).

Mr. MANSON (Minister of State Development).—I thank the two honorable members who contributed to the debate. I guarantee that before the Bill is dealt with by the Council, the Government will carefully consider their suggestions.

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.

RAILWAY LOAN APPLICATION BILL.

The debate (adjourned from October 31) on the motion of Mr. Wilcox (Minister of Transport) for the second reading of this Bill was resumed.

Mr. FLOYD (Williamstown).—When the Minister made his second-reading speech on this Bill some time ago, honorable members were probably not greatly concerned about the details, but the presentation of the measure provides an opportunity for the activities of one of the largest businesses in this State—the Victorian Railways—to be reviewed. The Bill authorizes an expenditure of $24,000,000, covering the period from August, 1968 to December, 1969. A disturbing matter for the layman is that the measure states that all unexhausted loan funds in the current account have disappeared.

Last year Parliament passed a railway loan application Bill, which also provided for a greater amount than was required for the twelve months. It disturbs me that the explanation of the Railway Commissioners, through the Minister, does not indicate to honorable members what happens to works which are half completed and which require two or three allocations from the loan account before they are finished. No doubt the Minister will state that this unexhausted loan money is reabsorbed in the new loan account. The financial experts of the Railway Department, or the Treasury, should extend themselves a little more and occasionally explain to honorable members what takes place. They would not have to do this every year; once the formula was provided, those honorable members who are interested would retain it.

The present allocation of $24,000,000 is for a period which extends over twelve months, but for the twelve months' period the Commissioners expect to spend $17,064,000. This is slightly better than last year, but a criticism that I have encountered from members of the unions which work in the Railway Department—and, I might say, even from the Commissioners in unguarded moments—is that the amount is not sufficient to run this great undertaking which is not only providing a wonderful service, but has played a great part in the past in opening up the State. Recently, for the purpose of this debate, I asked the Minister of Transport questions regarding allocations from the loan account over each of the past five financial years. The allocations were:—1963-64—$15,620,370; 1964-65—$15,500,620; 1965-66—$16,299,636; 1966-67—$15,616,489; and 1967-68—$15,643,092.

These allocations are not sufficient. When expenditure on education has increased to 40 per cent. of the Budget, and amounts allocated under other loan application Bills have increased over the years, it is logical that the Railway Loan Application Bill should show a much more startling increase than a mere few hundred thousand dollars. The Minister will doubtless say that the State carries the deficits anyway, but it is disturbing that finance provided under railway loan application Bills has remained static for the last six or seven years. If the Railway Department were to do as I am informed certain other Departments do, and use loan money for revenue purposes, capital works would not be undertaken.

Over the years the State has had to bear the operating costs of the Railway Department and the stigma that has attached to the Department because of this should be removed by a greater loan allocation. The Budget should be better balanced, and there should be a recognition of the matters that really count. The Government should have sufficient courage not to yield to every pressure group that marches up Bourke-street. For many years the Railway Department has performed a magnificent job for the State. There would not be a State, Province, or Colony anywhere in the world that has branch lines and ramifications to compare with Victoria's railway system. I never cease to be amazed when I look at a map of Victoria and see how railway lines extend from the metropolis and provincial cities. The railways have played an important part in developing the prosperity of the State and of those persons who have had the courage to move to the back blocks and pioneer the out-back.

In these days, when it is easy to buy a semi-trailer and be provided with first-class highways, over-passes, under-passes and all the concrete paving that goes with these works, the road transport operator is a pampered member of the community. These operators work "scab" hours throughout the day and night, but the Railway Department has to conform to decent working conditions, and pay its employees decent wages and overtime. Today, any person may purchase a semi-trailer on time-payment and park it outside his residence in some suburban area to the detriment of those who live nearby. If a local councillor has the temerity to question this at a council meeting, evidence is produced that the truck owner is a poor old "digger" who is trying to make his way. The Government should have enough stomach to stand up to this sort of sentimentality. The Railway Department has to do a job according to plan. It has to conform with union rules, safety standards and many other restrictions; but the road operators want to take the cream of the transport business and leave the heavy carrying of unwanted materials to the railways.

The Government has made great play of the fact that railways have been dieselized, but no doubt this has been carried out in the most backward

countries in the world. The locomotive was one of the most picturesque inventions of mankind, and historical societies are to be commended for maintaining some of these wonderful machines of the past. Historical societies periodically make trips to the countryside using the old locomotives, and I hope they never lose interest in such things. He who seeks the future must search the past. Something has been lost in the discarding of many of the good old things that we enjoyed in the halcyon days. Today a person is late if he misses one turn of a swing door!

I return to the economics of the situation. People today have to live with the times, and the railways are being dieselized. By 1971 this changeover will be complete. Last year 28 diesel locomotives were added to the fleet and this year a further eight are scheduled for delivery. No doubt this will assist the Railway Department to carry on for a considerable time, because the oldest of the diesels would be young in age compared with some of the locomotives that are still in service. The only fault is that the diesels are not made in the railway workshops. Over the years, the Phoenix Foundry at Ballarat, and subsequently the workshops at Newport produced locomotives that served this State for nearly 100 years, and some of them are still operating. With the eight diesel units to be added in the coming year to the 28 which were delivered last year, the Department will have an up-to-date and efficient fleet of locomotives.

The Minister has stated that this year the major expenditure for rolling-stock will be for 300 additional vehicles, including 100 bogie hopper grain wagons, at a cost of $4,900,000. The main concern of the Opposition is where these wagons are to be constructed. The Newport workshops are situated in my electorate, and over the years they have proved themselves to be efficient both in wartime and in peacetime. Efficient railway workshops are also in operation at Ballarat and Bendigo. I expect the members representing those areas to tell the House something about the need to keep men in employment in those two provincial cities. There have been occasions when work has been taken from the Newport workshops and given to the workshops at Ballarat and Bendigo and nobody in my electorate complains about that. If work can be done in the country as expeditiously and cheaply as it can be done in the city, we have no complaints, but we do object to this work being taken away from the three railway workshops and given to private enterprise.

Tenders have been invited for the construction of new Harris trains. Since 1956, 60 new trains have been built and they are a credit to the Department. The Harris trains would be in the top class when compared with world standards. I have had the opportunity, as have other honorable members, of travelling on trains overseas and I have seen no other trains as good as the Victorian Harris trains. I have not travelled on the trains in Tokyo where I believe the service is excellent, but I do not think anyone is entitled to complain about the Victorian Harris trains, which are clean and have wide windows which give excellent vision.

The new trains to be constructed will be 75 feet long with tinted windows which will eliminate the need for window blinds. That is a good thing, because blinds in the present trains are frequently torn by vandals. The trains will also have power-operated doors. That is a good idea, because many people who get off trains ignore the basic courtesies of life and leave the doors open when a gale is blowing. They forget that common courtesy demands that they should shut the door when they leave the train.

If power-operated doors are provided it might also be possible to have conductors on the trains, and instead of a passenger having to suffer the humiliation of being accosted by a

special ticket checker because he has been unable to buy a ticket at an unmanned station he will be able to purchase a ticket from the conductor. That system is operated in South Australia and on some of the suburban railways in Perth. I hope the new trains will also have walk-through corridors ; they are essential because many people travel on trains for the sole purpose of annoying other passengers. If the Melbourne underground is every constructed—I hope it will be—walk-through carriages as well as power-operated doors will be needed.

On several occasions I have stressed the need—I do not think I am getting anywhere—for consideration to be given to putting drivers' cabins in the trailer cars of the blue trains. When the Government realized that it was not necessary to run four-carriage trains in off-peak periods, and put on two-carriage trains, difficulties were encountered because there were no drivers' cabins in the trailer cars and no facilities existed for reversing the trains as is done in San Francisco with the cable trams. Therefore, it is necessary for the driver to change from one end of the train to the other, and if there is only one motor carriage difficulties are involved.

There are no drivers' cabins in the trailer cars of the Harris trains. If there were, it would not be necessary for the people who travel from Newport to Altona to put up with the original trains which were built at about the time " Batman finished his apprenticeship at the Newport workshops ". Despite the fact that beautiful, seven-carriage Harris trains are out of action for long periods during the day, these old trains are still used on the Newport to Altona service. In addition, at least three trains a day are used to take the workmen to the Newport workshops and those trains remain idle in the yard all day. However, because there are no drivers' cabins in the trailer cars of the Harris trains, they cannot be used on the Newport to Altona line.

On 21st December of this year Altona will become a city, and it will have a population of 30,000. In the eastern suburbs all sorts of fancy railway works are being undertaken, such as the duplication of tracks, the installation of third lines and the widening of bridges, but nothing is being done to improve facilities in the western suburbs. Everything possible is being done for Box Hill, Ringwood and Belgrave.

Mr. WHEELER.—And Essendon.

Mr. FLOYD.—No ; the honorable member for Essendon is mixed up in the hatred for the east against the west. When the Minister is allocating railway finance he should remember that the western suburbs are coming into their own. The West Gate bridge is being constructed, and great developmental works are being undertaken at Laverton and Altona. The time is coming when the western suburbs will be able to give a better account of themselves, and therefore it is not unreasonable to expect a greater financial allocation for the western suburbs than has been made available in the past.

In previous debates I have said that the Altona Beach railway line, which was constructed by private enterprise many years ago and taken over by the Railway Department and electrified in 1923, has not been improved since. Now that there has been such startling development in the area, consideration should be given not to putting in third tracks and elaborate electrical signalling systems in the eastern suburbs, which will permit trains to run both ways, but to improving facilities in the Altona area.

Reference is made in the Bill to the construction of railway lines to Barry Beach and Long Island, and enabling legislation for this purpose has been passed by Parliament. I am wondering—the Minister did not refer to it in his second-reading speech—whether the railways are providing the finance for this work or whether

the companies concerned are paying their share. I point out that on these lines only freight and not passengers will be carried.

Mr. WILCOX.—There will be a surcharge on the freight.

Mr. FLOYD.—Has the Government worked out on an actuarial basis whether it will get its money back? If it cannot extend a railway line from Altona to Westona to carry passengers and take a gamble that the line will operate efficiently, it is somewhat irritating to the people in this area to know that as soon as natural gas is found the Government falls over backwards to pass Bills to enable new railway lines to be constructed.

Mr. GINIFER.—Did the Government buy the necessary land or was it given to the Government as was the case in Altona?

Mr. FLOYD.—The Altona Shire Council purchased land and presented it to the Railway Department for the purpose of extending the railway line, but no land was presented to the Department for the Barry Beach and Long Island lines. If the Minister can assure the House that these lines will return something to the State, we will accept his assurance, but if losses are incurred I hope they will not be absorbed in general revenue in such a way that it will be impossible to determine whether or not losses are in fact being incurred.

Tenders are to be called for the construction of new Harris trains, and I believe the tendering should be on a restrictive basis. At least the trailer cars of the Harris trains can be built at the Newport workshops. I understand that 60 new trains have been built since 1956 and on the assumption that they are seven-carriage trains, that means that 180 motor carriages and 240 trailer cars have been constructed. At the Newport workshops five trains have been built a year, and I have been informed that it is possible to build eight a year. Because the Newport workshops have served Victoria well for many years, the Government should give serious consideration to building the new trains at these workshops and should not call tenders from places such as Japan.

The Minister has informed the House that these new 75-ft. carriages will carry 1,500 people at peak periods. If that is the case, I suggest that the Department should get on with the job of building these trains, because, if my statistics are correct, when they are in operation 1,500 motor cars a day, each carrying one person, will be taken off the roads. On that basis the train construction programme should be speeded up, finalized, tenders called and the men at Newport informed as soon as possible of what the future holds for them.

The men at these workshops have been told that the cost of producing various articles deters the Government from having work undertaken at the workshops. Brake blocks have been produced at Newport for years, but it is alleged that they can be produced cheaper elsewhere. Springs can also be made elsewhere at a lower cost, but I am not satisfied that the costing is worked out on a proper basis. No one has been able to satisfy me about the ingredients that make up the railway costing system. If one asks the Government a question on this subject, one does not receive a reply. The Government says that it is an intricate process and that it will take months to furnish the information required; but it is not good enough simply to say that a spring produced at Hendersons costs $2 while one produced at Newport costs $4. Unless there is a comparative cost standard, there is no way in which to prove a case one way or the other.

The men at Newport workshops claim that if the machinery there was modernized they could compete with outside firms. Over the years, the workshops have produced every railway requirement. It is only in these

days of specialization and very intricate costing methods that work has been taken away from the workshops. As an example of the need for modernization, I point out that there is, at Newport, a steam hammer which is more than 100 years old. How can it be expected to equal the output of modern machinery in new factories?

During the war, the Newport workshops stopped making trains and made Bren gun carriers and various other items that I have previously mentioned in the House, and shall not repeat. The potential is there, because the technical college at Newport trains apprentices to the highest standard. Unfortunately, as soon as the apprentices come out of their time, they drift into private industry. I have heard it said by members of the Liberal Party that that is what the State is for— to give apprentices a high standard of training so that they can go to private enterprise and earn more money. That philosophy is hard to overcome in a free enterprise society in which we value individual freedom so much, and members of my party do not wish to prevent apprentices from earning as much as they can; but it is a sad commentary on the situation that the Victorian taxpayer should bear the expense of training young men to the highest technical standard and that then their services are lost to the railways as soon as they finish their time.

If apprentices are trained to such a high standard—and I remind honorable members that some of them have won prizes—work should not be sent away from the Newport workshops. The workshops should not be turned into a maintenance depot which holds no interest for young people. Youngsters desire to create things, not to mend them; carpenters wish to construct, not reconstruct; and railway apprentices want to build, not repair.

After every derailment trucks are brought to the workshops to be repaired. That is not what a young man wants to do today. It might be suitable for a man who has reached the last stages of his railway career to become a maintenance man, but the young men wish to create things. I trust that the Commissioners and the Minister will seriously consider leaning towards the Newport, Bendigo and Ballarat workshops in this matter.

The men have fears concerning the future, and, if the contract for Harris trains goes to Japan or even to an outside firm, it will have a depressing effect on all sections of the Newport workshops. The men want new work to do, such as the manufacture of springs and brake blocks, but if the workshops are to be used only for maintenance, and the railways require only half a dozen brake blocks, it might as well get them from an outside source. If the men at the shops were building new trains and wagons and had a programme ahead of them in the spring shop, the brake shop, the boiler shop and other shops, they would be far more satisfied. Although the Minister is limited financially in what he can do, I would bet a shade of odds that he sympathizes with many of the things that I have said.

Turning from that aspect, I congratulate the Railway Department on its work on the hump yard. I am amazed at the competence displayed by the planners of this project in being able to carry out this extensive development of the Melbourne yards without disrupting railway traffic. Despite the work that is proceeding, and an apparent increase in interstate traffic, the whole operation appears to be running smoothly. Honorable members will remember seeing the model of the hump yard on display in Queen's Hall and will appreciate the magnitude of the task that is being performed. In a pamphlet which describes the hump yard project, it

is pointed out that when railway traffic first commenced in Victoria in the latter part of last century the lines on which country trains were made up were very small and the gangers could handle the cars easily.

The introduction of diesel locomotives, however, promoted the use of longer trains, and now it is necessary to scientifically develop this yard to enable trains to be marshalled more expeditiously. The hump is a mound, and trucks will be taken to the top of it and allowed to run down the other side under their own power and be distributed over 32 or 33 marshalling yards. They will be electronically controlled from the eastern and western tower buildings. In the future, the more expeditious handling of trains will mean greater revenue for the Railway Department. The making up of trains before departure and the breaking up of those which have arrived in Melbourne is to become a scientific operation, and I believe this to be a step in the right direction.

I turn now to the matter of public relations. It has been drawn to my attention that when a strike is in progress people who have purchased weekly tickets are not reimbursed. I have a letter from a gentleman who purchased a weekly ticket, and during the week, a 48-hour stoppage was held. When he sought reimbursement, the Railway Department merely said, "You bought your weekly ticket. You have to put up with it". I do not think that is right; and I deliberately refrain from commenting on whether or not the strikes were justified.

The SPEAKER (the Hon. Vernon Christie).—Order! I find this beyond the ambit of the Railway Loan Application Bill.

Mr. FLOYD.—Yes, Mr. Speaker. Under this Bill, money is allocated to be expended on Dynon. Honorable members who saw the Dynon area when it was wasteland in the area of South Kensington, but had not seen it since, would be amazed to see the hive of industry it is today. There are twelve or thirteen platforms there which are occupied by people called forwarding agents. I can remember when the area was an absolute wilderness, and it is encouraging to see that it has been put to such good use. It is interesting to note that whilst, in the old days, Victorian trucks and wagons were to be seen there and, occasionally, South Australian trucks and wagons, today, with travel made so much easier by means of the bogie exchange system, even Commonwealth wagons are to be seen at Dynon. I believe I have seen West Australian wagons there but, if not, it will not be long before they are.

I do not know how long the bogey exchange system has been in operation. Money is allocated for the improvement of the system in this Bill. It appears to be such a simple method that it is surprising it was not thought of earlier. While it is the belief of many people that a third rail should be added to all of our railway lines, the bogey exchange system is of considerable help in allowing vehicles from different States to traverse the various gauges.

There is one aspect of Dynon with which I am dissatisfied. In answer to a question which I asked, the Minister has stated that forwarding agents at Dynon do not pay a lease rental or an ordinary annual rental. The Railway Department justifies that by referring to the fact that they provide free land. I do not know who built the platforms, but I suppose they are considered to be a necessary adjunct to the business of a forwarding agent so that firms can bring their goods to the various platforms for loading on to interstate trains. I also asked the Minister whether there was any control over the loading of wagons at Dynon. Before the present platforms were constructed a firm which overloaded a wagon would be forced by a railway inspector to transfer the surplus goods into another wagon of similar weight and would be

charged for two wagons. I am not happy with the Minister's reply, to the effect that there is sufficient supervision, because I believe that some agents do overload wagons and derive a profit from it. The Minister stated in his answer that one vehicle had been damaged because of overloading, but men on the job have informed me that overloading is a frequent occurrence because of the greed and avarice of people who wish to increase profits by not booking an extra wagon. In addition to damage caused, the overloading of a railway vehicle could contribute to derailments.

I now wish to suggest to the Minister of Transport a way in which the Railway Department can improve its finances. I believe the Department has more land than it needs. The railways were given reserves of land in Victoria's early days to provide for development in certain areas. After 100 years have passed, it is obvious that much land is no longer required by the Department.

In Williamstown, there are many acres of railway land which could be used for other purposes. At one time, Williamstown was a wheat port. Now, Geelong is used for that purpose. The railways owned the piers at Williamstown and there were no roads to them. In 1913, the Melbourne Harbor Trust took over the piers and had to have roads constructed. Since then, they have become oil piers, and the railways no longer serve them. This illustrates that the reason for vesting large areas of land in the railways in past years to provide for future expansion no longer exists. I have made unsuccessful representations to the Minister to have the land in Williamstown made available for residential units for widows, spinsters, and deserted wives.

The Department knows that if it sells land, the money from the sale will go to Consolidated Revenue and, once the Treasurer gets his claws on it, the Department will never see it. The Government should seriously consider introducing a more simple method by which Departments could dispose of unwanted land, by sale at auction, by calling tenders, or by some other method. The money returned by the sale of the land should go to the Departments concerned. They are the lucky occupiers, and there is no justice in the proceeds of sales of their land going into Consolidated Revenue. The railways would receive a financial transfusion if they were given permission to sell their surplus land and retain the proceeds. If that cannot be done, a departmental inquiry should be held to determine what land could be leased. Anyone who wanted land would be prepared to lease it on a 99-year basis. That is another way in which the Department could obtain finance.

The SPEAKER (the Hon. Vernon Christie).—The honorable member is now dealing with revenue.

Mr. FLOYD.—I shall not pursue the subject, Mr. Speaker. I did want to advert to the need to construct buildings over stations and cuttings, but I shall mention that on another occasion. I have previously spoken at length of the proposed underground railway for Melbourne. Much unwarranted criticism is directed towards the railway planning for an underground loop. This Bill provides a sum of $500,000 for that purpose. I commend the suggestion of the Victorian Chamber of Manufactures that a white paper on the proposed underground railway should be prepared and, if it is shown to be justified, we should get on with the job, even if we have to import private capital to enable it to be done.

Mr. WILCOX.—That could not be done without approval from the Loan Council.

Mr. FLOYD.—Loan Council approval was obtained for the building of the West Gate bridge, and possibly it could be obtained for the purpose of building an underground railway.

With those few criticisms and suggestions, I indicate that the Opposition does not oppose the Bill.

Mr. TREWIN (Benalla).—As a Country member, I pay a tribute to the Railway Department for the way in which it conducts its operations. I realize that the same situation does not apply all over the State, but there is an excellent railway service in the north-east of Victoria. Credit should be given where it is due, and the railways have made as great a contribution as the road system to the development of this State over the past 50 or 70 years.

Although all honorable members would like to assist the Commissioners and the Minister of Transport as much as possible, fair criticism is justified. Any comments I make are meant to be constructive. In his interesting contribution to the debate, the honorable member for Williamstown asked about the construction of 100 extra trucks to carry grain. Those trucks will be a good investment. With the other rolling-stock used in carrying grain, they will make a critical contribution to the finances of the Railway Department. Wheat is the most lucrative freight carried by the Victorian Railways. I know that the Commissioners are looking forward to transporting most of the record harvest which is expected in Victoria in the coming season, and also to carrying the Riverina harvest, because the facilities there will not be able to cope with it.

The freight rate for wheat has again risen. Some of the extra cost might be assigned to the difference between the cost of production basis and the new basis under which the price for wheat is fixed under the wheat stabilization scheme. In the minds of wheat growers, the amount is excessive. Wheat growers appreciate the assistance they receive from the railways by the quick turn-around of trucks. An even quicker turn-around would mean an even more efficient handling of the harvest. The present turn-around rate is good, but nothing is so good that it cannot be improved upon.

The Railway Department is no longer interested in the many thousands of miles of fences which border its tracks. It has indicated to adjoining landholders that, although it will bring the fences to a certain condition, in future the landholders will be responsible for the maintenance and repair, and, if necessary, the re-building of the fences. Thousands of miles of fences between railways and roads are useless, and they are becoming an eyesore. Something will have to be done to clean up these miles of dilapidated fences about which the Department intends to do nothing. Whilst the landholders could clean up some of the material, they should not be asked to do it all. Because of his absence from the Chamber, the Deputy Leader of the Country Party asked me to direct to the attention of the Minister of Transport the fact that because of improper handling, people at Bairnsdale are receiving in a damaged condition certain goods on which freight has been paid.

The SPEAKER (the Hon. Vernon Christie).—Order! Unless this concerns loan funds, I must rule it out of order.

Mr. TREWIN.—It concerns the damage to goods on which freight has been paid.

The SPEAKER.—It is out of order.

Mr. TREWIN.—I shall leave the matter for the honorable member for Gippsland East to discuss with the Minister of Transport at a future date. The Railway Department is faced with a huge interest charge on a large capital debt. In the interests of the Department and of Victoria some of this debt should be written off, as was done in 1937. The Railway Department could then further develop its services and continue with such large construction works

as the hump shunting yards and the modernization of the railway workshops, of which the Department is proud. As a primary producer in the north-east of Victoria, I appreciate the service that the Department is providing for the country people.

Mr. EDMUNDS (Moonee Ponds).—In his second-reading explanatory speech, the Minister of Transport said that the railways had a lot of catching up to do. I commend the honorable member for Williamstown for his remarks relating to the Newport workshops. Formerly, these workshops had the ability to carry out the most complicated locomotive construction programme, and its workmen were unequalled for their technical know-how. The Newport workshops, which developed most successfully under previous Administrations, are now going downhill. The Government should be ashamed of letting this situation continue.

The honorable gentleman also referred to the continuous programme of construction of suburban electric trains. I wish to refer to the service on the Broadmeadows-Essendon-Melbourne line. The honorable member for Benalla stated that it was most important that the railways should carry the produce of Victoria. It is equally important that they should carry the people of the State.

The SPEAKER (the Hon. Vernon Christies).—Order! I must rule this out of order in a debate on the Railway Loan Application Bill.

Mr. EDMUNDS.—I wish to emphasize the " odd-hour " service.

The SPEAKER.—I have ruled that it is out of order.

Mr. EDMUNDS.—I now relate my remarks to item 104 concerning minor improvements to banks, cuttings and so on. The City of Essendon, which is most concerned about the fire hazards within its boundaries, recently issued fire hazard notices to property holders who have allowed grass to grow to the extent that it is becoming a potential fire danger. The Railway Department controls a large area of land and embankments on which a lush growth of grass is apparent, and which, when it dries out, will constitute a fire hazard. The Department should endeavour to clear these areas.

Mr. TREZISE (Geelong North).—This is an annual Bill dealing with finances for the Railway Department for the ensuing year. The railways play a vital part in the economy of the State, and, as the honorable member for Williamstown has stated, it is disappointing to see that, in recent years, the percentage of finance granted to the Railway Department in relation to other projects has declined. It is time that the Government dropped its attitude of considering the railways as a poor relation. Overseas countries like Japan and the Soviet Union consider the railways as a vital cog in the wheel for overcoming the problems associated with overcrowded cities. Victorian railways are operating on a nineteenth century standard in a modern age. Too much notice is taken of the losses incurred without taking into consideration the valuable services rendered by the railways to the welfare of the State. In their latest annual report, the Railways Commissioners stated that the Department was forced to subsidize country industries to the extent of $4,000,000.

The SPEAKER (the Hon. Vernon Christie).—Order! I must rule this out of order.

Mr. TRESIZE.—In his explanatory second-reading speech, the Minister of Transport stated that the Melbourne-Geelong railway line would be duplicated by 1971 or 1972. The Geelong-Melbourne railway line has been the most neglected line in the State. There are 4,200 miles of railway in Victoria, but the 45-mile link between Geelong and Melbourne carries as much traffic as any duplicated line. Some 23,000 tons of

goods are carried daily. The Minister's statement that the line will be duplicated in 1971 or 1972 has produced nothing but ironical cheers in Geelong.

Mr. WILCOX.—The line has been given a considerable degree of preference.

Mr. TREZISE.—The Minister states that this line has received preference, but if the Labor Government which was in power in 1955 had continued in office, the line would have been duplicated twelve years ago. On 5th May, 1955, the then Minister of Transport, the Hon. D. P. J. Ferguson, stated that the Melbourne-Geelong railway line would be duplicated, at a cost of $1,400,000, by 1959, and that work would start in 1957.

Mr. Ferguson said that the project would give Geelong a service equal to that of many outer metropolitan areas. Work on the partial duplication of the line was to have commenced in 1957, and $400,000 had been set aside for that purpose. A further $400,000 was to have been made available to complete the work in 1959. Therefore, the money was set aside and, if the present Government had not taken office, the line would have been duplicated some twelve years ago. However, the Government of the day was defeated. The incoming Liberal Party Government decided that the Geelong line was not really important and the $800,000 which had been allocated for that line was used in other parts of the State. If the Minister can explain why, the people of Geelong will be interested in his comments.

When Commissioner Brown was in Geelong recently, he said that, in his opinion, the railway centre in Geelong was the focal point of the entire Victorian railway system because Geelong was the gateway to the Western District and many northern parts of the State. After the sum of $800,000 was diverted elsewhere, what did the Liberal Government do about the duplication of the line in a seven-year period? In 1958-59 the length of line constructed was 3 miles 10 chains; in 1959-60, it was nil; in 1960-61, it was nil; in 1961-62 it was nil; in 1962-63, it was nil; in 1963-64, it was nil; and, in 1964-65, it was approximately 2 miles. In all, a total of barely 6 miles of line was constructed over that period. When the Geelong to Melbourne line is finally duplicated, it will be a red letter day for the people of Geelong. It is no wonder that patronage on the Geelong line has not been as great as it should be, and that the roads are cluttered up with so many motor cars each conveying only one person.

Another railway project which affects decentralization is the further extension of standard-gauge lines. Such an extension to the Geelong area would allow industries based in Geelong direct access to the markets of other States. A large portion of the Ford Motor Company works was taken from Geelong, mainly because there were no facilities for a standard gauge railway line. Last year, when Mr. Scholes was elected as the new Federal member for Corio, he received a telegram from Mr. Booth, the managing director of the Ford Motor Company, congratulating him upon his election and, at the same time, expressing the hope that one day he might assist in obtaining the standard-gauge link to Geelong.

I ask the Government to seek the co-operation of the Federal Government to make a standard-gauge rail link to Geelong a reality. In Victoria we have the bogie exchange method of transferring vehicles between broad and standard gauges. This system necessarily causes some delay. During the recent drought, when there was a vital need for fodder in the Geelong district, there were delays of two or three days whilst these trucks were being changed from one gauge to the other. A direct standard-gauge link to any main centre of Victoria would encourage industry to set up in that area, because there would be direct access to interstate markets.

By way of contrast, in New South Wales, the Government has already realized the importance of standard-gauge facilities throughout the State. In July last, Mr. DeGaris, the Acting Premier of South Australia, approached the Commonwealth Government for funds to extend the standard-gauge line beyond Adelaide to Burra, Gladstone and Peterborough.

Mr. WILCOX.—How did he get on?

Mr. TREZISE.—The matter is still under consideration, but at least he had the initiative to do something. I ask the Government to make every effort to extend standard-gauge facilities to other centres in Victoria.

I now advert to a comparatively minor but nevertheless important matter. At present, at the Spencer-street station, to reach the platforms other than platform No. 1, which is on street level, passengers must walk down a steep ramp and then walk up another steep ramp. This may not affect many people, but it is a difficult task for elderly people, particularly when they are carrying heavy suitcases, to walk up the steep ramps. The Minister has stated that for many years this has been the standard operation at Flinders-street station, but what was good enough in the old days is not good enough in this modern age of automation. With today's modern devices, it should be possible to install a single escalator to travel at a very slow speed—this would discourage people who were capable of walking from using the escalator—for the use of people carrying heavy suitcases, particularly elderly people. This facility would be appreciated by rail travellers. The Spencer-street station was built only a few years ago and an antiquated system which requires people to walk up steep inclines is not in keeping with the times. Like many other honorable members of the Oppostion and other parties, I trust that next year, when the House is examining this year's record of the Government, many of the existing anomalies in the Railway Department will have been rectified.

Mr. FENNESSY (Brunswick East).—Practically the whole of the railway line from Royal Park to the Fitzroy railway siding is within my electorate. I have previously referred to the Railway Department leasing land for use as a junk yard. I am pleased to say that my representations have been heeded by the Department and that the junk yard in the vicinity of North Carlton has now been removed.

Recently, delegates from the Fitzroy, Brunswick and Melbourne city councils conferred on the question of tidying up the area around what is almost an abandoned railway line. The line is used only once a week for the carriage of briquettes to the Fitzroy railway siding which, incidentally, is in the heart of the Edinburgh Gardens. In the horse and buggy days many people would have used trains on this line to travel to Princes Bridge in one direction or through Royal Park to Spencer-street in the other. With the development of the motor car, these stations are not now used.

The three councils submitted to the Railway Department a proposal for beautification of the land abutting the railway line. They sought permission to move the existing fence closer to the railway line so that a larger area would be made available for the provision of gardens. The Melbourne and Fitzroy city councils have beautified an area along Park-street with a strip of garden. If the fence were moved closer to the line, the garden area would be widened.

Despite the councils' good intentions, the Railway Department has failed to reply to three letters, dated the 13th October, 1967, the 8th January, 1968, and the 11th April, 1968, all of which were forwarded to the estate officer of the Railway Department by Mr. O'Halloran, the town clerk of Fitzroy, who appears to have been appointed the secretary of the joint committee. Mr. O'Halloran

has telephoned the officer about four times and each time he has been told that investigations are continuing.

The plan proposed by the three councils is a reasonable one. They have taken exception to the practice of the Railway Department, of erecting huge unsightly hoardings on lines traversing residential areas which affect the amenities within the area. A reply has not yet been received by the councils. A sufficient period has elapsed from October, 1967, for the Railway Department to have reached some sort of decision. If the Minister examines the scheme proposed by the councils, I am sure that he will agree it is worth while.

The Fitzroy council also made a separate approach to the Department with regard to the section of the line which has been torn up, from St. Georges-road to the Northcote loop. Grass has been allowed to grow wild and rubbish has been dumped on the area. Consequently, the area is an unsightly mess. The Fitzroy City Council advised the Department that it was prepared to clean up the area and make it a reserve. It was also prepared to erect a sign stating that the land was railway land. The council is not asking the Department to surrender its land; it is only seeking permission to clear the area. The council is prepared to acknowledge that it is railway land and if, in future, the Department wants to utilize it, the council will be quite happy. The council will not be pleased if the Department decides to hand over the land for factory purposes, which has been done with a substantial area of disused railway land.

Mr. BIRRELL (Geelong).—I commend this loan application Bill because it provides for the sum of $700,000 to be applied to the duplication of the railway line from Melbourne to Geelong. Within the next two years it is possible that the line from Newport right through to Geelong will be duplicated and this will make a vastly improved service possible. With the installation of automatic signalling within the foreseeable future, a first-class railway service is in the offing. Approval has been granted for the use of the South Geelong station as a departure point, and, generally speaking, I believe improvements in the Geelong railway service have followed recent suggestions that I have submitted to the Government.

Future development of the service will hinge on the completion of the duplication of the Melbourne–Geelong line. It is proposed that this will be completed in 1971; and the $700,000 allocated under this Bill will go a long way towards bringing the job nearer completion. I thank the Minister and the Government for their interest in this project and assure them that the people of Geelong are well aware of what is happening with regard to the railway service. The Minister has personally inspected the whole system and its attendant facilities, and I believe this to be an indication of the great interest that the Government shows in these services. The Bill is of interest to local Geelong people, and I commend it.

Mr. WILTON (Broadmeadows).—At the outset, I thank the Minister for the information he furnished me by way of a letter a few days ago in relation to the rebuilding of the Thomastown railway station which was destroyed by fire a little more than a year ago. I assure the Minister that the news will be gratefully received by the residents of the district who use the service.

It is regrettable that the total sum to be provided under this Bill is only $24,000,000. Once again there has been no increase in the loan allocation. The Government had provided the same amount as it has provided for the past four years. If one goes back over the years, one finds that in 1954 a sum of $25,000,000 was provided under the Railway Loan Application Bill. Fourteen years later, the Government has reduced the total allocation by $1,000,000. When one

considers the increase in costs that has occured in that period, and the reduction in the purchasing power of the $1 as a result of the Liberal Government's inflationary policies, one can only say that the Commissioners and the railway staff are to be commended for the work they have been able to perform. While the Government continues to strangle it financially by its stringent policies which lead to meagre loan allocations, there is no possible hope of the railway system meeting the demand placed upon it by the public. It is ludicrous to expect an instrumentality such as the Railway Department to discharge its responsibilities when the moneys allocated to it are restricted to $24,000,000.

The stringent financial policies of the Government are reflected in the services provided by the railways. The fact that the public has to put up with travelling in dilapidated rolling-stock which ought to have been removed years ago is no reflection upon the staff or the Railways Commissioners. Under item No. 202, the sum of $1,000,000 is allocated to suburban electric trains. I am a frequent traveller on the suburban service, and I notice that on the Melbourne–Broadmeadows line there is a marked absence of the modern rolling-stock that is used on other suburban lines. I refer to the blue trains. They are rarely seen on the Broadmeadows line.

From discussions I have had with the Railway Commissioners concerning this matter, I know that they have an honest desire to use modern rolling-stock on all suburban lines. It is no wonder that there is a marked absence of modern trains when one considers the amount of finance allocated to the Commissioners to enable them to carry out the replacement programme which is so urgently needed. Instead of restricting the Commissioners to $24,000,000, the Bill should provide for something in the vicinity of $33,000,000 to give the allocation some relativity to the amount allocated in 1954.

In 1964, the Committee of Public Accounts firmly recommended that the Government should increase the railway loan allocations over a period of from five to ten years. The recommendation was made after a thorough investigation into the financial position of the Railway Department. Yet, each Railway Loan Application Bill passed by Parliament since that year has been restricted to the same level, regardless of rising costs and the decrease in the purchasing power of the $1.

I consider that, in view of the development that has taken place in the northern portion of the City of Broadmeadows, the suburban service should be extended beyond the present Broadmeadows station. I realize that this would involve the construction of new stations and the extension of the suburban electric system, but this service is urgently required. I strongly recommend to the Minister that this project should be given serious consideration and allotted a high priority. Extensive development is taking place in the northern part of the city, and further developments, of which the Minister of Housing is aware, are planned. If the Minister of Transport were to confer with his colleague, the Minister of Housing, I am sure he would be given all of the details of the planning for this area. The Minister of Transport may be surprised at the magnitude of this development and its importance, not only to Broadmeadows, but also to Melbourne.

Over a number of years, I have raised the question of the rebuilding of the Broadmeadows railway station, which is long overdue. This building was constructed before the turn of the century and the staff are attempting to provide services in this jet age although the station was designed for the horse-and-buggy age. Under

present-day conditions, it is hopelessly inadequate, and the staff have to work under the most archaic conditions. I hope that some plans are about to be put into operation relating to the realignment of the yard at the station to provide better facilities for freight traffic. However, the needs of the travelling public should also be considered because more than 1,000,000 passengers a year pass through this station. I urge the Minister to have the building programme that is scheduled for the Broadmeadows railway station extended to include the complete reconstruction of the existing station building.

Mr. MUTTON (Coburg).—I wish to raise, briefly, a number of matters which I consider have some bearing on the requirements of my electorate so far as railway facilities are concerned. Recently, I received from the Railway Department a letter setting out in some detail the procedure and methods to be adopted by the Department in future for the installation of traffic crossings, that is, in relation to the provision of warning signals, and so on. I thought this was a good idea, but unfortunately, from the procedure outlined, I have reached the conclusion that it will be a long time before any installation, such as boom barriers, will be provided in the Coburg electorate, because the letter from the Department states that if only a certain number of accidents occur at a level crossing the installation of boom barriers is not warranted.

I should like to be informed by the Minister what yardstick the Railway Department uses to decide priorities for the installation of boom barriers. Is the priority determined by the number of accidents that occur, or is it fixed by some other means? Furthermore, in view of the increase in motor traffic the old type wig-wag signals are outmoded; boom barriers should be provided at all level crossings. According to the information obtained from the Railway Department, it will be a long time before boom barriers are installed at crossings in the Coburg electorate.

I also asked the Railway Department to install a crib crossing over the permanent way at Renown-street, Coburg. The Coburg City Council previously made a similar request. The council and I received replies to the effect that if such a crossing is desired the council must pay for it. However, adjacent to this crossing—which people have used for many years and are still using to gain access to the industrial section on the western side of the highway—the Railway Department has erected a large sign informing the public that trespassers will be prosecuted. Nevertheless, the workers still use the crossing in order to gain access to their places of employment. It is unjust for the Railway Department to inform the local council that if it wishes to provide a safe crossing it must provide the finance. This situation applies not only in the Coburg electorate; it applies also in the electorate of the honorable member for Broadmeadows. The Broadmeadows City Council has made a similar request to the Railway Department and has received a similar answer.

The sum of $100,000 is to be allocated under sub-item No. 105 of the schedule for works relating to level crossings. This is an infinitesimal sum—a drop in the ocean. The Minister should consider the provison of a greater allocation for urgent works which are required not only in the Coburg electorate, but also in other electorates in the metropolitan area and throughout the State.

I notice that, as a result of an accident at the Barry's-road level crossing in the Broadmeadows electorate—I am interested in this matter as a member of Parliament and also as a municipal councillor—the Railway Department is to initiate proceedings against a person who was involved.

The SPEAKER (the Hon. Vernon Christie).—Order! I must rule that subject out of order.

Mr. MUTTON.—The matter could be *sub judice*. What I was going to say is that this accident is one of at least four accidents——

The SPEAKER.—Order! I have ruled that matter out of order.

Mr. MUTTON.—I accept your ruling, Sir. The warning device at this crossing is the old type wig-wag flasher unit which, as I have already said, is outmoded because motorists cannot hear the signal; one would require some form of electronic device to detect it because it is so weak. Furthermore, in bright sunlight it is almost impossible to see the flashing lights. This is one reason why I wish to impress on the Minister that if it is desired to reduce the loss of life at level crossings the existing wig-wag signals must be abolished and boom barriers installed at as many crossings as possible. The only means of achieving this end is to increase the allocation under sub-item No. 105; I consider that the sum of $100,000 for this purpose is inadequate.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Issue and application of money from Loan Fund for railway purposes).

Mr. WILCOX (Minister of Transport).—I have noted the matters raised by honorable members during the second-reading debate. As has been conceded, many of them have already been dealt with. Others will be examined again, and action will be taken in regard to those which call for a remedy and can be remedied. It would be unwise for me to canvass all the issues at this stage, but I shall reply to a question raised by the honorable member for Williamstown, who made a valuable contribution to the debate. The honorable member asked where certain rolling-stock is being constructed, and I can give him that information now. The 100 additional grain hopper wagons are being constructed by Industrial Engineering Limited of West Footscray; 50 special container carrier wagons are being constructed at the Newport workshops; 50 large open general freight wagons are being constructed at the Ballarat and Bendigo workshops; and 100 wagons of various types, equipped to carry special and long loads, are being constructed at the railway workshops at Ballarat, Bendigo and Newport. Of the 300 vehicles which are to be built this year, 200 will be constructed at railway workshops.

I appreciate the comments of all honorable members which, in the main, were made to afford assistance.

Mr. FLOYD (Williamstown).—The Minister should not be expected to reply at this stage on every matter raised during the debate. However, when he reads the *Hansard* report, if something which has been mentioned warrants a reply, he might send a letter to the honorable member concerned. That would certainly be appreciated.

The clause was agreed to, as were the remaining clauses.

Schedule.

Mr. STEPHEN (Ballaarat South).—I direct the attention of the Minister, as I did that of his predecessor, to the fact that rolling-stock used on passenger trains to Ballarat is not of high standard. I ask the Minister to consider the type of passenger rolling-stock used on main country lines. He might adopt the suggestion of the honorable member for Williamstown, and indicate in a letter what plans, if any, are in hand for the building of new carriages or making better carriages available to improve passenger comfort on these lines.

The schedule was agreed to.

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

MILK BOARD (AMENDMENT) BILL.

Mr. BALFOUR (Minister for Fuel and Power).—I move—

That this Bill be now read a second time.

The principal purpose of this Bill is to amend the Milk Board Act to make provision for the issue of milk shop licences to grocery stores, supermarkets, and other shops which are required to observe restricted trading hours.

At present, section 18A of the Act, which empowers the Milk Board to issue milk shop licences, provides that, on application by the owner of shop premises, the Milk Board shall issue a milk shop licence if it is satisfied, among other things, that the premises will be open to the public at all times at which milk should reasonably be available to the public, having regard to the nature of the locality. In compliance with this provision, the Milk Board requires licensed milk shops, unless exempted by virtue of locality, to be open for business between 9 a.m. and 7 p.m. from Mondays to Fridays, 9 a.m. and 1 p.m., and 6 p.m. to 7 p.m. on Saturdays, and 1 p.m. and 6 p.m. on Sundays. Because of this requirement, it is not possible for shops which trade only five and a half days a week to obtain milk shop licences.

Following approaches from the Victorian Food Retailers' Consultative Council, representing most of the large self-service grocery store and supermarket operators, and discussions with the Milk Board and representatives of all sections of the milk industry, the Government has formed the opinion that in the interests of the consumer and to preserve the stability of the liquid milk industry of this State, it is desirable to make provision for such stores to retail milk, subject to control by the Milk Board.

Therefore, the Government has decided to open the way for grocery stores, supermarkets and other shops which do not open at week-ends, to obtain milk shop licences. This will be done by deleting from the Act the requirement for the Board to be satisfied that licensed milk shops will observe certain minimum trading hours.

The representatives of these stores have requested the right to sell milk only in no-deposit, non-returnable, non-glass containers and have stated that they are not interested in handling milk in bottles. In view of this, it had been the Government's intention to include in this Bill a general provision restricting the sale of milk through all licensed self-service stores and supermarkets to sales in these containers. However, the Milk Board has pointed out that milk is not available in such containers in certain country milk districts, although in some of these districts there are self-service stores which have, for some years, held milk shop licences issued by the Department of Agriculture prior to the proclamation of the districts under the Milk Board Act.

Accordingly, if the Act were to require such stores to sell milk in non-returnable containers, these shops would commit an offence if they continued to sell milk in bottles, even though they could not obtain it in any other container. Provision is therefore made in this Bill for the Governor in Council to make regulations in respect of any milk district, prescribing the classes of premises from which milk may be sold only in specified types of non-returnable, no-deposit, non-glass containers. Thus, it will be possible to permit the licensed self-service stores in milk districts where such containers are not available to continue to sell milk in bottles until such time as cartons become available, whilst in all other districts, self-service stores and supermarkets will be required by regulation to sell milk only in prescribed non-returnable cartons.

In the course of discussions on the licensing of this type of store, the Milk Board and industry representatives have expressed serious concern

about the possibility that supermarkets and self-service stores, if licensed, may offer milk for sale at prices lower than those which normally apply for shop sales or home delivery. In the opinion of the Board and the industry, such a practice would undoubtedly cause serious disruption to the present established methods of milk distribution. This would inevitably affect the economics of the home delivery system, resulting in an increase in the cost of milk and curtailment of delivery services. The effect on the proprietors of small milk shops would be serious, as they could not compete with supermarkets selling at reduced prices.

The Government agrees that if supermarkets are to be licensed to sell milk, provision should be made in the Act to ensure that milk is not used as a "special" line. It believes that any price benefits to the consumer would be essentially short-term. "Specialling" would, in the longer term, result in reduced service and higher prices, and in a depressed level of milk sales. At present the Milk Board Act provides that the Board shall determine the maximum price at which milk may be sold by retail in a milk district, and the milk industry recognizes this maximum determined price as the appropriate retail price. In determining margins for dairymen and milk shops, the Board takes into consideration the maximum retail prices as the basis for its calculations. At the present time, however, if a dairyman or a milk shop proprietor elects to retail milk at a lesser price, he would not be committing any offence.

The Food Retailers' Consultative Council has declared that it would not be the intention of self-service stores and supermarkets, if licensed, to sell milk at cut prices, and the council indicated that its members would be quite prepared to operate on the basis of a fixed retail price. The only certain means of preventing disruption resulting from the price cutting would be to empower the Board to determine fixed prices, and the Bill accordingly makes provision for this. In certain circumstances, however, milk is sometimes sold at concessional prices. This practice occurs in particular in such places as school canteens and tuck shops and in industrial canteens, where the management makes foodstuffs available to employees, at reduced prices, for consumption on the premises. In order to permit the continuation of this practice, the amendment provides that the Governor in Council may prescribe by regulation classes of premises from which milk may be sold at less than the appropriate determined retail price.

The Milk Board Act defines "retail," in reference to the sale or distribution of milk, as "the sale or distribution to any person on any day in a quantity not exceeding 2 gallons". The Act provides for the Board to determine the minimum prices which shall be paid to dairymen in the case of sales other than sales by retail. Such prices apply in respect of sales from processors to dairymen and from dairymen to milk shops, milk bars, canteens, hospitals and other large-scale users of milk. Therefore, even if the Act were amended to provide for a fixed retail price, it would still be possible for the holder of a milk shop licence to offer milk to customers in quantities exceeding 2 gallons at a reduced price, particularly as larger size containers are now becoming available in Australia. As this would be a sale otherwise than by retail, the determined retail price would not be applicable. To overcome this situation, the Bill defines all sales of milk from licensed milk shops as sales by retail.

The Bill contains a consequential amendment to provide that the penalty at present applicable in the case of a person selling milk at a price in excess of the maximum retail

price shall now apply in the case of a person who sells milk at a price other than the determined retail price, except from the prescribed classes of premises referred to earlier.

Section 18 of the principal Act provides that if the Board is satisfied that the holder of a milk shop licence has failed to comply with certain requirements, it shall report to the Minister who may direct that the licence in question be not renewed or shall be cancelled as the case may be. It is now proposed further to provide for the Minister to cancel a licence if the Board is satisfied that the licence holder has sold milk at other than the appropriate determined price. At the present time, if the Minister orders the cancellation of a licence, there is nothing to prevent the owner from immediately re-applying for a licence and, provided that the Board's requirements are satisfied, the Board is obliged to issue the licence. In these circumstances the cancellation of a licence achieves little other than the loss to the owner of the unexpired portion of the $6 annual licence fee. To overcome this, the Bill provides that, in cancelling a licence, the Minister may direct that the person concerned shall not be entitled to the issue of another licence for a period not exceeding six months after the date of the cancellation. The Bill also provides that the Minister's decision in relation to cancellation of a licence shall be final.

Whilst sub-section (5) of section 18A of the Act provides that a milk shop licence shall authorize the sale of milk in prescribed containers for delivery on the licensed premises and not otherwise, the Crown Solicitor has advised the Milk Board that, as there is no section in the Act to provide that the holder of a milk shop licence shall be guilty of an offence if he fails to comply with the conditions of his licence, the delivery of milk by a licensed milk shop proprietor to householders and other customers would therefore not constitute an offence. It is clear that this is completely out of character with the intention of this section of the Act, which was obviously designed to restrict sales of milk by licensed milk shops to sales on the premises only. It is proposed, therefore, to amend the section to make it an offence for the holder of a milk shop licence to sell milk in contravention of the authorization conferred by his licence.

The Government believes it is necessary to ensure, as far as is possible, that the economic arrangement under which a local dairy services an area shall not be disrupted if self-service stores are licenced. If a self-service group or chain were able to collect supplies for all of its stores at the premises of a large milk processor, this would adversely affect the economy of the local dairy. To prevent this, but at the same time to permit, in so far as the Milk Board Act is concerned, the continuation of the practice whereby shopkeepers, on occasions, collect accommodation supplies direct from a dairy, the Bill provides that no person other than a dairyman shall transport or deliver milk to a milk shop in a quantity greater than 15 gallons.

Recently the Milk Distributors' Association, with the full support and co-operation of the Milk Board, embarked on a large scale project to process and distribute chocolate flavoured milk in cartons throughout the metropolitan milk district. Both the Milk Board and the industry are anxious that this flavoured milk should be available to the public through as many suitable outlets as possible. Milk bars and cafés are, of course, a most important outlet for this product, but as the Act stands at present only a licensed milk shop can sell packaged flavoured milk. It is understood, however, that many milk bars and cafés, which are not licensed milk shops and have no wish to sell bottled milk, are desirous of handling flavoured milk in cartons. In addition to sales through these

shops, the Board considers that there is a large potential market for this product at sporting venues, theatres, dance halls, bowling alleys and other places of entertainment, many of which may not be interested in holding a milk shop licence or would not qualify to be licensed as milk shops.

The Board is of the opinion that the sale of packaged flavoured milk from unlicensed premises would have no adverse effect on the economics of home deliveries of milk, but would increase the over-all milk sales and provide additional service to the public. It is therefore proposed to amend the Act to exempt persons selling packaged flavoured milk, as distinct from plain milk, from the requirement to hold a milk shop licence. When the Milk Board Act was amended in 1962 to empower the Board to licence milk vending machines, the amendment specifically exempted machines vending flavoured milk from the licensing requirement. The amendment in this Bill is therefore consistent with the principle adopted in relation to vending machines.

At present an anomalous situation exists in relation to the issue of dairy licences in respect of premises which sell or prepare for sale, dairy produce other than milk. There are within Milk Board districts a number of firms which bottle and sell cream but which do not sell or distribute milk. Regulation 128 of the Milk and Dairy Supervision Act regulations provides that no person shall sell cream in bottles unless the cream has been bottled at a dairy. Until the present time, however, because of a complication created by sub-section (1) of section 22 of the Milk Board Act, the Department of Agriculture has been obliged to issue these premises with store licences rather than dairy licences. As officers of the Department have much wider supervisory authority over premises licensed as dairies than over those licensed as stores, it is proposed that premises at which cream is bottled shall be issued with dairy licences.

Sub-section (1) of section 22 of the Milk Board Act provides that the Board, after inquiry, may from time to time by notice published in the *Government Gazette* specify those dairies from which milk may be sold in a milk district, and cancel the licences of all such dairies not so specified. By this the Board is able to rationalize the distribution of milk in areas under its control. There is, however, no provision for the separate specification of dairies at which dairy produce other than milk is sold or prepared for sale, and if these dairies were to be specified under the existing provisions of the Act they would have to be specified as dairies from which milk may be sold. If they were not specified by the notice referred to, their licences would be automatically cancelled by the publication of the notice.

Whilst it has no wish to limit the issue of licences in respect of cream processors' premises, the Board is not prepared to approve automatically the issue of licences to any persons wishing to process cream if the issuing of such licences confers on the licence-holders the right to process and sell milk, as this would conflict with its responsibility under the Act to rationalize the sale and distribution of milk. The need for the Department of Agriculture to issue dairy licences to premises other than those selling milk was apparently not envisaged when the Milk Board Act was drafted in its present form. To overcome this situation, it is proposed to amend the Act to permit the Board, in publishing a notice specifying dairies, to specify separately those dairies from which dairy products other than milk are sold or prepared for sale. I commend the Bill to the House.

On the motion of Mr. FENNESSY (Brunswick East), the debate was adjourned.

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

ADJOURNMENT.

BUSINESS OF THE HOUSE: HOURS OF MEETING—LIEUTENANT-GOVERNOR'S SPEECH: PRESENTATION OF ADDRESS-IN-REPLY—" HANSARD ": NON-DELIVERY ON SATURDAY.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That the House, at its rising, adjourn until Tuesday next, at a quarter to Two o'clock.

The motion was agreed to.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That the House do now adjourn.

For the information of honorable members, I wish to indicate the hours of meeting next week. On Tuesday next it is proposed that the House shall sit from 2.15 p.m. until 11 p.m. On Wednesday the sitting will commence at approximately 11 a.m. and continue until 7 p.m. On Thursday the hour of meeting will be 10 a.m. or 11 a.m. and the House will sit on the evening of that day. It may also be necessary for the House to sit on Friday, but I hope that will not be the case.

The SPEAKER (the Hon. Vernon Christie).—I wish to tell honorable members that the time fixed for the presentation of the Address-in-Reply to His Excellency, the Governor, Sir Rohan Delacombe, has been changed. The day is the same; it will be on Wednesday, 4th December, at 10.10 a.m. Cars will leave Parliament House at ten minutes to Ten a.m. I shall be pleased if honorable members will come with me to Government House to take part in this ceremony.

Honorable members will have noted that *Hansard* has not been delivered on Saturdays since the 26th October. This is causing me some upset, and I inform the House that the Chief Reporter has inquired into the matter and has written to the director of the Postmaster-General's Department pointing out that the Government Printer has delivered copies of *Hansard* addressed to honorable members to the post office at Spencer-street at a time on Friday evenings which would enable the postal authorities to make deliveries on the following morning. Today, the Chief Reporter received a visit from the Customer Relations Officer of the Postmaster-General's Department who informed him that, in accordance with the new delivery policy of the Department, Saturday delivery of " other articles ", which includes *Hansard*, was suspended on and from the 26th October. I am trying to see how this difficulty can be overcome.

The motion was agreed to.

The House adjourned at 6.46 *p.m., until Tuesday, December* 3.

Legislative Council.

Tuesday, December 3, 1968.

The PRESIDENT **(the Hon. R. W. Garrett)** took the chair at 4.25 p.m., and read the prayer.

RAILWAY LOAN APPLICATION 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.

HOSPITALS AND CHARITIES COMMISSION.

ALLOCATIONS OF CAPITAL FUNDS ON MAJOR PROJECTS.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province) asked the Minister of Health—

What allocations have been made from the capital funds of the Hospitals and Charities Commission on major projects in each of the past five years?