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?

The Hon. V. O. DICKIE (Minister of Health).—The answer contains statistical data, 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:—

Amounts as set out in the following table have been allocated and paid from the capital funds of the Hospitals and Charities Commission on major projects in each of the past five years.

In this answer, "major project" has the same meaning as in the Treasury "forward look" loan programme—"having a total estimated cost of $200,000 or more".

HOSPITALS AND CHARITIES COMMISSION.

Institution.	New Buildings (including furniture, furnishings, and equipment).	Amount.
		$
1963–64—		
Austin Hospital	Nurses' home, outpatients and casualty, workshops, group laundry	470,127
Dental Hospital	New hospital, debenture repayment ..	581,973
Royal Children's Hospital	New main block	495,179
Royal Women's Hospital	Pathology block, main block, teaching and amenities block	499,416
Alfred Hospital	Nurses' home, W. S. Philip block ..	998,372
Footscray and District Hospital ..	After-care unit, casualty and pathology departments	274,530
Preston and Northcote Community Hospital	Outpatient and casualty departments, amenities block	389,446
Sandringham Memorial Hospital Society	New hospital, nurses' home	938,866
Warrnambool and District Base Hospital	Ward block, casualty department and theatre suite, boiler plant	247,593
		4,895,502
1964–65—		
Royal Children's Hospital	Main block, audiometry unit	472,256
Royal Women's Hospital	Main block	775,402
Alfred Hospital	W. S. Philip block	1,572,299
Footscray and District Hospital ..	Casualty and pathology department ..	301.869
Prince Henry's Hospital	Wards 6 north and 6 south, nurses' training and amenities wing, pathology department	309,666
Royal Melbourne Hospital	Nurses' home extensions, clinical sciences block	448,83 0
Geelong and District Hospital ..	Kardinia House extensions, pathology extensions	241,600
Mooroopna and District Base Hospital	Goulburn Valley—midwifery wing ..	703,014
Warrnambool and District Base Hospital	Casualty and theatre suite, staff flats, boiler plant	349,704
		5,174,640
1965–66—		
Austin Hospital	Group laundry	805,881
Royal Victorian Eye and Ear Hospital ..	Operating theatre and suite	319,596
Royal Women's Hospital	Main block	1,076,924
Alfred Hospital	W. S. Philip block, nurses' training school	502,963
Dandenong and District Hospital ..	Central block stage 1	329,813
Mercy Public Maternity Hospital ..	New hospital	272,500
Southern Memorial Hospital Society (Caulfield)	New hospital	649,664
Wangaratta and District Base Hospital ..	North wing project	315,711
Cheltenham Home and Hospital for the Aged	Ward block No. 1, laundry alterations ..	219,104
		4,492,156

HOSPITALS AND CHARITIES COMMISSION—*continued.*

Institution.	New Buildings (including furniture, furnishings, and equipment).	Amount.
		$
1966–67—		
Royal Women's Hospita	Main block	561,015
Alfred Hospital	W. S. Philip block, alterations to theatres 8 and 9. Biochemistry, dialysis and C.S.D., east block, ward block	1,024,419
Box Hill and District Hospital ..	Midwifery block, stage 1	627,684
Dandenong and District Hospital ..	Central block stage 1	441,960
Fairfield Hospital	H. McLorinan block—wards 1 and 2, covered ways	459,191
Mercy Public Maternity Hospital ..	New hospital	1,000,000
Southern Memorial Hospital Society (Caulfield)	New hospital	946,888
Ballarat and District Base Hospital ..	New central block	214,450
Bendigo and Northern District Base Hospital	Casualty and outpatient building ..	414,432
Wangaratta and District Base Hospital	Main ward block, north wing project ..	228,983
Latrobe Valley Community Hospital (Moe) Society	New hospital	412,558
Greenvale Village	Laundry, store, and mortuary. Infirmary building—south wing	223,843
Cheltenham Home and Hospital for the Aged	Toilets and bathrooms, ward block No. 1, ward block No. 2	288,692
Queen Elizabeth Home	Day hospital	203,025
		7,047,140
1967–68—		
Austin Hospital	Hospital—university development, "A" block lift tower, 3KZ block, diversion of services	276,397
Queen Victoria Memorial Hospital ..	Hospital—university project, stage 2 ..	601,923
Royal Women's Hospital	Main block	1,228,969
Alfred Hospital	East block, new ward block	958,845
Box Hill and District Hospital ..	Midwifery block, stage 1	741,291
Dandenong and District Hospital ..	Centre block, stages 1 and 2, steam generator	679,092
Mercy Public Maternity Hospital ..	New hospital	1,000,000
Prince Henry's Hospital	Clinical school building, PABX telephone system	306,134
Southern Memorial Hospital Society (Caulfield)	New hospital	391,200
Ballarat and District Base Hospital ..	New central block	233,950
Latrobe Valley Community Hospital (Moe) Society	New hospital	1,000,000
Cheltenham Home and Hospital for the Aged	Ward block No. 2	319,208
		7,737,009

DEPARTMENT OF AGRICULTURE.

STUD HERD ACCREDITATION SCHEME.

The Hon. H. A. HEWSON (Gippsland Province) asked the Minister of Agriculture—

Since the discontinuance of the standard herd testing by the Department of Agriculture of pure bred herds throughout Victoria and the inclusion of these herds into the Victorian Herd Improvement Association through which the Department offers an accreditation scheme—(i) how many owners of stud herds have applied for accreditation; (ii) is accreditation confined to stud herds; if not, how many applications have been received in respect of grade herds; (iii) how is the accreditation carried out; (iv) what is the cost to date to the Department; and (v) what would be the ultimate cost if all breeders applied for accreditation?

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

(i) Thirty-three.

(ii) Yes, accreditation is confined to stud herds.

(iii) By at least two, generally three, testing visits each year by a departmental accreditation officer. These visits are supplementary to those of the Victorian Herd Improvement Association herd tester. Milk samples obtained on accreditation visits are forwarded to the Government laboratory for butterfat testing. Production results obtained from accreditation visits are then compared with Victorian Herd Improvement Association findings obtained at the nearest Victorian Herd Improvement Association visit.

(iv) Costs are assessed at being approximately twice that recouped by the fee charged. The fee per herd is $30 per annum, and revenue since the scheme came into operation in 1966 is $1,710. The cost to date is estimated at $3,420.

(v) In the herd test year 1967-68, 1,532 of the 5,400 herds tested had a stud cow content. Each of these would appear to be eligible for the accreditation service.

Revenue from this number at $30 per year would be $45,960 and costs as per (iv) above are assessed at $91,920.

PUBLIC TRANSPORT.

ALLOCATION OF FORMER TRAM ROUTES IN GEELONG: EAST DONCASTER BUS ROUTE.

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

(*a*) With the closure of the tramway services in Geelong—(i) how were the tramway routes made available to private bus operators and for what period; (ii) what annual fees are paid and by whom for each of the various routes licensed; and (iii) have the licensees monopoly rights for each of their respective routes; if so, was any fee or charge made for these rights?

(*b*) What amount of money was paid in compensation by the Melbourne and Metropolitan Tramways Board to private bus owners to resume the monopoly rights of the East Doncaster bus route previously obtained by licence?

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

(*a*) (i) As the result of discussions between bus operators and the Transport Regulation Board, tramway routes were largely absorbed within the framework of existing privately operated bus services operating on or near those routes. Licences were issued for a period of seven years.

(ii)

Bus operator.	Number of vehicles operated.	Total annual licence fees paid.
		$
Bender's Busways Pty. Ltd.	55	4,380
Trans Otway Ltd. ..	13	1,030
I. J. Cook and Son Pty. Ltd.	10	776
A. M. and N. J. McHarry ..	12	994

(iii) Service is provided on each route only by the licensed operator. The Board has imposed no charges other than annual licence fees.

(*b*) The Board did not pay any money as compensation to the private bus owners but paid a purchase price of $160,000 for the business as a whole. If the honorable member desires further information on this matter, I understand that the Minister of Transport will be pleased to supply it to him.

EDUCATION DEPARTMENT.

USE OF VIDEO TAPES FOR TEACHING PURPOSES.

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

Has the Education Department any plans to experiment with the use of video tapes for teaching purposes; if so, what are these plans and when will they be introduced?

The Hon. L. H. S THOMPSON (Minister of Education).—The answer is—

Monash Teachers' College, Secondary Teachers' College, Toorak Teachers' College and Monash High School have closed circuit television installations, including video tape recorders. Consideration is being given to the purchase of complete installations of video tape recorders for some other teachers' colleges, and a recorder for the Department's Visual Education Branch.

The ultimate objective is a library of video tapes to be shared by all colleges. Specifications have been drawn up so that equipment used may be compatible, and a few schools are now considering the purchase of approved equipment.

All the above schemes are working on an experimental basis at present. The future development of video tape equipment will depend to some extent on these experiments. However, there is no doubt in my mind that there will be a steadily increasing use of video tapes in schools and universities over the next decade.

UNIVERSITY OF MELBOURNE.

GRANTS AND SCHOLARSHIPS TO POST-GRADUATE STUDENTS.

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

What is the reason for the drop of 100 in University of Melbourne grants and scholarships to post-graduate students in 1968?

The Hon. L. H. S THOMPSON (Minister of Education).—The answer is—

Other claims on available funds took precedence at that time. However, it should be pointed out that in response to a request from the Chancellor of Melbourne university the State Government did agree to make available an additional $250,000 for the 1968 and 1969 calendar years. A similar request to the Commonwealth produced no response.

MELBOURNE AND METROPOLITAN TRAMWAYS BOARD.

PERIODICAL TICKETS.

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

(*a*) Has the Melbourne and Metropolitan Tramways Board considered the introduction of weekly, monthly, &c., periodical tickets issued at a reduced rate to ensure regular patronage; if so, with what result?

(*b*) Will the Government consider this proposal to encourage greater use of public transport and so reduce the heavy peak traffic loads now carried on metropolitan highways?

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

(*a*) Yes, on a number of occasions in the past but it has always rejected them.

(*b*) It is again considering them at the Government's request.

CURRICULUM ADVISORY BOARD.

REPORTS: MEMBERS: HIGH AND TECHNICAL SCHOOLS.

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

(*a*) What documents have been compiled by the Curriculum Advisory Board and to whom have they been distributed?

(*b*) Who are the members of the Board and what organizations or groups do they represent?

(*c*) Has the Board suggested that the separate systems of junior high and technical schools should be eliminated; if so, does he accept this view and is he planning to act on it?

The Hon. L. H. S THOMPSON (Minister of Education).—As the answers contain detailed information I seek leave of the House for their incorporation in *Hansard* without being read.

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

(*a*) Two interim reports have been compiled, followed by a supplementary interim report on the work at Moreland High School. They were distributed to all secondary schools, both State and non-State, and to other educational institutions.

(*b*) CURRICULUM ADVISORY BOARD.

Members for 1968, and organizations and groups represented, are:—

Mr. F. H. Brooks, Director-General of Education.

Mr. W. B. Russell, Assistant Director-General of Education.

Association of Head Mistresses of Independent Schools of Victoria.
Miss B. Guyett, Korowa Church of England Girls' Grammar School.
Miss M. Davis, St. Catherine's School.

Catholic Education Office.
Reverend Brother F. McCarthy, Christian Brothers College, East St. Kilda.
Sister M. Margaret Mary, Santa Maria College.

Curriculum and Research Branch, Education Department.
Mr. G. K. McK. Brown, curriculum and research officer.

Psychology and Guidance Branch, Education Department.
Mr. J. McLeod, assistant principal psychologist and guidance officer.

Education Department.
Mr. R. A. Reed, Director of Secondary Education.
Mr. D. V. Satchell, Assistant Director of Secondary Education.

Miss G. M. Wainwright, Board of Inspectors of Secondary Schools.
Mr. L. Watts, Assistant Director of Technical Education.

Incorporated Association of Registered Teachers of Victoria.
Mrs. H. M. Davies, Camberwell Girls' Grammar School.
Mr. A. K. Sandell, Carey Grammar School.

Monash University, Faculty of Education.
Mr. J. A. Fyfield, Monash University.

University of Melbourne, School of Education.
Mrs. G. Dow, senior lecturer.

Victorian Branch, Head Masters' Conference.
Mr. P. N. Thwaites, Geelong College.
Mr. V. C. Brown, Ivanhoe Grammar School.

Victorian Council of School Organizations.
Mr. R. G. Kitchenn, President.
Mr. H. P. Carter, senior vice-president.

Victorian High Schools Principals' Association.
Mr. B. M. Moss, Hadfield High School.
Mr. J. J. Bishop, Moe High School.

Victorian Secondary Teachers' Association.
Mr. J. Harris, Blackburn High School.
Mr. W. Hannan, Moreland High School.

Victorian Teachers' Union.
Miss B. Fitzpatrick, University High School.
Mr. M. Vogt, McKinnon High School.

Victorian Universities and Schools Examinations Board.
Professor J. S. Turner, University of Melbourne.
Associate Professor N. D. Harper, University of Melbourne.

In addition, the following organizations are represented by observers:—

Australian Council for Educational Research.
Mr. R. T. Fitzgerald.

Technical Teachers' Association of Victoria.
Mr. A. R. Delves, Prahran Technical College.

(c) The Board has not made any clear recommendation to this effect, but the interim report expresses opposition to the maintenance of separate high and technical schools and offers the opinion that children should not have to make a final choice between secondary and technical before, at least, the end of fourth year of secondary schooling.

At the present time the secondary and technical divisions are carrying out a joint experiment at Kyneton High School and Daylesford Technical High School, in which both schools are using a common programme for the first four years for secondary and technical pupils. The result of this experiment will provide a guide for future action.

LIEUTENANT-GOVERNOR'S SPEECH.

PRESENTATION OF ADDRESS-IN-REPLY.

The PRESIDENT (the Hon. R. W. Garrett).—I desire to remind honorable members that the Address-in-Reply will be presented to His Excellency the Governor at Government House at 10 a.m. tomorrow, Wednesday, 4th December, and I request that as many honorable members as possible accompany me. Cars for the conveyance of honorable members will leave the front steps of Parliament House at 9.45 a.m.

GOODS (TEXTILE PRODUCTS) 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.

LIQUEFIED GASES BILL.

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

That this Bill be now read a second time.

In 1957 Parliament enacted the Liquified Petroleum Gas Act to give some measure of control over liquefied petroleum gas which was becoming an increasingly important commodity. That Act related only to storage, but did not provide for the inspection of storages; furthermore, it made no provision for the transportation of liquefied petroleum gas. Since 1957, a number of other hazardous gases have been stored in increasing quantities and this, in turn, has resulted in the bulk transportation of these gases. In some instances the gas is transported in the liquid form under pressure; examples are liquefied petroleum gas, chlorine and anhydrous ammonia. In other instances, the gas is transported under refrigeration; an example is the transportation of liquid oxygen.

Some measures of control are needed over both the storage and the transportation of liquefied petroleum gas and those other gases which, because of their inflammable or toxic properties, constitute some degree of

risk to the public. It is proposed, in the interests of public safety, to introduce a system of inspection and licensing on lines similar to that already operative under the Inflammable Liquids Act 1966.

The Hon. R. W. MAY.—Is it proposed to institute a fee for this licensing?

The Hon. R. J. HAMER.—I shall answer that question later, but I would imagine that if inspections were involved, there would probably be a fee.

The Bill provides for the reporting of accidents, fires, explosions or accidental leakage associated with the storage or transportation of liquefied gases, and inspectors are given full powers for inquiry into such happenings. Inspectors will be empowered to carry out inspections to ensure conformity to proper standards of storage and transportation as laid down in the Act and regulations. Penalties are set down for non-compliance.

The Liquefied Gases Act, which will supersede the Liquified Petroleum Gas Act, will be administered by the Explosives and Gas Examining Branch of the Mines Department. This Branch has administered the Liquified Petroleum Gas Act since its inception, and its officers have gained considerable experience in the siting of storage vessels in relation to protected works and the requirements for equipment, fittings, valves and pipe-work associated with such vessels. Officers are familiar with published standards for the construction of vehicles and vessels to carry liquefied gases. They have also investigated accidents involving liquefied petroleum gas tankers, and are conversant with industry practices in the transfer operations of gas from storage vessels to tankers and from tankers to storage vessels.

I propose to comment on only the important provisions contained in the Bill. Clause 3 is the interpretation clause. The term "liquefied gas" includes those gases which at present are stored and transported in bulk or which may be stored and transported in bulk in the near future. It includes liquefied petroleum gas, liquefied methane, ethane, ethylene, ethylene oxide, butadiene and vinyl chloride. Some of these are already in use in considerable quantities in the petrochemical industry. Hydrogen is already stored and transported overseas under refrigeration, and it is considered that this highly inflammable gas should be included in the list of gases under the Bill. Liquefied chlorine is at present transported under pressure in massive containers, but it is a very poisonous gas and could cause a considerable hazard to the public if it escaped.

Liquefied oxygen is now transported in bulk under refrigeration. Although oxygen gas by itself is not hazardous, a very large volume in the liquid form and under an intensely low temperature, which is the manner in which it is transported, could cause serious problems in the event of an escape of the liquid. Liquefied ammonia—that is, ammonia gas liquefied by pressure—is being used on an ever increasing scale for agricultural purposes. If this gas is not stored and transported under proper conditions and it escapes as a gas, it will cause considerable annoyance or risk to the public. Provision is also made in this clause for any other liquefied gas to be brought within the ambit of the Bill if this is thought to be desirable. The definition of "protected work" includes those types of premises or places which should be separated from a storage of liquefied hazardous gas by some stated minimum distance. Under paragraph (g) of sub-clause (1) of clause 22 of this Bill it will be possible to set down what these minimum distances shall be.

Clause 4 provides for the appointment of the necessary inspectors to administer the Bill. As I mentioned earlier, these are expected to be

inspectors of inflammable liquids and their duties associated with this Bill will be an extension of work they are already doing.

Most of the remaining clauses relate to the powers of these inspectors or to the issue and cancellation of licences. I do not propose to deal with them in any detail, but I invite the attention of the House to clause 12, which provides for certain exemptions from the provisions of the Act as regards transportation, conveyance and storage; but this exemption does not apply to loading and unloading operations, including loading and unloading from any ship. However, representations have been made to the Government by the Melbourne Harbor Trust Commissioners, and it has been agreed that the Bill should be amended to exclude from the operation of the Act the transportation of and the loading and unloading of liquefied gas in any area under the control of a harbor authority.

The remaining clauses of the Bill are purely administrative and are designed to carry out the main purposes that I have described. It is a simple Bill and one which will provide a measure of control over the storage and transportation of highly dangerous gases in liquid form. It is time that the public was afforded this protection, and I commend the Bill to the House.

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

It was ordered that the debate be adjourned until the next day of meeting.

NATIONAL PARKS (LITTLE DESERT AND MOUNT RICHMOND) BILL.

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

That this Bill be now read a second time.

This measure proposes to declare a Little Desert National Park and to include additional land in the Mount Richmond National Park. The proposal for a national park in the Little Desert is of very long standing, and has attracted widespread support. Clause 2 provides for a national park of 2,870 acres, which is the former Kiata Lowan Sanctuary reserve together with 2,300 acres of land in the Little Desert further to the south.

The Kiata Lowan Sanctuary, which is a few miles south of the Western Highway, about midway between Horsham and the South Australian border, is of some note as a bird sanctuary, both in Australia and overseas. The Wallowa wattle is widespread throughout the sanctuary, producing large numbers of seeds. These seeds appear to be the bulk of the food supply for the Lowan or Mallee-fowl, and this is largely responsible for a greater density of population of this bird than occurs in any other Mallee area in Victoria.

The region commonly called "The Little Desert" is a tract of more than 700 square miles of what is mostly sandy country, extending westward for more than 60 miles from the Wimmera river near Dimboola to the South Australian border near Serviceton. Its northern and southern limits vary considerably, its average width being about 14 miles. Despite its name, little evidence of a true desert is to be seen. The sandhills which occupy much of the terrain carry heath, banksia, casuarina, tea-tree and stunted stringybark. In the troughs of the hills Mallee scrub is to be found.

The protection and preservation in some suitable manner of at least part of the Little Desert has been under consideration for at least 50 years. As long ago as 1913, a Mr. D'Alton, one-time shire engineer at Dimboola, published in the *Victorian Naturalist* magazine a list of more than 200 plant species which he had collected during his travels in the area. In the late 1930's, Keith Hately and the late Fred Lewis, then Chief Inspector of Fisheries and Game, made the notable discovery that the Mallee-fowl was

able to keep its mounds at a constant temperature of approximately 94 to 95 degrees Fahrenheit. This discovery was made in the Little Desert, south of Kiata.

In October, 1950, Mr. J. Ros Garnet, honorary secretary of the National Parks Standing Committee, suggested in evidence to the State Development Committee inquiry on national parks a reserve for the protection of the flora and fauna of the Little Desert. In 1955 an area of 537 acres was temporarily reserved under the Land Act as a site for the protection of native fauna and flora, and known as the Kiata Lowan Sanctuary Reserve. A committee of management was appointed. On the 6th of March, 1958, the committee of management of the Kiata Lowan Sanctuary, through its secretary, Keith Hateley, applied to the newly-established National Parks Authority to have the reserve brought under the National Parks Act, and in April, 1960, the late Honorable W. J. Mibus, M.L.A., applied to the Lands Department, on behalf of the Kiata committee of management, for an 18,000-acre area to the south to be added to the reserve.

In September, 1961, the Wimmera Regional Committee arranged an inspection by local councillors, representatives of interested Departments and others, at which all present agreed that an area should be reserved for nature conservation purposes. In May, 1962, the Victorian National Parks Association set out in detail a proposal for a national park. Since 1966 the Land Utilization Advisory Council has been studying the best land use for the Little Desert.

To bring this proposed national park to this stage has taken a long time. One of the major steps taken was the purchase of a connecting strip between the old Kiata Lowan Sanctuary reserve, and the Crown lands in the Little Desert. This was made possible by funds obtained by the former committee of management of the Kiata Sanctuary and by the co-operation of the Bridgewater family, who owned the land.

Preliminary action taken pending legislation includes temporary reservation of the area under the Land Act; appointment of the National Parks Authority as a committee of management of the proposed park; and the appointment of the Kiata naturalist, Mr. Keith Hateley, as a national park ranger, and his secondment to this area. This of course is only a summary.

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.

Clause 3 of this Bill provides for the addition of 502 acres to Mount Richmond National Park. This would make the total area 2,036 acres. The Forests Commission has released for national parks purposes an area of 150 acres directly to the south of the summit of Mount Richmond. Another 352 acres east of the existing park will provide an expanse of open flat ground where kangaroos, wallabies and emus may be seen to advantage. The additional land has areas of wet swamps where large numbers of the beautiful large-tongue orchid and the lizard orchid are to be found. In recent years because of the destruction of its habitat the lizard orchid has become rare in Victoria. Its preservation will add to the values of the Mount Richmond National Park and provide a future reference area for scientific research.

The Mount Richmond National Park, which was established in 1960, contains examples of the coastal flora and fauna of Western Victoria, and is particularly noted for its wildflowers. It is about 20 miles west of Portland, and about 250 miles west of Melbourne by road. Mount Richmond (747 ft.) is the highest point along Victoria's far western coast and overlooks Discovery Bay and the Southern Ocean. In good viewing weather, Mount Gambier and the Grampians may be seen from its summit. A road

has been completed to the vicinity of the summit. A contract has been let for a look-out tower, and other facilities for tourists are now projected. I commend the Bill to the House.

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 the next day of meeting.

ROAD TRAFFIC (CROWN LAND) BILL.

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

That this Bill be now read a second time.

The purpose of this measure is to amend the Road Traffic Act 1958 to provide for the enforcement of the parking or leaving standing provisions of the Road Traffic Regulations 1962, first, to roads in the Albert Park Reserve, and, secondly, to Treasury-place, by persons appointed by the appropriate authority for the purpose.

Under the Road Traffic Act 1958, the Governor in Council is empowered to make regulations for or with respect to the regulation and control of vehicular, animal or pedestrian traffic on streets or roads. Although the roads in the Albert Park Reserve and the road known as Treasury-place are parts of Crown reserves which have been set aside for special purposes under the Land Act 1958, they are roads to which the Road Traffic Regulations 1962 apply. When any parking infringement under the Road Traffic Act occurs on those roads, the owner-onus provisions of section 11 of that Act are applicable.

Accordingly, any person who leaves his vehicle standing or parked in contravention of the Road Traffic Regulations may be served with a parking infringement notice by a member of the Police Force or by a duly appointed officer of the relevant municipal council.

The chairman of the Albert Park Reserve committee of management has informed the Government that the roads through the reserve already carry heavy traffic, and when the road projects at St. Kilda junction are completed an increase in the traffic on the reserve's roads can be expected. The problems of the Albert Park committee of management created by the heavy flow of traffic through the reserve are further aggravated by the fact that motorists persist in parking their cars on the roads in "no parking" and "no standing any time" areas and thereby obstruct other road users. Moreover, the chairman attributes many of the accidents which occur on reserve roads to such obstructions.

The Albert Park committee of management considers that effective application of the Road Traffic Regulations cannot be maintained by the police or a municipal officer in the limited time they can give to enforcing the observance of traffic laws in the reserve. The committee has requested, therefore, that its officers should be authorized under subsection (1) of section 7 of the Act to prosecute for breach of the Road Traffic Regulations. The Chief Commissioner of Police supports this request to the extent that the powers of the officers appointed by the committee should be limited to the enforcement of parking or standing restrictions within the reserve.

Treasury-place, which is the approach road to the State offices, is meant to be used by persons transacting business at the Government offices. Obstruction of this road by unauthorized vehicles is an increasing problem which cannot effectively be eliminated by the limited attention which can be given to the road by the police or a municipal officer.

To enable the Albert Park committee of management and the Lands Department to participate in the control of vehicles parked or standing in the reserve under the management of the respective authorities, clause 3 of

the Bill proposes to insert a new sub-section (1A) in section 7 of the Act to authorize any officer appointed by the Albert Park committee of management or any bailiff of Crown lands appointed under section 30 of the Land Act to prosecute only for any breach of regulations relating to parking, or standing, infringements on a road or street in the reserve with which each authority is concerned.

Clause 4 proposes that the penalties recovered by way of a fine for a breach of any such regulation shall be paid—

(*a*) where the information is laid by an officer appointed by the Albert Park committee of management—into an account kept by that committee, or

(*b*) where the information is laid by a bailiff of Crown lands —into the Consolidated Revenue.

Clause 5 extends the meaning of "authorized officer" in section 9 of the Act to include the officers appointed by the Albert Park committee of management and the bailiffs of Crown lands appointed in connexion with Treasury-place.

Under sub-section (1) of section 4 of the Act, the Governor in Council is empowered to make regulations regarding the regulation and control of vehicular, animal or pedestrian traffic on roads and under paragraph (*f*) of the sub-section may delegate to certain bodies or officers of those bodies or members of the Police Force any authority or power in relation to the regulations. The effect of clause 2 of the Bill brings the Albert Park committee of management or officers of the committee into line with the bodies specified in paragraph (*f*). I commend this small 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 the next day of meeting.

The Hon. R. J. Hamer.

POULTRY PROCESSING BILL.

The debate (adjourned from November 26) 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, which was explained by the Leader of the House, proposes to impose certain restrictions on the processing of poultry for sale to consumers in Victoria. It has taken a long time for this Bill to reach the Parliament and for something to be done on a subject which, over the past year, has excited a great deal of interest from the various parties involved. The interests of the consumer are the main objects behind the introduction of this measure. Much has been said recently about the need for the consumer to be protected against avaricious people who desire to make profits at his expense. This measure involves chicken meat, which has become rather popular with many people because the price of meat has risen to such an extent that many families cannot afford beef, lamb or mutton and have recourse to cheaper food in the shape of chicken meat.

This matter was first brought to my attention by the firm of David Hyland & Sons which has a high reputation and has engaged in the poultry industry for many years. At one time, this firm operated on the South Melbourne side of the river, and in the past few years has been in business in the City of Port Melbourne. My attention was directed to the fact that unfair competition was being indulged in. A document which I received from David Hyland & Sons gives some indication of the basis of the Bill. It refers to "the water content in frozen chickens", as follows:—

1. Present day processing entails the washing of the finished bird in cold water and then spinning in slush ice. The bird takes up water, and this can be controlled. America regulates this take-up to 8 per cent. in frozen birds.

2. Tasmania has regulated the intake to 5 per cent.

3. Victoria has not as yet done anything definite in this matter.

4. Many brands of chickens are being sold in Victoria with varying water contents. Many of these are up to 18 per cent.

5. Late last year a consumer journal *Choice*, published in Sydney, published the results of exhaustive tests on this matter. Brand names were named in the journal and showed a regulated water content from 10 per cent. to 22½ per cent. Most of these labels are being sold in this State. One leading label tested shows a figure of 18½ per cent.

6. Our present feeling is that the Victorian authorities are not very diligent on this matter and that the regulated content should be along American lines at 8 per cent.

In other words, this firm was becoming somewhat concerned at the fact that no action was being taken to impose controls.

On receipt of this correspondence, I wrote to the Minister of Agriculture last April. The Minister informed me that this matter had excited the attention of State Ministers of Agriculture at their conference in 1967. If I recall correctly, the Minister stated that the South Australian Minister of Agriculture was left with the task of drawing up submissions to be placed before the conference of Ministers of Agriculture in 1968. Naturally, this position was not satisfactory from the point of view of those who desire to watch over the interests of consumers.

If a person buys from a shop a frozen chicken with a water content of 18 per cent., as alleged in the document that I have read, he pays for water as well as for chicken meat. When the bird thaws out, the consumer loses that 18 per cent. of water and the bird is much lighter when it is cooked. This practice brings the frozen chicken into unfair competition with the fresh chicken. The firm to which I have referred is concerned more with the processing of fresh chicken than with the frozen product. Eventually, because of the action taken at the last meeting of the Ministers, or perhaps because the Department was not satisfied with the progress being made, a Bill is now before the House for the purpose of controlling this facet which has been worrying some people for quite a while.

The Hon. G. L. CHANDLER.—It has the backing of other States.

The Hon. ARCHIBALD TODD.—It is essential that it should be backed by the other States, particularly New South Wales and Queensland, because it is from those States that the worst examples of consumer robbery emanate.

The Hon. G. L. CHANDLER.—I would be careful about saying that.

The Hon. ARCHIBALD TODD.—The birds that come from over the border contain a lot of water. The article published in Sydney by *Choice* magazine named the brands, and no Victorian brands were included. Brands coming into Victoria from other States were named as having a high water content. It is possible, by the use of machines, to inject a fair amount of water into the birds.

The purpose of the Bill is to control the activities of people who process chickens in Victoria, and we assume that when it is proclaimed and action is taken the public will be protected to a greater extent than they have been in the past. One of the points made by the processors who keep the water content down to a legitimate level is how the testing of the bird is to be done by the inspectors. Various provisions in the Bill in this regard give rise to satisfaction, and as a party we support the legislation.

The first substantive provision is a strange one to find at the beginning of a Bill. It gives the Minister power to exempt certain processes from the provisions of the Bill, and I understand that it is not intended to apply later provisions in the measure to people who process fresh carcasses of chicken meat. I suppose it is only common sense, but I hope there will be no departure from the proposal to exempt only the processing of fresh chickens.

The later clauses of the Bill provide for the inspection of birds after they have been processed in order that the inspector may test them for water content. There are doubts as to what is the best method of doing this and whether it ought to be done by an inspector taking a single bird or taking a batch. Although there are times when we do not agree with the methods in use in various other avenues in the United States of America, in this case it is apparent that the Americans have a different method from that employed elsewhere. The letter I received from David Hyland & Sons contrasted two methods and then stated—

> The Tasmanians take a bird from the shop and proceed to weigh it and test the "drip" after 24 hours.

In other words, they test the bird for water content after taking it from the shop where it is available for sale by retail.

> The Americans go into the factory and tag a sample lot (say 100 chickens). These are weighed before entering chill spinners, and are weighed when they come out of the last chill spinner. The additional weight is then calculated and must not exceed 8 per cent. of the weight of the bird before chilling.

David Hyland & Sons assert that the second method is the better because a good number can be factory tested and the water intake is an actual figure, whereas a drip test from the frozen bird is not factual. The letter from this firm also states—

> Machines are now available and are already installed in some factories which force water into the texture of the bird which creates a condition that the total amount of the water absorbed would not fully drip away until 72 hours had elapsed. Such a test would not be reliable at all.

It is suggested that the American method should be adopted. I hope this method is adopted by Victorian inspectors as well as by inspectors from other States which enact similar legislation to try to protect the public from unscrupulous people.

Other clauses of the Bill provide for the registration of processing plants and for inspectors to visit these plants and to ascertain what is happening. Penalties are also provided. Clauses 9 to 12 relate to the processing of poultry, and provision is made for a maximum allowable weight gain of 8 per cent. and for a penalty of $2,000 where the gain exceeds that figure. That is a fairly high penalty, but it will make processors careful and therefore should be worth while. If only a nominal penalty were imposed, the processors could break the law, pay the fine and still make a considerable profit.

There is also a provision in the Bill which gives a processor who thinks he is being dealt with harshly by an inspector the right to appeal to the Minister on the ground that he is being unfairly treated. Members of my party welcome this Bill because it gives some form of consumer protection, and, goodness knows, the consumer needs protection.

It is regrettable that in dealing with the water content of frozen chickens the Government has not gone further and done something for the people who raise chickens for the processors. A private member's Bill on the Notice Paper deals with this aspect, and I would have liked time to be made available for the House to debate that Bill to decide whether or not it contained any merit. Apparently that measure will stay on the Notice Paper, although there has been an indication that the Minister is aware of the problem and that at a later stage he may do something about it. There is no time like the present, even if the sessional period has to be extended for an additional hour or two to enable that measure to be considered. Apparently the producers of chickens are having a bad time, and it is possible that some of them will go to the wall as a result of the treatment they are receiving from the processors who buy their chickens.

Members of my party have been concerned about the monopolistic trend in this industry and the fact that it is being garnered into the

hands of a few people. There is little diversification of processing plants. However, there are still one or two reputable firms which have turned their backs on take-over offers. Perhaps the House could be afforded the opportunity of discussing other aspects of the industry before the close of the sessional period.

We hope the legislation will have the full effects expected of it. We have been urging its introduction for some time and we welcome it. We are satisfied now that something is being done.

The Hon. H. A. HEWSON (Gippsland Province).—This is apparently the parson's nose of the product; another measure on the Notice Paper deals with an earlier part of the industry. In that connexion it has been stated that poultry growers are being exploited by the processors. However, the Bill now being debated relates to anomalies existing in the processing of chickens. It has become evident over the past year or two that there has been a good deal of exploitation in the industry. This measure is an honest attempt to do something for those who are fond of eating poultry but do not like to be taken down when they purchase it.

It has been found that the water content of some chickens is 18 per cent. or more. Tests that have been carried out prove that this form of exploitation does not happen only in isolated instances. Processors of fresh chickens are having difficulty in meeting competition from the processors of frozen poultry. Last year in Adelaide, the Australian Agricultural Council was told of the position, and the Ministers decided to do something about it. I am disappointed that they took eighteen months to come up with an answer, but the Bill provides a good start.

It is designed to correct anomalies. The premises of processors must be registered, and inspectors will be given power to issue certificates which will be prima facie evidence that the operations are conducted in the right manner. This is in the interests of consumers. The testing procedures proposed and the measure generally meet with the approval of members of the Country Party. It is a good start, and we hope the consumers will benefit greatly from it when it comes into operation.

The Hon. A. J. HUNT (South-Eastern Province).—Unlike another measure on the Notice Paper dealing with the chicken industry, this Bill has the support of all sections of that industry and the community.

The Hon. I. A. SWINBURNE.—Are there some doubts about the other measure?

The Hon. A. J. HUNT.—Some of the processors certainly do not support it, but most processor associations in Victoria support the Bill now before the House because they believe it will result in fair competition and provide equal trading terms for everybody. The growers' associations and the Victorian Farmers' Union also support the Bill because they know that it will reduce unfair competition that comes from interstate.

The Chicken Meat Council of Australia, which represents all sections of the industry, unanimously supports the measure and, of course, it is a great boon to the consumers who will no longer be paying 40 cents per pound for water. This Bill will further assist the industry as a whole in that it will re-establish some of the confidence lost by the public in the industry as the result of recent troubles. The housewife will know that she is receiving precisely what she is paying for. Only the unscrupulous processors—and there are some—have anything to gain from excess water being added to poultry. It is unfortunate that in this highly competitive industry one or two processors are unscrupulous, because others have tended to follow suit. As a result, supplies of birds have been received, particularly from interstate, with a very high moisture content.

Processors can regulate this factor and ensure that the moisture content is kept down to the 8 per cent. required by the Bill. Reputable processors welcome the legislation because it will mean fair competition, a fair deal for the housewife and the re-establishment of confidence.

The Bill goes further than merely covering the moisture content of the bird. Clause 14 enables regulations to be made prescribing information which shall appear on the pack concerning the presence or absence of giblets, or any prescribed portion of poultry.

The Hon. J. M. TRIPOVICH.—Including the feet of the bird.

The Hon. A. J. HUNT.—That is so. It also enables regulations to be made to control or regulate the processing so as to prevent the addition of other substances, and not merely water. These regulation-making powers will be available to be used if the occasion arises.

Although there have been grave troubles in the industry, the standards adopted by the major Victorian processors have been extremely good. Members of the Meat Industry Committee have had an opportunity of inspecting the major Victorian processing plants, and honorable members who made that inspection will agree that in the industry there is a high degree of care, skill and hygiene, as well as a high order of efficiency. This Bill will help place these processors on equal trading terms with the few who have been unscrupulous in the past.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—The Opposition greatly welcomes this measure. I recall writing to the Minister for Agriculture pointing out to him that the only way in which this unfair competition from interstate traders, who were operating under section 92 of the Commonwealth Constitution, could be stopped was to introduce a measure to control the standards of poultry offered for sale. We received a lesson from the Americans when meat that was being exported to the United States of America was not banned, but standards were fixed at such a high level as to prevent our meat reaching the American market. These tactics may now offset the problems of section 92. Poultry processors in Victoria who were doing the fair thing by the Australian people and putting the minimum water content in the poultry to allow their being frozen, found competition coming from interstate which could not be stopped by the Government because of section 92 of the Commonwealth Constitution. These people also included the giblets and the feet with the bird. I do not know why this was done except that in this way the weight of the bird was increased. Some of these unfair tactics will be corrected by this Bill.

I do not say that I was the first to point out this problem to the Minister, but I compliment the Government on going ahead with the Bill because it is the only way open to the Government to cope with section 92 of the Constitution under which unfair trading from other States is carried on. I commend the Government on its activities in bringing down this Bill, and I hope it will work to the benefit of the broiler breeders who operate, as Mr. Hunt has pointed out, in a highly competitive market. These people are not worried about competition, so long as it is fair. The poultry processing industry is sufficiently highly organized to process the birds in such a manner that people will receive the right product at the right price. I add my tribute to the Government for bringing down this legislation, which I wish every success.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Interpretation).

The Hon. G. L. CHANDLER (Minister of Agriculture).—It is true that some people would have liked the Bill to be introduced much earlier.

About the same time as Mr. Tripovich referred this matter to me, it was also taken up by the then Minister of Agriculture in South Australia, Mr. Bywaters, who presented certain facts to the Australian Agricultural Council. It was agreed that South Australia should have a look at the question, carry out some tests, and later come forward with a draft Bill. The matter dragged rather badly. There was a change of Government in South Australia and, for various reasons, the Bill was not produced as quickly as it was hoped. Consequently, I asked Dr. Wishart, the Victorian Director of Agriculture, to make this Bill a No. 1 priority. He took up the matter with South Australia, and this Bill was drafted after final consultation between Victoria, New South Wales and South Australia, these being the States in which it is expected that similar legislation will be introduced in the current spring Parliamentary sessions.

It is also known that Queensland approves of the principles of this Bill and will act accordingly in the autumn session. This means a great deal. In Tasmania action was taken somewhat quickly and the water content was fixed at 5 per cent. As a result trouble has occurred in that State. The representatives of the Chicken Meat Council of Australia suggested that the water content should be 10 per cent., but they now say that they are satisfied with a content of 8 per cent.

The Hon. J. M. TRIPOVICH.—The 8 per cent. is based on an international figure.

The Hon. G. L. CHANDLER.—In the United States of America a figure of 8 per cent. has been adopted, but it is interesting to note that, so far as I can ascertain, there is no other control in the world. There is only the Bill that is now being discussed and the controls that exist in the United States of America.

The Hon. J. M. TRIPOVICH.—That would be because of our peculiar constitution in this country.

The Hon. G. L. CHANDLER.—I do not know the reasons, but we believe this measure will be effective. A great deal of work has been put into this Bill by the officers of the Law Department and veterinarians of three States. I pay tribute to Dr. Wishart and Mr. Keuneman, who have attended to the drafting of the legislation. This is the first of this type of legislation in Australia, apart from that operating in Tasmania, which has run into difficulties. I understand that in Tasmania an attempt was made to deal with the problem by making amendments to the food and drugs regulations, as distinct from introducing a special Act such as the Victoria Government is doing.

This measure opens up a wide question; it is only a part of the over-all difficulty that has prevailed for a long time. It is only fair to say, and there is reason to believe, that it was not until interstate people were involved that some local processors departed from being "lily whites". At that time some processors in this State became involved in this competition to sell birds. There has been a cut-throat competition between the big processors throughout Australia.

I apologize to no one for the delay in introducing the Bill, nor do I apologize to any one in connexion with the work that has been entailed in endeavouring to bring about some uniformity in regard to the larger question of uniform contracts. It is fair that I should comment on this question. I have endeavoured to bring about uniform contracts on an interstate basis. However, the other States will not entertain the idea of uniform contracts; this statement has been made at the Australian Agricultural Council. At a meeting in Sydney last August this whole question of the 8 per cent. water content, the proposal to introduce uniform contracts and the establishment of a marketing board was discussed. I have in my possession a letter

from the appropriate grower organization, which has never been withdrawn, which indicates that, until these other discussions are completed, the question of a marketing board should be withheld. However, the industry as such would like to have a marketing board if this was workable.

Where a situation exists that other States will not agree to a uniform contract, one has to be extremely careful in case the industry in this State is destroyed. As the Minister, I have a responsibility to the industry—that is, to the growers and processors—and to the community, and I have endeavoured to bring about agreement on a basis which will be a practicable proposition, and which can be included in a schedule to an Act of Parliament, as was done with the tomato growing industry. It is true that Mr. Hunt—and I think the honorable member would agree that it was with my blessing—went ahead with a private member's Bill to produce this effect. There has been much discussion behind the scenes, and there are certain people who would not discuss these matters before but who are now prepared to sit down and talk about them. Much headway has been made, but at this particular stage the passing of Mr. Hunt's Bill, which would impose a uniform contract, would be premature. Much work has still to be done before the stage is reached where we can say, "This is it".

The Hon. J. W. GALBALLY.—No doubt, you will use your good advice to induce Mr. Hunt not to proceed with his Bill.

The CHAIRMAN (the Hon. G. J. Nicol).—It would be out of order for the Minister to discuss Mr. Hunt's Bill.

The Hon. J. W. GALBALLY.—If it became law, it would be disastrous?

The Hon. G. L. CHANDLER.—At this stage and in this form, I agree. The industry in New South Wales and Queensland would like to see legislation of that type in Victoria because it would mean that the Victorian market would be thrown wide open to them. This Bill is part of a larger scheme to bring more stability to the poultry industry. This development will be pursued to the utmost by me, together with the officers of the Department of Agriculture and the Crown Law authorities, with a view to improving the existing state of affairs. The Government is mindful of what is involved in the poultry industry. Many growers and producers are financially embarrassed at present. For those sections of the industry, as well as the consumers, this Bill is a step in the right direction. I pay a tribute to the work undertaken in connexion with the Bill by the departmental officers, and officers of the Law Department, particularly to the Assistant Parliamentary Draftsman, Mr. Keuneman.

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.

VALUATION OF LAND (AMENDMENT) BILL (No. 2).

The House went into Committee for further consideration of this Bill.

Discussion was resumed of clause 2, relating to interpretations.

The Hon. J. M. WALTON (Melbourne North Province).—When this measure was previously under consideration, the Minister for Local Government promised to consider a matter raised by me in relation to the Valuer-General making valuations for Government Departments at such fees as may be prescribed. I pointed out that under the measure, as drafted, there was scope for the Valuer-General to set fees below the standard fees fixed by the Commonwealth Institute of Valuers (Victorian Division). I should like to know whether the Minister has inquired into this aspect.

The Hon. R. J. HAMER (Minister for Local Government).—I assure Mr. Walton and all other honorable members that the intention of the measure is to prescribe fees, including travelling expenses which at present are not charged by departmental valuers, at the same level as those charged by outside valuers. To the extent that travelling expenses are not charged, at present departmental valuers have an advantage over private valuers. It is difficult to prescribe in an Act of Parliament that fees shall be prescribed at the same level as those prescribed by an outside organization which is not actually incorporated, which has no statutory basis, and whose fees are advisory rather than obligatory on its members. I hope Mr. Walton is satisfied that it is the Government's intention as it always has been, for departmental valuers to charge the same fees as outside valuers. In the past, some dissatisfaction has been caused because departmental valuers did not charge for travelling expenses. I shall make sure by means of regulations that this will not happen in future.

The clause was agreed to.

Clause 3, providing, *inter alia*—

For section 3A of the Principal Act there shall be substituted the following section :—

"3A. (1) 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 daytime into and upon any land building or premises and inspect the same without liability for trespass, may put either verbally or in writing to the owner or his agent or the person in occupation or charge of that land building or premises any relevant questions to enable the making of a true and correct valuation, and may, in the case of a valuation made pursuant to sub-section (5) of section 3, inspect any books documents and papers for the purpose of such valuation and without charge take extracts therefrom.

(2) If after being informed of the purpose in desiring to enter and inspect the land building or premises or in putting the questions or in seeking to inspect such books documents or papers, and of the authority so to do, any such owner agent or person refuses or fails to allow such entry or inspection, or refuses or wilfully omits to answer to the best of his knowledge or belief any such question either verbally or in writing as the questioner may have requested, or wilfully makes any false answer or statement in reply to that question, or refuses to allow such books documents or papers to be inspected or extracts taken therefrom, he shall be guilty of an offence against this Act.

Penalty : $200.

(3) Every person authorized to obtain information for the making of a valuation pursuant to sub-section (5) of section 3—

(*a*) shall maintain and aid in maintaining the secrecy of all matters which may come to his knowledge, and shall not communicate any such matter to any person whomsoever except for the purposes of this Act ; and

(*b*) shall take such oath of fidelity and secrecy as may be prescribed, and the oath may be administered by the valuer-general the deputy valuer-general or a justice of the peace.

The Hon. R. J. HAMER (Minister for Local Government).—When this measure was previously under consideration, honorable members queried the power given to valuers in certain circumstances to require books, documents and papers for inspection and to take extracts from them. I undertook to examine this provision. Of course, it is not new; similar provision already exists in the Land Tax Act and, although it is not often used, similar power is available to land tax valuers. This Bill largely results from the transfer to the Valuer-General's Office of the land tax valuer's section as an economy measure. That is why this provision has been included in this Bill.

I emphasize that the power to inspect books, documents and papers does not apply to all valuers ; it is confined to valuations made pursuant to sub-section (5) of section 3 of the principal Act. It could be generalized by saying that the valuers who have this power are those who are doing a valuation of a Government character ; in other words, it is restricted to those who are doing a valuation at the direction of a Minister, the permanent head of a Department, or the principal officer of any public office or any officer authorized by a Minister, the permanent head,

or the principal officer. It relates mainly to valuations for the Stamps Office, the Probate Duties Office and increasingly for compulsory acquisitions. Honorable members may ask whether it is necessary for valuers to have this power. On examination, I believe it is necessary in a limited number of cases. I point out that the power relates mainly to assessing not unimproved capital values but net annual values.

The net annual valuation of an hotel property is, to some extent, influenced by the sales of liquor at the hotel, hence, the record of sales is important. The net annual valuation of a licensed grocer's premises is also affected by the sales of liquor on the premises. Perhaps most important of all, the power applies in the case of subdividers, who are naturally reluctant to reveal what their profits have been or the cost of their improvements. I have referred to only three examples, although there are others.

I will propose that this power shall be more strictly limited in three ways, and I propose to move appropriate amendments to ensure this limitation. The first proposal is to limit the category of valuers who are entitled to ask for the production of books, documents and papers to the categories referred to in paragraphs (*a*) and (*b*) of sub-section (5) of proposed new section 3 of the principal Act, as contained in clause 2. There seems to be no reason why those persons included in paragraph (*c*) of the proposed new sub-section should be included, and my first amendment will exclude them. The second amendment will limit the kind of documents which may be required, and in this regard I have adopted Mr. Galbally's suggestion. The third limitation relates to the requirement of secrecy of valuers, which will be extended to every valuer who has this power of inquiry. The amendments will thus narrow down the power and widen the obligation of secrecy. With these additional precautions, I feel that the power, which will be conferred upon certain people by this clause, is necessary. Accordingly, I move—

That, in sub-section (1) of proposed new section 3A, after the word "to" where last occurring, the expression "paragraph (*a*) or (*b*) of" be inserted.

This is the first limitation to which I have referred. It limits the power to inspect books, documents and papers to those categories of valuers who are carrying out a valuation at the request of a Minister, the permanent head of any Department, or the secretary of an authority constituted for any public purpose. In other words, it will apply to valuations not for private purposes but only for public purposes.

The Hon. J. M. WALTON (Melbourne North Province).—I thank the Minister for his consideration. Having regard to the amendments proposed by the honorable gentleman, the Opposition believes it was justified in bringing the matter forward. These amendments cover the situation fairly, particularly the restriction on the valuer appointed by the Valuer-General to valuing for Government purposes and not for the owner of the property or his legal representative.

Sir PERCY BYRNES (North-Western Province).—I have been critical of the powers of the Valuer-General. Perhaps I am a little allergic to his actions which, over the years, have increased valuations and placed added burdens on many poor people. Recently, I received a letter from pensioners who could not afford to pay the latest increases in rates. The valuer should not be given more powers without most careful consideration. I accept the statement of the Minister for Local Government that the powers of the valuer have been limited, and in those circumstances I am prepared to accept the amendments. I do not want to be harsh.

The Hon. I. A. SWINBURNE.—You are a little suspicious!

Sir PERCY BYRNES.—Perhaps not suspicious—that is a miserable term. However, I resent the system that puts people in a difficult position.

The amendment was agreed to.

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

That, in sub-section (2) of proposed section 3A, after the word "papers" the words "relevant to the making of a true and correct valuation" be inserted.

This amendment places a limitation on the books, forms and documents required by the valuer. The amendment was suggested by Mr. Galbally.

The amendment was agreed to.

The Hon. R. J. HAMER (Minister for Local Government).—The next two amendments should be bracketed together because they represent the third limitation, so to speak, and their effect will be to require every valuer who is authorized to obtain information under sub-section (1) of proposed new section 3A to maintain secrecy and to take any oath of fidelity and secrecy required of him. I move—

That, in sub-section (3) of proposed new section 3A, after the word "authorized" the words "pursuant to sub-section (1)" be inserted.

The amendment was agreed to.

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

That, in sub section (3) of proposed new section 3A, the words "pursuant to sub-section (5) of section 3" be omitted.

Sir PERCY BYRNES (North-Western Province).—The valuer has the power to ask about a person's business or property. For some time I have asked that in making a valuation valuers should consider the earning or the productive capacity of a property, but that factor has been ignored. Valuations have been made mainly on market prices. There seems no reason why high prices for some properties in a district should be the basis of other valuations. The valuer should show more inclination to examine the productive capacity of a property, and this can be done more easily when he has access to books.

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

Clause 5 (Amendment of No. 6653 section 7).

The Hon. J. M. WALTON (Melbourne North Province).—This clause proposes to extend from one month to two months the period of time in which a valuer must produce a report on his valuation to the rating authority that employs him. However, where another rating authority requires this information, it is impracticable for the valuer to comply with the request within the two months unless he employs many typists and engages additional labour. He would need up to six months to supply the information. It would involve different information from that which he was required to supply to the rating authority that employed him, which in many cases would be a municipal council. The valuer must obtain additional information and the valuation may relate to different circumstances. I am informed by a valuer who is faced with this problem that it would be difficult to comply with this provision. Valuations are made every four years, and it is not unreasonable for the period of time to be extended to at least six months.

The Hon. R. J. HAMER (Minister for Local Government).—Mr. Walton mentioned this aspect during the debate on the motion for the second reading of the Bill. The purpose of this provision is to ensure that a council that was requested to supply details for the use of another authority should get to work and produce the details. There have been a few cases of long delays and of neglect to produce the information. On the other hand, it is not intended to be unreasonable. I have received no complaints about the period of two months, and I suggest that the period proposed in the Bill should stand so that it can be seen how it operates in practice. If any difficulties arise, the Act can be amended. I can understand that, in relation to

a metropolitan municipality where the information is produced for the Melbourne and Metropolitan Board of Works on a different basis, some difficulty may be experienced. I shall undertake to keep this matter under consideration; if it is unworkable I shall introduce an amending Bill.

The Hon. J. M. WALTON (Melbourne North Province).—The valuer returning a valuation to the rating authority that employs him has unlimited time because he gathers information over a long period. He is required to produce a report within two months of completion of the valuation. Where the information is required for another authority, he has only two months in which to produce the valuation. Because of the different nature of the information required, the valuer has to work on a different basis, and it is unreasonable to expect him to produce a valuation in that time. I accept the assurance of the Minister that the matter will be kept under consideration, and that if necessary the Act will be amended.

The clause was agreed to, as were clauses 6 to 9.

Clause 10, providing, *inter alia*—

(1) Section 37 of the Principal Act shall be amended as follows:—

(*a*) For sub-section (1) there shall be substituted the following sub-section:—

"(1) The rating authority by which the valuation was made or which caused the valuation to be made shall in respect of each rate it makes give to the person liable for the payment of such rate and, where such person is not the owner of the land in respect of which such rate has been levied; give to the owner—"

The Hon. R. J. HAMER (Minister for Local Government).—Paragraph (*a*) of sub-clause (1) substitutes a new sub-section (1) of section 37 of the principal Act setting out the powers under which a rating authority will have to give notice of valuation to all occupiers, many of whom do not normally receive such a notice, nor do they pay rates. I shall propose two amendments, the first of which is to make it clear that, where the owner is the person liable to pay the rates, the valuation notice goes to him and not to the occupier. Therefor, I move—

That, in proposed sub-section (1) of section 37, after the word "to", where second appearing, the words "the owner or" be inserted.

The amendment was agreed to.

The Hon. R. J. HAMER (Minister for Local Government).—The second amendment is similar to the first, but has the converse effect. Where the valuation notice goes to a person who is not the owner of the land, the amendment will ensure that the owner also receives the notice in case he wants to object to the valuation. Therefore, I move—

That, in proposed new sub-section (1) of section 37, after the expression "levied," the word "also" be inserted.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 11 to 15.

Clause 16, providing, *inter alia*—

Section 48 of the Principal Act shall be amended as follows:—

(*a*) For sub-section (1) there shall be substituted the following sub-section:—

"(1) Notwithstanding anything hereinbefore contained where notice of a valuation of land has not been given by the rating authority which made it or which caused it to be made to any person who is liable for and is assessed for the payment of any rate or tax on that land, such person may within two months of the receipt of the notice of his assessment object to the assessment of the value of that land on any of the grounds set out in section 36.";

The Hon. R. J. HAMER (Minister for Local Government).—The amendment I propose to this clause is simply a rewording of portion of the clause. On consideration, the draftsman considers that the words "assessed for the payment of any rate" are not correct, and that the expression should be, "or is required to pay." This will give a full right

of objection to the person who is required to pay, but who has not received notice of the valuation. Therefore, I move—

That, in proposed new sub-section (1) of section 48, the words "and is assessed for the payment of" be omitted with the view of inserting the words "or who is required to pay."

The amendment was agreed to, and the clause, as amended, was adopted, as was clause 17.

Clause 18 providing, *inter alia*—

The Local Government Act 1958 shall be amended as follows:—

. . . . . .

(*b*) Section 850 is hereby repealed.

The Hon. R. J. HAMER (Minister for Local Government).—Under paragraph (b) it was proposed to repeal section 850 of the Local Government Act because it was thought to be superflous. The Country Roads Board has pointed out that it uses this section in connexion with the acquisition of land for roadmaking purposes. Therefore, it seems desirable that, for the time being at any rate, the section should not be repealed. Accordingly, I move—

That paragraph (*b*) be omitted.

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.

The sitting was suspended at 6.21 *p.m. until* 7.54 *p.m.*

MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL.

The debate (adjourned from November 19) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of this Bill was resumed.

The Hon. J. M. WALTON (Melbourne North Province).—This Bill comes before the House as the result of a threat by the Premier, earlier this year, when he was most annoyed with the activities and actions of the Melbourne and Metropolitan Board of Works. At that time the Premier said, not to Parliament but to the public at large per medium of the press, that he was going to scrap the Board, which was an unwieldy political forum. Tonight, there is before the House a watered-down measure, which does nothing to achieve the objective that the Premier outlined at that time.

The Hon. R. J. HAMER.—What objective?

The Hon. J. M. WALTON.—The objective to abolish the Melbourne and Metropolitan Board of Works as it exists at present. At very best this Bill could be described as a damp squib. Undoubtedly forces at large have come to bear upon the Premier and this man, who today made all sorts of threats against the teachers and stated that he would not back down, has backed down in respect of this matter. Because of pressures from inside and outside Parliament, the Premier has completely reversed what he intended to do in regard to the Melbourne and Metropolitan Board of Works. This Bill does absolutely nothing in the light of the Premier's threat, "I will scrap the Board of Works. It is unwieldy."

In his second-reading speech, the Minister for Local Government did not suggest that the Board was unwieldy; in fact, the honorable gentleman made excuses and praised many aspects of the Board of Works which the Premier found unwieldy, particularly the committee system. The Minister for Local Government said, in effect, "Nobody expects the whole Board to make decisions. The committees make the decisions." Between the Premier's outburst and the present time, another committee was set up—a special committee of the Liberal Party. At the time of their appointments its members were the "faceless men" of the Liberal Party, who received so much publicity over a period of two or three days that they did not remain faceless for very

long. Of course, there were very good reasons why the committee's members hoped to avoid undue publicity of the fact that they were going to decide the fate of the Board of Works behind closed doors. Obviously they did not want to be subjected to pressures from ratepayers or Commissioners of the Board of Works. That statement is true.

Let us examine what has happened since then. That Liberal Party committee has been influenced by outside pressures—from the Commissioners of the Board and other municipal councillors—concerning the proposed legislation that is now before the House. Honorable members are aware that a great deal of money was collected from municipal councils to finance a campaign to save the Melbourne and Metropolitan Board of Works and keep it in its present form.

The Hon. W. M. CAMPBELL.—Including Labor councils.

The Hon. J. M. WALTON.—Of course, it included Australian Labor Party councils. I do not exclude any of them. The name of one Australian Labor Party member of a council—it is not a Labor council—appears on the front of a document which I have here. This document must have cost thousands of dollars, and who is paying for it? The money is coming out of the ratepayers' purse; and its purpose is to preserve this unwieldy political forum which the Premier said that he intended to abolish. However, at best, all that the proposed legislation says is, "Let us not abolish the Board in its present form. Let us put it under the control of the Minister". If the Minister had really wanted to exert his influence, he could have had control of the Board all the time.

I do not believe that the proposals contained in this Bill represent even a compromise between the view expressed by the Premier and those expressed by people outside. In view of its feelings and expressed intentions concerning the Board of Works, I am surprised that the Government has surrendered on this occasion. The Bill highlights the fact that the Government is subject to outside pressures. Mr. Campbell might say that Labor councils are represented on the Board but in the main, of course, the Board is controlled by organizations outside the Labor Party, and many of the people concerned are prominent members of the Liberal Party. In view of that, it stands to reason that they have a good deal of influence and are able to exert great pressure on the Government. It in unfortunate that the Minister for Local Government should be placed in this position after his Leader has said that the Board should be abolished in its present form, and that he should have to bring into the House a Bill which merely provides for the Board to be under his control. In addition, if my understanding of the position is correct, the Bill is to be watered down still further by way of amendments.

According to last week's press an organization which calls itself the Metropolitan Councils Local Government Promotion Committee and which is spending huge sums of money which belong to ratepayers, stated that it was basically in agreement with the legislation. Next day, however, I understand that a group approached the Minister for Local Government and made certain submissions to him. It sought to have —and, no doubt, will have—its ideas adopted to further water down the proposed legislation to the point at which it will be absolutely ineffective.

On a number of occasions in the past I have stated my views concerning the present constitution of the Melbourne and Metropolitan Board of Works, the committee system and Board meetings. I have said that each committee consists of between eight and nine members of the Board and that there are approximately eight committees. The quorum of many of these committees is as low

as three members. It is possible that if three members are present at a meeting of a committee, and two of them have a particular point of view, their recommendation is placed before a meeting of the Board of 53 members. Their recommendation, which appears among perhaps 70 to other 80 items on the Notice Paper in very brief form, is passed in record time. Answers to questions asked in the House reveal that the average duration of Board of Works meetings which deal with perhaps 70 items involving millions of dollars of ratepayers' funds is seventeen minutes. Yet this organization considers itself to be a great protector of ratepayers' funds.

As a rule the establishment of committees is a most satisfactory way of dealing with matters, but that is true only if full consideration is given to recommendations of the committees when they come before parent body. However, references in *Hansard* disclose that Board meetings last from as little as ten minutes up to 25 minutes and that when last checked the average was seventeen minutes per meeting. It is an absolute disgrace that the Board, which deals with public money to an extent which makes it second only to the Government itself, can pass such expenditure upon the recommendation of minor committees.

As I have said in this House before, the whole situation should be radically altered. I do not believe in the system which is now adopted for the election of the chairman. I consider that the election of the chairman from the Board's own ranks is unacceptable because, after all, there is no certainty that any of the members are capable of performing duties equal to those of a high level public servant. The salary of $13,100 which is mentioned in this Bill and which, by the way is the salary of the present chairman, demonstrates the importance of this position which is kept as the exclusive preserve of members of the Board. Most of them are laymen. They are ordinary councillors; and honorable members who are familiar with the system which operates within councils concerning elections know that it is the man with the most friends or the political party which controls the council that decides who is to be elected. The representative would undoubtedly be a capable person, but probably would not be capable of carrying out the duties of a position which carries a salary of $13,100 per annum plus many other benefits. As in the case of the State Electricity Commission and other commissions, the chairman of the Melbourne and Metropolitan Board of Works should be appointed by the Government. That would mean that the Government of the day would appoint the chairman, but the Opposition is not concerned about that because the Government would have control over the organization.

Only a few weeks ago I asked a question about the Melbourne and Metropolitan Board of Works, and was informed that the Minister had no power to furnish the information to Parliament. It is true that, to a degree, the proposed legislation places the Minister in a position of being able to ask for information, but that is not good enough in respect of a body which controls such huge sums of money. It is a tragic situation that questions asked by members of Parliament will not be answered if the Board does not care to do so. A number of other questions that I have asked concerning the Board have been answered, so I do not know whether somebody has had a change of heart or whether I was getting hot on the trail.

The Hon. R. J. HAMER.—You asked for a file.

The Hon. J. M. WALTON.—I asked for a file, because I was not satisfied with the information that I had been able to obtain up to that time. I was refused the file. At the very least, honorable members should have had the opportunity of studying the

file in the Library to see whether everything was in order. On the one hand, at great cost to the ratepayers a firm of publicity agents has been appointed to issue propaganda for the Board of Works and to say what a wonderful organization it is; on the other hand, the Board has engaged a firm of management consultants to which, up to a month ago, it had paid $68,000 over the past twelve months to tell them what is wrong with the Board of Works. Because of the committee system, some Commissioners did not even know that the consultants had been engaged. In all probability, the finance committee dealt with the engagement of the management consultants, and its proposal went through with 78 other matters and was not fully considered by the great bulk of members of the Board.

Why would a public organization need the services of management consultants unless there was something wrong with it? The Melbourne and Metropolitan Board of Works has spent $68,000 and, over the next twelve months, it proposes to spend at least the same amount; in addition, the Board provides offices free of charge to the management consultants. I believe there is something rotten in the State of Denmark and that it can be overcome only by a thorough reconstitution of the Board. At the appropriate stage I propose to move that the Melbourne and Metropolitan Board of Works shall be made smaller; in fact, I propose to move the amendment from which Sir Henry Bolte retreated.

I have outlined the reasons for which the Board of Works in its present form is not acceptable to the Opposition. I believe that in the past the organization has done a reasonably good job and has completed projects in a first-class manner. This is not to say, however, that projects have always been carried out in the most economical way. After all, the Board is a rating authority over which the Parliament has no control and, bearing in mind the large amount of money that is made available to the Board, it is little wonder that its projects have been well carried out. In conclusion, I repeat that at the appropriate time I shall move amendments to provide for a reduction in the size of the Board.

Sir PERCY BYRNES (North-Western Province).—I am most interested in this Bill, which deals with one of the largest and most important bodies in Victoria, the Melbourne and Metropolitan Board of Works. It is inevitable that the Board shall become still larger, for it is to include the shires of Croydon, Knox, Lillydale and Sherbrooke, which are to come within the metropolis for water supply purposes. It is logical that as the metropolitan area expands more shires will come under the authority of the Board of Works. The Board is an important organization which has done much valuable work since its inception. It deals with matters that are the lifeblood of this State; for example, the provision of water supplies, drainage, sewerage and road making, and at one time I believe it played a part in town planning. In the past, chairmen of the Board of Works have been men of exceptional ability who contributed a great deal to the efficiency of the organization. That is not to say, however, that the Board of Works should carry on in its present form. Like Mr. Walton, I propose to move an amendment which, if accepted by honorable members, will reduce the size of the Board. I cannot see any argument against having a commission instead of a Board. After all, there are municipalities in the Melbourne and metropolitan area and the Port Phillip district, as I believe it is called, which deal with local government matters. The State Rivers and Water Supply Commission deals with drainage and water supply problems in country areas; it is an engineering authority. The Country Roads Board, too, is an engineering authority and controls road-making activities throughout Victoria. The Board of Works is also

an engineering authority which is engaged in all the important engineering problems that affect the population of Melbourne, which is expected to increase to 5,000,000 persons by the year 2000. Members of the Country Party believe, and have always believed, that a Commission of five persons should be appointed to undertake the functions of the Board of Works.

The Hon. G. L. CHANDLER.—You want a county council.

Sir PERCY BYRNES.—No, but the Minister and I were the guests of the London County Council when we visited England. Of course, there are no State Governments in England. The London County Council is, in effect, a State Government; it has powers over the police, education and other matters which are controlled by the State Governments in Australia. The London County Council is not limited to engineering activities. In the cause of efficiency there could be no objection to a reconstitution of the Board of Works. I understand that there are 53 Commissioners on the Board of Works who represent various metropolitan councils. Some councils have two representatives; most of them have one representative. At one time I worked out a suggested alteration which would benefit the whole of Victoria, and particularly the metropolitan area, but this House did not see eye to eye with me on this proposal. Having regard to the history of the Board of Works, the time is ripe for a change in its constitution. In previous years legislation has been drafted along these lines, although it has not been passed by Parliament. If I recall correctly, the father of the Leader of the House was interested in legislation to amend the constitution of the Board of Works.

The Hon. G. L. CHANDLER.—That is so—to extend the representation —and I was, too.

Sir PERCY BYRNES.—The Minister worthily follows in his father's footsteps. I mention that point merely to demonstrate that the constitution of the Board of Works has been discussed over a great number of years, both in and out of this Parliament. Would the State Rivers and Water Supply Commission function so effectively if it were controlled by representatives of all shire councils in Victoria? I think there are 140 municipal councils outside the metropolitan area. Should there be another Parliament to advise the Commission how to act and also to advise the Country Roads Board? I believe the State Rivers and Water Supply Commission and the Country Roads Board are properly constituted. The Country Roads Board looks after the construction of roads and bridges and deals with drainage problems in an efficient manner. That Board is one of the most efficient road-constructing authorities in Australia; Victoria's road system is possibly one of the most efficient in the world.

The Hon. G. L. CHANDLER.—I hope you repeat that in the Supply debate.

Sir PERCY BYRNES.—I invite the Minister to remind me to do so. I have great admiration for the work undertaken by the Country Roads Board in Victoria. Although I sometimes criticize some of its minor activities, I do not criticize the tremendous amount of work undertaken by the engineers of the State Rivers and Water Supply Commission. There is no better constructing authority in the world than the Commission. It may have some shortcomings in dealing with people, but engineers take a mathematical view of life—not what could be called a humanistic view. People such as I try to correct them at times, although we do not always succeed. The engineers of the Commission have a world-wide reputation and have done a great amount of work to make Victoria what it is today. I hope the Government will provide sufficient money to enable the Commission to carry on its work to further develop the State.

I notice that a new sub-station of the Board of Works is to be established at Moorabbin. Perhaps that is an important city, or maybe it is the centre of that side of Melbourne. The Board intends to decentralize its activities by erecting sub-stations at Moorabbin and one or two other locations. One matter that counts in dealing with engineering problems is efficiency.

The Hon. H. M. HAMILTON.—Are you advocating one road authority and one water authority for Victoria?

Sir PERCY BYRNES.—No, because they are two different activities. The State Rivers and Water Supply Commission is carrying on a remarkably good job throughout the State in supplying water—not only irrigation water but also town water supplies. It also supervises sewerage in many country towns. It controls the Wimmera–Mallee stock and domestic water supply, which is unique. The Commission has plenty of work to keep it occupied. A separate body controls the construction of roads and the provision of water supplies and sewerage in the metropolitan area. The Board of Works has sufficient work to keep it occupied for the next 100 years. It is not desired to impinge its activities on to the rural side or vice versa. However, it is suggested that the Board would be a more efficient organization if it were controlled by a commission of five members.

The present Commissioners of the Board of Works are all courteous gentlemen ; I enjoyed their company when I inspected reservoirs which were under construction, and I formed a high opinion of the calibre of these men. It is fortunate that the Commissioners have had the good sense to elect good chairmen in the past. However, it has been said recently—not by me—that there may be a tendency for the Government to appoint as chairman of the Board a Minister who wishes to retire or some other person. I do not believe the Government would put in charge of the Board of Works a person who was not capable and efficient. I should prefer the chairman to be appointed by the Governor in Council or the Government of the day than for him to be elected by the loose group of councillors who are assembled in this "little Parliament" today. I could speak on this Bill at great length, and should like to refer tc the huge sum of money that is spent by the Board annually. I think it amounts to nearly $40,000,000.

The Hon. R. J. HAMER.—It was $42,000,000 last year. That is revenue—not loan funds.

Sir PERCY BYRNES.—I am sure that this money has been spent wisely. The Government imposes a limitation on rates which the Board can levy ; by this means a check is kept on the Board, and rightly so. I believe the Board should be subject to Ministerial control and that there should be more control over this huge organization than exists at present. The Board must be given some guidance, and should be subject to the control of a Minister who cannot be ignored when decisions are arrived at. When the population of Melbourne reaches 5,000,000 persons, the Board will be the most important body in Victoria. I believe it would be a ghastly error to leave the Board to its own devices.

The Hon. R. J. HAMER.—You are supporting the Bill.

Sir PERCY BYRNES.—I am supporting the provision in the Bill which enables Government control to be exercised over the Board. I intend to move an amendment which is designed to establish a commission of five members instead of the Board as at present constituted. Otherwise, members of the Country Party support the Bill.

The Hon. W. V. HOUGHTON (Templestowe).—I hope the House will pardon my eagerness to enter the debate when Mr. Walton concluded his remarks because I imagined that members of the

Country Party might have nothing to say on the subject of the Board of Works. I have to revise that opinion in view of Sir Percy Byrnes's valuable contribution to the debate. I suppose few Bills have been awaited more eagerly by those persons who are interested in municipal matters within the Board of Works area, by the Board of Works Commissioners and, evidently, by members of Parliament. Some people have awaited the introduction of the measure because they wondered how their status as Commissioners of the Board of Works would be affected. Other persons have awaited its introduction because they agree with the Premier, and with the Country Party and the Labor Party—I am sure the Premier will be gratified to learn that both parties agree with him—that the Board of Works may be an unwieldy forum. In doing so, they disregard the important provisions of the Bill which place control of the Board of Works under Parliament and under a Minister. Honorable members will have received a copy of the publication by the Board of Works entitled *The Facts*. That it has been a waste of the ratepayers money does not really detract from the excellence of the publication. At page 3, in presenting the case for the retention of the Melbourne and Metropolitan Board of Works in its present form, it states that in a democratically elected organization there should be no taxation without representation.

It seems to me that the Board is overlooking the fact that it is not a democratically elected body. Each Commissioner is elected by about twelve persons. It is more to the point to say that Mr. Tripovich is an elected representative who should have a voice in the affairs of the Melbourne and Metropolitan Board of Works as it will be constituted in the future through the authority of the Minister and this Parliament. This seems to me to be a satisfactory state of affairs, because members of the Victorian Parliament are properly elected and they will be able to exercise, through the responsibilities of Parliament, more control over the Board.

The Hon. I. A. SWINBURNE.—Mr. Houghton is putting up a good case for the acceptance of the amendment foreshadowed by Sir Percy Byrnes.

The Hon. W. V. HOUGHTON.—I have not seen Sir Percy's amendment and would be interested to see it. Some people have waited for this Bill because they believe the Board of Works, as at present constituted, is unwieldy and would be better constituted as a smaller body in view of the fact that many decisions are now made by committees on the advice of experts and dissent is not encouraged. I am merely passing on what I have heard from Commissioners of the Board.

Other people will be interested in the measure for completely different reasons which become evident from proposed new sub-section (1) of section 227 as contained in clause 23 of the Bill. This sub-section provides for each municipality that has a part of its area used by the Board for different purposes—chiefly for water supply but also in the case of Werribee for the Board's farm—to receive *ex gratia* payments for the services which they provide for the Board. Payments were previously made under a five-year agreement, and up to the end of 1966 they were calculated by a formula which took into account the amount of land in the municipality used by the Board of Works and related it to the total area of the municipality and then to 40 per cent. of the rates. At the end of 1966, it was found that by using this formula the Board of Works would have to pay municipalities a considerable sum of money.

Therefore, the Board suggested to the municipalities that the whole system should be altered, and the provisions contained in the Bill are a delicate compromise between what the councils thought they should have and what the Board thought they

should have. Proposed new sub-section (1) of section 227 provides that the Board shall pay certain amounts to the shires of Broadford, Corio, Healesville, Lillydale, Upper Yarra, Werribee and Whittlesea to which they have been entitled since the end of 1966. Honorable members will observe that the new sub-section provides, *inter alia*—

> The Board shall in respect of the period of twelve months beginning with the first day of October, 1966, and in respect of each of the four periods of twelve months thereafter contribute

certain amounts to the various municipalities. In other words, the Board is two years behind in its contributions to these municipalities, and in another three years consideration will again have to be given to the amounts to be received by the municipalities for providing certain services to the Board. The Shire of Healesville is to get $13,947 and the Shire of Upper Yarra is to receive $13,044. These amounts are to be paid because large parts of the shires are used by the Board for the storage of water. They are to be *ex gratia* payments for the services which these shires provide to the Board for servicing the area used by the Board for Melbourne's water supply. It is only proper that the users of water supplied by the Board should make fairly substantial contributions to the work that these shires are doing. I hope that when the matter comes up for review there will be more generous contributions. I support the Bill.

The Hon. G. J. O'CONNELL (Melbourne Province).—I support the remarks made by my worthy colleague, Mr. Walton, in regard to the Bill. A great deal was said about the Board of Works during the drought earlier this year, when both the Government and the Board were looking for water. Now it seems that the Government is going to water. During that time the Premier wanted to suppress the Board of Works and to replace it by a commission. In 1891, the Board's responsibilities were water supply and sewerage and those of a river authority. Now it is also a highway authority and a town planning authority. As constituted at present by Commissioners, it is an unwieldy body, and I am not the only person who makes that statement. It has been said in other places, and by the Leader of the Government in another place.

The Board as at present constituted has outlived its usefulness. Including the chairman, it consists of 53 Commissioners, and I agree with Sir Percy Byrnes's remarks about them. Honorable members can say what they like about the activities of the Board in the past and what will happen in the future, but there is only one redeeming feature in the Bill and that is the provision that enables the Minister to take charge of the Board and appoint a chairman. Up to now the Board has appointed its own chairman and the chairman appointed is usually the person who has the numbers. The same principle applies with the appointment of Commissioners by municipalities. Those who have the numbers get the jobs. As a former colleague of ours used to say, "You have the logic; give me the numbers." I support Mr. Walton in what he has said about the Bill, and I hope when he moves his amendment the Government will accept it because it will provide the only way in which a Board of this sort can be run.

The document from which Mr. Houghton quoted may contain a lot of facts, but it also contains a lot of hooey. I repeat that I hope the Government will accept Mr. Walton's proposed amendment to reconstitute the Board.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—The Labor Party has given notice of its intention to move an amendment, and it is obvious that members of the Country Party propose a similar procedure. I do not know whether the Government intends to reject the proposed amendments and if so for what reasons. This is the time when the Government should make clear what it proposes to do. It

seems to me that if the Government intends to oppose the amendments, it will be eating its own Bill. Mr. O'Connell has said that the Government has gone to water. That is true, and it appears that it will be eating its own Bill if it declines to accept the amendments proposed.

The Bill gives an indication of the suspicion which the Government holds of the Board. It no longer trusts it and no longer has confidence in it to carry out its responsibilities, particularly in two fields. The first relates to the preparation and submission of substantial engineering projects and the second to the administration of the Board. It is amazing that the Government has no confidence in the ability of the Board to administer its day-to-day affairs and to impose charges for water and sewerage facilities. Therefore, it is the intention of the Government to put these matters under the control of a Minister. The Government also has no confidence in the ability of the Board's engineers to develop projects and to submit them to committees of the Board for approval.

On other occasions when this matter has been debated, honorable members have been informed that the committee system of the Board functions particularly well. The proposals put forward by the engineers are meticulously examined by committees and given the seal of approval and imprimatur of the Board, which consists of 52 commissioners of substantial ability. All this Bill means is that the Government no longer has confidence in the Board regarding its ability to carry out these two functions. Proposed new sub-section (1A) of section 4, as contained in clause 3 of the Bill provides—

> Subject to the Minister the Board shall administer this Act and shall have and may exercise the rights powers and authorities and discharge the duties conferred or imposed on it by this or any other Act.

That means that the main administration of the Board is to be subject to the control of the Minister. If the Minister does not trust the Board to administer its own proceedings and functions, it seems that it would have been wiser for the Minister to take over the Board completely and to administer it under one of the offices within his present jurisdiction. There certainly seems to be no merit in taking over from the Board of 52 members the authority to administer the Act and leaving the Board with the same number of Commissioners.

Clause 5 deals with the appointment of the chairman. Apparently the Government no longer has confidence in the Board appointing its own chairman, from within or without, and it is proposed that the appointment shall be made by the Governor in Council. The Governor in Council is, of course, comprised of two Ministers plus His Excellency the Governor, and no doubt the matter would be carefully considered by the appropriate Minister before being submitted to the Governor in Council; so there is no indication that the Government has any confidence in any selection of a chairman that the Board might make.

Clause 10 substitutes a new section 37A of the principal Act, which relates to certain resolutions and contracts to be sanctioned by the Minister. The Board of Works, which has a wonderful committee system, is composed of 52 members who have a great deal of collective ability, yet by the proposed new section, before passing any resolution authorizing the Board to enter into any contract the consideration of which exceeds $50,000, the Board shall submit or cause to be submitted to the Minister such particulars as are required by the Minister, and until the Minister gives his approval the Board cannot enter into the contract. The proposed provision indicates that in respect of such contracts the Government has no confidence whatsoever in the Board.

Clause 17 proposes the insertion in section 187 of a new sub-section (1A) which refers to projects to be financed from borrowings. It states, *inter alia*—

> Before the Board adopts any project or scheme or programme of works involving in whole or in part the expenditure of moneys borrowed or proposed to be borrowed by the Board under this Act the Board shall obtain the approval of the Minister.

Again, this august body of 52 people is not even capable of processing a contract with a view to determining whether it is a fit and proper contract to be entered into. It can therefore be seen that the Government has no confidence in four major aspects of the Board's activities. I cannot understand why the Government, after displaying this attitude, bothers to retain the 52 members on the Board, except that they may be required to occupy the Commissioners' table. However, it seems that they are unnecessary, as it appears that the Minister and the Governor in Council will be able to manage the Board better than the Board itself.

I now come to the question of the powers of the Board. If any proposal for a change is adopted, it may be necessary to vary the powers that are given to the Board under its present Act. Many and varied suggestions might be made in this regard. For instance, it has been suggested that a State authority in respect of the conservation and storage of water as a whole should be constituted so that water, in the major conservation sense, may be the responsibility of one body. To go further, water as such could be placed under the control of the State Rivers and Water Supply Commission as the authority in its own right. These suggestions are problematical, and there is no clear indication of the policy of any one party in that respect, and until it is voiced in some relatively articulate form there can be no indication of a policy by Parliament.

The Hon. Samuel Merrifield.

The recent amendments effected by the Minister in respect of town planning envisage that the Board's responsibilities in this direction are to greatly increase. The question arises whether those responsibilities should be varied, and if the Board were of a different character whether they would need to be varied in the light of its different character. It is true that if town planning powers are left with the Board it may be necessary to vary the constitution of the Board to supply the representation for town planning purposes. It may also be necessary to vary policy in regard to the construction of metropolitan highways and bridges.

The Premier indicated that it was his policy to reconstitute the Board into a smaller body, and it seems to me that this Bill is a vote of want of confidence in the Premier. Mr. Walton outlined the processes through which the Government went to formulate what is expressed in this Bill, and it would therefore appear that, with or without pressures from outside, the decision was made in the Liberal Party room. That decision is obviously incorporated in the Bill. The Parliamentary Liberal Party obviously made a decision in contradiction to its Leader.

The Hon. W. V. HOUGHTON.—The Premier has approved of it.

The Hon. SAMUEL MERRIFIELD.—The Premier is always making statements to the press, and doing something different behind the scenes. Because the Board put up a programme of works early in the year—in respect of alleviating water shortages—which it believed were required for the future development of the metropolis, the Premier was the first to growl about it. He said that the Board was displaying a sense of irresponsibility because it presented a programme detailing additional works for the improvement of the metropolitan water supply.

In 1958, an amending Bill took from the Government the right to approve, by Order in Council, of variations in charges for water by the Board and vested that power in the Board. On two occasions the rates charged for water to the ordinary domestic user were increased, but the Premier was silent; he did not worry about the ordinary man. However, because the Board decided to increase the price for water for industrial purposes this year, the Premier came out with a big song about how wrong it was for the Board to increase the price of industrial water which was being supplied to the Premier's friends. He was concerned about the price of water for these people, but when he made his announcement he did not state that his Government had given the Board power to increase the price. On this occasion, the Premier has said one thing and the party has done the other, and on that occasion the Government acted in one way and the Premier said something different.

By clause 22 of the Bill, which proposes a new section 225A, the Board is being given power to enter properties to carry out surveys, and so forth. It might be normally assumed that, in respect of surveys of boundaries by a licensed surveyor, the Board would have this power under the Land Surveyors Act, but the Board is not given that power under that Act and it is intended to cover the situation in the same manner as is granted to most other authorities. I can envisage the situation where damage might be done. By section 287 of the Board of Works Act, there is power to pay damages to any other body of a public character, but there is no provision in respect of private properties. The Minister should look into this matter. It seems to me that an anomaly could arise when the Board is given power to enter and sink bores on private property. Special approval was required in the case of the underground railway.

I therefore support the comments made by Mr. Walton and the proposal advanced by Sir Percy Byrnes, that a smaller body should be substituted for the present large unwieldy one. I offer my support to their strictures in maintaining the present Board.

The Hon. W. G. FRY (Higinbotham Province).—It would be fair to say that in their comments on this measure both Mr. Walton and Mr. Merrifield made a very strong attack upon the Premier. If that honorable gentleman had proceeded on the alleged statements that were referred to by those honorable members, it would have been a real case for " Jack the Giant Killer " to knock the Premier down. However, the Premier does not act in this way. He has been in Parliament for 21 years, and Premier of Victoria for a record term of thirteen years. He has not occupied that high position for so long and the State of Victoria has not progressed in such a marvellous manner, economically and industrially, because he has acted irresponsibly. The Premier did not act irresponsibly in regard to this matter, either. He acted as one would expect a man of his stature to act; he placed the question before the party. Mr. Merrifield said that the Premier's actions were irresponsible, but he did not explain what this was about. I shall indicate how the whole situation came into being. Briefly, the Board of Works proposed that a fifteen-year plan should be compressed into a ten-year period of work. For an authority which spends more than 30 per cent. of the total loan funds made available by the Federal Government, to act in such a manner would upset any Treasurer, or any fiscal planning.

In the case in point, the Treasurer stated that he would have to control the Board's spending. Surely this is common sense. When the Premier attends the Premiers' conference and Loan Council at Canberra he cannot ask for and expect to get, say, $360,000,000, or whatever amount may be desired. He receives exactly the sum allowed

under the reimbursement formula. The Premier does not have unlimited funds at his disposal. When an authority such as the Melbourne and Metropolitan Board of Works is to spend 30 per cent. of those funds, it is necessary for him to examine their planning and know what amount this will represent in years to come. Consequently, the Premier stated that he would need to exercise stricter control over the Board in matters of finance. I have written several letters to people—I could produce them if necessary—in which I have said that this would probably be the outcome of the current discussions concerning the Board.

The Hon. J. M WALTON.—Are you one of the faceless men?

The Hon. W. G. FRY.—No ; I have a face, but certainly I am not two-faced. In this case I stand behind the Premier, who has spoken in a straightforward manner and has acted responsibly.

Sir Percy Byrnes and Mr. O'Connell referred to the appointment of chairman of the Board, but one important point was overlooked. No one said that certain key men were not available or that Mr. Croxford was not a good man. In fact, in the opening remarks of his second-reading explanatory speech, the Minister for Local Government spoke of the excellent qualities shown by Mr. Croxford as chairman of the Board. No one in the Opposition emphasized the fact that the Melbourne and Metropolitan Board of Works has become one of the greatest authorities in Australia and that the person who would be chairman could well be chosen from a world list of applicants. There is no reason why this position should be restricted to a small body of men who happen to be Commissioners of the Board. It is necessary, as is proposed in this Bill, that the best available man shall be chosen for this important office.

Mr. Merrifield cast aspersions on the Government. He said that it suspected the Board's ability to do the work and that it was limiting that work. The four clauses to which Mr. Merrifield referred all related to fiscal policy. The Bill seeks to control the spending of the Board and to allow the Minister to know exactly what is going on so far as the financial aspects of the Board are concerned. The whole question seems to boil down to whether there should be a commission or a Board consisting of 52 or 53 members. In considering this aspect, several statements made by the Minister are worthy of consideration. In his second-reading speech, the honorable gentleman set out what the Bill seeks to do. It will, in fact, enable the Board to maintain its own internal function and its administration, at the same time ensuring that these functions are integrated into the wellbeing of Victoria as a whole.

The Minister set out five ways by which this Bill would ensure that the Government's aim was successful. First, it will provide that the Board shall exercise its rights, powers and duties subject to the Minister of the day. Secondly, it will empower the Minister to exercise general supervision by calling for such information and such documents as he thinks fit. Thirdly, it will require the Board to submit to the Minister a yearly statement of what has happened in the affairs of the Board. Fourthly, it will require the Board to obtain the approval of the Minister before adopting any capital works programme involving the expenditure of loan funds. Fifthly, the Bill provides, as I have already stated, that the chairman of the Board shall be an appointment of the Governor in Council in the same way as are the chairmen of other public authorities.

The whole argument revolves around whether the Board, as at present constituted, can do the job that is expected of it, or whether a commission should be appointed. In this regard, I should like to deal with the activities of two other important bodies, one of which—the Greater London council—was referred to by

Sir Percy Byrnes. If honorable members were familiar with the functions of that body, they would perhaps agree that a board consisting of many members is not too unwieldy to effect matters of administration. When I think of the Board of Works, I recall a major project that is currently being undertaken, namely the south-eastern interceptor sewer, which is a task of great magnitude. I should think the tunnel which is being driven at this moment would be almost three-quarters the height of this Chamber. In view of the manner in which the Board is carrying out this undertaking—freezing the underground earth works, and so forth—it is apparent that the Board is capable of performing big works.

The Hon. I. A. SWINBURNE.—There is nothing wrong with the Board's staff.

The Hon. W. G. FRY.—There is nothing wrong with the people who control the Board. In dealing with the Greater London council, I propose to refer to the council as opposed to the staff. The Greater London council is the over-all planning authority for approximately 8,000,000 people. By December of this year it is to bring down the Greater London Development Plan. The plan will lay down the principles for the future development and planning of London ; it will establish the policy for the use of land and incorporate in it a transportation plan. It is interesting to examine the diverse operations of the Greater London council. First, it is an authority which is responsible for roads and traffic. It controls the speed of traffic, the roads, the streams, tunnels under the River Thames, ferries and, I think, something like fourteen bridges over the Thames. It is also a housing authority and, as such, is probably the largest municipal landlord in the world. It is aiming to create a pool of homes to help in launching an attack against the slum areas of London. By setting up a pool of homes, it will be possible to move people from homes which must be abolished.

The Greater London council is also a parks and gardens authority with 7,000 or 8,000 acres of gardens under its control. So far as sewerage is concerned, the council controls the huge quantity of 470,000,000 gallons of sewage daily. It has four sludge vessels which convey the residue to the North Sea where it is dumped. It is a refuse disposal authority, which handles approximately 3,000,000 tons of refuse annually. It is also wholly responsible for the fire protection and ambulance services in London, having about 5,000 firemen and 1,000 ambulances under its control. It is a licensing authority, a research and insurance bureau and a scientific and supply service. It controls the Royal Festival Hall and the Art Gallery. It also controls the courts and the judicial services, and preserves national buildings and historic monuments.

Honorable members who have visited London and seen at first hand the immense transport and other problems which are satisfactorily handled by the Greater London council will realize that this authority consisting of 116 councillors performs excellent work.

The Hon. J. M. WALTON.—Members of the Greater London council are elected by the people, but Commissioners of the Board of Works are not so elected.

The Hon. W. G. FRY.—There are sixteen aldermen on the Greater London council who are elected for life. The Greater London council has authority over the Corporation of London and many bureaux consisting of from 55 to 70 men. It controls in all some 600 square miles of Greater London. Until recently, the Melbourne and Metropolitan Board of Works controlled a similar area, but it has now become the planning authority for an area of 1,902 square miles, which is somewhat larger than

the area controlled by the London authority. The Metropolitan Water Board, which also works under the jurisdiction of the Greater London council and is somewhat akin to the water authority in Melbourne, controls 580 square miles. It is interesting to note that, notwithstanding all the huge problems for which the Greater London council is responsible, the rate which is levied is 3¼ per cent. on the net annual valuation system. In Melbourne, the Board of Works imposes a rate of 2.5 per cent. on the net annual valuation system. The rates imposed by the Board of Works compare favourably with those of the Greater London council.

Previous speakers have referred to the numerous committees which function within the ambit of the Melbourne and Metropolitan Board of Works. There are eight committees, each of which is comprised of between eight and eleven members, representing a total of 74 attendances. In other words, 52 members must make a total of 74 appearances on the various committees of the Board. This does not appear to be a very large number. Honorable members who have worked on municipal councils know that all Commissioners could not be expected to be present at any stage, and it is therefore necessary to make some allowance to enable the committees to work. I was interested in Mr. Walton's statement that committee decisions were generally taken by only two or three members. I should like to know how many committee meetings were attended by only two or three members over a yearly period.

The Hon. J. M. WALTON.—I said that it was possible that only two or three members could attend a committee meeting.

The Hon. W. G. FRY.—I should like to know how many meetings are held with an attendance of only two or three members. I think the Commissioners are a fairly responsible body of people who perform their work pretty well.

I should like to deal briefly with the position in Toronto. This great metropolis is about the same size as Melbourne, having a population of 2,185,000. The Greater Toronto council embraces something like nine wards, each having four representatives. There are also twelve representatives from outer suburban municipalities. In other words, 48 representatives control Greater Toronto. They are responsible for water supply, sewerage, the metropolitan roads system, transport, housing development, planning, works and recreation, and the coordination of educational facilities.

It would seem that, in regard to those two examples—and there are others—it would not be solely on numbers that the suggestion would be made that the Board of Works should be abolished. As I have instanced, in the London County council and the Greater Toronto council—particularly the London authority—a large number of councillors work together quite efficiently to control the destinies of the works of a large metropolis. I support the Bill.

The Hon. A. W. KNIGHT (Melbourne West Province).—Mr. Fry glorified and white-washed the Premier. The Premier was the person who said that the Board of Works was an unwieldy political forum. Members of the Opposition have at all times said that the Board should be re-constituted, but the Premier's committee has glorified those councillors who come under the banner of independent councillors, yet most of them belong to the Liberal Party. They try to change their spots like a leopard, but they cannot do so.

I refer honorable members to a report published in the *Age* newspaper of 8th February, 1968, under the headlines "Board's Future to Cabinet on Monday. Bolte Moves to Appoint Commission". It stated—

> State Cabinet on Monday will discuss the possible appointment of a Government commission to replace the Board of Works, the Premier (Sir Henry Bolte) said yesterday.
>
> Earlier he described the 52-member Board as a "big unwieldy political forum."

His attack followed announcements by the Board that it wanted Sir Henry to lift his 1964 ban on taking water from the Big River for Melbourne.

Not long ago a certain Bill was introduced in another place, but when members of the Labor Party and the Country Party stated their objection the Premier decided not to proceed with it. It was interesting to note that he did not have the courage to carry out the recommendations of his faceless committee. He said, "I will get rid of the Board of Works".

The Hon. W. G. FRY.—He did not say anything of the sort. He said that the matter would be discussed.

The Hon. A. W. KNIGHT.—Mr. Fry was a head master, and he is supposed to be intelligent. When the Premier knew that the two major political parties would have nothing to do with his Bill—the members of his party were not too happy; they said, "Our colleagues and our councils are not in favour of it"—the honorable gentleman appointed a party committee, and this Bill is the result of their deliberations.

I was interested to hear Mr. Fry's analogy of the London County council and Greater Toronto council. I invite him to get a little closer to local government in Victoria. If he did so he would find that there is no similarity between the London and Toronto systems and the Victorian system. Mr. Walton stated that the Commissioners of the Board of Works are elected not by the ratepayers, but by the councils.

The Hon. W. M. CAMPBELL.—How are the councillors appointed?

The Hon. A. W. KNIGHT.—Mr. Campbell should do his homework. If the ratepayers elected the Commissioners, in many cases the result would be different. I do not decry the work of the officers and engineers of the Board of Works who carry the system on their backs. I am not "knocking" the Commissioners; what I have said here tonight I have said at the Board of Works as a Commissioner. All Commissioners like to go up to the watershed areas. It would be interesting to know the costs to the municipalities of those areas. I have asked for that information on many occasions but the answer has not been forthcoming.

I support the amendment foreshadowed by Mr. Walton. It is time that the Board of Works was reconstituted. It was interesting to read the statement of the Deputy Premier in relation to the reconstitution of the Metropolitan Fire Brigades Board. He stated that it was the modern trend to reconstitute the honorary board systems. I advise Government members to read Sir Arthur Rylah's statement. Either he is out of step with the rest of the Liberal Party, or his colleagues are out of step with the Government. I concur in the remarks of Mr. Walton in relation to committees and meetings of the Board of Works. If one were to carry out one's duty as a Commissioner and keep up to date with the workings of the various committees, it would take 24 hours a day for seven days a week. It is time that the Board of Works was reconstituted similarly to the Gas and Fuel Corporation, the State Electricity Commission, the State Rivers and Water Supply Commission and the State Savings Bank.

The Hon. W. G. FRY.—The Board has a very good employment record.

The Hon. A. W. KNIGHT.—I expected that comment not from Mr. Fry but from his colleagues. Mr. Fry ought to do his homework.

The Hon. W. G. FRY.—My statement was correct.

The Hon. A. W. KNIGHT.—It was not correct. Mr. Fry quoted the figures relating to the London County council. The services rendered by that council are different from those provided by the Board of Works. The Labor Party believes the Board should be reconstituted to work more efficiently from the top. This Bill white-washes the Premier's statement that he would abolish the Board and that it was an unwieldy political forum.

The Hon. R. J. HAMER.—He did not say that.

The Hon. A. W. KNIGHT.—I refer honorable members to the statement which appeared in the *Age* newspaper of the 8th February, 1968.

The Hon. W. G. FRY.—Of course, everything that appears in the newspapers is true!

The Hon. A. W. KNIGHT.—The Premier did not deny it. He described the 53-member Board as an unwieldy political forum. I saw the Premier when he appeared on television; surely a live telecast does not lie. It is time that the Board was constituted as a five-man commission to enable it to work more efficiently and effectively.

The motion was agreed to.

The Bill was read a second time, and ordered to be committed.

The Hon. J. M. WALTON (Melbourne North Province).—By leave, I move—

That it be an instruction to the Committee that they have power to consider amendments and new clauses to provide for the reconstitution of the Melbourne and Metropolitan Board of Works by the substitution of a Board of five members for the present Board.

The Hon. R. J. HAMER (Minister for Local Government).—The Government will oppose this motion. It gives me the opportunity of restating the Government's position on this matter.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—I rise to a point of order. This motion is by leave. The Minister is proposing to discuss the matter.

The PRESIDENT (the Hon. R. W. Garrett).—Order! The motion is by leave, and it is open for debate.

The Hon. SAMUEL MERRIFIELD.—It is a refusal of leave.

The PRESIDENT.—The motion is open for debate.

The Hon. J. W. GALBALLY (Melbourne North Province).—On a point of order. The Minister is not refusing leave.

The PRESIDENT.—The Minister for Local Government has not refused leave; he is going to speak to the motion.

The Hon. J. W. GALBALLY.—I agree that the motion is now open for debate. I wished to be certain that leave was not refused. The motion is by leave, and when it is not opposed it becomes a motion of the House.

The PRESIDENT.—Leave has not been refused.

The Hon. R. J. HAMER (Minister for Local Government).—Apparently it is agreed that leave has not been refused. I propose to state why the motion will be opposed by the Government. The proposals contained in the Bill were arrived at after a great deal of thought and consideration of the position of the Melbourne and Metropolitan Board of Works.

The Government does not in any way disagree with a number of the statements that have been made. The work of the Board is an important activity; it is growing and it will assume a most important place in the life of Victoria. This consideration led the Government to introduce a Bill to enable the activities of the Board, particularly in relation to its expenditure of loan funds and revenue, as well as the general activities in which it was to engage, to be integrated and coordinated into the general financial life and planning of this State. The same situation applies to the appointment of a chairman. It is recognized that this post is becoming one of the most important in Victoria. It should not be confined to any small group nor necessarily to a Victorian nor even an Australian, but should be open to the very best men that can be obtained.

That is the general principle of the Bill. The motion, which asks the Committee to take into consideration

a Board of a totally different structure, runs counter to the whole principle of the Bill. Its acceptance would have to be justified by compelling arguments based on some lack of performance by the Board in the past. We have heard nothing about that. No speaker tonight has criticized the Board for its lack of efficiency or lack of planning. On the contrary, everyone who has spoken, including Mr. Walton, has praised the Board for its past activities. Sir Percy Byrnes went so far as to say that it had spent wisely and well. There has been a happy air of euphoria about the Board's past achievements.

The House is asked to assume—it can only be an assumption—that because the Board consists of 52 members it must be an inefficient organization. This assumption has been effectively answered by Mr. Fry, who referred to bodies in London, Toronto and many other parts of the world, of more than 100 members in some cases, which have greater responsibilities than the Board of Works and are acknowledged to be efficient.

It is not a necessary concomitant of size that a body must be inefficient. Mr. Knight has been a member of one very efficient committee of the Board, the Farm Committee. Many efficient committees comprising men who have devoted a great deal of time and work to the affairs of the Board exist within the Board, and they have been served by engineers, whom nobody will criticize as being inefficient, with the very best engineering advice and brains available to them. Like any committee of Parliament, they are capable of assessing the pros and cons and deciding upon a programme. The committee system is the crux of the decision-making powers of the Board.

After due consideration, involving a full consideration of the Premier's feeling that certain activities of the Board were out of step with proper planning, particularly financial forward planning of the State, the Government concluded that the representation on the Board of Commissioners from various municipalities was of value in the work of the Board. The Government also considered, and this Bill carries out this belief, that the whole ambit of the Board's activities had to be coordinated with all the other activities of the State. At present they are not properly integrated or fully coordinated as a solid proportion of the State's activities.

The Government believes in the Board structure, and it is not prepared to go so far as to abolish the Board in regard to its representation of the municipalities throughout the metropolitan area. It is not prepared to have a body appointed entirely from outside to carry out the duties undertaken by the Board.

Mr. Merrifield would treat rather lightly some important activities of the Board. One is town planning, and another is road building ; both of these activities are very much a part of municipal life.

The Hon. ARCHIBALD TODD.—That was a confidence trick by the Government.

The Hon. R. J. HAMER.—I do not know about it being a confidence trick. Town planning is an important and growing function of the Board and should not be exercised by a commission of persons such as is proposed by the amendments that have been foreshadowed. The Government believes that local government, through its representatives, has a part to play in the activities of the Board. The Government does not accept the foreshadowed amendments, and will oppose the motion which would enable the Committee to consider them.

The PRESIDENT (the Hon. R. W. Garrett).—To put this matter in order, is there a seconder to Mr. Walton's motion?

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—I second the motion, *pro forma.*

The Hon. J. M. WALTON (Melbourne North Province).—The Minister has taken the opportunity of commenting upon my motion.

The PRESIDENT (the Hon. R. W. Garrett).—Mr. Walton has already spoken to this motion.

The Hon. J. M. WALTON.—I moved the motion by leave.

The PRESIDENT.—Mr. Walton cannot speak again until other honorable members have spoken. The motion was moved, but the honorable member did not take the opportunity to speak.

The Hon. J. M. WALTON.—On a point of order, the moment I moved my resolution, the Minister rose to speak. I had to give him the opportunity to say whether the Government was refusing leave, which I did. It was some time before this matter was clarified. I claim the right to speak to the motion that I have moved.

The PRESIDENT.—There has been a misunderstanding in this matter. As a matter of fact, I thought the Minister was rising to refuse leave, but he did not do so ; he spoke on another matter. However, as there has been a misunderstanding, I shall give Mr. Walton the benefit of the doubt and allow him to speak.

The Hon. J. M. WALTON (Melbourne North Province).—Thank you, Mr. President. I have listened with interest to various Government members trying to vindicate statements made by the Premier. I dislike harking back to this matter all the time but, after all, the people of Victoria expect to hear authentic statements from the Premier of the State. When the honorable gentleman makes a statement, it should not be uttered lightly ; it should be said after a great deal of thought. It was necessary for the Liberal Party to form a private committee, at that time of unnamed persons, to formulate some other policy against that which the Premier had enunciated per medium of the press.

The Hon. H. M. HAMILTON.—To what statement are you referring?

The Hon. J. M. WALTON.—It has been quoted so many times tonight that I hesitate to read it again, because it makes me think some members must have been asleep. The newspaper report reads—

> BOLTE : I MIGHT SCRAP BOARD OF WORKS.
> HE SAYS ITS 'BIG AND UNWIELDY'.
>
> The Premier, Sir Henry Bolte, said today that he was considering replacing the Board of Works with a Government Commission.
>
> "The Board of Works has become a big, unwieldy, political forum," he said.
>
> "It is getting hard to sort out the propaganda from the policy.

That statement was made by the Premier of the State and the Leader of the Liberal Party. Tonight, the House has this watered down, damp-squibbed Bill to get the Premier off the hook, so to speak, from the statement that he made six months or so ago. The Bill does next to nothing. If the Minister had been strong, or if he had wanted to exercise his full powers or to demand some sort of action from the Board, I have no doubt that the Board would have given its co-operation. Commissioners from the Board have informed me that they are subservient to the Government, that the Board is an integral part of the local government in our State, and that it is under the Local Government Department. That may well be so, but the Board is set up under a special Act of Parliament.

Much has been said about the Board being a democratically elected body, but this is not correct. Everybody knows that the councillors of various municipalities elect Commissioners to the Board of Works. Of course, these people have to be elected as municipal councillors, but it is not true to say that the ratepayers elect them to the Board of Works, where one can become chairman at a salary of $13,100 per year. Therefore, by no stretch of the imagination can the Government say that the Board is a democratically elected organization.

Honorable members can believe me that there are no greater lobbyists in the world than Commissioners of the Board of Works. Before a new member arrives, his destiny has been decided. The other members say, "Yes, we will put Mr. So-and-So on the Officers and Servants Committee", which is considered to be the nursery. It is a most uninteresting one for Liberal Party members of the Board of Works, because it deals with the humdrum job of the everyday worker and his salary. If one happens to be a Labor Party representative on the Board, this is the first committee to which one is appointed. After a while, the other members realize that so many Labor men have been appointed to this committee that they almost have a majority. Therefore, more Labor Commissioners are appointed to other committees.

In the appointment of committees, a great deal of lobbying takes place, and the same sort of lobbying occurs with respect to the election of chairman. I would be the first to say—and I have said it before—that there have been great chairmen of the Board of Works, but the State has been extremely lucky that men of such calibre have been elected as commissioners.

The Hon. A. J. HUNT.—Good, not lucky.

The Hon. J. M. WALTON.—The State has been lucky because there has happened to be somebody on the Board who was capable of doing the job. However, the State runs the risk of the appointment of some person who is not capable of carrying out the job. Mr. Cec. Jessop, whom I knew quite well, was a wonderful chairman. I supported the election of Mr. Ray. Trickey as chairman. He had had experience in business management in Australia and the United States of America. But the State will not always be blessed with having that sort of council representative on the Board, and we run the risk of somebody being appointed who will make a botch of it.

Mr. Fry has been a municipal councillor, and so have I. It is often said that some people elected to the council would need to study to get into Sunbury. I believe all municipalities have at some time had councillors of this calibre; they have been elected unopposed or by accident, or perhaps because of a split vote or for some other reason.

The Hon. W. G. FRY.—Would you like to name some of these councils or councillors.

The Hon. J. M. WALTON.—I will not be so unkind or so unfair as to mention names, but any honorable member who has been a councillor will realize that it is not always possible to find the right person to fill the job. It is not easy to get people to stand for muncipal councils because councillors receive a lot of kicks and get nothing out of it. Many capable men will not offer themselves because they have not the time to devote to council duties.

The Hon. ARCHIBALD TODD.—The same thing applies to Commissioners of the Board of Works; they cannot accept election unless they can attend day-time meetings of the Board.

The Hon. J. M. WALTON.—That is so. There are also capable people who are not entitled to stand for municipal election because they do not possess the necessary ratepayer qualification.

The Hon. A. J. HUNT.—There are not many.

The Hon. J. M. WALTON.—There may not be many, but some are precluded from standing for municipal councils because they are not ratepayers. I do not want to be misunderstood about what I said earlier. I say quite definitely that a great majority of councillors are sincere and hard working. In conclusion, I thank the House for granting me leave to move this motion, which has been seconded, *pro forma*, by Mr. Merrifield.

Sir PERCY BYRNES (North-Western Province).—The Country Party supports the motion. Our methods may differ, but apparently our parties have similar views. I have not consulted Mr. Walton in any shape or form. In my motion, which was drawn up independently, I proposed to place in the Melbourne and Metropolitan Board of Works Act the constitution of the State Rivers and Water Supply Commission.

The Hon. G. L. CHANDLER.—There is no collusive tendering?

Sir PERCY BYRNES.—There has been no collusive tendering, although our ideas are similar. I repeat that I respect the manner in which the Board of Works has carried out its duties in its various fields of activities concerning the city of Melbourne. The Board has had good chairmen, and first class engineers and officers working for it. I am not criticizing the Board, but I point out that it is stepping into a tremendous field. With the rapid expansion that is taking place, a more efficient method of management is required. The present loosely run organization and loose control are no longer appropriate. The only reason the Government is sticking to the present constitution is that it does not like offending a body of men who have given a lot of unselfish and honorary service to the community. Many of them have displayed great ability. However, those days are over and the city of Melbourne is expanding so rapidly—the population is expected to reach 5,000,000 by the end of the century—that there is a tremendous amount of work to be done.

The Government is giving the Board huge sums of money, far beyond what it has received previously, to build freeways, interconnecting roads, and so on. The position of the Board in the city is similar to that of the Country Roads Board and the State Rivers and Water Supply Commission in the country. In addition, the Board has other responsibilities, such as town planning. Because my colleagues and I live in the country, it does not mean that we do not have a right to take an interest in the welfare of Melbourne. Indeed, it is our duty as members of Parliament and citizens to do so. It is obvious to anyone—I am sure the great majority of members of Cabinet would agree—that a commission of five members, if necessary the most highly qualified in the world, is essential. As Mr. Fry pointed out, the chairman should be a top man appointed out of applicants from all over the world. It might be possible to obtain a man of the calibre of the former head of the Snowy Mountains Authority. Men who worked for that Authority are highly qualified engineers and would be suitable for appointment to the proposed new commission. The Board is entering a field of unknown magnitude. It will have the tremendous task of providing water supply, drainage, sewerage and roads for a city of 5,000,000 people. A commission of the five best men available, to work in complete harmony with the Government and to control all these activities, would be the best solution to the problem. The Country Party supports the motion.

The Hon. J. W. GALBALLY (Melbourne North Province).—I wish to say a few words on behalf of those people in the community who seem to have been completely overlooked in this debate. The taxpayers of this State are more concerned than anyone else with this matter. They are not concerned tonight whether the Board of Works has done a good job in the past or can be expected to do a good job in the future. Let us assume that all the people who have represented municipal councils on the Board, to whom Mr. Fry referred, have done a magnificent job. We are not here to try those persons. Is there any reason why in this State,

which, despite high taxation, is crying out for money, the public ownership of water should not be placed in the hands of the most efficient brains that the community can find? Because water or any other commodity is publicly owned, does that mean that we must drag along with old-fashioned inefficient methods? Is this not the real point that Parliament should be deciding tonight? It is not for us to try the Board of Works tonight.

No honorable member believes that the water supplies of this State ought to be in the hands of about 50 men. It would be nonsense to think that a large organization such as BHP or ACI, or any large mining company, would run its affairs in such a fashion. That is not to cast aspersions on men who have come from the various councils over the years. This system was devised perhaps 50 or 100 years ago, and the men concerned have done their best. Today we are faced with different problems. Everything else is changing. Why should the Board of Works and the supply of water be left to horse and buggy methods? I suggest that our water supplies should be put in the hands of five men—capable, efficient and brilliant. My colleagues and I believe that would be the best way to handle this public utility. We have in mind what was done in 1919 when the State Electricity Commission was set up to generate electricity from brown coal at Yallourn. This project was put under the control of Sir John Monash and a small commission. The control of our water supply could be dealt with along similar lines.

I do not see why any distinction should be drawn between country and city in respect of water supplies any more than is the case with electricity. We stand or fall together. I do not want to introduce a recriminatory note, but I was rather shocked when the Government said, "We will see that water from the Thompson river does not come to the city." It is like saying that the brown coal at Yallourn is not to go north of Dandenong. Amid the great pressures that are applied in a modern society —which could overwhelm us because taxation has risen, is rising and could become dangerously high—none of our public instrumentalities should be under the slightest suspicion of waste or inefficiency, because this affects us all.

The Hon. W. G. FRY.—What would the Commission costs the community?

The Hon. J. W. GALBALLY.—It would be an infinitesimal amount.

The Hon. G. J. NICOL.—Would the Commission still have the power to rate?

The Hon. J. W. GALBALLY.—I should say so. These are the sorts of things that should be left to a small expert body; they should not be left in the hands of a large amorphous mass of men, honest and patient though they may be. I do not for a moment expect the Government to accept the motion—of course, it will not, because, if I may say so with respect, its members have had fights over this issue and it has grown stubborn. A similar situation obtained many years ago when a Bill was introduced into the Legislative Council to implement a Greater Melbourne scheme, which was defeated. Probably this idea is doomed, too, but I hope the House will accept it. It must come eventually because the community will demand it. The community will not put up with its water supply being in the hands of the body to which I have referred.

I am not here to cast aspersions on the Board, but once a commission is set up the community will be amazed at the amount of money that will be saved. Surely that is important to all of us. I hope this debate does not turn on the narrow issue whether Sir Henry Bolte was right because, as Treasurer of this State, the honorable gentleman realizes after long familiarity with the

problems that beset us that in this community we cannot afford to waste money or water. I beg the House to pass the motion.

The House divided on Mr. Walton's motion (the Hon. R. W. Garrett in the chair)—

Ayes	17
Noes	15
Majority for the motion	2

AYES.

Sir Percy Byrnes	Mr. Mitchell
Mr. Cathie	Mr. O'Connell
Mr. Galbally	Mr. Swinburne
Mr. Hewson	Mr. Todd
Mr. Knight	Mr. Tripovich
Mr. McDonald	Mr. Walton.
Mr. Mansell	*Tellers*:
Mr. May	Mr. Bradbury
Mr. Merrifield	Mr. Elliot.

NOES.

Mr. Campbell	Mr. Hamer
Mr. Chandler	Mr. Hunt
Mr. Dickie	Mr. Nicol
Mr. Fry	Mr. Thom
Mr. Gleeson	Mr. Thompson.
Mr. Granter	*Tellers*:
Mr. Grimwade	Mr. Hamilton
Mr. Gross	Mr. Houghton.

PAIR.

Mr. Clarke	Mr. Byrne.

The Bill was committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Amendment of No. 6310, s. 4).

The Hon. J. M. WALTON (Melbourne North Province).—I shall vote against this clause, Mr. Chairman.

The Hon. R. J. HAMER (Minister for Local Government).—Now that Mr. Walton has signified his intention of voting against the clause, I point out to the Committee that all the clause does is to require the Melbourne and Metropolitan Board of Works to exercise its functions subject to the Minister. This seems to me to be independent of whether the Board is, so to speak, a Commission or not. There is a similar provision in the State Rivers and Water Supply Commission Act, the State Electricity Commission Act, and other similar enactments.

Before the Committee adopts this piece of surgery, I urge honorable members to look at the meaning of the clause to see what its effect is. The Government regards this clause as an important one—perhaps the most important in the Bill—and I believe such a clause to be an essential part of any Bill. I should have thought, that, to this extent, honorable members have shown a certain degree of unanimity, with regard to the proposition that the activities of the Board should be subject to the control of the Government of the day and should not be exercised independently. I therefore urge the House not to vote against the clause.

The Hon. J. M. WALTON (Melbourne North Province).—With his usual logic the Minister has convinced members of the Opposition that it would be desirable that he, or whoever happens to be Minister for Local Government at a particular time, should have some degree of control, even over a Commission, and for that reason members of the Opposition will not vote against the clause.

The clause was agreed to.

Clause 4, providing, *inter alia*—

After section 4 of the Principal Act there shall be inserted the following sections:—

"4A. In the administration of this Act the Minister shall be entitled at all times—

. . . .

4B. (1) The Minister may at any time in writing request the Board to propose in writing a scheme with respect to any particular matter or for carrying out any matter of general policy specified by the Minister and if the Minister approves of any such proposal he may direct the Board to take all necessary steps to carry out the proposal.

(2) Any question difference or dispute arising between the Minister and the Board with respect to any such proposal may be finally and conclusively determined by the Governor in Council."

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

That, in proposed section 4B, the following expression be omitted:—" and if the Minister approves of any such proposal he may direct the Board to take all necessary steps to carry out the proposal.

(2) Any question difference or dispute arising between the Minister and the Board with respect to any such proposal may be finally and conclusively determined by the Governor in Council " with the view of inserting—

" (2) The Minister may approve or disapprove the scheme proposed by the Board or may approve the scheme so proposed subject to such variations as he thinks fit.

(3) Subject to sub-sections (4) and (5) the Board shall give effect to the scheme as approved by the Minister.

(4) Where the Board is dissatisfied with the variations made by the Minister the Board may within 30 days of the approval of the scheme by the Minister apply in writing to the Governor in Council to disallow or to alter any variations made by the Minister and the decision of the Governor in Council on the application shall be final and conclusive."

Honorable members will see that this clause defines the relationship of the Minister with the Board. After looking at the proposed amendments, I believe no party will object to this clause being in the Bill. I think it is necessary, whatever the structure of the Board may be, because it allows the Minister of the day to have direct communication with the chairman or the secretary, to see documents, to require the preparation of information, and so on. Proposed section 4B enables the Minister to ask the Board to propose a scheme with respect to any particular matter or to carry out any matter of general policy. If the Minister approves of any such proposal, he may direct the Board to carry it out.

Sub-section (2) of proposed section 4B makes provision for the resolution of any difference or dispute about the proposal. It has been pointed out—I think logically—that, if the Minister directs the Board to take necessary steps, a difference cannot arise because the Board has to carry out the direction. This provision goes a little further than was intended. The intention was that there should be a reasonable chance for the Board to protest against a decision and that the Governor in Council should decide the matter. This is a common provision in many statutes. All the amendment does is to rephrase this particular portion of the Bill so as to give greater flexibility and to allow for the resolving of a dispute between the Board and the Minister as to the carrying out of a scheme or proposal if such dispute should arise. I believe the provision as drafted in the Bill is too arbitrary and that there should be this flexibility.

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

Clause 5, providing, *inter alia*—

For section 21 of the Principal Act there shall be substituted the following section:—

"21. (1) The Governor in Council shall appoint a chairman of the Board who shall be paid a salary at the rate of $13,100 per annum or at such other rate as is from time to time determined by the Governor in Council.

(2) The chairman shall be entitled to hold office for a term of four years unless sooner removed and shall be eligible for re-appointment.

(3) The Governor in Council may at any time accept the resignation of the chairman and may remove the chairman from his office if he is absent from Victoria for a period of six consecutive months or is absent without the consent of the Board from all ordinary meetings of the Board for a period of eight weeks."

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

That, in sub-section (1) of proposed section 21, after the words " Governor in Council ", the words " after consultation with a committee of not more than three members of the Board appointed by the Board to consult with the Minister on the appointment of a chairman " be inserted, and—

That in sub-section (3) of proposed section 21, the words " all ordinary meetings of the Board for a period of eight weeks " be omitted with a view to inserting the words " four consecutive regular meetings of the Board ".

These amendments result from representations made to the Government by members of the Board.

The CHAIRMAN (the Hon. G J. Nicol).—That question must be decided before any amendment is proposed.

Sir PERCY BYRNES (North-Western Province).—I invite honorable members to vote against the clause.

The Hon. W. V. HOUGHTON (Templestowe Province).—I wish to raise a point of order. If the clause is amended as proposed, it may be acceptable. Would it not be proper to put the amendments first?

The CHAIRMAN (the Hon. G J. Nicol).—In view of the point of order raised, the Minister might proceed to explain his amendments, and then it will be for the Committee to vote for or against the clause as amended, if the amendment is accepted.

The Hon. R. J. HAMER (Minister for Local Government).—I realize that it has been foreshadowed that there will be a vote against the clause, but I still desire to submit the amendments. I had already outlined those amendments, and I was about to say that they result from a deputation of members of the Board, including members of the Labor caucus, who associated themselves completely with the representations and asked that, in the appointment of a chairman of the Board, the Board should have some entitlement to be consulted. They pointed out that the chairman might come from anywhere, that he had to preside over a large number of Board members and a large number of committees and that it was reasonable that the people who would serve under him should at least be consulted. That is not to say that they were necessarily to be asked to make a nomination or anything of that kind, but they wanted written into the Act a right to be consulted. As it is impossible to consult with 53 individuals, the effect of the amendments is to allow them to appoint, if they wish, three representatives with whom consultation may be held in order to enable some agreement to be reached if possible as to who the chairman would be.

Sir PERCY BYRNES (North-Western Province).—There cannot be a conflict of appointments. Although Mr. Walton's proposed new clause and mine do not run absolutely on parallel lines, we propose a new clause which provides for a board of five members. Members of the Country Party cannot support clause 5, and ask honorable members to vote against it. When the Bill goes to another place the Minister's amendments may be moved there. We cannot accept the amendments he has foreshadowed because they would be part and parcel of a clause which we desire to omit.

The Hon. G. W. THOM (South-Western Province).—I am surprised that Mr. Walton did not rise. The Minister's amendments are in conformity with a reasonable approach to the problem, and I support the amendments.

The CHAIRMAN (the Hon. G. J. Nicol).—I shall test the feeling of the Committee on the question that the first two lines of clause 5 stand part of the clause. If that question is negatived of course the whole clause is negatived but if agreed to the Minister may then proceed to move his amendments.

The Committee divided on the question (the Hon. G. J. Nicol in the chair)—

Ayes	14
Noes	17
Majority against the clause	3

AYES.

Mr. Byrne	Mr. Houghton
Mr. Campbell	Mr. Hunt
Mr. Dickie	Mr. Thom
Mr. Gleeson	Mr. Thompson.
Mr. Grimwade	
Mr. Gross	*Tellers:*
Mr. Hamer	Mr. Fry
Mr. Hamilton	Mr. Granter.

NOES.

Mr. Bradbury	Mr. Merrifield
Sir Percy Byrnes	Mr. Mitchell
Mr. Cathie	Mr. Swinburne
Mr. Elliot	Mr. Todd
Mr. Galbally	Mr. Tripovich
Mr. Knight	Mr. Walton.
Mr. McDonald	*Tellers:*
Mr. Mansell	Mr. Hewson
Mr. May	Mr. O'Connell.

PAIR

Mr. Chandler	Mr. Clarke.

Clauses 6 to 9 were agreed to.

Clause 10, providing—

For section 37A of the Principal Act there shall be substituted the following section :—

"37A. Before passing any resolution for or towards authorizing the Board to enter into any contract the consideration of which exceeds $50,000 the Board shall submit or cause to be submitted to the Minister such particulars as are from time to time required by the Minister to be submitted to him by the Board with respect to such contracts and no contracts made by the Board the consideration of which exceeds $50,000 shall have any force or effect unless sanctioned by the Minister."

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

That, in proposed new section 37A, the words "passing any resolution for or towards authorizing the Board to enter" be omitted with the view of inserting the word "entering".

This is really a slight rewording. The proposed new sub-section as drafted provides that before passing any resolution for or towards authorizing the Board to enter into any contract under certain conditions the Board must obtain the consent of the Minister. This wording is clumsy and restricts the Board because it is necessary for it to obtain tenders in some cases and to make a decision on which tender it finally proposes to accept. All that is really necessary is to prevent the Board from actually entering into a contract before getting the approval of the Minister, and that is the effect of the amendment.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 11 to 21.

Clause 22 (Power of entry to make surveys and investigations).

The Hon. R. J. HAMER (Minister for Local Government).—During the second-reading debate Mr. Merrifield raised the question of the power in proposed new section 225A, as contained in clause 22, to enable officers of the Board to enter on land in the day time for the purpose of making surveys and investigations and for drilling bores for testing soil conditions. Mr. Merrifield wanted to know whether damages and compensation would be payable. The principal Act contains a provision relating to this matter, but I have been unable to locate it as yet. I shall give Mr. Merrifield the authority for it as soon as I can find it.

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

The CHAIRMAN (the Hon. G. J. Nicol).—There are two proposed new clauses, one proposed by Mr. Walton and the other by Sir Percy Byrnes. The new clause circulated first was that proposed by Mr. Walton. As there is a similarity in the first two paragraphs of each proposed new clause, I shall call on Mr. Walton to move his new clause first. If this is agreed to in the affirmative it will automatically supersede the new clause proposed by Sir Percy Byrnes, but Sir Percy will subsequently have the opportunity of moving amendments to the new clause proposed by Mr. Walton.

Sir PERCY BYRNES (North-Western Province).—I have examined both proposed new clauses and I could not substitute one section of Mr. Walton's new clause for mine. I would prefer the constitution that is proposed in my new clause, but Mr. Walton has the right to move his new clauses and, if he chooses to do so, members of the Country Party will support him. I could not move an amendment to Mr. Walton's proposed new clause without moving that the whole of the clause be deleted, and the whole of mine be inserted. Although the two proposed new clauses are worded differently, they have the same objective. One follows the constitution of the State Rivers and Water Supply Commission and the other proposes a constitution for the separate appointment of the chairman and members. Although they arrive at the same objectives they do not mix.

The CHAIRMAN.—I take it that Sir Percy Byrnes does not propose to proceed with his new clause if Mr. Walton's proposed new clause is accepted.

The Hon. J. M. WALTON (Melbourne North Province).—I propose the following new clause to follow clause 2 :—

A. For sub-sections (2), (3), (4), and (5) of section 4 of the Principal Act there shall be substituted the following sub-sections :—

"(2) Subject to this Act the Board shall administer this Act and shall have and may exercise the rights powers and authorities and discharge the duties conferred or imposed on it by this or any other Act.

(3) The Board shall consist of—

(*a*) a chairman appointed by the Governor in Council who shall be paid a salary at the rate of $13,100 per annum or at such other rate as is from time to time determined by the Governor in Council; and

(*b*) four full-time members appointed by the Governor in Council one of whom shall be appointed as deputy chairman and who shall be entitled to be paid such salary as is from time to time determined by the Governor in Council.

(4) The persons so appointed and their successors from time to time shall be a body corporate by the name of the "Melbourne and Metropolitan Board of Works" and by that name shall have perpetual succession, and shall adopt and use a common seal with power to break alter and change the same from time to time with the approval of the Governor in Council, and may sue and be sued, and shall have power to purchase take hold sell lease take on lease exchange or dispose of land or property for the purpose of this Act and subject to the restrictions therein contained.

(5) All courts and persons acting judicially shall take judicial notice of the common seal of the Board affixed to any document and shall until the contrary is proved presume that such seal was properly affixed thereto.

(6) The members of the Board shall be entitled to hold office for a term of four years unless sooner removed and shall be eligible for re-appointment.

(7) The Governor in Council may at any time accept the resignation of a member of the Board and may remove a member from his office if he is absent from Victoria for a period of six consecutive months or is absent without the consent of the Board from four consecutive regular meetings of the Board.

(8) The Governor in Council may remove any member from his office on an address praying for such removal being presented to the Governor by the Legislative Council and the Legislative Assembly.

(9) At any time when Parliament is not sitting the Governor in Council may suspend any member from his office for incapacity inability inefficiency mismanagement or misbehaviour or refusal or neglect or failure to carry out any of the provisions of this Act or his duties; and a full statement of the cause of such suspension shall be laid before both Houses of Parliament within seven days after the commencement of the next session thereof; and if an address at any time during that session is presented to the Governor by the Legislative Council or the Legislative Assembly praying for the restoration of the member to his office, he shall be restored accordingly; but if no such address is so presented, the Governor in Council may confirm such suspension and declare the office of such member to be and the office shall thereupon become and be vacant.

(10) In case any member of the Board is appointed chairman thereof he shall thenceforth be a member of the Board by virtue only of his office of chairman and his office of member shall become vacant and another person shall be appointed in his stead.

(11) Vacancies created by members of the Board vacating their seats shall subject to the provisions of this Act be filled by appointment made by the Governor in Council.

(12) During their continuance in office the chairman and the appointed members of the Board shall devote their whole time to the service of the Board and shall not engage in any employment other than in connexion with the duties of their office, nor shall they during such continuance be members of Parliament or of any municipal council.

(13) The chairman holding office immediately prior to the commencement of the Melbourne and Metropolitan Board of Works (Amendment) Act 1968 shall be entitled to continue in office subject to this Act after such commencement for the remainder of the term for which he was appointed but all members of the Board holding office immediately prior to the said commencement shall go out of office upon the said commencement.

(14) For all the purposes of this Act the Board shall be deemed to be the same Board after the commencement of the Melbourne and Metropolitan Board of Works (Amendment) Act 1968 as before the said commencement notwithstanding any change in the constitution of the Board."

The Hon. R. J. HAMER (Minister for Local Government).—For the reasons already given at some length, the Government cannot accept the proposed new clause. It relates to the setting up of a commission in place of the present Board, and the Government does not agree that this is an appropriate action.

The Committee divided on the proposed new clause (the Hon. G. J. Nicol in the chair)—

Ayes	17
Noes	14
Majority for the new clause	3

AYES.

Mr. Bradbury	Mr. Merrifield
Sir Percy Byrnes	Mr. Mitchell
Mr. Cathie	Mr. O'Connell
Mr. Elliott	Mr. Swinburne.
Mr. Galbally	Mr. Tripovich
Mr. Hewson	Mr. Walton.
Mr. Knight	*Tellers:*
Mr. Mansell	Mr. McDonald
Mr. May	Mr. Todd.

NOES.

Mr. Chandler	Mr. Houghton
Mr. Dickie	Mr. Hunt
Mr. Fry	Mr. Thom
Mr. Granter	Mr. Thompson.
Mr. Grimwade	
Mr. Gross	*Tellers:*
Mr. Hamer	Mr. Campbell
Mr. Hamilton	Mr. Gleeson.

PAIR.

Mr. Clarke	Mr. Byrne.

The Hon. J. M. WALTON (Melbourne North Province).—I propose the following new clause to follow clause 4:—

4B. Sections 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, and 22 of and the Third and Fourth Schedules to the principal Act are repealed.

The new clause was agreed to.

The Hon. J. M. WALTON (Melbourne North Province).—I propose the following new clause, to follow clause 4:—

4C. Section 21 of the principal Act is repealed.

The new clause was agreed to.

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

STATE ELECTRICITY COMMISSION BILL.

The debate (adjourned from November 28) on the motion of the Hon. R. J. Hamer (Minister for Local Government) for the second reading of the Bill was resumed.

The Hon. H. A. HEWSON (Gippsland Province).—This is an amended version of the original Bill on this subject, and I am indebted to my Parliamentary colleagues who, with the co-operation of the Minister for Fuel and Power, have been instrumental in having it drafted. My colleagues, Mr. Swinburne and Mr. B. J. Evans, the honorable member for Gippsland East in another place, and I spent considerable time in arriving at an acceptable measure, which would be fair to all municipalities throughout the State as well as to the State Electricity Commission.

The history of the State Electricity Commission provides a picture of complete self-confidence in that, constitutionally, the Commission has been a Government utility without Government control. The Commission was given its own charter by statute in 1918, and has been allowed to expand as a power generating authority in this State. It has proved itself capable and efficient within its original charter to provide the State with the power that has been necessary to provide amenities for the community, facilities for industry, light and power for municipalities, and so on. The Commission has demonstrated its independence by honouring its charter and providing these facilities.

In 1918, when it was laid down that this authority should be independent of Government control, the Government of the day did not see fit to exempt the Commission from municipal rating, but it was always assumed by the municipalities and by successive Governments that it would be exempt. Accordingly, the Commission's premises have never been rated. In my view, the Bill is completely out of order at this time because the Commission should have been exempted from rating under the Local Government Act, thus being brought into line with other instrumentalities of the State which are exempted from rating under the Act. It would be more appropriate if a Bill to achieve this

purpose was brought down in the form of an amendment to the Local Government Act. Since the High Court decision made it certain that the State Electricity Commission was liable to be rated, I have spent many hours with officers of various municipalities in an endeavour to find a solution to the problem whereby the municipalities would not have to negotiate, from time to time, the amount of money they were to receive either in lieu of rates or as an *ex gratia* payment. I have endeavoured to find a formula with which to determine the appropriate amount on a proper basis. The Bill, as drafted, determines that basis because it provides that all State Electricity Commission offices that are combined with trading centres, together with similar businesses operating in the same area shall be liable to be rated.

Clause 3, which inserts a new section 105A in the principal Act, makes definite provision that the State Electricity Commission shall not pay rates and shall be deemed never to have paid rates. I accept that provision, but I should like to know why the Minister, in his second-reading speech, stated that it was not intended that the South Melbourne City Council should be asked to return what it had received by the sheriff's order. This measure is being pushed through the House although the Minister's second-reading notes implied that there was no intention on the part of the State Electricity Commission to recoup the rates that have been collected by the South Melbourne City Council. This Bill will have a discriminatory effect because the Morwell Shire Council has issued a rate notice to the State Electricity Commission.

The Hon. A. W. KNIGHT.—The Morwell council withdrew its rate notice.

The Hon. H. A. HEWSON.—The council withdrew its court action, but not the rate notice. If it is good enough for the South Melbourne council to collect rates and for it not to be asked to return the money thus collected, though the Bill provides that the Commission shall be deemed never to have been rateable, it is good enough for the Morwell council to have its slice of the cake. In a letter addressed to me, the secretary of the Morwell Shire Council, Mr. R. J. Lord, clearly outlined where it stood and why it acted as it did. I shall not read the whole letter, but the extracts which I shall quote are relevant to the Bill. It reads—

> We ask you, as our honorable member for this province to bear in mind that we are, and will be, one of the very few municipalities in Victoria, and the only one in the country to suffer substantially as a result of the great discoveries of oil and gas in Bass Strait. We are scheduled to lose a $10 million industry next year when the Lurgi Gassification Plant closes but more importantly we have people who are to be made redundant and we have a genuine concern for the welfare of our people.
>
> I know that you will understand the righteousness and justice of Morwell's action in rating the State Electricity Commission. We find it necessary to do this. We are in fact under a statutory duty to rate all lands deemed to be rateable. As the administrator of this municipality I have no right to exempt myself from rating or to exempt my friends from rating.
>
> The High Court of Australia deems the State Electricity Commission to be rateable in many respects and as such we are discharging the powers and responsibilities vested in us by Parliament.

The Hon. ARCHIBALD TODD.—The Morwell Shire Council took no action in that regard.

The Hon. H. A. HEWSON.—Yes, it did. I do not propose to argue on that point, however, as it is irrelevant. It is well known that the Morwell council took action, but whether it did so following the action of the South Melbourne council is beside the point. The letter continues—

> It would be wrong of us to do otherwise. We are not being greedy. We are simply discharging the duties reposed in us under the Local Government Act. You will understand therefore, that we have a very difficult problem in front of us.
>
> . . . . . .
>
> I am also enclosing copies of the Supreme and High Court judgments in the case of City of South Melbourne and the State Electricity Commission.

I also enclose for your own information and the information of your colleagues, a copy of a letter received from the Municipal Association of Victoria which has been addressed to Local Government generally and advises that the Legislative Committee of the Association opposes this Bill and invites councils to express their views to Parliamentary members for the district on the measure before Parliament tomorrow.

I mentioned to you yesterday on the telephone that the vital information promised to this council by the State Electricity Commission's Secretary, to whom I was referred by the Honorable the Minister for Fuel and Power, has not been received by me so it is difficult for me to advise my council on vital matters concerning the effect of this legislation and in my opinion, this is a good reason why the Government ought to abandon this piece of legislation.

I understand there is to be a Bill introduced by the Minister for Local Government soon to adjust other anomalies of rating instrumentalities of the State.

I fail to see why the Government cannot drop this unfortunate Bill now and have the State Electricity Commission matter much more carefully examined before rushing legislation through the Parliament when major court actions are pending.

I interpolate at this stage to point out that this letter was written before the amendments proposed by my colleagues and me were accepted by the Minister.

I would like you to know that my Council does not want to sue the Government. It does not like doing this. It is forced to do it. The Honorable the Minister for Fuel and Power believes the High Court decision is wrong and that we are wrong, and that in the fullness of time retrospective legislation will be enacted to make certain that the High Court of Australia is wrong, and that the Morwell Shire Council and other Councils carrying out their statutory duty to rate all rateable properties are wrong. Mr. Balfour feels that the whole thing has about it a Gilbert and Sullivan touch. Those of us in Local Government with due regard for the dignity of Government at all levels do not consider that warrants for the seizure of goods and chattels by the third arm of Government against the second arm of Government is Government conducted on the highest moral plane.

It will be a sad day if after retrospective legislation is enacted the sheriff moves again to seize the money or the goods and chattels of the third arm of Government simply because the State Electricity Commission considers itself to have been compelled to pay a municipality its rates under duress.

It is our belief that the Minister and the Commission, having failed to seek an injunction to restrain the City of South Melbourne and therefore to seek an appeal to the Privy Council ought to accept the decision of the High Court.

It would be good enough for us. The circumstances in which we find ourselves placed today as a country municipality are unfortunate and regrettable.

The Hon. G. W. THOM.—Are you making your own speech, or are you quoting someone else?

The Hon. H. A. HEWSON.—I am reading a letter from the secretary of the Shire of Morwell, who outlined his council's opinion concerning the position which existed at that stage. The points that he made are relevant and in order because at the time the High Court had ruled that the State Electricity Commission was rateable. As a responsible officer and administrator of a shire council, the Morwell shire secretary was duty bound under the Local Government Act to carry out the regulations and rules relating to local government.

The Hon. A. W. KNIGHT.—He should have done that earlier.

The Hon. H. A. HEWSON.—I am not arguing on that aspect. Mr. Lord goes on to say—

We do not wish to be engaged in dragging the State Electricity Commission through the courts. There has been a long and happy and beneficial association between this municipality and the State Electricity Commission for many years, and so, we turn to you, the Parliamentary Country Party and ask you please to see to it that the rights and the powers and the responsibilities vested in us, under the Local Government, Act, and upheld by the High Court of Australia shall not be taken from us.

Mr. Balfour's argument about Street Lighting is not at all strong. Just how great is this concession? Ratepayers here in Morwell pay the whole cost of lighting the Princes Highway. We keep all street lights burning throughout the hours of darkness as a service to the 22,000 citizens of this shire and visitors to the area. The Minister's own argument on this issue of street lighting is not at all convincing. Last financial year we paid the State Electricity Commission $22,949.42 for street lighting and light and power for Council properties. This amount is greater that the Commission's ex gratia contribution of $17,500. All councils studying the Minister for Fuel and

Power's statement on street lighting in *Hansard*, 1st October, 1968, may ask—just how big is the concession on street lighting.

There is so much more that could be said but we will be content to leave this matter to the good judgement of you and your parliamentary colleagues.

That is where the matter stands at this stage. It has been left to the good judgment of my colleagues and myself. I have made it clear that I have never held the opinion that the State Electricity Commission should have been rated on any thing other than its trading premises and administrative premises wherever they are operated on a combined basis.

I made it clear to the Morwell shire secretary that I would submit a case for the shire—the council was entitled to have a case submitted on its behalf—but I also made it clear that this would not be my personal opinion. Having submitted a case on behalf of the Morwell shire Council, I presume that I am now at liberty to express my opinion concerning this legislation. I believe street lighting is a matter which could be dealt with at a later stage, or perhaps the Minister who is handling this Bill could indicate where we stand on this matter. It is unfair that municipalities should bear the cost of street lighting on public highways and main roads. This would be all right if all municipalities were on the same basis, but in some districts there are many more towns along highways than in others, and a formula should be worked out whereby the State Electricity Commission and the Country Roads Board could make a contribution on a more equitable basis than at present.

The Hon. A. W. KNIGHT.—Would the New South Wales formula be satisfactory?

The Hon. H. A. HEWSON.—It would be better than the one which operates in Victoria. I should like to place on record my appreciation for the co-operation of the Minister for Fuel and Power during a very trying period, when all councils throughout the State had been advised by the secretary of the Municipal Association that they should oppose this Bill on the grounds of the court's ruling. It was the duty of the Municipal Association to point out to councils that their administrative officers were required to carry out the regulations. It is generally accepted by the majority of people living in the Latrobe Valley that the establishment of the State Electricity Commission and other large public utilities, namely, the Gas and Fuel Corporation, are vital to the welfare of the Latrobe Valley. I have had the opportunity of canvassing many people throughout the Latrobe Valley and I know their reactions on the question whether or not the properties of the State Electricity Commission should be rated. The people are aware of the important role played by the Commission in the development of the area, and are unanimous that the public relations of the Commission are extremely good. The State Electricity Commission has contributed to the welfare of the area in which it operates, and the people appreciate the assistance that it has given to the various organizations.

The Country Party believes that this measure has been given careful consideration, and that the Commission should not be a rateable utility. It is unfortunate that the Government did not take steps to ensure this position. It was possibly self-confidence on the part of the Commission that it did not ensure that it should not be rated. My party is in favour of this measure, and I see no reason why Government instrumentalities should be rated. I had hoped to elaborate on the 3 per cent. turnover tax levied on the Commission by the Government. This was a clear indication that the Commission was not under Government control and therefore the Treasurer wanted to have a " whack " at it. That tax must have repercussions on the charges of the Commission because a considerable sum of money has been collected from this source.

The Hon. W. M. CAMPBELL.—What is the alternative?

The Hon. H. A. HEWSON.—If the Commission is not deemed to be rateable then it should not be taxed either.

The Hon. W. M. CAMPBELL.—What is the alternative so far as revenue is concerned?

The Hon. H. A. HEWSON.—I am not here to work out alternatives for the Government. No particular instrumentality should be selected to make up the deficit in a Budget. It was the policy of former Governments not to rate or tax Government instrumentalities, and that policy should be continued so far as the State Electricity Commission and the Gas and Fuel Corporation are concerned.

The Hon. G. J. O'CONNELL (Melbourne Province).—The Government has introduced this Bill because of a Supreme Court decision that the City of South Melbourne was entitled to levy rates on property owned by the State Electricity Commission in that municipality. The Commission was not satisfied with the decision, and it appealed to the High Court, which decided that the City of South Melbourne was within its rights in charging rates to that instrumentality.

Every honorable member has received letters from municipalities asking them to oppose this Bill. I have received a number of them but I propose to read only one, which was from the City of Fitzroy, dated 26th November, 1968, as follows—

At a meeting of Council held on Monday, 11th November, 1968, a circular was received from the Municipal Association of Victoria pointing out that the State Government, through the Minister for Fuel and Power, the Honorable J. C. M. Balfour, M.P., has introduced into the Legislative Assembly a Bill to amend the State Electricity Commission Act.

The Bill arises from a decision of the Supreme Court of Victoria, upheld on appeal to the High Court of Australia, that the State Electricity Commission is liable to pay municipal rates in respect of land which it occupies and holds the fee simple. Under the conditions of the Bill, the Commission will be exempt from rating except in respect of premises where the business of trading in electrical appliances is conducted.

The Government at present is inquiring into the problem of non-rateable property, yet at the same time has seen fit to introduce legislation to exempt from rating a State undertaking which the highest legal tribunal in Australia unanimously held to be rateable.

In opposing the Bill, the Legislative Committee of the Municipal Association of Victoria, points out its concern of the growing number of non-rateable properties which over a period of years the State Government has shown a surprising inability to tackle, compared to the haste in attempting to negate a successful action by a Council against a State undertaking to pay rates.

Council completely endorses the actions of the Association and asks your support in opposing this Bill.

I reiterate my opposition to clause 3. It is anomalous that municipalities should be deprived of the right to collect rates from businesses or residences that have been taken over by the Commission. Some of these properties have been rateable to the municipality for years. Some municipalities are penalized more than others, and this is particularly so in respect of the Richmond City Council.

The State Electricity Commission is one of the largest property owners in Richmond; it has property assets to the value of $4,000,000. Its net annual valuation is $200,000 which, at the current figure of 12.5 cents in the $1, would, if rateable, realize revenue amounting to $25,000 per annum. In his second-reading speech, the Minister for Local Government stated that the City of Richmond received a grant of $3,000 per annum from the Commission. This payment is not in lieu of rates but is to assist in the maintenance of roads in the vicinity of the State Electricity Commission works in Richmond. When the value of the works and properties owned by the Commission in Richmond are considered, the Richmond City Council believes that it should be

paying to the council in rates approximately three times the present grant. I shall cite some of the properties concerned: The district depot in Rooney-street—it was formerly a tannery; the property in Madden-grove—it was formerly the Albion Quarrying Company; the terminal station in Mary-street; the electrical workshops and depot in River-street; the laboratory in Howard-street; and the radio station site in Brighton-street.

Further, 28 sub-stations are located in Richmond, and the dimensions of the areas they encompass are amazing, ranging from 44 ft. x 47 ft. at the corner of Balmain and Dover streets, down to 11 ft. 9 in. x 34 ft. in Lord-street, and up to 183 ft. x 130 ft. at the corner of Bromham-place and Tweedie-place. The sum of $3,000 paid by the State Electricity Commission to the Richmond City Council is a mere bagatelle when compared with the cost to the municipality of the upkeep of roads and footpaths to the Commission areas.

The council has approached the Commission on many occasions to obtain a larger grant, but it has always been refused. I have not mentioned the damage to the roads, footpaths and channelling in the City of Richmond. These works are continually going on, and the amount paid to the council for reinstatement is 59 cents for roads, 50 cents for footpaths and 47 cents per square yard for channelling. However, it costs the council in excess of $200 to have a pole removed; yet the Commission requires the council to pay $70,913 per annum for light, power and street lighting, in return for the grant of a mere $3,000. The Commission also had the audacity to write to the council asking whether it would raise any objection to an application to the Lands Department to a transfer of land in River-street from the council to the Commission for the purposes of a car park. This would take away part of a wonderful reserve called O'Connell Reserve.

The Hon. G. J. O'Connell.

Many of the properties acquired by the Commission were previously rateable. However, applications by the council for an extra grant or subsidy have been rejected. I support my colleagues in their opposition to clause 3.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, relating to section 50 of the principal Act.

The Hon. R. J. HAMER (Minister for Local Government).—Although Mr. Knight indicated that the Labor Party would vote against clause 3, which relates to rating of Commission property, I gained the impression that he was, after all, in favour of the Bill. He said that, in his opinion, the State Electricity Commission should not be rated on its mines, substations, switch yards, generating plant and so on, but that it should pay the equivalent of rates on its showrooms, electrical apparatus rooms and the buildings in which they are conducted. When it is all worked out, there is not much left in between—perhaps only the briquette yards remain. I believe there is considerable unanimity on the Bill and that not many people think all the operations of the State Electricity Commission should be rated. Many people fear that, if this were so, the consumers and the municipalities in general would be worse off.

The Local Government Act contains a comprehensive list of exemptions from rating. It is unthinkable that, if anyone had thought the State Electricity Commission was liable to be rated, it would not have been included in this list which includes any authority under the Water Act, the Victorian Railways Commissioners, the Ministers of Education, Public Works and Lands, the Railway Construction Board, the Commissioners of the Melbourne Harbor Trust, the Melbourne and Metropolitan Board of Works, the Commissioners of the Geelong Harbor Trust,

the Geelong Waterworks and Sewerage Trust, the National Art Gallery and Cultural Centre and the Commissioners of the Portland Harbor Trust. If anyone had thought that the Commission would be rated, no difficulty would have been experienced in including the Commission on the same basis as the other authorities in this comprehensive list of exemptions.

The Hon. A. R. MANSELL.—Are not local government authorities objecting to all those exemptions, and the State Electricity Commission is only an example?

The Hon. R. J. HAMER.—I am saying that the Commission is not an exception. It is in the same category; at the moment it is exempt from rating. This Bill only restores the *status quo* to provide that the Commission is not rateable, whilst the Government examines rating exemptions. Justification for the Bill is the fact that the Commission has received rate notices totalling more than $500,000.

The Hon. G. J. O'CONNELL.—That is a mere bagatelle.

The Hon. R. J. HAMER.—It may be a bagatelle to the City of Richmond, but I can assure Mr. O'Connell that it is not a bagatelle to the State Electricity Commission. Before this Bill was introduced in another place, the Shire of Morwell issued a writ for $350,000 in rates. Therefore, it was necessary to introduce the Bill to restore the *status quo*. In fact, the Bill takes the matter a little further and provides that the Commission shall pay more in lieu of rates than it does now. It is already paying $450,000 a year, but this amount will increase under the provisions of the Bill.

Mr. O'Connell and Mr. Hewson referred to street lighting charges and I agree that, in relation to State highways and possibly main roads, there is a case for a contribution to local government expenditure. Mr. Knight instanced the New South Wales formula which is on a four-way basis, under which municipalities, the State Electricity Commission, the Main Roads Board and the Government all participate. The Government is in fact considering something along those lines.

Clause 3, which is the crux of the Bill, does no more than preserve the *status quo*. As nobody regards the Bill as any more than an interim measure, pending a full review of rating exemptions, in which the Government is now engaged, there is ample justification for the Bill.

The clause was agreed to.

Clause 3 (As to rateability of Commission property).

The Committee divided on the clause (the Hon. G. J. Nicol in the chair)—

Ayes	23
Noes	9
Majority for the clause	14

AYES.

Mr. Bradbury	Mr. Hewson
Mr. Byrne	Mr. Houghton
Sir Percy Byrnes	Mr. Hunt
Mr. Campbell	Mr. McDonald
Mr. Chandler	Mr. May
Mr. Dickie	Mr. Mitchell
Mr. Fry	Mr. Swinburne
Mr. Gleeson	Mr. Thom
Mr. Grimwade	Mr. Thompson.
Mr. Gross	*Tellers:*
Mr. Hamer	Mr. Granter
Mr. Hamilton	Mr. Mansell.

NOES.

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

Clause 4 was agreed to.

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

LAND TAX 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.

MARRIED WOMEN'S SUPERANNUATION FUND 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.

CHIROPODISTS 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.

CRIMES (EVIDENCE) 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.

ADJOURNMENT.

FORESTS COMMISSION: FIRE PROTECTION.

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

That the Council, at its rising, adjourn until tomorrow, at Eleven o'clock.

The motion was agreed to.

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

That the House do now adjourn.

The Hon. ARCHIBALD TODD (Melbourne West Province).—Following the recent bush fires in New South Wales, expressions of concern have emanated from the chairman of the Forests Commission and other sources connected with fire fighting in this State. Reference has been made in this Chamber to the fact that this year the Forests Commission is on a low budget and consequently has been compelled to retrench employees. I ask the Minister in charge of the House to take this matter up with the Minister of Forests with a view to ascertaining whether some statement can be made in the House on what the Government intends to do to ensure that the forests of this State are sufficiently protected during the summer period.

The motion was agreed to.

The House adjourned at 11.47 p.m.

Legislative Assembly.

Tuesday, December 3, 1968.

The SPEAKER **(the Hon. Vernon Christie)** took the chair at 2.15 p.m., and read the prayer.

BUSINESS NAMES ACT.

NORTH SIDE PROMOTIONS (MANAGEMENT AND BOOKING AGENCY).

Mr. WHEELER (Essendon) asked the Premier—

1. Whether an organization trading as North Side Promotions, 1A Belair-avenue, Glenroy, is registered under the Business Names Act 1962 the Sunday Entertainment Act 1967, or any other appropriate Act?

2. Who are the office bearers and/or trustees?

3. Whether the organization conducts dances at Broadmeadows Town Hall on Sundays for charity; if so, what charities have benefited, and by how much?

Sir HENRY BOLTE (Premier and Treasurer).—The answers are—

1. North Side Promotions (Management and Booking Agency) is registered under the Business Names Act 1962. There is no requirement for the organization to be registered under the Sunday Entertainment Act 1967 or any other Act.

2. Mr. William Landeryou and Mr. William Reginald Tracey are partners in the firm.

3. The Broadmeadows Town Hall was booked for two concerts which were held on the 20th October, 1968, and the 24th November, 1968, respectively, but it is understood that dancing took place at both these functions. It is not known whether any charities have benefited or by how much.

PUBLIC WORKS DEPARTMENT.

REPORT BY P.A. MANAGEMENT CONSULTANTS PTY. LTD.

Mr. EDMUNDS (Moonee Ponds) asked the Premier—

If he will lay on the table of the Library a copy of the P.A. Management Consultants Pty. Ltd. report on phase 1 of their investigations into the Public Works Department; if not, why?

Sir HENRY BOLTE (Premier and Treasurer).—The answer is "No". This is a confidential report which has not yet been fully considered by the Public Service Board or the Government.

LAND TAX OFFICE.

STAFF: TRANSFER TO VALUER-GENERAL: MUNICIPAL VALUATIONS.

Mr. WILKES (Northcote) asked the Treasurer—

1. How many valuers are employed by the Land Tax Office?

2. How many of these valuers will be transferred to the staff of the Valuer-General, and when?

3. What amounts are paid by the office for the use of municipal valuations?

4. Which municipalities' valuations are used by the office?

Sir HENRY BOLTE (Premier and Treasurer).—The answers include a lengthy list of place 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. Thirty-six qualified valuers.

2. Subject to the passing of the relevant amendments to the Valuation of Land Act and the Land Tax Act all the valuers will be transferred. The transfer is expected to take place by mid-1969.

3. The amounts paid by the Commissioner of Land Tax for the valuations of unimproved capital values have been based on a determination by the Valuer-General in accordance with sub-section (7) of section 7 of the Valuation of Land Act. The determination stated that the cost of valuing unimproved capital value was one-third of the total cost of a valuation. This cost is shared with any other rating authority which uses the unimproved capital value.

4. Shire of Alberton, Shire of Arapiles, Shire of Avoca, Shire of Bacchus Marsh, Shire of Bairnsdale, Town of Bairnsdale, Shire of Bannockburn, Shire of Birchip, Shire of Bright, Shire of Buln Buln, Town of Camperdown, Shire of Chiltern, Shire of Cohuna, Shire of Colac, City of Colac, Shire of Daylesford and Glenlyon (portion formerly Borough of Daylesford), City of Echuca, Shire of Euroa, Shire of Healesville, Shire of Kara Kara, Shire of Kerang, Borough of Kerang, Shire of Kilmore, Borough of Koroit, Shire of Kyneton, Shire of Leigh, Shire of Lexton, Shire of Lilydale, Shire of Maffra, City of Maryborough, Shire of Mirboo, Shire of Mount Rouse, Shire of Nathalia, Shire of Oxley, Borough of Port Fairy, Shire of Rochester, Shire of Rodney, City of Sale, Shire of Seymour, Shire of Shepparton, Shire of South Gippsland, Town of St. Arnaud, City of Swan Hill, Shire of Swan Hill, Shire of Talbot and Clunes, Shire of Tullaroop, Shire of Tungamah, Shire of Upper Murray, Shire of Warragul, Shire of Wodonga, Shire of Newham and Woodend, Shire of Yea.

TAX ON PRIMARY PRODUCTION LAND: NUMBER OF ASSESSMENTS.

Mr. CLAREY (Melbourne) asked the Treasurer—

1. What amount was payable last calendar year in respect of land tax on land used for primary production?

2. What number of taxpayers was so assessed?

Sir HENRY BOLTE (Premier and Treasurer).—The answers are—

1. Approximately $2,300,000.

2. This figure is not readily available from land tax records as many land tax assessments include both land used for primary production and other land.

GOVERNMENT DEPARTMENTS AND INSTRUMENTALITIES.

EXPENDITURE: LOANS: PERSONNEL: SALARIES AND WAGES.

Mr. GINIFER (Deer Park) asked the Treasurer—

In respect of each of the following authorities, viz.:—the Hospitals and Charities Commission, the Mental Health Authority, the Forests Commission, the State Electricity Commission, and the Grain Elevators 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*) total loan liability at 30th June, 1968; (*e*) number of personnel employed at 30th June, 1968; (*f*) total amounts expended on salaries and wages in the financial year 1967-68; (*g*) the chairman's salary; (*h*) the deputy chairman's salary; and (*i*) a member's salary?

Sir HENRY BOLTE (Premier and Treasurer).—The answer is in tabulated form, 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:—

—	(a) Capital expenditure for the financial year 1967–68.	(b) Revenue expenditure for the financial year 1967–68.	(c) Amount of loans raised during the financial year 1967–68 (incl. refinancing).	(d) Total loan liability at 30th June, 1968.	(e) Number of personnel employed at 30th June, 1968.	(f) Total amounts expended on salaries and wages in the financial year 1967–68.	(g) The chairman's salary.	(h) The deputy chairman's salary.	(i) A member's salary.
	$	$	$	$	$	$	$	$	$
Hospitals and Charities Commission	12,534,993	43,445,983	Nil. Capital expenditure is financed from Govt. Loan Fund.	153,465,648	29,682	67,714,222	14,650	11,550	11,100
Mental Health Authority ..	4,985,543	21,339,064	,,	43,222,887	5,082	13,244,535	14,650	12,550	10,500
Forests Commission ..	2,759,101	5,949,869	,,	40,656,661	2,325	5,839,065	12,300	No provision.	10,500
State Electricity Commission	102,798,611	195,877,059	67,186,800	836,137,467	21,900	86,104,274	17,950	,,	2,250
Grain Elevators Board ..	1,955,000	7,903,500	1,950,000	25,756,000	320	930,000	11,800	,,	Railway member, $600 Wheat growers' representative, $2,000

CASH TURNOVER.

Mr. MUTTON (Coburg) asked the Premier—

What was the total cash turnover of the State Rivers and Water Supply Commission, the Victorian Railways, the Melbourne and Metropolitan Tramways Board, the Country Roads Board and the Melbourne and Metropolitan Board of Works, respectively, during the financial year 1967–68?

Sir HENRY BOLTE (Premier and Treasurer)—The answer is—

Assuming that by "total cash turnover" the honorable member means the total of loan moneys received, allocations from Consolidated Revenue and all other revenues collected by the authorities concerned, the turnovers are:—

	$
State Rivers and Water Supply Commission	46,400,000
Victorian Railways	220,600,000
Melbourne and Metropolitan Tramways Board	20,800,000
Country Roads Board ..	73,400,000
Melbourne and Metropolitan Board of Works	100,800,000

VICTORIAN ARTS CENTRE.

CHARGES FOR ADMISSION.

Mr. EDMUNDS (Moonee Ponds) asked the Chief Secretary—

What consideration has been given to admitting the public free of charge to the Arts Centre in 1969?

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

Consideration was given to the whole question of charges prior to the opening of the new National Gallery last August.

At this time, the Government approved a recommendation of the Council of Trustees of the National Gallery that a nominal fee should be charged for admission to the gallery, the money so collected to be used to enhance and add to the collections already held in trust by the council. This fee is to be introduced on the 1st January, 1969.

I would point out that until the beginning of next year, members of the public have the opportunity of visiting the new gallery and seeing and appreciating the fine art collection it houses free of charge.

MOTOR VEHICLES.

NATIONAL DRIVING LICENCES.

Mr. GINIFER (Deer Park) asked the Chief Secretary—

Whether any discussions have taken place between the States and the Commonwealth regarding the question of national driving licences; if so, what was the outcome of such discussions?

Sir ARTHUR RYLAH (Chief Secretary).—No such discussions have taken place.

POLICE DEPARTMENT.

GEELONG DISTRICT: STRENGTH OF FORCE: ESTIMATED POPULATION: HOURS OF DUTY: CLERICAL DUTIES.

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

1. What is the numerical strength of the Police Force in the Barwon district (Geelong)?

2. Where police are stationed throughout the Geelong area?

3. What has been the comparative strength over the last ten years?

4. What number of police is on duty between the hours of midnight and 8 a.m. daily, and what police stations are not open during these hours?

5. What number of police is employed on full-time clerical duties in the district?

6. Whether consideration is being given to increasing police strength in the district in the near future?

7. What estimated population is covered by the above district?

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

1. One hundred and forty-six. In addition there are three police reservists attached to the district.

2. Belmont, Geelong, Geelong East, Geelong North, Geelong West, Newtown and Norlane.

3.

Year.	Strength. (As at 31st December, 1968).
1958	117
1959	118
1960	120
1961	121
1962	126
1963	126
1964	130
1965	132
1966	136
1967	140

4. Eight members are on duty at all times during the period in question and an additional sixteen members are on duty for varying periods during the hours in question. Geelong police station is open continuously during the period in question whilst Belmont, Geelong East, Geelong North, Geelong West, Newtown and Norlane are open for varying periods during the hours in question.

5. Seven.

6. Yes. Considerations will be given to increasing the strength at Geelong early in the new year when police commitments in respect of holiday resorts have been completed.

7. One hundred and forty-seven thousand.

COUNTRY ROADS BOARD.

SALARIES AND CONDITIONS OF TECHNICAL PERSONNEL.

Dr. JENKINS (Reservoir) asked the Minister of Public Works—

1. What negotiations have been conducted, this year, by the Country Roads Board with technical personnel who are members of the Association of Architects, Engineers, Surveyors and Draughtsmen of Australia, concerning salaries and conditions of employment?

2. What are the existing salaries and conditions of employment of these personnel?

3. Whether the Board is permitted to reach agreement on these matters, or whether it is prevented from so doing by any Government Department?

4. What are the claims of the association?

5. Why the Board has not reached an agreement with the association?

6. Whether the delay in reaching an agreement is due to Government policy, and whether it is causing staff unrest in the Board?

Mr. PORTER (Minister of Public Works).—As the answers are lengthy, 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. Discussions have been held concerning the association's claim for increased salaries for its members and in particular concerning a request that the increased salaries awarded to Commonwealth Public Service technical grade officers and State Electricity Commission's technical officers be translated into the Board's salary structure. Discussions have also been held on several occasions during the year between representatives of the Board and representatives of the association concerning the Board's conditions of employment relating mainly to overtime rates, higher duties allowances and appeal procedures.

2. The following are the existing award salaries including the recent national wage increase of $1.35 per week for draughtsmen, engineering assistants, engineering surveyors, experimental officers, survey assistants and other technical classifications:—

—	Educational Standard.	
	Leaving Certificate. Per Annum.	Matriculation Certificate. Per Annum.
	$	$
Class 1—Age—		
16	1,322	1,453
17	1,587	1,718
18	1,850	1,981
19	2,114	2,272
20	2,405	2,510
21	2,643	2,747
	2,747	2,872
	2,872	2,997
	2,997	3,122
	3,122	3,299
	3,299	3,454
	3,454	3,610
	3,610	3,834
	3,834	..

	$
Class 2	4,141
	4,215
	4,287
Class 3	4,574
	4,742
	4,914
Class 4	5,166
	5,363
	5,560
Class 5	5,912
	6,107
	6,304
Class 6	6,745
	6,939
	7,136

A copy of the Board's conditions of employment for salaried staff will be made available to the honorable member.

3. The Board is permitted to reach agreement on such matters subject to the exercise of co-ordination with other State Government organizations.

4. In a letter dated 30th November, 1967, the association claimed salary increases of 30 per cent. in margins. More recently the claim has been for retrospective translation into the Board's salary structure of the increased salaries awarded to Commonwealth Public Service technical grades and technical officers of the State Electricity Commission. The letter dated 30th November, 1967, also sought amended conditions of employment relating to overtime and higher duties allowances. Other claims concerning conditions of employment are included in the association's log of claims served on the Board in 1965.

5 and 6. Co-ordination with other State Government organizations is still proceeding and the Board's activities are not being affected by this matter.

PROPERTIES ACQUIRED: COMPENSATION: SOLATIUM PAYMENTS: UNSETTLED CASES.

Mr. WILKES (Northcote) asked the Minister of Public Works—

1. How many house properties have been acquired by the Country Roads Board since the introduction of the Valuation of Land Act 1960?

2. What total compensation was paid?

3. In how many cases solatium was paid?

4. In how many cases no solatium payment was made, and whether the majority of these cases were subsequent to the decision given by Mr. Justice Barbour?

5. How many cases remain unsettled, and whether it is proposed to pay solatium in any of these cases?

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

1. Eight hundred and sixty-seven.

2. The sum of $10,668,152.

3. Nil—the Board has no power to include solatium in its assessment of compensation.

4. Eight hundred and sixty-seven, including 96 since Mr. Justice Barber's decision in the case *March and Healy* v. *the City of Frankston*, dated 10th April, 1968.

5. Sixty-three house properties including one where the Land Valuation Board of Review included solatium in its award. See also answer to question No. 3.

EXTRACTIVE INDUSTRIES.

HEATHERTON ELECTORATE: PERMITS: ZONING OF AREAS.

For **Mr. BILLING** (Heatherton), Mr. Scanlan asked the Minister of Public Works, for the Minister for Local Government—

1. How many applications under the Town and Country Planning Act 1961 have been lodged with the Melbourne and Metropolitan Board of Works since January, 1956, for permits to establish extractive industries in the Heatherton electorate—being the City of Springvale, City of Oakleigh, and City of Moorabbin?

2. How many permits have been granted —(*a*) by the Melbourne and Metropolitan Board of Works as the planning authority; and (*b*) by the Minister, following appeals by either the applicant or objectors?

3. What total area is covered by the permits issued?

4. Whether the Melbourne and Metropolitan Board of Works (as the planning authority) has zoned any area in the cities of Springvale, Oakleigh and Moorabbin for the purpose of extractive industry only?

5. Whether the Minister or the planning authority has made any recent requests to the councils of the cities of Springvale, Oakleigh and Moorabbin, to suggest any areas which might be zoned for extractive industry purposes?

6. Whether, if no requests have been made, the Minister will consider the initiation of inquiries by the planning authority to bring about the zoning of areas in these cities for extractive industries?

Mr. PORTER (Minister of Public Works).—The answers to these questions involve a considerable amount of research. The information will therefore be conveyed to the honorable member as soon as it is compiled.

SAND QUARRIES: INSPECTIONS: APPLICATIONS FOR PERMITS.

For **Mr. BILLING** (Heatherton), Mr. Scanlan asked the Minister of Mines—

1. How many sand quarries are being operated in the Heatherton electorate in the cities of Springvale, Oakleigh and Moorabbin, and who are the proprietors?

2. At what intervals inspections of these quarries are made to ensure that safe mining procedures are being observed?

3. How many inspectors are available for this purpose?

4. How many applications for extractive industry permits have been made in the cities of Springvale, Oakleigh and Moorabbin, under the Extractive Industries Act 1966 and regulations?

5. By whom these applications have been made, and what area is contained in each application?

Mr. BALFOUR (Minister of Mines).—The answer to question No. 1 consists of a list of 25 companies and, with the leave of the House, I should like it incorporated in *Hansard* without my reading it.

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

1. Twenty-five sand quarries are being operated in the Heatherton electorate. The proprietors are as follows:—

City of Springvale.

Dingley Sand Pty. Ltd.
Springvale Washed Sand Pty. Ltd.
Ready Mixed Concrete (Vic.) Pty. Ltd.
James Michael Maher.
A. L. McDevitt & Co. Pty. Ltd.
South Suburban Sand Company Pty. Ltd.
Allied Sand Pty. Ltd.
Baxters Sand (Springvale) Pty. Ltd.
Albion Reid Pty. Ltd.
Charles Pirotta & Sons Pty. Ltd.
Rowlands Quarries (Clayton) Pty. Ltd.

City of Oakleigh.

Consolidated Quarries Ltd.
K. Morris.
Praznovsky Carriers Pty. Ltd.
Elder Sand Pty. Ltd.
Cleal Brothers.
Sydney John Brown.
R. Wright & Co.
Albion Reid Pty. Ltd.
Rowlands Quarries (Clayton) Pty. Ltd.

City of Moorabbin.

A. J. Baxter Pty. Ltd.
Praznovsky Carriers Pty. Ltd.
Consolidated Quarries Pty. Ltd.
Cavanagh Sand Supply Pty. Ltd.
Central Sand Company Pty. Ltd.

Mr. BALFOUR.—The answers to questions Nos. 2, 3 and 4 are—

2. Inspections are made, on average, at monthly intervals. To meet special needs or to investigate complaints, inspections would be made more frequently.

3. The electorate of Heatherton is within an inspectorial district controlled by one inspector.

4. The Mines Department has received applications for extractive industry licences in respect of 37 new and existing industries within the cities of Springvale, Oakleigh and Moorabbin. Five of these are for existing industries outside of the electorate of Heatherton.

The answer to question No. 5 consists of a list of 50 firms and the acreages involved and, again with the permission of the House, I should like it incorporated in *Hansard* without my reading it.

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

5. Applications have been made by the following for the areas shown:—

City of Springvale.	Acres.
Dingley Sand Pty. Ltd.	48
Springvale Washed Sand Pty. Ltd.	40
Ready Mixed Concrete (Vic.) Pty. Ltd.	54
James Michael Maher	9
A. L. McDevitt & Co. Pty. Ltd.	9
South Suburban Sand Company Pty. Ltd.	18
Allied Sand Pty. Ltd.	21
Baxters Sand (Springvale) Pty. Ltd.	20
Albion Reid Pty. Ltd.	50
Ready Mixed Concrete (Vic.) Pty. Ltd.	21
Charles Pirotta & Sons Pty. Ltd.	30
Charles Pirotta & Sons Pty. Ltd.	14
Rowlands Quarries (Clayton) Pty. Ltd.	30

City of Oakleigh.	Acres.
Rowlands Quarries Pty. Ltd.	9
Consolidated Quarries Ltd.	26
Rowlands Quarries Pty. Ltd.	14½
Rowlands Quarries Pty. Ltd.	48
Oakleigh Brick Company Ltd.	22
Castal Moulding Sand Pty. Ltd.	19
Glen Iris Brick, Tile & Terra Cotta Company Pty. Ltd.	20
K. Morris	11
Praznovsky Carriers Pty. Ltd.	15
Elder Sand Pty. Ltd.	22
Winifred May Rowe	4
Cleal Brothers	15
Sydney John Brown	3½
R. Wright & Co.	10
Albion Reid Pty. Ltd.	22
Monier Supplies (Vic.) Pty. Ltd.	73
Rowlands Quarries (Clayton) Pty. Ltd.	87

City of Moorabbin.	Acres.
A. J. Baxter Pty. Ltd.	26
Praznovsky Carriers Pty. Ltd.	29
Consolidated Quarries Ltd.	85
Rowlands Quarries Pty. Ltd.	30
Cavanagh Sand Supply Pty. Ltd.	13½
Central Sand Company Pty. Ltd.	14
W. G. Johnson & Co. Pty. Ltd.	5½

MELBOURNE AND METROPOLITAN BOARD OF WORKS.

PAYMENTS TO UPPER YARRA SHIRE.

Mr. MUTTON (Coburg) asked the Minister of Public Works, for the Minister for Local Government—

Whether he will ascertain and inform the House—

1. What amounts of money were paid to the Shire of Upper Yarra by the Melbourne and Metropolitan Board of Works, pursuant to section 227

of the Melbourne and Metropolitan Board of Works Act 1958, during each of the financial years ended 30th June, 1963, 1964, 1965, and 1966?

2. Whether the Shire of Upper Yarra paid these sums into its general account?

3. For what purpose the Shire of Upper Yarra spent such sums in each of these financial years, specifying the amount of each item of expenditure?

4. Whether any sum has been paid to the Shire of Upper Yarra by the Board, pursuant to section 227 of the Act, during the financial years ended 30th June, 1967 and 1968?

Mr. PORTER (Minister of Public Works).—The answers provided by the Minister for Local Government are—

1. The amounts paid to the Shire of Upper Yarra pursuant to section 227 of the Melbourne and Metropolitan Board of Works Act 1958 were:—

	$
1962–63	8,280
1963–64	8,280
1964–65	8,280
1965–66	8,280

2. Yes.

3. Construction, renewal, repair or maintenance of roads in or adjacent to lands, water sheds, catchment areas or reservoirs of the Board situated within the shire. Specific amounts of various items of expenditure are not available.

4. No payment has been made in either year.

PAYMENTS TO HEALESVILLE SHIRE.

Mr. MUTTON (Coburg) asked the Minister of Public Works, for the Minister for Local Government—

Whether he will ascertain and inform the House—

1. What amounts of money were paid to the Shire of Healesville by the Melbourne and Metropolitan Board of Works, pursuant to section 227 of the Melbourne and Metropolitan Board of Works Act 1958, during each of the financial years ended 30th June, 1963, 1964, 1965, and 1966?

2. Whether the Shire of Healesville paid these sums into its general account?

3. For what purpose the Shire of Healesville spent such sums in each of these financial years, specifying the amount of each item of expenditure?

4. Whether any sum has been paid to the Shire of Healesville by the Board, pursuant to section 227 of the Act during the financial years ended 30th June, 1967, and 1968?

Mr. PORTER (Minister of Public Works).—The answers furnished by the Minister for Local Government are—

1. The amounts paid to the Shire of Healesville pursuant to section 227 of the Melbourne and Metropolitan Board of Works Act 1958 were:—

	$
1962-63	7,932
1963-64	7,932
1964-65	7,932
1965-66	7,932

2. Yes.

3. Construction, renewal, repair and maintenance of roads leading to or adjacent to the Board's watershed at Healesville. Specific amounts of each item of expenditure are not available.

4. No payment has been made in either year.

HOUSING COMMISSION.

TENANTS: APPROACHES TO SOCIAL WELFARE BRANCH.

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

Whether approaches have been made to the Social Welfare Branch to give special attention to requirements of tenants of Housing Commission areas; if so, what are the dates, details and results of such approaches?

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

Where the Housing Commission finds it has a social problem with a tenant, it seeks the assistance of the Social Welfare Branch, which assistance is readily given. Disclosure of these details would be unfair to the individuals concerned.

UNITS CONSTRUCTED: NUMBER OF OCCUPANTS.

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

1. What total number of units (house and flat) have been constructed by the Housing Commission since its inception?

2. What is the estimated total number of persons occupying units?

3. What number of units are occupied by —(*a*) pensioners; (*b*) rebated rental families; (*c*) purchase families; and (*d*) tenant families?

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

1. 62,643. In addition, 1,004 units were constructed for other Government authorities, 27 units were donated by the City of Prahran and 10 units were purchased. One unit was destroyed by fire.

2. Approximately 260,400.

3. (*a*) As there is an unknown number of pensioners who are not in receipt of rebates, it is not possible to supply accurate figures.

(*b*) 1,393.

(*c*) 26,756.

(*d*) 35,923.

Arrears of Rent.

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

During each of the last five years, what number of tenants owing rent arrears in excess of $40 vacated Housing Commission units?

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

1964	433
1965	407
1966	604
1967	452
1968 (to 1st November)	316

STATE ELECTRICITY COMMISSION.

Properties in Moonee Ponds Electorate.

Mr. EDMUNDS (Moonee Ponds) asked the Minister for Fuel and Power—

What rateable and non-rateable property the State Electricity Commission has within the electorate of Moonee Ponds, and whether it is intended to extend any of these properties?

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

The Commission owns the following properties in the electorate of Moonee Ponds:—

Municipality.	Location.	Property.
Essendon	Corner Buckley and Price streets	Main substation 140 ft. x 165 ft.
,, ...	Ascot Vale-road	,, ,, 92 ft. x 120 ft.
,, ...	Ascot Vale-road	District depot 109 ft. x 165 ft.
,, ...	Young-street	Store 66 ft. x 92 ft.
,, ...	Afton-street	Land for transmission line 50 ft. x 172 ft.
,, ...	Bent-street	Minor substation 12 ft. x 16 ft.
,, ...	Arthur-street	,, ,, 15 ft. x 17 ft.
,, ...	Scott-street	,, ,, 10 ft. x 12 ft.
,, ...	Grandview-street	,, ,, 14 ft. x 14 ft.
,, ...	Off Union-road	,, ,, 12 ft. 6 in. x 12 ft. 6 in.
,, ...	Moore-street	,, ,, 14 ft. x 24 ft.
,, ...	Off Puckle-street	,, ,, 17 ft. x 17 ft.
,, ...	Off Bank-street	,, ,, 12 ft. x 14 ft.
,, ...	Scotia-street	,, ,, 15 ft. x 20 ft.
,, ...	Epsom-road	,, ,, 12 ft. x 15 ft.
,, ...	Park-street	,, ,, 12 ft. x 17 ft. 4½ in.
,, ...	Off Charles-street	,, ,, 13 ft. 1 in. x 25 ft. 5 in.

As no trading activities are carried out at any of these premises, the Commission makes no payment to the municipality on any of them.

In addition, the Commission has purchased a site for a future main substation in Maribyrnong-road, Ascot Vale, on which there are two houses erected. Pending development of the main substation, the houses are leased and it is a condition of the leases that the tenants should pay all rates assessed on the properties.

The Commission has no intention in the foreseeable future of extending any of the above properties.

Nuclear Power: Purchase of Land on French Island.

Mr. SCANLAN (Oakleigh) asked the Minister for Fuel and Power—

Whether the State Electricity Commission has given consideration to the construction of a nuclear energy power station on Westernport Bay; if so, whether the Commonwealth has expressed an interest in co-operating with the State in this matter?

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

(i) Power plant now under construction at Hazelwood and Yallourn 'W' should enable the State Electricity Commission to

meet the demand for electricity until 1975 so that further generating plant is unlikely to be required before 1976 and decisions on new installations need not be made for another two years. Meanwhile, investigation of a number of alternative projects is continuing. These include the use of brown coal, oil, natural gas and nuclear fuel.

The Commission is keeping in close touch with nuclear power development overseas. The stage has been reached where serious consideration must be given, particularly for unit sizes of 500 MW and above, to the possibility of introducing nuclear power in Victoria. An examination is being made of the several types of nuclear plant now commercially available and of potential power station sites.

The Commission has purchased land on French Island and has asked the Lands Department to reserve a further area on French Island as a potential power station site. This site would be suitable for either a conventional type station with natural gas or oil fired boilers, or a nuclear power station.

(ii) There have been discussions between officials of the Commission and the Commonwealth on a variety of matters related to nuclear reactors and atomic energy. At various times, mention has been made of possible Commonwealth-State co-operation in constructing a nuclear power station but no definite proposals have been put forward.

So far, there has been no approach to the State Government by the Commonwealth.

BREAD INDUSTRY.

PERMITS TO DELIVER OVER 30-MILE LIMIT : PROSECUTIONS : INSPECTORS.

Mr. BUCKLEY (Lowan) asked the Minister of Labour and Industry—

1. How many applications for permits to deliver bread over the 30-mile limit have been received to date?

2. How many applications have been refused to date?

3. How many prosecutions have been launched against persons for breaching this provision to date?

4. How many inspectors are employed to police the 30-mile limit provision?

5. Which firms have obtained permits to carry bread?

Mr. ROSSITER (Minister of Labour and Industry).—The answers are—

1. Sixty-three applications have been received from 39 applicants. This number includes quite a few cases where an exemption was granted for a limited period and, on its expiration, another application was made and another exemption issued.

The number of persons holding exemptions differs from the number of applications granted because some persons hold more than one exemption.

2. Thirteen applications have been refused.

3. Eighteen prosecutions have been taken.

4. No inspector is engaged exclusively on this work, but from time to time 31 inspectors have been required to undertake some investigation.

As the answer to question No. 5 is detailed, I seek leave to have it incorporated in *Hansard* without my reading it.

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

A. R. & L. A. Reynolds, Stratford; Podbury's City Bakery Pty. Ltd., Geelong; R. & E. Blizzard, Rosanna; L. Grinwald, Carlton; Polak's Bakeries Pty. Ltd., South Caulfield; Oslo-Hague Bakery Pty. Ltd., Deepdene; South Gippsland Bakeries Pty. Ltd., Mirboo North; J. Gibbs, Horsham; J. E. Allen, Buangor; I. A. & D. V. Deans, Stawell; L. J. Hall, Avoca; Brogden Bros. Pty. Ltd., Ballarat; Sunicrust Bakeries (Canberra) Pty. Ltd., Geelong; Kasper Wiss, Geelong; B. D. & C. F. Stuart, Redcliffs; Tschirpig's Bread Pty. Ltd., Mildura; Wallace's Bakery (Vic.) Pty. Ltd., Merbein; G. N. Coward Pty. Ltd., Mildura; Central Cakes Pty. Ltd., Mildura; W. A. Wright & Partners, Heidelberg; K. Blundin, Foster.

WATER DIVINING AND EXTRA-SENSORY PERCEPTION.

ACADEMIC RESEARCH.

Mr. LOVEGROVE (Sunshine) asked the Minister of Labour and Industry, for the Minister of Education—

1. What is the nature of the ability of certain people to find water with a divining rod?

2. What research is undertaken in Victorian universities concerning the nature of what has frequently been described as extra-sensory perception?

3. What explanation of such phenomena is offered by the various departments of psychology in the Victorian universities?

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

Professor R. H. Day, chairman of the Department of Psychology, Monash University, has supplied the following information :—

1. No person has any great ability to find water with a "divining rod", although this belief is very strongly held. It is very

likely that these people use alternative information, such as slope of land, colour of vegetation and grass, to locate areas of underground water.

2. I am not aware of any research into extra-sensory perception currently being undertaken in Australian universities.

3. The most commonly accepted view of extra-sensory perception by those who have considered the now extensive literature is that no such phenomena exist. Like palm reading, teacup reading and spiritualism, extra-sensory perception is a belief, not a real phenomenon. All the properly-conducted experiments and inquires show this to be so.

It will be noted that Professor Day has presumably excluded "political forecasting" from his answers.

RAILWAY DEPARTMENT.

ADVERTISING HOARDING AT BRUNSWICK.

Mr. TURNBULL (Brunswick West) asked the Minister of Transport—

1. Whether, when the Railway Department reconstructed and altered the position of an advertising hoarding on the north-west corner of the Park-street, Brunswick, railway crossing, consideration was given to the possible detrimental effect to the area and the effect on the natural lighting of a Mr. Angelucci's residence?

2. Whether he is prepared to inspect the hoarding?

Mr. WILCOX (Minister of Transport).—The answers are—

The hoarding is a standard 20 ft. x 10 ft. size, originally erected on wooden posts with supporting wooden stays. It faced the railway line at a slight angle to the brick wall of the adjacent building and the street.

It was blown down in October and re-erected on steel rail posts in a position closer and parallel to the brick wall of the adjacent building.

I understand that the top of the hoarding is on the same alignment as and not higher than the window sill of the adjacent building and that it is less visible from the interior of the building than prior to its re-erection.

In these circumstances, I see no need to inspect the hoarding.

NATIONAL PARKS AUTHORITY.

KENTBRUCK HEATH AREA: REPORT RECOMMENDING RESERVATION AS NATIONAL PARK.

Mr. WILTON (Broadmeadows) asked the Minister of State Development—

Whether he will make available to the honorable member for Broadmeadows the report from the National Parks Authority recommending that an area of approximately 48,000 acres, extending on both sides of the river from the Victoria-South Australian border eastward to and including the whole of the Kentbruck Heath, should be reserved as a national park; if not, why?

Mr. MANSON (Minister of State Development).—The simple answer to the honorable member's question is, "No", for the reason that this is a confidential report between the National Parks Authority and the Land Utilization Advisory Council.

However, knowing the honorable member's intense interest in this subject, I am prepared to make the report available to him on a confidential basis.

PRE-SCHOOL CENTRES.

CHILDREN ELIGIBLE FOR EDUCATION: ENROLMENTS.

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

1. How many children of an age eligible for pre-school education were in Victoria at the beginning of 1968?

2. How many of these children are receiving a recognized pre-school education?

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

1. Three-year-olds	—	65,590
Four-year-olds	—	66,300
		131,890

2. A total of 35,400, most of whom are four-year-olds.

DROUGHT RELIEF.

DECLARED AREAS: GOVERNMENT ASSISTANCE.

Mr. B. J. EVANS (Gippsland East) asked the Minister of Lands—

1. What parts of Victoria are declared drought areas, and what was the date of proclamation in each case?

2. What assistance is available to landowners in these areas, and how application should be made in respect of each of the following:—(*a*) transport of cattle for agistment; (*b*) transport of fodder to feed drought-affected stock; and (*c*) "carry on" finance to meet commitments until the drought is broken?

3. Whether the Government proposes to meet the cost of these concessions from its own resources or to apply for Commonwealth assistance on the same basis as is available in south-eastern New South Wales and east Tasmania?

Sir WILLIAM McDONALD (Minister of Lands).—The answers are somewhat lengthy, and I seek leave for their incorporation in *Hansard*, without being read.

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

1. The municipalities which were declared drought areas and the date of proclamation in respect of the individual municipalities are set out in the table following the answers to the questions. The foregoing does not take into account declarations which had to be effected in respect of the same municipalities for the purposes of the Drought Relief Act which authorized fodder subsidies. Later in this answer I will detail the municipalities or parts thereof in the East Gippsland and Swan Hill areas which are receiving consideration for assistance because of a continuation of drought conditions in these areas.

2. The assistance which is available throughout declared drought areas for the various drought measures has been governed by the provision of funds by the Commonwealth Government which has fixed certain cut-off dates in respect of various measures. In relation to the particular matters covered by the question, Commonwealth funds are available for—(*a*) the transport of cattle returning from agistment or of cattle purchased for restocking up to the 31st December, 1968; (*b*) loans for carry-on finance to farmers where a case for such finance has been established by the 30th September, 1968; and (*c*) loans for restocking where a case has been established prior to the 31st December, 1968. Applications in respect of these measures should be made to the Rural Finance and Settlement Commission.

The transport of stock to agistment and the transport of fodder to feed drought affected stock are no longer able to be met from special Commonwealth moneys in view of the cut-off date fixed by the Commonwealth, namely 30th September, 1968.

3. On the 18th October, 1968, the Commonwealth Government was requested to continue drought aid for areas in East Gippsland considered to be severely affected by the drought but the Commonwealth refused this on the 18th November, 1968. This was a real disappointment to the Government and no doubt to the local Federal member, Mr. Nixon, who is a member of the Federal Ministry. It was hoped that his representations and knowledge of the situation together with the submissions made by Victoria would have assured Commonwealth approval. Under the present Commonwealth–State financial relationships the State's ability to raise revenue is severely restricted. Notwithstanding this and the serious losses Victoria suffered in revenue due to drought, some $7,500,000 was expended by Government agencies and municipalities in special loans to farmers, fodder subsidies and contributions towards employment giving activities to assist relieve the ravages of drought. Details of this expenditure is as follows:—special loans to farmers $2,500,000, fodder subsidies $3,500,000, contributions by municipalities and Government Departments to employment giving projects $55,000 and $1,030,000 respectively. All of this was in addition to funds made available by the Commonwealth. These funds totalling $18,600,000 will to date have been expended as follows:—

Contribution to fodder subsidies	$1,000,000
Loans to farmers ..	5,900,000
Freight rebates	4,100,000
Employment projects ..	7,200,000
Emergency water supply	400,000

In view of this expenditure by the State it is difficult to understand the Federal Treasurer's complaint on Thursday last that Victoria has not done enough from its own resources. It is indeed strange criticism from a responsible Minister of a Government which has done its utmost to prevent Victoria raising taxes in its own right for its own needs.

It will be recalled that three times the State Government asked the Commonwealth Government for assistance in subsidizing fodder and three times the Federal Government refused and, finally, when replying to a deputation of farmers organizations, stated that it had not been asked for.

After the State approved a fodder subsidy the Commonwealth came in belatedly and offered $1,000,000 out of approximately $4,500,000 that fodder subsidies cost. Victoria is the only State to subsidize purchases of fodder on this scale. This must surely be accepted as further evidence of the degree of self help evident in our administration and demonstrates clearly that the Federal Treasurer's criticism is both ill-informed and inaccurate.

Having received the Commonwealth's refusal dated 18th November, 1968, I made a firm promise last week on behalf of the Government that we would provide as a minimum rail freight subsidies on the scale

which was normal prior to the 1967–68 drought and, bearing in mind that the majority of the drought stricken areas of Gippsland are so remote from rail as to make rail movement impracticable, that we would provide subsidy to road transport movement of stock where this was appropriate and the extent of the road transport rebate promised was an amount equal to the rail subsidy if rail had been practicable.

As promised to stock owners representatives when I visited the drought areas recently, the rebates proposed are retrospective to 30th September, 1968, when assistance for movement of stock to agistment was stopped by the Federal Government.

This promise of assistance from purely State resources was made following an outright refusal by the Commonwealth to provide assistance to Victoria for farmers in the East Gippsland or Swan Hill areas. Our request to the Commonwealth was that the same scale of aid should be made available at this time as was ultimately made available in late 1967 and 1968. This we considered reasonable since the conditions being experienced in the areas mentioned were a continuation of the same drought. Our request was made in a letter of 18th October, 1968, and the Commonwealth's refusal was dated 18th November, 1968.

Since then I have had the opportunity to study the assistance being given to New South Wales and it appears obvious from what that State is receiving and we have been denied, that the Commonwealth Government is discriminating against Victoria. No offer of anything less than our request was suggested by the Commonwealth Government.

The drought areas of East Gippsland are in the same drought zone as south-eastern New South Wales and in the opinion of the Victorian Government, Victorian farmers are entitled to the same treatment by the Commonwealth as farmers in New South Wales receive.

Accordingly, a letter is being forwarded to Canberra reiterating to the Prime Minister the geographical and climatic facts and requesting treatment comparable to that which New South Wales is receiving in respect of adjacent border areas.

If the Commonwealth will agree to our request the movement of stock out of East Gippsland will be subsidized by rail or road on the following terms:—

In the case of rail movement of stock to agistment and return, freight rate will be 50 per cent. of normal. Where rail is not available or its use is impracticable, consideration is being given to paying a subsidy of 50 per cent. of the cost per mile up to a maximum of 25 cents per mile for the total forward journey less 40 miles. It will be a condition that the stock have been owned for at least three months prior to being sent to agistment and that they will not be offered for sale within a period of eight weeks after arrival at the destination. It is also proposed that the subsidy will apply only to the movement of stock within a radius of 150 miles of Omeo.

Application in the case of road transport should be made to the Rural Finance and Settlement Commission and subsidies on rail movement will be administered by the Railway Department.

In order to avoid the confusion of making two separate payments, settlement of any claims for subsidies is being deferred pending receipt of a reply from the Commonwealth.

TABLE OF MUNICIPALITIES DECLARED TO BE DROUGHT AREAS.

Shire.	*Date.*
Alberton	18th March, 1968
Alexandra	26th March, 1968
Arapiles	24th Oct., 1967
Ararat	10th July, 1967
Avoca	30th Oct., 1967
Avon (North and Central Riding)	22nd March, 1968
Bacchus Marsh	6th Nov., 1967
Bairnsdale	27th March, 1968
Ballan	6th Nov., 1967
Ballarat	2nd Nov., 1967
Bannockburn	15th Aug., 1967
(Meredith Riding) ..	6th Nov., 1967.
Barrabool	8th Nov., 1967
Bass	1st March, 1968
Beechworth	27th March, 1968
Belfast	30th Oct., 1967
Bellarine..	5th Jan., 1968
Berwick	14th March, 1968
Bet Bet	10th Nov., 1967
Birchip	24th Oct., 1967
Bright	26th March, 1968
Broadford	26th March, 1968
Bulla	10th Nov., 1967
Buln Buln	1st March, 1968
Bungaree	16th Nov., 1967
Buninyong	18th July, 1967
Charlton	10th Nov., 1967
Chiltern	3rd April, 1968
Colac	23rd June, 1967
Cobram	3rd April, 1968
Corio	30th Oct., 1967
Cranbourne	14th March, 1968
Creswick	9th Nov., 1967
Daylesford and Glenlyon ..	20th Nov., 1967
Diamond Valley	10th April, 1968
Dimboola	18th Aug., 1967
Donald	30th Oct., 1967
Dundas	26th June, 1967
Dunmunkle	8th Nov., 1967
East Loddon	8th Nov., 1967
Eltham—North Riding ..	1st March, 1968
Flinders	1st March, 1968
French Island	21st March, 1968
Gisborne	1st March, 1968
Glenelg	26th June, 1967
Goulburn (Part of Shire) ..	10th April, 1968
Gordon (Non-irrigated) ..	13th Nov., 1967
Grenville	4th July, 1967

TABLE OF MUNICIPALITIES DECLARED TO BE DROUGHT AREAS—*continued.*

Shire.	*Date.*
Hampden	26th June, 1967
Hastings	1st March, 1968
Healesville (Parish of Sutton)	13th March, 1968
Healesville (West Riding)	3rd April, 1968
Heytesbury	10th Nov., 1967
Huntly	1st March, 1968
Kaniva	1st Nov., 1967
Kara Kara	3rd Nov., 1967
Karkarooc	24th Oct., 1967
Kerang (Non-irrigated only)	15th Dec., 1967
Additional area	9th April, 1968
Kilmore	27th March, 1968
Knox	18th April, 1968
Korumburra	13th March, 1968
Korong	30th Oct., 1967
Kowree	4th July, 1967
Kyneton	1st March, 1968
Leigh	9th Aug., 1967
Lexton	18th July, 1967
Lilydale	18th April, 1968
Lowan	30th Oct., 1967
McIvor	27th March, 1968
Maffra (Non-irrigated)	22nd March, 1968
Maldon	6th Nov., 1967
Mansfield	18th March, 1968
Marong	6th Nov., 1967
Melton	15th Dec., 1967
Metcalfe	13th Nov., 1967
Mildura (Non-irrigated only)	8th Nov., 1967
Minhamite	8th Nov., 1967
Mirboo	21st March, 1968
Mornington	10th April, 1968
Mortlake	4th July, 1967
Morwell	3rd April, 1968
Mount Rouse	26th June, 1967
Myrtleford	1st March, 1968
Narracan	26th Feb., 1968
Nathalia (Non-irrig. only)	15th Dec., 1967
Newham and Woodend	1st March, 1968
Numurkah (Non-irrig. only)	10th April, 1968
Newstead	30th Nov., 1967
Omeo	26th Feb., 1968
Orbost (North Riding)	18th April, 1968
Otway	26th Feb., 1968
Oxley	26th March, 1968
Phillip Island	17th Nov., 1967
Portland	4th July, 1967
Pyalong	1st March, 1968
Ripon	4th July, 1967
Rochester (Non-irrig.)	22nd March, 1968
Romsey	1st March, 1968
Rosedale (Non-irrig.)	22nd March, 1968
Rutherglen	18th April, 1968
South Barwon	22nd Nov., 1967
Shepparton (Non-irrig.)	18th April, 1968
South Gippsland	22nd March, 1968
Seymour (Ridings of Tallarook and Avenel)	18th April, 1968
Stawell	16th Nov., 1967
Sherbrooke	22nd April, 1968
Strathfieldsaye	7th Dec., 1967
Swan Hill	24th Oct., 1967
Talbot and Clunes	3rd Nov., 1967
Tambo	22nd March, 1968
Towong	1st March, 1968
Traralgon	22nd March, 1968
Tullaroop	20th Nov. 1967

TABLE OF MUNICIPALITIES DECLARED TO BE DROUGHT AREAS—*continued.*

Shire.	*Date.*
Tungamah (Non-irrig. only)	3rd April, 1968
Upper Murray	26th Feb., 1968
Upper Yarra (West Riding)	30th April, 1968
Violet Town	26th March, 1968
Walpeup	30th Oct., 1967
Wangaratta	18th April, 1968
Wannon	16th June, 1967
Warracknabeal	8th August, 1967
Warragul	26th Feb., 1968
Warrnambool	4th July, 1967
Werribee	10th Nov., 1967
Whittlesea	26th Feb., 1968
Wimmera	1st Nov., 1967
Winchelsea	24th Oct., 1967
Wodonga	14th March, 1968
Woorayl—West Riding	1st March, 1968
balance	21st March, 1968
Wycheproof	24th Oct., 1967
Yackandandah	26th Feb., 1968
Yarrawonga	22nd March, 1968
Yea	26th March, 1968
Boroughs.	
Koroit	9th Nov., 1967
Port Fairy	3rd Nov., 1967
Sebastopol	7th March, 1968
Wonthaggi	3rd April, 1968
Cities.	
Dandenong (South Ward)	29th July, 1968
Frankston (North Riding)	31st July, 1968
Horsham	1st Nov., 1967
Warrnambool	16th Nov., 1967
Springvale (South Ward only)	22nd April, 1968
Ballarat	2nd Nov., 1967
Hamilton	16th Nov., 1967
Ararat	10th July, 1967
Moe	22nd April, 1968
Mildura	8th Nov., 1967
Wangaratta	30th April, 1968
Towns.	
Camperdown	30th Nov., 1967
St. Arnaud	3rd Nov., 1967

AREAS TO WHICH PROPOSED FREIGHT REBATES ON MOVEMENT OF STOCK TO AGISTMENT WILL APPLY.

Shire of Maffra—Central and eastern ridings. Non-irrigated portions only.

Shire of Avon—North and east ridings only.

Shire of Bairnsdale.

Shire of Omeo.

Shire of Tambo.

Shire of Orbost—North riding only.

Note.—Central, south and eastern ridings of Shire of Orbost have not been declared. Application for declaration of one or more of these ridings would be considered.

Shire of Swan Hill—Non-irrigated portion only.

LAND UTILIZATION ADVISORY COUNCIL.

GLENELG RIVER AND KENTBRUCK HEATH AREAS: LAND USE: PROPOSED NATIONAL PARK.

Mr. WILTON (Broadmeadows) asked the Minister of Lands—

Whether he will make available to the honorable member for Broadmeadows the following:—(*a*) a copy of a letter dated 19th April, 1966, from the Premier to the Land Utilization Advisory Council, concern- the future use of Crown land in the vicinity of the lower reaches of the Glenelg river; (*b*) a copy of the Land Utilization Advisory Council study group report and recommendation as to the future use of the Kentbruck Heath area of approximately 48,000; and (*c*) a copy of the plan referred to in the final paragraph of the chairman of the Land Utilization Advisory Council's letter of 15th October, 1968, to the Minister, on the proposed Lower Glenelg National Park?

Sir WILLIAM McDONALD (Minister of Lands).—The answer is—

(*a*) The letter dated 19th April, 1966, from the Premier to the Land Utilization Advisory Council referred generally to the Crown land of the whole State and has no special application to land in the vicinity of the lower reaches of the Glenelg river.

(*b*) The report of the Land Utilization Advisory Council study group is a domestic report in the hands of the council and as such is not available. The report of the council, as the responsible statutory body, in regard to the Kentbruck Heath area has already been supplied to the honorable member.

(*c*) A copy of the relevant plan has been laid on the table of the Library.

ROYAL BOTANIC GARDENS.

PROPOSED RESTAURANT: CAR PARKING FACILITIES: SITE PLAN.

Mr. WILTON (Broadmeadows) asked the Minister of Lands—

1. Whether car parking facilities will be provided at the restaurant proposed to be built in the Royal Botanic Gardens; if so, what area of land will be provided?

2. Whether he will make available a site plan of the proposed restaurant?

Sir WILLIAM McDONALD (Minister of Lands).—The answers are—

1. No car parking facilities will be provided within the Royal Botanic Gardens but subject to any conditions required by the Melbourne City Council, patrons of the restaurant would be able to park vehicles on the tan track in Alexandra-avenue.

2. A set of plans has been laid on the table of the Library.

STATE RIVERS AND WATER SUPPLY COMMISSION.

REPLACEMENT OF TORRUMBARRY LOCK GATES.

Mr. R. S. L. McDONALD (Rodney) asked the Minister of Water Supply—

What is the policy of the State Rivers and Water Supply Commission on the replacement of the Torrumbarry lock gates on the River Murray?

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

The situation at the Torrumbarry lock over the past twelve years has been that the lock has operated on only 25 occasions, that is, about twice a year on an average. In 1959, 1960 and 1962 the lock was not used at all.

The position has now been reached at which the timber lock gates, which were installed in 1923, are approaching the end of their life and are due for replacement within the next two or three years. This will involve an expenditure of not less than $120,000, one-third of this cost to be borne by Victoria, and it seems rather doubtful that this expense is warranted in view of the very limited use of the lock for boat traffic up and down the river.

The best course therefore would appear to be to close the lock to traffic by installing a steel bulkhead across the upstream end of the lock chamber at a much lower cost, the idea being that this bulkhead could, if necessary, be removed if the situation regarding navigation was to change substantially at some far distant time in the future.

The River Murray Waters Act imposes a duty on the River Murray Commission to keep all locks open to traffic and in order to put the above proposal into effect an amendment of the River Murray Agreement would be required.

The problem is under consideration and I expect to be in a position early next year to convey the Government's view to the River Murray Commission which has the primary responsibility for the structure.

CRIMES (EVIDENCE) BILL.

The debate (adjourned from November 13) on the motion of Mr. G. O. Reid (Attorney-General) for the second reading of this Bill was resumed.

Mr. TURNBULL (Brunswick West).—This is one of the Bills introduced from time to time by the Attorney-General to remove obvious doubts or difficulties in the law. It is essentially a Committee Bill. Ordinarily,

I am in agreement with the Minister's proposals, but on this occasion I am unable to support the provisions contained in two clauses. Clause 2 relates to the making by a person of two statements on oath, one of which is irreconcileably in conflict with the other and the jury is of opinion that one of the statements was wilfully false. This matter was the subject of a report by the Statute Law Revision Committee as far back as 1958. Usually, a report presented by the committee is like wine—it matures and improves with age. However, for some unknown reason, the Attorney-General now desires to depart from the recommendations of the committee. In Committee, members of the Opposition intend to vote against clause 2.

Clause 3 deals with the subject of alcohol—not necessarily wine, as the Attorney-General points out—in relation to the driving of motor vehicles. Since the introduction of breathalyzers and the use of readings or disclosures obtained with these instruments, the police have had the right to subject drivers to breath tests in the vicinity where the driving at issue took place or at a police station. In a recent case a police constable considered that "in the street" near a police station was "at a police station". The Supreme Court took a different view. By clause 3, the Attorney-General now wishes to amend sub-paragraph (ii) of paragraph (*b*) of sub-section (4) of section 408A of the principal Act by omitting the words "or at the police station" with the view of inserting the words "or at or in the vicinity of the police station". I suggest the words "at the nearest available police station" should be added. If a person is to be tested, surely he should be treated with dignity and the test carried out away from public view. In the case to which I have referred, the police station concerned was closed, and the policeman chose to conduct the test in the street in the full view of the public.

Mr. G. O. REID.—The nearest police station may be 100 miles away.

Mr. TURNBULL.—A person should not be tested in the street. The breathalyzer needs to be properly balanced, and a level surface on which to place the instrument is needed so that it will give a correct reading.

I do not object to clause 4, which amends sub-section (2A) of section 408A of the principal Act. A certificate is required showing the recording of the instrument relating to the quantity of alcohol. Apparently, the Attorney-General wishes to bring the provision into line with sub-section (3) of section 408 of the Crimes Act relating to blood tests, which states—

> A certificate purporting to be signed by a person who purports to be a legally qualified medical practitioner in or to the effect of the Seventh Schedule to this Act shall be admitted in evidence in any proceedings referred to in sub-section (1) of this section as prima facie proof of the facts and matters therein contained.

It is suggested by the amended provision in clause 4 that a document purporting to be a copy may be proved. I was unable to find paragraph (*a*) of sub-section (2) of section 408. I assume that it is along the lines of the provision to which I have just referred.

Mr. G. O. REID.—It has been amended.

Mr. TURNBULL.—I should be glad if the Attorney-General would inform me during the Committee stage where I can find that provision. The Opposition proposes to vote against clauses 2 and 3.

Mr. ROSS-EDWARDS (Shepparton).—This Bill proposes to effect three separate amendments to the Crimes Act, two of which deserve the serious consideration of the House. Clause 2 amends section 314 of the principal Act by inserting a new sub-section (4) relating to perjury. The

provision contains a different standard of proof than that normally used in criminal proceedings, notwithstanding the fact that, ten years ago, the Statute Law Revision Committee did not believe that there was any need for amendment. The basic objection to the amendment proposed in clause 2 concerns the words " jury are of opinion ". That expression is open to question.

Clause 3 amends section 408A of the principal Act relating to the place of the breath test. Its purpose is to overcome the difficulties arising from the fact that the nearest police station to which a person may be taken may be shut. Whilst I agree that a person should not be able to avoid taking a breath test because the police station is shut, he should not be subjected to this test in public. The test may be taken in the middle of the night or in the middle of the afternoon. A reputable citizen may be required to take a test in the public view and may suffer damage even though later he may be proved to be innocent. This is an unreasonable amendment. A person could be taken to some police station that is open, whether it be the nearest police station or not. The Attorney-General interjected to the honorable member for Brunswick West that the nearest open police station might be 100 miles away. The mobile police patrol should be given a key to open the nearest police station. Without defeating its real purpose, the Bill could be further amended. I therefore foreshadow amendments to clauses 2 and 3.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, relating to irreconcileable statements on oath.

Mr. G. O. REID (Attorney-General).—The honorable member for Shepparton has foreshadowed certain amendments and in order to give him the opportunity to have them printed and considered, I suggest that progress be reported.

Mr. TURNBULL (Brunswick West).—I should be indebted to the honorable member for Shepparton if he would make copies of his amendment available to me.

Progress was reported.

GOODS (TEXTILE PRODUCTS) BILL.

The debate (adjourned from November 14) on the motion of Mr. Rossiter (Minister of Labour and Industry) for the second reading of this Bill was resumed.

Mr. EDMUNDS (Moonee Ponds).—This small Bill consists of three minor amendments to the Goods Act in regard to the labelling of certain textile products. Basically, these amendments have been requested by the industry. The first amendment will allow certain manufacturers to use the wool symbol as from 1st January, 1969, under the terms of the International Wool Symbol Licence Agreement. The second amendment will allow the use of the expression " all wool " as well as the expression " pure wool ", for the purposes referred to in the Minister's second-reading speech. It also amends the definition of a textile containing a mixture of sheep's wool and other fibres. The third and final amendment inserts the words " carpets of all kinds whatsoever " in the definition of " textile products " in sub-section (4) of section 92 of the principal Act.

Basically, the Bill is the result of an agreement between all seven Australian Governments, and members of the Labor Party do not oppose it. However, I consider that the Minister could have included the words " soft floor coverings " in the definition of " textile products ", because carpets now include all sorts of floor coverings. The word " carpet " has a limited connotation, whereas the words " floor coverings " cover a much wider ambit. Presumably the

words "carpets of all kinds whatsoever" are to be included in the definition, because at present the definition of "textile products" refers to woven, knitted or felted materials manufactured from fibre, and many carpets and floor coverings are not now woven in the sense implied in the principal Act. They are often tufted or manufactured by an adhesion process.

The principal Act requires the accurate labelling of all textile products, and the minor amendments to be made will further define and strengthen these important details and will provide some protection to the consumer. In these days when there are so many alternatives to animal fibres on the market it is important that further protection should be given to the consumer to ensure that he knows exactly what he is buying.

Many problems are associated with the marking of textile products because of the inroads of man-made fibres, and the importance of the wool industry to Victoria in particular, and to Australia generally, is such that the highest possible standards must be maintained in the marking and promotion of all products. The minor amendments contained in the Bill will assist in this regard. Because synthetic fibres are now being used to such a great extent in the community, I suggest that in future negotiations with the other five States and the Commonwealth the Minister should take steps to ensure that provisions relating to synthetic fibres are included in the legislation. The Opposition does not oppose the Bill because it believes that the sensible labelling of garments and textiles protects the consumer.

Mr. TREWIN (Benalla).—The Country Party supports this small but important Bill because it will be beneficial to the wool producers of Australia and the textile industry. The various producer organizations involved have agreed to the amendments proposed. The Australian Wool Board, which conducts the affairs of the industry at a certain level, has agreed that these amendments are necessary to bring about uniformity amongst the States. The Australian Wool Industry Conference, which is the Parliament of wool growers, in its wisdom also agreed to the amendments, because it realizes that it is necessary to have complementary legislation introduced by Federal and State Governments. The various State producer organizations, from which all ideas for the Australian Wool Industry Conference and the Australian Wool Board emanate, have also agreed to the amendments being made because they have the responsibility of carrying out the wishes of the producers.

The Bill amends section 92 of the Goods Act and makes feasible the marking of textiles or materials that are woven from the spun yarn to ensure that these materials or textiles contain a certain percentage of animal hair. In his second-reading speech the Minister advanced reasons why this is necessary. The gatherers of animal hair that is blended in wool products must have an opportunity to present their products in a reasonable manner, but one wonders how far one can go before detracting from the advantages of pure wool garments.

The "woolmark" symbol is in world-wide use and can be seen on the garments that most of us wear. It is the symbol of the wool grower and is sponsored by the Australian Wool Board and the International Wool Secretariat. It is promoted from a levy made on the wool growers and a contribution made by the Federal Government, and can now be used for a purpose different from the original intention. The wool symbol on a fabric indicates that it is being sponsored by the Australian Wool Board or the International Wool Secretariat.

Wisely, the blending of wool with certain animal fibres has been successfully undertaken. Where certain

man-made fibres are blended with wool, it is necessary to indicate the percentage of the fibres used in the manufacture of the fabric. In this case, the wool symbol may not be used to indicate that the article contains wool.

Under the proposed new sub-section (2A) of section 92, it is proposed to permit the wool symbol to be used on fabrics containing a mixture of wool and the specialty animal fibres listed in the sub-section. I should like the Government to consider including in the list of speciality animal fibres the fibre of the Pyrenean mountain dog. This animal is a shepherd dog which is used mainly in the Pyrenees between France and Spain. There are several of these dogs in Australia and last week, at a function in Benalla, two couples using old pedal-type spinning wheels were weaving scarves from the hair of this dog. The finished product felt like silk. I should like the fibre from this dog to be included in the provisions of the Act.

The SPEAKER (the Hon. Vernon Christie).—The honorable member has mentioned that twice.

Mr. TREWIN.—I hope that I have been able to influence the Minister, who has shown a keen interest in the blending of wool and other fabrics, to initiate appropriate action. It should be possible to include this fibre in blended wool fabrics and still enable the material to carry the wool symbol. It is necessary for the hair of these dogs to be trimmed at regular intervals.

Because I have an interest in the production of wool, I may be a little biased, but I feel that the amendments provided in the Bill will ensure that all textiles are marked for sale in a manner that will be easily recognizable by the public. The Country Party supports the Bill and believes the wool industry in Australia is successfully promoting and extending the use of wool products.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, relating to textile products containing a mixture of wool with certain other fibres.

Mr. ROSSITER (Minister of Labour and Industry).—The honorable member for Moonee Ponds suggested that proposed paragraph (*ca*) should include "soft floor coverings". It seems to me that the definition proposed in the paragraph is sufficiently wide to cover what may be called soft floor coverings. However, I shall examine the matter.

The honorable member for Benalla referred to the Pyrenean mountain dog, and was quite sincere in suggesting that the fibre of this animal should be included in proposed sub-section (2A) of section 92 of the principal Act. I remind him that this Bill will make the Victorian legislation uniform with similar legislation throughout Australia. I do not know whether Pyrenean mountain dogs exist in New South Wales or at Albany. However, I shall examine the incidence of these animals in Australia.

The clause was agreed to.

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

MOTOR CAR (FURTHER AMENDMENT) BILL.

The debate (adjourned from November 14) on the motion of Mr. Meagher (Minister of Housing) for the second reading of this Bill was resumed.

Mr. WILKES (Northcote).—This Bill provides for a number of amendments to the Motor Car Act. Whilst the measure does not do everything that it should to ensure that some brake will be applied to the road toll during the Christmas holiday period, at least several of the provisions may help to relieve the critical situation that obtains in this sphere.

Among other things, the Bill provides that a fisherman may now become a primary producer for the purposes of the Motor Car Act, and authorizes the Chief Commissioner of Police to cancel the record in the register of motor vehicles of the name of any proprietor of a motor car or trailer who fails to give notice that he has ceased to be the proprietor of a vehicle. No doubt this proposal is to deal with an administrative problem which has developed in the Motor Registration Branch, as it would not be possible for the police to keep track of the number of vehicles that change hands if persons neglect to notify the Motor Registration Branch that they are no longer the owners of particular vehicles. It is proper that the police should have access to the owner of a vehicle at short notice, and the only way this can be done is for the register to be kept completely up to date.

The Bill also provides for the registration without fee of a private trailer owned by a beekeeper and used solely in his business. This occupation will be included in the list of those which are exempted from paying fees under certain conditions for the registration of private trailers. In regard to the other amendments contained in the measure, I wish to advert particularly to one which is of some importance to the community and which is certainly important to this Parliament. I refer to the restriction that the Bill proposes to place on probationary drivers. It is well established that probationary or young drivers are involved in a very high proportion of the accidents which occur in this State. It is not possible to determine statistically the exact number of persons under the age of 25 years who are involved in such accidents because all accidents are not reportable—this applies only in cases where injury or a fatality occurs.

The Bill proposes to bring in a speed limit for probationary drivers somewhat in line with that which obtains in the other States. I point out that it took the Opposition a long time to convince the Government that there was a distinction between a probationary driver who at one time—not very long ago—in this State obtained a licence to drive a Mini Minor or any other small vehicle, and a driver who obtained a licence which entitled him to drive a car or commercial vehicle other than an articulated vehicle. However, after gentle persuasion from the Opposition, the Government has decided to make a distinction in these licences.

Even so, in the Opposition's view—and certainly in the view of the Road Safety Committee established by the Government—it is still necessary to have some restriction on speeds at which learner and probationary drivers may travel. The Government has seen fit to set that limit at 50 miles an hour. In other States, the limit is lower. No doubt the Government has been advised that 50 miles an hour is a reasonable speed limit to impose on probationary drivers. From an analysis of accidents which occur, it would seem that it is not necessary for a person to travel as fast as 50 miles an hour to be involved in a serious accident; in fact, the Road Safety Committee has received evidence that accidents have occurred at much lower speeds. The vehicle of today is fairly difficult to control at such a speed, especially with an inexperienced driver at the wheel. However, the Government has decided to set the limit at 50 miles an hour, but I think it could be reduced to 45. This provision applies for only the first twelve months of the three-year probationary period.

It will be obligatory on the probationary driver to display on the front and rear of the motor car a plate clearly marked with the letter " P " for the first twelve months of the probationary period. This will not only safeguard the driver himself, but will make other motorists aware that he is a learner-driver; and in some cases people may see fit to make exceptions of the driving pattern of the probationary driver. This point

was freely discussed by the Road Safety Committee both here and interstate, and it is thought that the provision will be of considerable help.

The Bill provides also for the compulsory cancellation of the licence if a probationary driver is convicted of exceeding the speed limit in the probationary period. The court will have no option, and if a driver is detected exceeding the speed limit he will lose his licence.

The measure also proposes the removal from section 26 of the Motor Car Act of references to the endorsement on driving licences of particulars of certain traffic offences. I do not know the real purpose of this provision, but I should have thought that a policeman apprehending a motorist would, on production of the licence, be aware that the driver was accident-prone or otherwise. However, for some unknown reason it has been decided to remove the provisions of section 26 of the principal Act empowering the court to order a licence to be endorsed. Instead, it is proposed that the holder of a driving licence that has been cancelled must return the licence to the clerk of Petty Sessions, who will return it to the Chief Commissioner of Police.

This will not necessarily mean that the roads will be free of unlicensed drivers. Of the number of motorists who are apprehended for breaches of the Motor Car Act and the road traffic regulations, 2 per cent. are unlicensed drivers. It is reasonable to assume that far more than 2 per cent. of drivers have either had their licences cancelled or have never obtained licences. I do not understand how the amendment of section 26 in the manner proposed and the requirement that the holder of a cancelled licence shall return it to the court will rectify the situation. I am not suggesting that, in some cases, driving licences should not be cancelled, but the Crimes Act and the Motor Car Act already contain provisions authorizing the cancellation of a licence for certain breaches. If a licence is cancelled, there is no guarantee that the person concerned will not drive a motor vehicle. The mere sending of licences to the Chief Commissioner for safe custody will not guarantee that there will be fewer unlicensed drivers on the road.

Mr. JONA.—This smartens the procedure.

Mr. WILKES.—Yes, but it offers no concrete assurance that it will reduce the number of unlicensed drivers on the road. The only way in which the problem of unlicensed drivers can be surmounted is to have more police; but that is not the subject of this debate.

The Government has gone part of the way, but I am disappointed that it has not examined more closely the report of the Road Safety Committee. If the Government had done that, and if it had treated with more respect some of the decisions taken by the committee in connexion with road safety, that committee might have been able to suggest a far more definite approach to the problem. Parliament has established the Statute Law Revision Committee, the Public Works Committee and other committees, which do valuable work. If matters either inside or outside of Parliament need to be inquired into, I cannot think of a better body to carry out the investigation than a Parliamentary committee. The establishment of other committees with which officers of Government Departments are associated is a reflection upon the ability of members of Parliamentary committees. I do not wish to say anything further on that subject, except that the Road Safety Committee is a competent one and is quite capable of dealing with some of the problems which have been referred to outside committees.

The Bill also proposes to empower officers of the Country Roads Board to prosecute in cases where the holder of a special permit is operating within the metropolitan area. Section 90 of the principal Act refers to areas which

are considered to be inside the metropolitan area. Clause 11 of this measure provides—

At the end of sub-section (2) of section 90 of the Principal Act there shall be inserted the following words :—

"or on any highway within the greater metropolitan municipalities within the meaning of sub-section (1A) of section 35."

Sub-section (2) of section 90 refers to the municipalities in which this power is to be given to Country Roads Board officers. I think this amendment is necessary since to a certain extent it removes from the police and municipal traffic officers the onus in relation to trailers and commercial vehicles operating under permits in these areas.

Clause 10 of the Bill provides for increased penalties for breaches of the Motor Car Act. The penalty provided in sub-section (1) of section 81 of the principal Act for careless driving is to be increased from $20 to $100 for a first offence, and from $50 to $250 for a second or subsequent offence—in other words, a five-fold increase. Careless driving is a serious offence, but there is no statutory definition of it in this State. The determination of what is careless driving is left solely to the courts when dealing with cases brought at the discretion of a policeman or other law enforcement officers. I remind honorable members that anything other than safe driving can be regarded as careless driving. It is typical of the Government that this provision is very loose. It proposes to increase the penalty that a court may impose on a driver who, on an information laid by a policeman, is convicted of careless driving, even though he may have made only the one mistake. In the Opposition's view, the Government should have defined careless driving before prescribing penalties for it. Such a definition should enable a policeman—and, for that matter, a driver—to determine beyond doubt whether a motorist is in breach of the careless driving provisions of the Motor Car Act.

There is a distinction between careless driving and driving in a dangerous manner, but only careless driving is mentioned in the proposed amendment. A motorist might drive through a traffic signal because he is not paying attention, and that is a careless act, but surely it does not warrant a penalty of five times the amount which is now provided in the principal Act. It may well be that the penalties should be increased, and the Opposition does not argue that in some instances they should not be increased, but the offence should be more clearly defined. If, for instance, a motorist disobeys a road sign, or fails to keep to the left, there is no doubt about it. He is proceeded against under the Road Traffic Regulations. If a motorist is charged with careless driving, however, even though he does not know, strictly, what the offence is, he may have to pay a penalty of $100. Although it is possible that some careless driving is not as dangerous as other breaches of the Road Traffic Regulations, the Government has decided that these are to be the penalties.

In comparison, under the Motor Car Act it is an offence for a motorist to contravene any provision of the Act or the regulations made thereunder, and the maximum monetary penalty is $40 for a first offence and $100 for a subsequent offence. Clause 12 amends section 93 of the principal Act and empowers the Governor in Council to prescribe penalties for breaches of the regulations. In concluding his explanatory speech, the Minister stated—

The Government believes that the Governor in Council should be empowered to prescribe a higher penalty for the offence of driving an unroadworthy motor car. The amendment will enable a penalty of up to $100 to be prescribed for that offence or any other offence under the regulations.

The Road Safety Committee thoroughly investigated the incidence of unroadworthy vehicles in Victoria, New South Wales, Queensland, and Tasmania. The committee found that although it was difficult accurately to assess the number of accidents that

could fairly be attributed to unroadworthy vehicles, it was reasonable to suggest that at least 2 per cent. of the accidents could be put down to this cause.

It is interesting to note that 70 per cent. of motor vehicles in Victoria are not tested for roadworthiness. The Opposition believes there should be an annual compulsory roadworthiness test of all vehicles. This opinion is based on a careful examination of the situation which exists in other States. I realize that a vehicle inspected today and found to be in a roadworthy condition may not be roadworthy tomorrow. However, it is apparent, even to a layman, that many vehicles which traverse our State highways are unroadworthy. Some motor cars have had made to them adjustments which were not contemplated by the manufacturer when the vehicles were designed, and which could make them unroadworthy.

There is no way of checking whether vehicles are roadworthy other than for the police to organize spot checks, which involve the setting up of road blocks and stopping perhaps every third vehicle, or apprehending motorists who are driving cars which appear to have some defect. The Opposition recognizes that roadworthiness checks occupy much time of the police, but it believes annual checks of this type would prove beneficial. Because no stone should be left unturned in an effort to reduce the road toll, the Opposition believes action should be taken to ensure that all motor vehicles are properly maintained. It is doubtful whether the increased penalties provided in this Bill will significantly decrease the road toll.

By and large, the amendments in this Bill are acceptable to the Opposition. I think the Government should have attempted to define the expression "careless driving" and thereby justify the proposed increases in penalties for this offence. In the absence of a definition, it is possible that the proposed increased penalties will not prove as effective as they would otherwise have been.

Mr. ROSS-EDWARDS (Shepparton).—Members of the Country Party support this Bill, which will make a multitude of amendments to the Motor Car Act and the Stamps Act. Many of the amendments are purely administrative in nature, while others are matters of fundamental importance. We support the proposed amendment to the definition of "primary producer", which will correct an anomalous situation that has existed.

Clause 10, which amends section 81 of the principal Act, will increase the penalties for careless driving. Like the Deputy Leader of the Opposition, I cannot understand why this increase is proposed. Normally, a person who is prosecuted for a traffic violation is charged with a specific offence. In my experience, a person is charged with the offence of careless driving only when no specific offence can be attributed to him. In the past, the driving of a vehicle in a careless manner has been regarded as a minor traffic offence, not nearly as bad as dangerous driving or reckless driving. In future, heavier penalties will be imposed for careless driving. I do not understand why this provision is considered necessary. Possibly, it is to enable careless driving to be used as an alternative charge or as a stop-gap charge.

The Bill also proposes to restrict probationary drivers to a speed not exceeding 50 miles per hour during the first twelve months of the probationary period of three years, and to require them to display "P" plates on their motor vehicles during that period. These provisions are interesting and members of the Country Party hope that they will achieve the purpose designed for them. The provision relating to "P" plates has been suggested to the Government on many previous occasions, but the

matter has been ignored. The proposal to restrict probationary drivers to a speed not exceeding 50 miles per hour is important. Obviously, a young person of eighteen years of age who has just obtained a driver's licence is not sufficiently skilled to drive at high speeds. The innovation of this speed limit should assist to reduce the road toll. The Country Party supports the Bill.

Mr. JONA (Hawthorn).—In speaking briefly in support of the Bill, I should like to refer to several matters raised by the honorable member for Northcote. Under the Bill, penalties for careless driving will be increased five-fold for both first and subsequent offences. These penalties will be brought into line with other penalties in the legislation. The honorable member for Shepparton provided a reasonable definition of the expression "careless driving". He stated that in his experience a motorist who was charged with careless driving was one against whom no specific charge could be laid. The new penalties will be brought into line with the penalties which already exist for the more serious charges of dangerous driving and reckless driving. At present, the maximum penalty for dangerous driving for a first offence is a fine of $200 or imprisonment for six months and disqualification of the licence for a period of not less than six month, and for a second or subsequent offences it is imprisonment for twelve months, cancellation of the licence and disqualification from driving for not less than six months. There is a marked difference between careless driving and reckless or dangerous driving, and the respective penalties will be more consistent.

In relation to the proposal to restrict probationary drivers to driving at a speed not exceeding 50 miles per hour, I agree with the honorable member for Northcote that many people have asked what is the desirable maximum speed limit that should be imposed. It is not true, as the honorable member stated, that this provision will mean that probationary drivers in Victoria will be restricted to the lowest maximum speed in Australia. In Tasmania, where the maximum speed for all vehicles is 65 miles per hour, the maximum speed for probationary drivers is 50 miles per hour. In New South Wales, the maximum speed for provisional licence holders is 40 miles per hour. It is interesting to note the effect that the introduction of this restriction on 4th January, 1966, has had on road accidents. It will also be interesting to note what effect the provision in this Bill will have on road accidents in this State. For the first twelve months following the introduction of the provisional driving speed limit in New South Wales in 1966, there was a 10 per cent. reduction in accidents for drivers with less than one year's experience.

In the first half of 1967—the latest period for which figures are available—the number of drivers with experience of between one and two years who had accidents dropped by approximately 20 per cent. This would suggest that the imposition of a maximum driving speed for probationary drivers had a beneficial effect not only in the first year but also in the second and subsequent years. I think it will be agreed that this legislation is desirable although one could argue whether the maximum permitted speed should be 40, 45 or 50 miles per hour. In my view, the maximum speed of 50 miles per hour proposed by the Government is desirable because it is consistent with the speed limit which is at present imposed on the highway, the only difference being that, where a person is charged with exceeding this speed limit, he is given the opportunity in court of proving that he was not driving at a speed which was dangerous having regard to all the circumstances. A probationary driver who is charged with travelling in excess of 50 miles per hour will not have that opportunity.

Mr. WILKES.—He will be charged with careless driving.

Mr. JONA.—No, he will be charged simply with exceeding 50 miles per hour and will be subjected to the statutory penalties, which will in-include loss of his licence. I believe the limit of 50 miles per hour is desirable in Victoria, having regard to the roads in this State, to the flow of traffic on roads, and to the general speed at which traffic travels along the roads. I suggest that a lower figure—say 40 miles per hour—could constitute a road hazard on a busy highway.

I support the remarks of the Deputy Leader of the Opposition in relation to unroadworthy vehicles. The provision in this Bill which authorizes the Governor in Council to impose penalties up to $100 for any breach of the regulations, including driving an unroadworthy vehicle, is a further step forward. Of course, all this provision will do is to increase the area in which penalties may be imposed for unroadworthy vehicles; it will not do anything to reduce the incidence of unroadworthy vehicles on the road. I support the suggestion of the Deputy Leader of the Opposition that the Government should seriously consider the report which has been submitted by the Road Safety Committee on the roadworthiness of vehicles. This report has arisen from the most comprehensive study that has ever been made in this country on this subject. Whilst the report may not necessarily be extremely voluminous, it sets out firm recommendations which are based—as the appendices to the report indicate—on a vast amount of evidence taken throughout the country. I suggest that this is another area to which the Government might give further consideration with a view to reducing motor car accidents. This Bill is another step forward not only in regard to streamlining procedures with respect to certain provisions of the Motor Car Act but also in making further contribution in the attempt to meet the problem of the road toll in this State.

Mr. TREWIN (Benalla).—This Bill contains a number of good amendments. Paragraph (*b*) of clause 2 provides—

> In the interpretation of "Private trailer" after paragraph (*a*) there shall be inserted the following paragraph:—
>
> "(*aa*) a bulk bin used exclusively for holding grain; and".

This matter was discussed with the Chief Secretary twelve or eighteen months ago, and members of the Country Party are pleased that a bulk bin is to be included as agricultural equipment when it is used exclusively in the conduct of business. We thank the Government for this small amendment.

Clause 7 relates to probationary licences and the conditions under which they are to be issued. The proposals should benefit young persons who at eighteen years of age obtain their first driving licence. Although some young people may consider that the proposed restriction to 50 miles per hour is rather severe, I believe this is an indication to the person concerned that the granting of a driving licence carries with it certain responsibilities. It should be considered to be a privilege to hold a driving licence. The granting of a licence indicates that a person is permitted to drive a motor vehicle within the State, almost without restriction, provided that he obeys road signs and the rules of the road. The proposed penalty for any breach of the regulations by a probationary driver is not too severe. Some young people, on obtaining a driving licence, consider that they have the right of way in all circumstances. It should be brought home to them that although they have the privilege of holding a driving licence, this privilege carries with it certain responsibilities.

A motor vehicle which is driven by a person who holds a probationary licence must display a "P" plate on the front and rear of the vehicle during the first twelve months of the probationary licence. This requirement will remind probationary

licence-holders that they are inexperienced, and it will also enable experienced motorists to assist probationary licence-holders. We, as members of Parliament, should take every opportunity to impress upon every motorist the need to assist inexperienced drivers wherever possible.

As one who lives in the country and who travels along the Hume Highway, the amendment contained in clause 9 interests me. For some years, it has been permissible for passenger buses to exceed 8 feet in width whereas commercial goods vehicles and vehicles owned by primary producers have been restricted to a width of 8 feet. It is proposed that the maximum width of all motor vehicles may be increased to 8 ft. 2½ in. It is in the interests of the public generally that loads on huge transports which travel the highway should be safely tied. The provision contained in clause 9 will enable transport operators to fasten their loads more securely.

Everyone is interested in the condition of motor vehicles on the road. Two features frequently cause trouble, namely, the condition of the tyres and the windscreens. People who drive vehicles with bald tyres are a danger on the highways. Tyres are manufactured to withstand high speeds under great pressure, but when worn they can become dangerous. A man cannot go without shoes ; if they are in a state of disrepair, he is soon looking for a shoe repairer. The same principle should apply to tyres.

Vehicles should be fitted with unshatterable windscreens. Honorable members have frequently seen heaps of windscreen glass lying by the roadside. Last week, a youth was killed at Mansfield. His companion was not injured, and he said that the accident happened because a stone thrown up from a truck shattered the windscreen. If he had not survived this accident, the cause of the fatality would never have been known. Recently, when travelling alone, a friend of mine had a similar experience. His car rolled over three times, but he crawled out with only a small bone broken in an arm. This accident was also caused by a stone thrown up by another vehicle shattering his windscreen. He said that if he had been killed, the real cause of the accident would never have been known and it would have been assumed that he simply ran off the road. Surely unshatterable windscreens could be manufactured to overcome the hazard of flying stones. The Bill is a good one and the Country Party supports it.

Mr. TURNBULL (Brunswick West).—For some time, careless driving has been regarded by lawyers as the minimum type of driving offence. One does not have to move much further to get into the realms of dangerous driving. Most cases of careless driving have been due to errors of judgment, and even politicians can be guilty of such errors. The lawyer is the *alter ego* of the defendant, and must battle against the possibility of conviction for dangerous driving. If he is successful in having the charge broken down to careless driving, he believes he has had a good day. This Bill proposes to alter the penalty for careless driving from $20 to $100 for a first offence, and this takes it out of the category of an error of judgment. Therefore, the charge of carelessness has lost its real significance. Old English law used this definition—

> It is an offence to drive without due care and attention. The offence may be committed by a driver whose lack of care is due to error of judgment.

The courts have decided that most offences of careless driving have been caused by errors of judgment. The present penalty of $20 is a substantial sum to working people, and it is outrageous for the Government to propose a maximum fine of $100. The penalty for this offence should not be increased. If, on further consideration, it is thought that a higher penalty is warranted, it should be increased

to only $40 to keep pace with the inflation of the currency. The Premier would not like to see a person guilty of an error of judgment become liable to a heavy penalty of this nature.

When the clauses are considered in Committee, I hope honorable members who are familiar with this type of offence, and I refer particularly to the honorable member for Gisborne for whom I have the greatest respect, will be heard.

Mr. LOVEGROVE (Sunshine).—I again raise the question of the pedestrian crossing opposite Parliament House. This matter was raised on several occasions by the Minister of Labour and Industry. The Deputy Leader of the Opposition raised it on four occasions, and I have raised it once before.

The DEPUTY SPEAKER (Mr. L. S. Reid).—Order! This subject does not come within the ambit of the Bill.

Mr. LOVEGROVE.—The Bill fixes a substantial penalty for careless driving, and careless driving can be seen outside Parliament House. The Government would not allow a similar traffic hazard outside Flinders-street station because the Railway Department would not tolerate it.

Mr. WILKES.—Or outside the Melbourne Town Hall.

Mr. LOVEGROVE.—That is so.

Mr. RAFFERTY.—Or outside the Trades Hall.

Mr. LOVEGROVE.—It does not occur outside the Trades Hall. Outside Parliament House the green light provides insufficient time for pedestrians to cross the road. When the green arrow appears, a line of traffic proceeds up Bourke-street and turns left into Spring-street, and when the green light comes on pedestrians are in danger.

Mr. WILKES.—The police do nothing about it.

Mr. LOVEGROVE.—That is so. Women and children crossing from the western side of Spring-street to Parliament House, and in the opposite direction, are subjected to the serious risk of being run down by cars driven by people who, under the amendment proposed by this Bill, should be charged with careless driving. The same traffic hazard exists on the southern side of Bourke-street for pedestrians crossing to Parliament House. No green arrow indication is given to pedestrians, and, to use a colloquial expression, they are subjected to the hazard of running rabbit between the cars proceeding from Bourke-street and turning south into Spring-street. It is physically impossible for some people, particularly elderly women, to cross the road on the green signal. If there is an intensity of traffic, it is physically impossible for able-bodied males to cross the road.

This subject has been brought to the attention of the House on many occasions but nothing has been done. On at least one occasion the Government replied that the Traffic Commission considered that this traffic hazard was all right. The situation opposite Parliament House is completely different from the conduct of traffic outside the New South Wales Parliament, where traffic is manually directed. It is also different from the "Barnes dance" outside the Myer Emporium in Bourke-street and at the Elizabeth-street entrance to the Flinders-street railway station. It is a reflection on this incompetent Government. The Government has the effrontery to provide astronomical penalties for careless driving whilst permitting this traffic hazard to exist outside Parliament House. The Government relies too much on traffic authorities which have reduced Melbourne to the worst traffic-controlled city in Australia.

Concerning traffic blitzes, I propose to refer to a personal experience. I make it plain that I do this neither in bitterness nor as a complaint. Everybody knows that any motorist who is booked in a traffic blitz for

an offence can only pay up and look pleasant. From time to time, the Traffic Commission re-arranges traffic lights throughout Melbourne. Sometimes the signals are altered to prevent a right-hand turn. Some traffic signals operate only at certain periods during the week-end. If one strikes a new traffic signal when the sun is low in the sky and it is necessary for the sun visor to be down, the driver may not see the signal. This happened to me during a traffic blitz. When stopping at traffic lights, before I turned right, I looked to the left and saw a police car alongside me. When the lights turned green, in good faith I turned to the right and the police car followed me around. Next, I was accosted courteously by a policeman and asked why I had turned right. I informed him that I had not seen the traffic signal. I make it clear that I paid up.

Mr. DUNSTAN.—How much?

Mr. LOVEGROVE.—Not a lot, but the point is that I asked the constable whether he had been directed that in no circumstances must he accept an excuse. He answered my question by saying that if he did not stop me from doing it somebody else would do it, and that, in effect, it was in the interests of road safety that everybody should be prosecuted, irrespective of his excuse.

Traffic blitzes do not catch those categories of persons about whom I asked a question recently—categories that have been examined in every other country and in certain other States, but not in Victoria, to ascertain the groups of persons who drive cars. The person who makes an honest mistake receives a blister.

The DEPUTY SPEAKER (Mr. L. S. Reid).—I am finding it difficult to relate the honorable member's remarks to the Bill.

Mr. LOVEGROVE.—I am concerned that once the increased penalties provided in the Bill are implemented, the Government will revise the penalties under the owner-onus system. Traffic blitzes do not reduce the road toll, while persons who have not acted detrimentally to road safety but have unintentionally committed an offence which is understandable or pardonable are penalized. Blitzes are responsible for alienating a large section of public support for the Police Force. They have not eliminated the drunken drivers, or the irresponsible section of the community who drive second-hand cars which are disguised bombs and should be put off the road. They have succeeded only in penalizing a large, generally responsible and respectable number of citizens for minor breaches of the law.

If a policeman is satisfied that an offence is pardonable, that it was not dangerous, that it was unintentional and that the driver was the type of person who, if warned, would be unlikely to repeat it, the policeman should be permitted to say to the offender, "I will let you go this time".

Mr. WILKES.—The police do that in every other country.

Mr. LOVEGROVE.—Of course they do. The Department should adopt the procedure that if a policeman detects an offence under these circumstances, a warning notice should be given to the driver and a record should be taken of the issue of the notice. If the driver offends again, there will be a record that a warning notice had been issued. In this way, much of the cause of the lack of sympathy for the Police Force could be removed. I know the answer is that there are insufficient police.

Mr. WILKES.—Revenue would decrease.

Mr. LOVEGROVE.—The insufficiency of police is one point, but revenue is the motivating factor behind traffic blitzes.

Mr. MANSON.—That is unfair.

Mr. LOVEGROVE.—I do not intend to repeat what I have said to other members of the Government, but I

say deliberately that when blitzes are held it is the duty of all policemen to catch as many offenders as possible for the day. The Deputy Leader of the Opposition may be correct when he suggests, by interjection, that many of the policemen are inexperienced in traffic enforcement. Whatever the reasons are, the blitzes are futile.

Before any legislation of this type is passed, the Government should revise the administrative procedures in traffic control. I do not desire to labour the question, but I particularly ask the Government to remove the hazard outside Parliament House before somebody is killed by some motorist, who no doubt will then be fined an astronomical amount for careless driving.

Mr. A. V. SMITH (Bellarine).—In supporting the Bill, I wish to direct attention to clause 2 which amends the definition of "primary producer" to include the words "or any person being a commercial fisherman and holding a licence to take fish for sale". This will enable professional fishermen to obtain concessional motor registrations for their vehicles. Professional fishermen are engaged in harvesting a primary resource and it is necessary for them to use their vehicles to transport fuel and equipment to their boats and to convey the harvest to the market or the cool store. Professional fishermen have been endeavouring to obtain this concession for many years and, from comments I have heard by various fishermen groups within the electorate I represent, I understand that it will be greatly appreciated. I commend the Bill to the House.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 6 were agreed to.

Clause 7, providing, *inter alia*—

Section 22B of the Principal Act is hereby amended as follows :—

. . . . . .

(*b*) After sub-section (4) there shall be inserted the following sub-section :—

"(4A) Any person being the holder of a licence issued on probation under this Part who within a period of twelve months after the date of issue of such licence drives a motor car which does not have conspicuously on the front and rear thereof a plate clearly marked with a letter P and of the size and colour prescribed shall be guilty of an offence against this Part and liable to a penalty of not more than $50."

Mr. MANSON (Minister of State Development).—I move—

That, in paragraph (*b*), the word "sub-section" where last occuring be omitted with the view of inserting the word "sub-sections".

The amendment was agreed to.

Mr. MANSON (Minister of State Development).—I move—

That, in paragraph (*b*), the following sub-section be inserted to follow sub-section (4A) :—

"(4B) Sub-sections (2A) and (4A) shall not apply to a member of the police force who drives a motor car registered in the name of the Victoria Police Department in the course of his duties as a member of the police force and who is the holder of an Approved Driver Certificate indorsed for the particular class of motor car being so driven."

Mr. WILKES (Northcote).—This astounding amendment proposes that a policeman who holds a probationary driver's licence shall be permitted to drive a police car. It provides that if a policeman holding a probationary licence drives a police car, "P" plates do not have to be attached to the car. When the policeman is driving his own private vehicle, whilst off duty, "P" plates must be attached to the vehicle, but when he drives a police car there is no necessity for the plates, nor does he need to obey the speed limit imposed on probationary drivers. The public would not know that a probationary driver was driving a police car, and this is absurd.

Mr. RAFFERTY.—That is an attack on the Police Force.

Mr. WILKES.—It is not an attack on the Police Force. It is an attack on the stupidity of the Government in suggesting that a policeman can be two different persons—he can be

a probationary learner-driver while he is not on duty, but he can be a competent driver when driving a police vehicle. I suggest that the Minister should take the amendment away and re-examine it, because under no circumstances can the Opposition support it.

Mr. MANSON (Minister of State Development).—I do not intend to take the amendment away. In referring to the amendment, the Deputy Leader of the Opposition has carefully omitted reference to the words "who drives a motor car registered in the name of the Victoria Police Department in the course of his duties as a member of the Police Force, and who is the holder of an approved driver certificate indorsed for the particular class of motor car being so driven." The policeman must hold the approved driver certificate. I have no intention of reconsidering the amendment.

Mr. WILKES (Northcote).—Is the approved driver certificate another form of licence about which we are not told? Is it something other than a licence to drive a vehicle? If it is a licence to drive a vehicle, presumably it must be a probationary licence, otherwise there is no necessity for the amendment. There is no need to amend the clause, which provides for the insertion in section 22B of the principal Act the following two sub-sections—

(2A) Any person being the holder of a licence issued on probation under this Part who within a period of 12 months after the date of issue of such licence drives a motor car at a speed exceeding 50 miles per hour shall be guilty of an offence against this Part and liable to a penalty of not more than $100.;

(4A) Any person being the holder of a licence issued on probation under this Part who within a period of twelve months after the date of issue of such licence drives a motor car which does not have conspicuously on the front and rear thereof a plate clearly marked with the letter P and of the size and colour prescribed shall be guilty of an offence against this Part and liable to a penalty of not more than $50.

What is the "approved driver certificate" possessed by a policeman to which the Minister adverted? Surely it must be a licence to drive.

Dr. JENKINS.—Is it in the Act?

Mr. WILKES.—No. If the policeman is a probationary driver, he should not be allowed to drive a police vehicle, whether it be merely to run a message down the street or to go on patrol duty, unless he complies with the provisions of the Motor Car Act. The public should be aware that he is a probationary driver and that he is permitted to drive only up to 50 miles an hour on the open road and 35 miles an hour in a built-up area. A policeman cannot be two persons. The Government cannot get away with this proposal.

Sir JOHN BLOOMFIELD (Malvern).—I do not pose as an expert in this field, but I suggest that the Minister should have another look at this proposal between now and the final approval of the Bill, because it appears that there is some indication of driving efficiency which is based not on length of experience but on special training within the Police Department which means that the driver concerned can be trusted to the same extent as if he had had considerably more experience. These are persons who have had the opportunity of receiving special training. With all due respect to the Minister and the Government, it appears to me that there is an anomaly in the fact that a person who drives his own vehicle on Sunday must have a large placard on the front of the vehicle saying, in effect, "I am not an experienced driver. All of you drivers coming the other way look out for me. I am not certain where I am going", whereas on Monday the same driver can drive a police vehicle on which no such warning to the general public is displayed. I suggest that this anomaly should be examined before the Bill reaches its final destination. It appears to some honorable members that possibly a small inadvertence has occurred in the planning and drafting of this measure.

Dr. JENKINS (Reservoir).—While I agree with the Deputy Leader of the Opposition that a ludicrous position is being created, I, and probably other honorable members, wonder what an approved driver's certificate is. Perhaps the Minister could explain this to the Committee. What is the statutory source of this certificate? Is it available only to a member of the Police Force, or can it be obtained by members of the general public? Quite apart from whether a person is a good driver on some days but suspect on Sundays, the Committee should be informed what an approved driver's certificate is.

Mr. LOVEGROVE (Sunshine).—If the Minister does not intend to reply, I shall endeavour to persuade him to do so.

Mr. MANSON (Minister of State Development).—I do not require any further persuasion. In view of the eloquence of the honorable member for Malvern, the persistence of the honorable member for Reservoir, the perspicacity of the Deputy Leader of the Opposition and the plea of the honorable member for Sunshine, I suggest that progress be reported.

Progress was reported.

LAND TAX BILL.

The debate (adjourned from November 19) on the motion of Sir Henry Bolte (Premier and Treasurer) for the second reading of this Bill was resumed.

Mr. CLAREY (Melbourne).—This Bill, which was introduced by the Premier and Treasurer on the 19th November last, was based on a pronouncement made by the honorable gentleman in his Budget speech on the 18th September, one paragraph of which read—

> Fortunately the drought has broken, and prospects this year are for a good season. Yet it must not be forgotten that the farmer has suffered a permanent loss. Behind the statistics of the poor wheat harvest, the fall in stock numbers, the loss of wool production, and the falling wool prices, stand all the individual farmers who have suffered serious losses of income. They come out of the drought with bigger mortgage debts, which have to be repaid, for even the money which the Commonwealth Government made available for advances to farmers has to be repaid to the Commonwealth Government. All this has hit the farmer at a time when his costs are rising, and when overseas influences are reducing farm incomes. In these circumstances the Government believes that something more is called for than mere drought relief, and we propose to abolish land tax on land used for primary production.

That is the basic purpose of this measure, but it has several other features. One is that it was necessary during this sessional period for the Government to introduce a Bill fixing the rates of land tax for the calendar year 1969. When introducing this measure, the Premier and Treasurer stated that the opportunity was being taken to bring forward some earlier Government proposals for changes in the Land Tax Act. So, briefly, the Bill exempts from land tax all lands used for primary production; secondly, declares the rates of land tax on other lands for the calendar year 1969; thirdly, effects a number of amendments to the principal Act to facilitate the use of municipal valuations for the purpose of land tax assessments; and, fourthly, provides for the transfer of land tax valuers to the staff of the Valuer-General.

The Treasurer expanded at some length on the last proposal, as reported at page 1806 of the current *Hansard*. These proposals concerning the use of municipal valuations are complementary to and are linked up with the provisions of the Valuation of Land (Amendment) Bill, which is at present before another place. In other words, instead of making his own assessments the Commissioner of Land Tax will be authorized to use valuations made by other rating authorities and by the Valuer-General. The Bill also contains several unrelated amendments dealing with the aggregation of land holdings of companies for the purpose of determining the appropriate rate of land tax. Corporations which have substantial interests in each other or one of which is a subsidiary of another

or related to it will also be brought under certain restrictions. There is a further proposal in the measure to permit the lessee to pay land tax. At present this is debarred by section 7 of the principal Act.

The Bill also contains one or two minor provisions. Let us deal first with the basic and probably the only provision in the Bill to which strong exception may be taken and which certainly is open to criticism. This is the proposal to exempt from land tax permanently—not temporarily—all land used for primary production, irrespective of whether the holder is a millionaire or has or has not suffered to any great extent because of the drought, and irrespective of whether the land is held by a corporation, either local or foreign. So long as the land is used for primary production the owner will be exempt from land tax. Companies registered at Canberra in order to evade taxation and stamp liability will also be exempt from land tax if they hold land which is used for primary production. In other words, the wall has been breached to such an extent that certain people, whether they deserve temporary or permanent relief, will be exempted from the payment of land tax. The policy, "To him that hath it shall be given", is applicable in this case. Today, in relation to this aspect, I asked the Premier and Treasurer the following question:—

> What amount was payable last calendar year in respect of land tax on land used for primary production?

The answer supplied was—

> Approximately $2,300,000.

In his second-reading speech on this Bill on 19th November, the Treasurer did not even have the courtesy to tell the House exactly what would be the extent of the relief that was to be given to primary producers under this proposal. The honorable gentleman did, of course, say that another small section of the community would have to pay for it.

I direct attention to the fact that only a relatively small number of those who live in rural areas own land that is used for primary production, so that this concession is not for the benefit of the great majority of the residents in country districts; it is for the benefit of a certain section, many of whom are in a far happier position financially than the majority of members of this House. The proposal is that in country areas, or even in areas close to the metropolitan area, land that is used for primary production shall be exempt from the payment of land tax. However, the amount of $2,300,000 must be made up because Victoria's deficit is too serious for the Government to say, "We will relieve this section of the community from the payment of land tax because it has suffered during the drought". The Government must obtain the money from somewhere else.

The small businessman who has land worth more than $25,000 in the country districts—those who are running small industries—will be required to pay an extra 10 per cent. of land tax, and those in the metropolitan area who have land worth more than that amount will also be required to pay the extra tax. Will this action on the part of the Government encourage people to establish industries in the country and will it assist in decentralization of industry? Persons who wish to become established in the country will be told, "If you move to the country you will have to pay extra land tax so that we can help your neighbour who runs a few sheep, goats or bees on the land. You must pay extra tax for the benefit that we are giving him".

The Treasurer did not tell the House how much this concession would cost, although the information has been supplied in reply to my question today. According to the Budget figures, the total amount which is expected to be received from land tax during the current financial year is just under $21,000,000. In other words, for a certain section of the

community one-ninth of that revenue will be waived. In order to find out how many people would benefit as a result of the proposed concession, I asked the Treasurer—

> What number of taxpayers was so assessed?

In reply, the honorable gentleman stated—

> This figure was not readily available from land tax records—

It is interesting to note that the reply did not state that the information was not available; it stated that it was not readily available. The answer proceeded—

> as many land tax assessments include both land used for primary production and other land.

If the Government knows that the proposed concession to primary producers will cost approximately $2,300,000, surely it can state how many assessments are involved. After all, a number of assessments would be required to make up this amount. It is ludicrous for the Treasurer to tell the House that although the total amount paid last year in respect of land tax on land used for primary production was $2,300,000, he cannot state how many assessments were issued to make up that amount. A computer could work it out in a few seconds.

I have in my possession a publication entitled *Taxation Report—Analysis of Operations*, which is published annually. It relates to land tax, probate duty and entertainments tax, although I shall confine my remarks to land tax. At page 6 of the publication, Schedule I sets out the land tax assessments made for each year from the year 1911 to 1967, the number of taxpayers, the total tax paid, the average tax payable, the approximate unimproved value, and the notices of change of ownership. For the calendar year ending 31st December, 1967, the number of taxpayers was 100,471, the total tax amounted to $21,585,226, and the average tax payable was $204.90. I might say in passing that the average tax of $204.90 relates not to the tax applicable to primary producers, but to the tax payable on an ordinary land holding used for purposes other than primary production. The amount of $204.90 represents the ordinary tax payable on property worth $33,500. The total unimproved value was approximately $2,064,135,559 and the number of notices of change of ownership received totalled 172,937.

Schedule II sets out an analysis of 1967 land tax assessments based on unimproved value at 31st December, 1966. The figures start from valuations in various grades ranging from $6,001 to $7,000 up to $1,000,000 and over. The number of taxpayers in this last category was 94 and the total tax payable by them amounted to $7,463,328. I should be surprised if there are not one or two primary producers whose properties fall within this category. If all of this information is available for publication each year, how can the Treasurer say that he cannot advise the number of assessments for primary production land? The honorable gentleman should have been able to supply it weeks ago when this legislation was first contemplated. The total number of taxpayers last year was 100,471.

I wished to ascertain how many of these 100,471 taxpayers would derive some benefit from the concession in this Bill and how many would be required to pay extra tax for those who were deriving benefit from the concession. I could understand the Government stating that the concession was proposed because primary producers had suffered a bad period. No honorable member would question a concession of this type, but obviously all primary producers did not suffer to the same extent. In any event, for those who did suffer from the drought, there is already adequate provision in section 91 of the Land Tax Act which is headed, "Release of tax in case of serious hardship". It states—

> In any case where it is shown to the satisfaction of the Commissioner that any taxpayer liable to the payment of tax has

suffered such loss from bush fires drought floods or other calamity or that owing to low prices in respect of primary products in the year for which the tax is assessed the income derived by any taxpayer from land the subject of tax has been so reduced that the exaction of the full amount of tax would entail serious hardship the Commissioner shall—

I direct the attention of honorable members to the fact that it does not say that the Commissioner "may"—

release such taxpayer wholly or in part from this liability or may postpone for such time as he thinks fit the payment of the tax and make such entries and alterations in the assessment roll as are necessary for that purpose.

Why did the Government want to introduce this concession, which will have a permanent effect because of some temporary calamity? After all, the drought has broken; it was not a permanent calamity, although it might be a few years before the primary producers, who suffered as a result of it, will be able to recover and get on their feet again. The Opposition would feel sympathetic towards these primary producers, but they are not the only ones who suffered during the recent drought. What about many small industries and small businesses which suffered during the drought period?

The Treasurer has admitted on previous occasions that it was not only the primary producers who suffered because of the drought, but for some reason or another this section of the community has been singled out under this legislation. The Opposition would not have objected if people who had lost jobs—not all people who were affected were able to obtain other employment—as a result of the drought had received assistance. But why should the Government in this annual Bill—a Bill of this type must be passed annually to fix the rates of land tax for each succeeding year—include a provision which will have a permanent effect? To be realistic, we know that it is doubtful if any future Government will have sufficient courage to say, "It is about time that the primary producers were brought back into the fold". Obviously, the Government has introduced this measure as a sop to a section of the community. The policy of the Australian Labor Party is for the gradual abolition of land tax. During the régime of the Cain Labor Government, the Federal Government vacated the field of land tax. It said to the States, "We are vacating this field", and the Cain Government came back into it. If it had not done so, similar record deficits to those incurred by the Bolte Government would possibly have been incurred by the Cain Administration.

When the Cain Labor Government reintroduced land tax, there was a violent denunciation of it by the then Leader of the Opposition, who is now the Premier and Treasurer. Upon assuming office, the Treasurer carried it on, but for political reasons he is starting to do another somersault and is saying, "We will grant this concession to primary producers permanently". There is no reason for the Government to act in this manner and the Labor Party is not happy about the position. Although our party might not have been particularly enthusiastic about it, we could still see a case made out for the small man who is working his own block of land. Country members frequently speak of the struggle of the small man on the land, particularly those farmers who must try to maintain a family on it. The Labor Party would have been quite happy to support a proposal to exempt properties of this type if it was a family holding or where a holding was managed by an individual with perhaps a few relatives. The Opposition would not have objected to the Bill if the Government had stated that, instead of providing that the exemption would apply to all land used for primary production, it should apply to land owned and occupied by a natural person or by a corporation which is a proprietary company incorporated in Victoria and all the members of which are natural persons.

That would mean that all the big companies and the absentee landholders would have had to pay, but the genuine man working his own farm with the assistance of his family would be exempt. The Opposition is happy to foreshadow an amendment along those lines, and if I get the opportunity to do so during the Committee stage I shall move such an amendment.

I have outlined the other provisions, but I have not dealt with them in detail. In declaring the rates of land tax for the calendar year 1969, the Bill provides only one table setting out the duty payable. In previous years two tables have been included, Table A relating to land or lands used for primary production as assessed under the Land Tax Act 1967, and Table B relating to land not used for primary production. This Bill abolishes Table A because all land used for primary production will be exempt from the payment of land tax. The new table will be the same as Table B under the 1967 Act, except that where the land is valued at more than $25,000, the rates are being increased by 10 per cent.

I would also point out that under existing legislation primary producers already receive substantial concessions which owners whose land is used for other purposes do not receive. As an illustration, the exemption from land tax for primary producers is $10,000, and a partial degree of exemption is granted until the figure of $20.000 is reached. The exemption for land not used for primary production is only $6.000, and completely disappears at $9,000. The rate of land tax is far less on land used for primary production. Where the value of the land does not exceed $30,000, it is taxed at .42 cents per $1. That figure is reduced to $17.500 on land not used for primary production. It is also taxed at .42 cents per $1 but the tax on land valued at $30,000 is $172. The tax on land used for primary production at that figure is only $126. Where land used for primary production exceeds a value of $140,000, tax amounting to $1,520 is levied, but, on similar land not used for primary production the tax is increased to $2,036.

The primary producer is receiving generous treatment. Irrespective of whether the land is owned by millionaires or foreign corporations, the Government proposes that they shall receive exactly the same concession as will apply to the poor struggling farmer working his own land. A few weeks ago the Country Party condemned the " Collins-street cockies ", but now members of that party are saying, " It is all very well for the city folk ; if they have not the money to buy land in the country, it is bad luck. However, we must do something for these struggling 'Collins-street cockies'."

A number of the amendments facilitate municipal valuations for the purposes of land tax assessment. The staff of the Commissioner of Land Tax will be transferred to the administration of the Valuer-General, to provide uniformity of valuations. The Premier and Treasurer said that, consequent upon what had taken place in 1960 under the Valuation of Land Act, 52 municipalities were making valuations for the Commissioner of Land Tax, who then issued assessments on the valuation. His speech must have been written some time ago, because in the pamphlet issued by the Land Tax Branch the Commissioner of Land Tax stated that—

> Valuations on unimproved capital value of the following municipalities were made by the valuer for the municipality and not by the Commissioner of Land Tax.

He then set out a list of 53 municipalities. The Treasurer stated that there were only 52. Whoever wrote his speech did not have up-to-date figures.

The Opposition commends several aspects of the Bill, particularly the amendment to tighten up section 44 dealing with the aggregation of holdings. This section pro-

vides that two or more corporations having a substantial identity of shareholders shall be deemed to be one corporation. The same provision applies in respect of companies that have interlocking directorates or companies which are subsidiaries in one case and holding companies in another. Corporations which consist substantially of the same shareholders can be aggregated for assessment purposes, but the word " substantial " under the present definition means 75 per cent. of the holding. It is now proposed to alter that definition to a holding exceeding 50 per cent. The same principle will apply with respect to subsidiary companies. Land held by a corporation which comes within the definintion of sub-section (5) of section 6 of the Companies Act—where one company holds more than 50 per cent. of the shares in another company—will be aggregated. It is common for business purposes to split holdings into a number of small separate companies, with one as a holding company. By this means pay-roll tax, land tax, and so on, are dodged. The Bill proposes to close this loophole.

Land owned by a mutual life assurance society and by registered building societies have been subject to tax of only five-twelfths of 1 cent in the $1 irrespective of the value of the land held. This measure repeals that concession. For some reason, probably from the time of the inception of land tax, these assurance societies and registered building societies were assessed at the rate of the absolute minimum of .42 cents in the $1. That concession will be withdrawn, and the societies will be placed on the same basis as other folk. I shall not weary the House with some of the smaller concessions granted.

I refer to the proposal to allow the lessees to pay the tax. In his second-reading explanatory speech, the Premier and Treasurer stated—

> It is also proposed that the provisions of section 71 making absolutely void any contract purporting to transfer the incidence of land tax shall be qualified, after 31st December, 1968, by allowing the incorporation of a covenant in a lease by which the lessee agrees to reimburse the lessor for the amount of land tax paid.

The side note to section 71 of the principal Act states, " Contracts to evade tax void ". I presume there was some purpose in it. Sub-section (1) of section 71 states—

> Every contract agreement or arrangement made or entered into in writing or verbally (whether before or after the commencement of this Act) shall be absolutely void in so far as directly or indirectly it has or purports to have the purpose or effect of in any way directly or indirectly altering the incidence of the tax or relieving any person from liability to pay the tax or make any return or defeating evading or avoiding any duty or liability imposed on any person by this Act or preventing or limiting the operation of this Act in any respect.

At present the lessor or the owner of the land cannot say to the lessee or the tenant, " You must pay the land tax ". I do not know how long the present provision has existed, but I assume there was some purpose for its inclusion. Apparently looking after the wealthy city people, the Treasurer stated—

> It has been drawn to our attention that the existing provisions militate against the use of the long-term purchase-lease as a means of financing the construction in Victoria of large office buildings and other similar buildings . . . Without the ability to recover this tax, the investors must protect themselves in other ways.

After burning its heart out for the primary producers, the Government is now touched to the core regarding the welfare of investors. The Government therefore tells the investors that they can say to the lessees, " You must pay the land tax ".

The Labor Party foreshadows an amendment in regard to total exemption of lands from land tax. The Opposition will vote against the table because it represents a 10 per cent. increase in land tax on all lands valued at more than $25,000, except those used for primary production. I shall leave it to honorable members to consider whether the logic of the Opposition's case can convert them.

Mr. MOSS (Leader of the Country Party).—I do not know how much land tax the honorable member for Melbourne pays, but I presume he does not pay any.

Mr. CLAREY.—I pay $50 a year.

Mr. MOSS.—Is that all! According to the arguments advanced by the honorable member for Melbourne, it is apparently all very well for primary producers, business people and industry in the country to pay land tax, but I remind him that many people throughout the State pay no land tax. Basically, this Bill declares the rate of land tax for the coming year. It also exempts land used for primary production, and provides that municipal valuations may be used in arriving at assessments.

The honorable member for Melbourne made a violent attack on primary producers and asked why they should be exempted from land tax. Previous statements by the honorable member clearly illustrate that he believes land tax is a legitimate charge. In the opinion of members of the Country Party and many other people throughout the State. it is not a legitimate charge. The Commonwealth Government vacated the field because it saw the injustice of this tax. The Government did not tell the States that once it vacated the field, they could impose land tax. The Victorian Government took this action of its own volition and for its own particular reasons. The Country Party believes land tax is a class tax and as such it should be abolished gradually over a period so that it will not unduly interfere with the State's budgeting.

It was interesting to hear the honorable member for Melbourne say that the exemption on primary land did not benefit a great majority of people living in the country. He asked about persons who were establishing industries in country centres. Apparently, the honorable member has a very short memory. He quoted what the Premier and Treasurer said as Leader of the Opposition thirteen or fourteen years ago. I agree with the statement quoted. Last year, when a Bill to declare the rates of land tax for 1968 was being debated, I moved an amendment to provide an exemption, as a first step towards its abolition, in respect of all lands outside the Port Phillip area, as defined in the Electoral Act. In view of the crocodile tears shed by the honorable member for Melbourne today for country businessmen, one would normally expect him to support such an amendment, but the record shows that, to a man, the Labor Party voted against the Country Party's proposal, as did every member of the Liberal Party, including those representing country areas. I do not know how those members can justify their opposition to the proposal.

Of course, the honorable member for Melbourne uses an argument to suit the occasion. He vacillates like a metronome on the question of land tax. Twelve months ago, he voted against a partial abolition of land tax, and today he has made a violent attack on primary producers. He says that the proposal contained in the Bill does not benefit a great number of people in the country. One can hardly seriously consider the arguments advanced by the honorable member when, on one occasion, he says certain things to bolster up an argument, and then, on another occasion, turns completely around on his tracks.

Although the Country Party is not tremendously happy about the rates to be declared under the Bill, because they will be increased, it wholeheartedly supports the exemption from land tax of lands used for primary production. Costs of primary production are rising daily and returns are diminishing. No one can deny that the major primary industries in Victoria and in Australia are going through a very testing time, and one in which they especially merit the consideration of Governments. The wool grower has gone through a period of selling wool under the cost

of production. Shortly, this House will be asked to ratify a so-called wheat stabilization scheme with a guaranteed price of 20 cents under the cost of production for export wheat up to 200,000,000 bushels.

Mr. FLOYD.—The Country Party will vote for the Bill.

Mr. MOSS.—I should not be game to attempt to anticipate what the honorable member for Williamstown will do, because that is impossible. In the dairying industry which is a major primary industry in Victoria, during the past twelve months there has been a reduction of 12 cents in price alone. The comments by the honorable member for Melbourne indicate how far he is away from the basic principle associated with this proposal.

The arguments for the exemption of primary lands from land tax was submitted by the Graziers' Association in a deputation to the Premier and Treasurer. The association perhaps more specifically stressed the problems associated with wool production than other primary industries. I have informed the House of the serious position of some of the major industries in Victoria.

The quantity of primary produce that is exported produces wealth for the benefit of the whole of Australia, and helps to maintain the nation's standard of living. This important function is exercised by primary producers in the course of their occupation ; it is important in the interests of the community at large.

Mr. CLAREY.—So do many other business interests.

Mr. MOSS.—I appreciate that, but if something that is produced in Australia is consumed in Australia, the money simply moves around ; if it is sold to an overseas country, the wealth comes into Australia and it is utilized as new wealth for this country.

The SPEAKER (the Hon. Vernon Christie).—The honorable member is now discussing exports whereas the Bill deals with land tax.

Mr. MOSS.—I am using the argument to support the proposed permanent abolition, I hope, of land tax on land used for primary production. The Country Party is not happy with the incidence of increased land tax because it indicates that the Treasurer proposes to retain land tax for some considerable time to finance the affairs of the State.

Land tax was first introduced to break up large estates. In recent years, it has been used as a means of obtaining revenue for the Treasury. In principle, the Country Party opposes land tax and believes that there should be other means of obtaining the necessary finance. Consequently, as a result of representations from the Country Party and from other people, at least this small step, which I hope will be the first step towards the abolition of land tax in Victoria, is being taken.

Mr. HOLDING (Leader of the Opposition).—I participate in this debate to correct the serious misrepresentations made by the Leader of the Country Party about the position of the honorable member for Melbourne. In what I thought was a thoughtful contribution, the honorable member for Melbourne referred to the problems confronting every person in the community in respect of land tax. I think it can safely be assumed that whatever is said on this problem by an Opposition spokesman will be misrepresented by the Country Party.

The simple approach adopted by the honorable member for Melbourne was that the exemption from land tax on land used for primary production may operate with undue harshness upon certain sections of the community. This has been seized upon for purely political purposes by members of the Country Party, who run around the country saying, as has been said in this House—quite fasely—that the honorable member

for Melbourne has made a violent attack upon primary producers. If any honorable member should hang his head in shame before he speaks about anyone else in this House doubling back on his tracks, it is a member of the Country Party. I do not want to remind the House of the clear undertakings, promises and statements which were made by the Country Party on the issue of workers compensation.

If there is one person who is expert at misrepresenting statements of other members of this House in respect of their attitude to primary producers, it is the honorable member for Benalla, who is at present interjecting. During the last State election campaign, the honorable member went around the country areas saying that it was the policy of the Labor Party to socialize primary production. The honorable member knew that that was not true.

Mr. TREWIN (Benalla).—Mr. Speaker, on a point of order, I feel that I am being misrepresented because I did not address any meetings other than in my own electorate.

The SPEAKER (the Hon. Vernon Christie).—There is no point of order. The honorable member for Benalla has made a personal explanation.

Mr. HOLDING (Leader of the Opposition).—It is true to say that one of the traditional historical attitudes adopted by members of the Labor Party, and I think many other members of the community, is that the imposition of land tax originated as a policy designed to break up large estates at a particular time in our history. As the community has developed and extended, that approach to the problem of large estates is no longer necessarily relevant. There are other substantial powers vested in the Government which would enable it to take action if it were concerned about the size of large estates.

I agree with the Leader of the Country Party that land tax ought to be abolished. I believe it is a legitimate and proper objective of any Government which is doing its job properly to work towards the abolition of this tax. To that extent the Leader of the Country Party and I are in agreement. Members of the Labor Party find it difficult to accept certain aspects of the Bill. One is the proposal to abolish land tax in respect of one section of the community and to increase it in respect of other sections. I believe that is a bad principle.

Looking at the beneficial aspects of the Bill, it seems fair to say that the prime reason given by the Premier and Treasurer for the introduction of this part of the proposed legislation was the difficulties experienced by sections of the rural community as a result of the drought. As the honorable member for Melbourne has already mentioned, the difficulty about this is that if any primary producer has been adversely affected by the drought and is still so affected, there is power under the Act to enable him to obtain an exemption. Therefore, it is disturbing for that point to be made the basis of this Bill. It is disturbing because presumably the implication that underlies the basis of the Treasurer's proposition is that once the farming community has recovered from the effects of the drought, and no doubt reaches new levels of prosperity, this tax could be reimposed because that would be consistent with the reason given by the Premier to Parliament for its abolition.

It would have been far more satisfactory if the Government had come to grips with some of the real problems which are facing the farming community not only of Victoria but also of Australia and the whole world, particularly the western world. It is beyond argument that, at the present time, many grave problems confront primary producers in this State. These include the problems of rising costs. It is also true that in many instances the primary producer has a large amount of capital tied up and that the return he is receiving on that capital and as a result of his work

is inappropriate. If, in adverting to the problems to be faced by the farming community, the Treasurer had said that, as the first step in a considered Government policy designed to meet and deal with those problems, he was going to abolish land tax, this would have been more commendable than the basis on which the honorable gentleman presented this legislation to the House.

I find it difficult to understand how members of the Country Party can readily accept the definition involved in this Bill which fails to differentiate effectively between different types of primary producers. I believe a real case for the abolition of land tax can be made out. It is the view of the Labor Party that such a case can be made in respect of small primary producers, not on the basis of the difficulties they are experiencing because of the drought, but because of the difficulties which all sections of primary industry are facing at present and undoubtedly will face in the future.

In regard to the problems of the small primary producer, it would have been reasonable for the Government to say that it was adopting the present policy as the first step in a whole series of proposals designed to meet the difficulties faced by this section of the community. Are we as a House simply to close our eyes to the facts and equate the legitimate problems of the small farmer, whose sole source of income is his own work on his own property, with the problems of the person who is described broadly as a Collins-street farmer and who is continually subjected to attack by members of the Country Party? He is a man who is perhaps engaged in a large business or profession and whose income is of such magnitude that he sees farming not as a source of income but as a source of relief from the burdens of income tax.

The honorable member for Melbourne mentioned a third class, namely, the large companies which, for a variety of reasons, not the least of which is related to income tax, engage in primary production. Are they to be equated, in the thinking of the Country Party and of members of this House, to the problems of the small farmer? Whether the Leader of the Country Party likes it or not, while members of his party propose to vote for the benefits conferred on all these groups, members of the Labor Party make no apology for asserting that they cannot support a proposition which equates benefits that ought to flow to primary producers with those which will flow in equivalent measure to large companies many of which are registered in Canberra for the purpose of dodging the incidence of income tax. Indeed, many of them are foreign owned.

Mr. WHITING.—They need sorting out.

Mr. HOLDING.—The honorable member for Melbourne was concerned to sort this out and has drafted an amendment which he will foreshadow in due course. I point out that presumably the honorable member for Mildura, like other members of the Country Party, is not concerned to sort this out. The second proposition that the Opposition cannot support is this : At the same time as this relief is being given, an additional burden is to be imposed on other sections of the community. In other words, the Government is proposing to rob Peter to pay Paul.

Mr. WHITING.—You should talk to the Treasurer about that.

Mr. HOLDING.—It is not a question merely of talking to the Treasurer ; it is a question for all member of this House to consider. The honorable member for Melbourne has already mentioned the irony of the situation. In my view, if any section of the community is deserving of relief, which should have been given relief in this measure, it is the group of small manufacturers, whose work is often done under very difficult circumstances, in regional areas.

Mr. Moss.—You voted against it last year.

Mr. HOLDING.—In this Bill, the Leader of the Country Party will be voting in some cases to increase the incidence of tax upon those very people. That is the logic of the honorable member.

Mr. Moss.—Why not be consistent? I realize that it is impossible for you.

Mr. HOLDING.—The honorable member was anxious to misrepresent the position of the honorable member for Melbourne and of the Labor Party in this matter. However, he has overlooked that he and his party are prepared to vote to increase the burden of land tax on people who are working in decentralized industries in country areas. The honorable member knows that many small manufacturers, and indeed many large manufacturers, operating in country towns will be affected. The Opposition raised this point during the discussions on drought relief. I do not remember receiving very much support from members of the Country Party.

Mr. Moss.—Why did you not tell us this twelve months ago? There is no answer to that.

The SPEAKER (the Hon. Vernon Christie).—Order! The Leader of the Country Party was heard in silence by the House, and I invite honorable members to give the same respect to the Leader of the Opposition.

Mr. HOLDING.—When giving his reasons why the benefits of this Bill should flow to primary producers, the Premier and Treasurer did not come to grips with the real problems facing primary producers, and equally did not come to grips with the difficulties of those who are operating industries in major regional centres and in country areas generally. Over a long period, the Government has failed to provide any real or meaningful assistance to promote decentralization.

The SPEAKER.—I think the honorable member is getting off the subject.

Mr. HOLDING.—Mr. Speaker, with respect to your ruling, with which I shall comply, I point out that, in addition to conferring benefits, the Bill also imposes burdens. What will be the situation of a large butter or cheese factory in a country town as a consequence of the proposed amendments? In my view, it is not beyond the bounds of probability that the operator of that factory will find that incidence of land tax will be increased. An honorable member has interjected to say that very few will be affected, but, to adopt an interjection by the honorable member for Broadmeadows, I believe that only one is too many. If a person is concerned to promote the growth of industry in rural areas, and to protect and assist industries which are already there, on what basis does he vote to increase the incidence of land tax upon the owner of such an industry and, at the same time, to give total exemption to a company which is overseas owned, registered in Canberra and operating a large farm in Victoria? These are some of the inherent contradictions which members of the Opposition find in the proposed legislation.

In many respects the Bill is unsatisfactory and so that there can be no misrepresentation, innocent or otherwise, of the position of the Opposition, I shall reiterate it. The Labor Party believes it is a legitimate and proper object for any Government to move towards the limitation of the incidence of land tax in this State as a move towards its abolition. Secondly, it believes the problems which are being faced by primary producers in this State at all levels create the need for direct and positive government action, in both State and Federal spheres. The Opposition therefore welcomes this measure to the extent

to which it relieves some of the burdens now placed on primary producers; and in referring to primary producers, the Opposition means, fundamentally, the primary producers whose income, livelihood and future are inseparately bound up in the land. It does not include the Collins-street farmer who sees the farm primarily as a method of reducing his income tax while building a capital accretion, and it does not include corporations which are involved in primary producing activities which are incidental to a multiplicity of fiscal operations. Thirdly, the Opposition is disappointed that, in considering the effects of the drought, the Government has given no real thought to resolving the problems faced by regionally based industry.

Mr. PHELAN.—Offer the House a practical suggestion.

Mr. HOLDING.—I assure the honorable member for Kara Kara that the honorable member for Melbourne has an immensely practical suggestion to make. He will foreshadow an amendment that he will move later in an endeavour to come to grips with the problem. His amendment proposes to exclude from the definition companies which are owned by other companies. It would include, of course, the family company which operates a farm unit. Honorable members will be well aware of the situation in which a farmer has a number of sons and decides upon a company structure to ensure that ultimately everyone will receive his fair share.

There are real limitations on the nature of any amendment which can be proposed in relation to a Bill of this kind, but that does not prevent the Opposition from indicating to the Government the sort of policy and philosophy that the Labor Party believes the Government should follow. Equally, Opposition members would feel much happier if, when talking of the abolition of land tax, some thought were given to regionally based industries which, in many instances, are trying to compete, under difficult and unfavourable circumstances, with their city counterparts. We would find those two steps much more attractive and worthy of support than the broad definition contained in this Bill which will give benefits to some who, in our view, ought not to receive them, and at the same time impose burdens on other sections of the community. The Opposition's view is that it is inequitable for sections of the community to be asked to bear the additional burdens imposed by a Bill which is designed to relieve another section of the community. We feel that this, in principle, is an unacceptable practice.

For those reasons, the honorable member for Melbourne, who is handling this Bill on behalf of the Opposition, will move an amendment which, if accepted, will strengthen and improve this proposed legislation, because it will give real benefits to the legitimate primary producer. We relate our position in this matter not to the question of drought but to the question of problems confronting primary producers in Victoria. When the amendment is moved, the Opposition trusts that it will have the consideration and support not only of the members of the Country Party but of all honorable members.

Mr. B. J. EVANS (Gippsland East).—The Leader of the Opposition is to be congratulated on his speech. Members of the Country Party appreciate the difficult task that he has been called upon to perform. As is typical in the situation in which he found himself, the Leader of the Opposition endeavoured to divert attention from his colleague, the honorable member for Melbourne, by engaging in an outrageous and completely unjustified attack on the honorable member for Benalla. I venture to suggest that every member of this House who knows the honorable member for Benalla at all would agree that he is incapable of the misrepresentation of which he was accused.

The real basis and point of the Leader of the Opposition's speech was that he had to take the heat off his colleague, the member handling the Bill for the Opposition. This is in contrast to the speech of the Leader of the Country Party, who put the case clearly and concisely and did not level any accusations of misrepresentation against the honorable member for Melbourne. He pointed out that when opportunities were presented to the Opposition to support an amendment which would have brought about assistance to rural industries—a matter adverted to by the Leader of the Opposition, as the self-appointed advocate for primary producers—it did not take advantage of them. The Opposition voted against the amendment which would have excluded all of the areas of this State outside the Port Phillip area as defined under the Electoral Act. The Country Party believes that it was a sensible proposition to advance at that time, and one which would have met most of the requirements laid down by the Leader of the Opposition in the course of his remarks, because it did not in fact propose to increase the burden on the remaining section of the people who have to pay the tax.

I repeat that it is the firm policy of the Country Party to act for the abolition of this tax, and I do not think it is reasonable to criticize it because it is prepared to accept a step in this direction. Members of our party are hopeful that this is the first of several steps ; or, if possible, the first of only two steps. We appreciate the fact that in an endeavour to meet the financial requirements of the State the Treasurer cannot abolish this tax out of hand, in one fell swoop. It is possible that a series of steps will be involved before our objective is achieved.

Mr. B. J. Evans.

To coin a word, the honorable member for Melbourne may be described as an "agriphobiac", because last year, when the Land Tax (Rates) Bill was being debated, I said—

> If the argument of the honorable member for Melbourne is of any substance, the honorable member should have moved an amendment to do away with the differentiation between rural and urban land tax assessments. If the honorable member argues that land tax should be paid by everybody, there is no substance in having differing rates between the two areas.

The honorable member interjected—

> I do not approve of any variation, although I am not speaking for my party when I say that.

The honorable member confessed to the House that he did not approve of any variation between rural and urban land tax. He made his attitude quite clear, and also emphasized that he was at variance with other members of the Labor Party in the matter. Today the Leader of the Opposition has had to apologize for the honorable member for Melbourne and endeavour to "get him out from under" because his viewpoint is so well and widely known. He is one of the few members of the Labor Party prepared to come forward and say what he believes.

The Labor Party desires to soft-soap country people into believing that it is to that party that they must look for their salvation. I am afraid that the Leader of the Opposition will be disappointed in his attempt to take the heat off his colleague, and that he is in error in his idea that country people will ever be deluded that it is the Labor Party to whom they must turn.

Mr. TURNBULL (Brunswick West).—The first matter to which I wish to refer is that part of the Bill which refers to the exemption of small landowners. The emphasis is on the words "small landowners", who are those who live within the metropolitan area.

If the history of this tax is traced it will be seen that one of the greatest opponents of land tax in this House is the Premier and Treasurer. Time and again over the years he has described land tax as an unjust tax. I do not know whether this Bill is an effort by the Treasurer gradually to abolish land tax, but if it is it would be more desirable for it to be applied over-all. There are other forms of taxation, such as a tax on advertising. In this State more money is spent on advertising than on education.

I have no criticism of the provision which will exempt from the payment of land tax all land used for primary production, but I have a suspicion that this provision resulted from action taken by the Country Party in another place in relation to another form of taxation. No doubt members of the Country Party are elated at this exemption, and I make no comment on it other than to congratulate them. One of the difficulties will be to decide who is entitled to the proposed exemption. Will it apply to every landowner, or will it apply only to those landowners whose principal source of income is derived from primary production? Members of the Country Party are most interested in the latter group, and it is to protect these people that the Opposition proposes to move some amendments.

I now wish to discuss the hobby farmers, who are prevalent. This type of farm is popular because it is a means of spending income on capital works in order to obtain taxation concessions. One of the unfortunate results of hobby farming is that the value of land owned by persons interested in primary production is increased. If the taxation concession were taken away from the hobby farmer, much would be done to aid primary production.

The recent drought adversely affected farmers in rural areas, and also rural industries. I should have thought that the whole or some of the proposed benefits could be extended to persons associated with primary production.

Mr. B. J. EVANS.—That is what the Country Party attempted to do last year.

Mr. TURNBULL.—I did not take part in that debate, but I suggest that what is good enough for the primary producer should be good enough for the secondary or tertiary producer in areas which have been adversely affected by the drought.

I now wish to discuss the small landower who elects you, Mr. Speaker, and other members of Parliament in the metropolitan area. The proposed total exemption will apply to persons in this category who own land which is valued at less than $6,000, and a lesser exemption will apply to land valued at more than $6,000 but less than $9,000. I ask you, Mr. Speaker, whether in Ivanhoe or West Brunswick there is available a block of land which is worth as little as $6,000, or indeed $9,000. A residential block of land in most metropolitan suburbs could not be obtained at this figure. Even the conservative municipal valuations are well above that amount.

In New South Wales—the position there is due to exemptions made by the Labor Party Government in that State before the Liberal Party Government assumed office—the exemption applies to land not used for primary production to a value of $17,250, and to land use for primary production to a value of $34,000. It is unjust that land tax should be imposed on the working-man who makes great sacrifices to buy a home in which to accommodate himself and his family. Through circumstances over which he has no control the land value rises to above

$6,000 or $9,000 and he is obliged to pay land tax irrespective of his income. I trust that some members like the honorable member for Essendon will display a greater interest in this form of taxation with a view to bringing the exemption somewhat closer to that which applies in New South Wales.

Mr. WHEELER (Essendon).—It has been interesting to hear members of the Labor Party and of the Country Party "getting stuck into each other" during this debate. The problems of primary producers are realized by all sections throughout the community and were mentioned by the Premier and Treasurer when he explained this Bill. The honorable gentleman's explanatory second-reading speech acknowledges that farmers and primary producers have passed through a difficult period. The Treasurer has done his utmost to assist primary producers so far as the payment of land tax is concerned. The primary producer has fared very well over the years because many primary producers have never paid land tax. Throughout the State there have been many anomalies in the application of State land tax. For that reason, possibly more than any other, the Premier and Treasurer realized that, to overcome these anomalies and inequalities, land tax on land used for primary production should be abolished.

It is all very well to assert that land tax and other taxes should be abolished, but it must be remembered that if one tax is removed another means of raising revenue must be found.

Mr. GINIFER.—What is your answer?

Mr. WHEELER.—I have not an answer, and no other member is game enough to make a suggestion. I have always been sympathetic to the problems of the single lot owner, whom I believe should not be expected to pay land tax. A single lot owner buys a home and raises his family, and, in some instances, the municipal valuation—which will now be the basis for State land tax—has increased to such an astronomical extent that the single lot owner finds that he has to pay State land tax. I hope this situation will be investigated, because I believe it is unfair for such people to have to pay this tax.

The total amount derived from land tax for the year 1967 was $20,585,226. In 1965, the minimum valuation for exemption was increased to $6,000—which reduced the number of taxpayers to 89,000—and the total revenue amounted to $18,686,484. It is evident that in the two-year period increased valuations resulted in an increase of $2,000,000 in revenue from State land tax. I do not know what the increase will be in the metropolitan area in the next two years, because in the past few weeks I have made some inquiries in relation to municipal valuations and have found that in some instances they have increased by 140 to 150 per cent. If this situation continues, practically every individual in the metropolitan area will pay State land tax unless the minimum valuation for exemption is raised. I sound that warning because I believe the Government must be realistic in regard to exemptions from land tax ; otherwise, every landowner will have to pay land tax, and in my view this will be unjust.

Mr. WILTON (Broadmeadows).—The honorable member for Essendon went a long way towards supporting the honorable member for Brunswick West when he raised the question of the individual lot owner who may be affected by this measure as a result

of increased municipal valuations. So far as the comments of the Deputy Leader of the Country Party are concerned, it is evident that members of the Country Party are engaging in their usual political gymnastics in a desperate attempt to grab whatever political capital they can from this situation to bolster up their sinking stocks. The honorable member for Melbourne and the Leader of the Opposition clearly stated the Opposition's case in relation to this Bill. As the Leader of the Opposition pointed out, the granting of a complete exemption in regard to all land used for primary production will open the way for speculators to engage in their usual tactics.

Mr. B. J. EVANS.—What about your farm?

Mr. WILTON.—I do not mind admitting that I own a small parcel of rural land. If I am " caught " for land tax I shall be happy to pay it. My philosophy is that when a person has to pay tax he should go down on his knees and thank the Lord that he is in a position to do so ; he must be earning an income if he is obliged to pay tax.

The Leader of the Opposition pointed out that this Bill grants a complete exemption from the payment of land tax on land used for primary production and that this will pave the way for land speculators to indulge in the practices which they have followed in many outer metropolitan areas. Land speculators and persons holding large tracts of rural land for developmental purposes make full use of the section of the Local Government Act which provides that farm rates may be struck by municipalities. The same position will apply in this instance to rural land which is owned by speculators or industrial organizations who are in the process of developing the land for industrial purposes.

Simply by purchasing a few head of sheep or cattle and running them on the rural land, they will get complete exemption from land tax, because the land is being used for primary producing purposes. That is wrong.

The points made by the honorable member for Essendon are valid because land tax is becoming a serious problem in the metropolitan area as a result of increased land values. The honorable member for Brunswick West has pointed out that city land values are reaching astronomical heights, and many landowners who should not be required to do so will have to pay land tax. The difference between the large primary producer or the pastoral company and the person who owns a block of land on which he has built a house is that one derives an income from his land and the other does not. It was never intended that the people who do not derive income from their land should pay land tax.

In view of what has been said tonight by the honorable members for Melbourne and Essendon and the Leader of the Opposition, the Government should withdraw the Bill and re-examine it. It should consider the points raised by honorable members during this debate. If it were to do this, it would be in a position to introduce legislation which would achieve what honorable members desire. As the Leader of the Opposition pointed out, many rural industries will be adversely affected by the provisions of this Bill, which does two things. First, it relieves primary producers from the burden or land tax and, secondly, it loads another section of the community with that burden.

The honorable member for Melbourne stated that $2,000,000 was received from primary producers in land tax last year. When the Treasurer first referred to this exemption in his Budget speech he

indicated that an exemption totalling $2,000,000 would be granted to primary producers but that this amount would be recouped by increasing the land tax paid by other sections of the community. This is an injustice, and if the Government has a desire to assist the genuine primary producer there is a better way of achieving this than is set out in the Bill. Therefore, the Government should withdraw the measure and give consideration to the points made by honorable members during the debate.

Mr. TREWIN (Benalla).—It is good to see the interest taken in this Bill, upon which several honorable members have expressed their views. I have my own views about land tax and the Bill before the House, and I appreciate the manner in which the exemption has been introduced this year. The Country Party accepts the proposal to exempt land used for primary production from land tax and as a primary producer I accept this relief which is to be afforded to primary producers.

During the debate on a similar Bill last year, members of the Country Party sought further exemptions than were then proposed. We still believe that no land in Victoria should be subject to this tax. A person who owns a block of land or a farm has been able to acquire it only because he has worked and saved. He has already paid taxation on the money that he has earned and saved, irrespective of his occupation. If he earns money from his land he has to pay taxation on his earnings. As well as paying the normal taxation he has to pay municipal rates and other levies. Land tax is an iniquitous form of taxation.

It has been said that country industries will be carrying a greater burden of land tax than they should be. In many cases this will be so, and I would have been happier if the Government had included land owned by country industries in the exemptions because they are operating in country areas, frequently under great difficulties, and employing people, thereby assisting decentralization.

The Leader of the Opposition referred to me when he was speaking. If I have done anything to upset him it would be nothing more than to tell my political opponent at one time when he said that he stood for socialism that I did not appreciate his point of view and therefore I could not support his idea. Although I am an anti-socialist, I believe land tax should not be imposed on any land in Victoria.

Whilst the Bill goes a certain distance towards satisfying members of the Country Party, it does not go far enough. I live in a shire which was not declared a drought area and therefore the implications of the relief to be granted by this Bill, although it applies to the whole of the State, do not reflect quite so deeply in the area that I represent. However, primary producers generally are grateful for the relief to be given to them, but this should be only the start and relief should be given to every landholder in this State.

The motion was agreed to.

The Bill was read a second time and committed, *pro forma.*

The House went into Committee of Ways and Means.

Mr. MANSON (Minister of State Development).—I move—

That subject to the Land Tax Act 1958 as proposed to be amended by the Land Tax Bill there shall in the case of each owner of land be charged levied collected and paid for the use of Her Majesty in aid of the Consolidated Revenue for the year commencing on the 1st day of January, 1969, and ending on the 31st day of December, 1969, the duty of land tax upon land as provided in the table appended hereto :

Provided that the minimum amount of tax payable for the said year by any taxpayer assessed under the Land Tax Act 1958 as so proposed to be amended shall be $1.

TABLE.

Where the Amount of the Taxable Value of Land or Lands as Assessed under the Land Tax Act 1958 :—	The Duty of Land Tax Shall Be :—
Does not exceed $17,500	0·42 cents for each $1 of the tacable value
Exceeds $17,500 but does not exceed $20,000 ..	$73·50 plus 0·62 cents for each $1 of the taxable value in excess of $17,500
Exceeds $20,000 but does not exceed $25,000 ..	$89·00 plus 0·83 cents for each $1 of the taxable value in excess of $20,000
Exceeds $25,000 but does not exceed $30,000 ..	$130·50 plus 1·05 cents for each $1 of the taxable value in excess of $25,000
Exceeds $30,000 but does not exceed $40,000 ..	$183.00 plus 1·10 cents for each $1 of the taxable value in excess of $30,000
Exceeds $40,000 but does not exceed $50,000 ..	$293.00 plus 1·14 cents for each $1 of the taxable value in excess of $40,000
Exceeds $50,000 but does not exceed $60,000 ..	$407.00 plus 1·38 cents for each $1 of the taxable value in excess of $50,000
Exceeds $60,000 but does not exceed $70,000 ..	$545.00 plus 1·60 cents for each $1 of the taxable value in excess of $60,000
Exceeds $70,000 but does not exceed $80,000 ..	$705.00 plus 1·72 cents for each $1 of the taxable value in excess of $70,000
Exceeds $80,000 but does not exceed $90,000 ..	$877.00 plus 1·83 cents for each $1 of the taxable value in excess of $80,000
Exceeds $90,000 but does not exceed $100,000 ..	$1,060.00 plus 2·06 cents for each $1 of the taxable value in excess of $90,000
Exceeds $100,000 but does not exceed $110,000 ..	$1,266.00 plus 2·18 cents for each $1 of the taxable value in excess of $100,000
Exceeds $110,000 but does not exceed $120,000 ..	$1,484.00 plus 2·29 cents for each $1 of the taxable value in excess of $110,000
Exceeds $120,000 but does not exceed $130,000 ..	$1,713.00 plus 2·52 cents for each $1 of the taxable value in excess of $120,000
Exceeds $130,000 but does not exceed $140,000 ..	$1,965.00 plus 2·75 cents for each $1 of the taxable value in excess of $130,000
Exceeds $140,000 but does not exceed $150,000 ..	$2,240.00 plus 2·86 cents for each $1 of the taxable value in excees of $140,000
Exceeds $150,000 but does not exceed $160,000 ..	$2,526.00 plus 2·98 cents for each $1 of the taxable value in excess of $150,000
Exceeds $160,000 but does not exceed $170,000 ..	$2,824.00 plus 3·09 cents for each $1 of the taxable value in excess of $160,000
Exceeds $170,000	$3,133.00 plus 3·21 cents for each $1 of h taxable value in excess of $170,000

Where the owner of land not being land used for industrial purposes is an absentee the duty of land tax provided in the foregoing provisions of the table shall be increased by twenty per centum and for purpose of this table—

(*a*) "Absentee" means a person who does not reside in Australia and includes a person who has been absent from Australia for at least twelve months immediately prior to the time when the ownership of his land for the purposes of the Principal Act is determined unless he satisfied the Commissioner that he resides in Australia, but does not include a public officer of the Commonwealth or the State who is absent in the performance of his duties;

(*b*) If at least three-fifths of the entire beneficial interest in any land is owned by absentees or if (where the land is owned by a body corporate) at least three-fifths of the issued share capital of that body corporate is held by absentees, that land shall be deemed to be wholly owned by absentees.

The motion was agreed to, and the resolution was reported to the House and adopted.

The House went into Committee for the consideration of this Bill.

Clause 1 was agreed to.

The sitting was suspended at 6.29 *p.m. until* 8.5 *p.m.*

Clause 2, providing, *inter alia*—

The Principal Act is hereby amended as follows :—

(*a*) In section 3—

. . . . . .

(*f*) At the end of section 9 there shall be inserted the following sub-section :—

"(5) Land or lands used for primary production."

Mr. CLAREY (Melbourne).—I should like to make some general observations on this clause. First, I foreshadow an amendment which I shall move later. Copies of the amendment have already been circulated to honorable members. During my second-reading speech, I indicated that the Opposition felt that new sub-section (5) of section 9, as contained in paragraph (*f*) of clause 2, which proposed to exempt from land tax land or lands used for primary production, was altogether too sweeping. Irrespective of the ownership of the land—it could be owned by a wealthy company or a company formed in Canberra which desired to avoid taxation—the land would be covered by this exemption.

I shall not traverse the whole subject-matter of the Bill at this stage, because any points that I may have omitted during the second-reading stage have been adequately supplemented by my Leader. The purpose of my amendment is to ensure that the proposed exemption of primary production land shall be confined to legitimate individuals who own farms, reside on them and work them. My amendment envisages the addition of the following words to proposed new sub-section (5) :—

which is or are owned and occupied by a natural person or by a corporation which is a proprietary company incorporated in Victoria and all the members of which are natural persons.

The CHAIRMAN (Mr. L. S. Reid).—I wish to bring to the notice of the Committee that the honorable member for Melbourne proposes to amend the Bill by limiting the scope of the taxing exemption in paragraph (*f*) of clause 2. The effect of the amendment would be to increase the incidence of the charge. Land tax is required to be declared annually by legislation and is not continuing in effect. The purpose of the present Land Tax Bill is to declare the rates of land tax for the year ending December, 1969, and at the same time to amend the Land Tax Act including, *inter alia*, the exemptions in the principal Act.

Until this Bill becomes law, no rates of land tax will be declared for the year 1969. At the same instant in time as the Bill declares the rates, it also amends the exemptions. The amendments to the exemptions are not amendments to an existing charge but will affect the charge proposed to be imposed by the Bill itself. May's *Parliamentary Practice* states that—

. . . if an amendment is offered, it is compared with the terms of the resolution proposed from the chair and is ruled out of order if it in any way increases the amount or extends the area of incidence of the charge defined in those terms.

. . . the royal initiative in taxation implies the exclusive right to define the incidence as well as the amount of burdens to be placed upon the people, and that an amendment which transfers a burden to taxpayers not previously liable is an infringement of this initiative.

The resolution of the Committee of Ways and Means relating to the Bill determines the rates of land tax. It does not refer to the exemptions proposed. It is obvious, therefore, that the proposed amendment is not in conflict with the resolution of the Committee of Ways and Means. It does, however, affect the incidence of tax by extending it to persons who would, under the terms of the Bill, be exempt, and is therefore out of order.

Mr. CLAREY.—Mr. Chairman, you have given what I think honorable members would regard as a rather involved and intricate ruling. It would be difficult for any honorable member to raise a point of order or debate it because it seems to involve so many points. No one is presently liable, and the actual imposition of the charge——

The CHAIRMAN.—The honorable member for Melbourne should not debate my ruling, but I am prepared to hear him by way of explanation if there is any point which he wants clarified.

Mr. CLAREY.—Opposition members considered that as the rate of land tax is not actually dealt with until the Committee debates clause 8, which sets out the new table of rates, my amendment would be quite in order. I am putting it forward to make the Opposition's attitude perfectly clear. It is disappointing to feel that, in discussing legislation of this character, honorable members who wish to do so cannot express their opinions concerning a proposal simply because the Government has framed the legislation in such a way that it would appear to be impossible to amend it.

Mr. FENNESSY (Brunswick East).—I think you, Mr. Chairman, would agree that your ruling, with which the Opposition does not disagree, is very involved. Even members of the Country Party would agree that they do not understand it properly.

The CHAIRMAN.—In order to clarify my ruling for the benefit of the Committee, I shall again quote from *May* the relevant passage which makes it quite clear.

Mr. FENNESSY.—Mr. Chairman, you did not allow me to complete my remarks.

The CHAIRMAN.—I know the point which the honorable member for Brunswick East intends to raise, namely, that the Committee does not understand my ruling. In order to clarify the position for the benefit of the Committee, I shall again quote this passage from *May*—

> . . . the royal initiative in taxation implies the exclusive right to define the incidence as well as the amount of burdens to be placed upon the people, and that an amendment which transfers a burden to taxpayers not previously liable is an infringement of this initiative.

Mr. FENNESSY.—On a point of order, Mr. Chairman, I do not believe that the amendment proposed by the honorable member for Melbourne would transfer the burden of taxation to another section of the community.

The CHAIRMAN.—As I stated in my explanation, the amendment would affect the incidence of tax by extending it to persons who, under the terms of this Bill, would be exempt. It is therefore out of order.

Mr. WHEELER (Essendon).—I seek clarification of one aspect, Mr. Chairman. Clause 8 of the Bill contains a table setting out the rates of land tax. Does your ruling mean that when clause 8 is under consideration, it cannot be debated by honorable members?

The CHAIRMAN.—The honorable member for Essendon is now referring to rates of land tax. The amendment proposed by the honorable member for Melbourne deals with exemptions from land tax. The two matters are entirely different.

Mr. CLAREY (Melbourne).—I wish to speak concerning several portions of clause 2, which covers a multitude of sins. When the Bill was explained, I asked for an adjournment of a fortnight, but the Treasurer stated that it was urgent. It was agreed to resume the debate last Thursday. However, the Treasurer, who was in the House this afternoon, is not now present to take charge of his own Bill, which was part and parcel of his Budget. He has left in charge of the measure a Minister who obviously knows nothing about it. I am certain that if the Minister of Transport was acquainted with the contents of the Bill, he would have spoken to clause 2, which relates to interpretations consequential on subsequent amendments that future valuations will be done by municipalities and not by the Commissioner of Land Tax.

Paragraph (*e*) substitutes new sub-section (7) and is linked with the basic principle of the Bill. The side-note to sub-section (1) of section 7 of the principal Act states—

Exemption from land tax in case of land used for primary production.

Sub-section (1) states, *inter alia*—

. . . no land tax shall be charged to the owner thereof in respect of such land or lands unless the unimproved value of such land or lands exceeds $10,000.

That is now being amended by new section 7 providing for only one type of charge—for land used for other than primary production. Proposed new section 7 states, *inter alia*—

No land tax shall be charged to the owner of land or lands unless the unimproved value of all land or lands owned by such owner exceeds $6,000.

The Labor Party has always advocated, sometimes successfully, that the exemption should be lifted. I wonder whether the honorable member for Essendon would be in order in moving an amendment to extend the exemption to the sum concerning land used for primary production, namely, $10,000, and disappearing at $20,000? If he really believes what he advocates—I am certain that he does because he backed up the honorable member for Brunswick West—he should move an amendment to that effect, so that it would not impose but would lift a burden.

The clause was agreed to.

Clause 3 (Amendment of No. 6289).

Mr. CLAREY (Melbourne).—This clause provides a number of amendments consequential upon the transferring of assessments to municipalities. The Treasurer did not explain this clause as minutely as one would expect in relation to financial measures. Paragraph (*f*) provides that section 40 of the principal Act shall be repealed. This section provides—

(1) No tax shall be assessed or payable in respect of the value of any minerals and for the purpose of any such tax the value of minerals shall not be taken into account in estimating the value of the land.

(2) In this section the term "minerals" means all minerals metals coal or precious stones existing on or beneath the surface of the land.

Again, no explanation was offered of this matter. Does it mean that, for land tax purposes, in future the unimproved value of the land will take into account the value of minerals on the land?

The clause was agreed to.

Clause 4 (Corporations having substantial identity of shareholders to be deemed one corporation).

Mr. CLAREY (Melbourne).—The Treasurer should have more adequately explained the provisions of this clause. I agree with most of these provisions, which tighten up the definitions relating to corporations deemed to be related to each other for purposes of the Companies Act. Proposed new sub-section (1) of section 44 of the principal Act provides—

Any two or more corporations which consist substantially of the same shareholders may, if the Commissioner thinks fit, be deemed to be a single company for the purposes of this Act.

In his second-reading speech, the Treasurer did not refer to the word "may". He said it was going to be done. Therefore, why is the word "shall" not used? The Companies Act uses the expression "shall be deemed". I do not suppose I will get an answer.

Sub-clause (2) of this clause provides that section 45 of the principal Act is to be amended, and paragraph (*a*) provides—

In sub-section (2) and sub-section (7) for the word "exemptions" there shall be substituted the words "the exemption".

Section 45 of the principal Act contains only three sub-sections. Apparently the Treasurer does not read the Bills he presents to the Committee. Therefore, I move—

That, in paragraph (*a*) of sub-clause (2), the figure "7" be omitted with the view of inserting the figure "3".

Mr. WILCOX (Minister of Transport).—I thank the honorable member for Melbourne for directing the attention of the Committee to the

error which appears in the drafting or the printing of the Bill. It is clear that section 45 of the principal Act does not contain a sub-section (7). Sub-sections (2) and (3) contain the plural word "exemptions". If the purpose of the Bill is to change the plural word "exemptions" to the singular word "exemption", it should be done as the honorable member for Melbourne suggests. I agree to his amendment.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 5 and 6.

Clause 7, relating to definition of necessitous circumstances.

Mr. CLAREY (Melbourne).—The Labor Party thoroughly agrees with the new definition of "necessitous circumstances". Section 91A of the principal Act concerns the release or postponement of land tax to taxpayers in necessitous circumstances and it provides that the Commissioner may release the taxpayer from payment of the whole or any part of the tax payable. "Necessitous circumstances" is now to be more widely defined. No doubt honorable members have received from their constituents requests for deferment of payment of Melbourne and Metropolitan Board of Works rates. The Board of Works grants relief in necessitous circumstances as defined in the Land Tax Act. If an honorable member receives a query from a constituent as a result of the enactment of this Bill, he will find that the interpretation has been extended to mean a pensioner on the maximum rate, and in the case of a repatriation pensioner if his total income does not exceed $500 per annum.

The clause was agreed to.

Clause 8, providing for the rate of land tax for 1969.

Mr. CLAREY (Melbourne).—I shall not cover the ground again. I have indicated that the Opposition is opposed to the proposed increase of 10 per cent. in the rate of land tax for all land exceeding $25,000 in value. In accordance with a ruling given earlier from the Chair, it is not possible to amend the table, and as we oppose in principle the increase, we therefore have no option but to vote against the clause. Certain members of the Country Party have expressed displeasure about the increase, as has the honorable member for Essendon.

Mr. WHEELER.—I did not mention "10 per cent."

Mr. CLAREY.—The honorable member for Essendon appeared to think that land tax was too high, and I thought he would be opposed to the 10 per cent. increase. As I said, the Opposition has no option but to vote against the clause with the view of deleting the table. If the clause is negatived, the Government will be required to bring in an amended table, or one equivalent to that which is at present in the Act.

The Committee divided on the clause (Mr. L. S. Reid in the chair)—

Ayes	53
Noes	16
Majority for the clause	37

AYES.

Mr. Balfour	Mr. Moss
Mr. Billing	Mr. Phelan
Mr. Birrell	Mr. Porter
Sir Henry Bolte	Mr. Rafferty
Mr. Borthwick	Mr. Reese
Mr. Broad	Mr. Reid (*Box Hill*)
Mr. Buckley	Mr. Rossiter
Mr. Cochrane	Sir Arthur Rylah
Mr. Darcy	Mr. Scanlan
Mr. Dixon	Mr. Smith (*Bellarine*)
Mr. Doyle	Mr. Smith (*Warrnambool*)
Mr. Dunstan	Mr. Stephen
Mr. Evans (*Ballaarat North*)	Mr. Stokes
Mr. Evans (*Gippsland East*)	Mr. Suggett
Mrs. Goble	Mr. Tanner
Mr. Hayes	Sir Edgar Tanner
Sir Herbert Hyland	Mr. Taylor
Mr. Jona	Mr. Trethewey
Mr. Loxton	Mr. Trewin
Mr. MacDonald (*Glen Iris*)	Mr. Vale
Mr. McDonald (*Rodney*)	Mr. Wheeler
Sir William McDonald	Mr. Whiting
Mr. McKellar	Mr. Wilcox
Mr. McLaren	Mr. Wiltshire.
Mr. Manson	*Tellers:*
Mr. Meagher	Mr. Ross-Edwards
Mr. Mitchell	Mr. Templeton.

NOES.

Mr. Clarey	Mr. Stoneham
Mr. Divers	Mr. Sutton
Mr. Fennessy	Mr. Turnbull
Mr. Floyd	Mr. Wilkes
Mr. Ginifer	Mr. Wilton.
Mr. Holding	
Mr. Lovegrove	*Tellers:*
Mr. Mutton	Mr. Edmunds
Mr. Ring	Mr. Trezise.

PAIR.

Sir John Bloomfield	Dr. Jenkins.

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

POULTRY PROCESSING BILL.

This Bill was received from the Council and, on the motion of Sir WILLIAM McDONALD (Minister of Lands), was read a first time.

MARRIED WOMEN'S SUPERANNUATION FUND BILL.

The debate (adjourned from November 21) on the motion of Sir Henry Bolte (Premier and Treasurer) for the second reading of this Bill was resumed.

Mr. CLAREY (Melbourne).—This is a Bill to wind up what is known as the Married Women Teachers' Pension Fund. In his second-reading speech on the 21st November, the Premier and Treasurer explained the Bill adequately, at least in broad outline. To put the matter in proper perspective, I quote the honorable gentleman's opening remarks—

> This Bill relates to a matter on which the unions concerned, the Government Actuary and other persons have endeavoured to find a satisfactory answer to an almost intolerable situation. To prove that point, at present married women teachers are entitled to contribute to the Married Women Teachers' Pension Fund at the rate of 5 per cent. of salary, and the State contributes annually a similar amount.

When a married teacher retires or ceases employment for other reason, she is entitled to a pension. Apparently the scheme has not been very attractive, because the Treasurer went on to say—

> To indicate how ineffective this scheme has been, only 5 per cent. of those eligible have contributed.

This is borne out by figures which appeared in the last report of the State Superannuation Board, which stated, *inter alia*—

> Under the provisions of Part III. of the Teaching Service Act 1958 the Board is charged with the management of the Married Women Teachers' Pension Fund.
>
> Contributions to the Fund commenced in July, 1957, and at the end of each financial year the Government is required to pay into the Fund from Consolidated Revenue an amount equivalent to the total amount of the officers' contributions received during the year. Details of the transactions in the Fund are shown in Table I.

I shall quote those figures which, although not extensive, are illuminating. The report continues—

> Moneys in the Fund are invested in the same type of security in which the Superannuation Fund is invested and the investment securities held at 30th June, 1965, are shown in Table J. At that date there were 214 contributors to the Fund and 11 pensions had been granted.

At the time of the report the scheme had been in operation for eight years. In passing, I point out that the last report of the State Superannuation Board presented to this House is for the year ended 30th June, 1965. In other words, the Board is three years behind in its reports, yet the Government can introduce measures dealing with financial matters affecting the Board. It is clear that the fund is in a good financial position. At page 11 of the Board's report appears a statement of receipts and payments for the year ended 30th June, 1965, and another statement covering the whole period of the fund's existance. For the year ended 30th June, 1965, the total amount paid out in pensions was $979, while the sum of $1,824 was paid out in lump sum payments. An interesting point is that the assets of the fund at the end of June, 1965, consisted of $534,100 worth of investments. Although the fund is in a healthy position, apparently the scheme has not been very attractive.

Briefly, the purpose of the Bill is to wind up the existing fund and to open a new fund called the Married Women's Superannuation Fund, into which will be transferred all the

money that is at present in the current fund. Persons who are receiving a pension under the present scheme—I do not know how many of them there are—will be entitled to continue to receive the pension if they wish to do so. Contributors to the present fund will be transferred into the new scheme. The member's contribution will remain at 5 per cent. of her salary, and the Government will add one and a half times that amount. When a married woman reaches the retiring age, or is obliged to cease work for other reasons, she will receive a lump sum payment. There will be a separate account for each individual contributor, which will be credited with payments into the fund and her share of the interest earned by investment of the fund. As an illustration, if there is an amount of $1,000 standing to the credit of a contributor on her retirement, the Government will add another $1,500, so that she will receive a lump sum payment of $2,500. If the contributor does not want to draw a lump sum—probably this will happen only in a minority of cases—she may receive an annuity.

Sir HENRY BOLTE.—The principal attraction is that her service can be broken and she will not lose her entitlement.

Mr. CLAREY.—I was coming to that point. The Bill contains certain lenient or elastic provisions whereby, if a married woman temporarily leaves the service to have an addition to the family or on account of ill health or because of other circumstances, she will not be obliged to continue to contribute to the fund until she returns to work. For example, if a contributor is off duty for six months, when she resumes work she will not be up for the payment of six months' arrears. On the other hand, if she wishes to continue payments whilst she is absent from work I think that is permissible.

The Bill contains a number of other provisions, one or two of which I shall advert to at the Committee stage. In the main, the new scheme will be a definite improvement on the old one, and I think it will be much more attractive to married women.

Sir HENRY BOLTE.—It will still not be compulsory.

Mr. CLAREY.—I think I indicated that earlier. The scheme is not compulsory, but from discussions I have had with several teachers I am of the opinion that the new scheme will be more attractive. I am sure a much greater percentage of married women will contribute to the new fund. I shall discuss one or two features of the provisions in Committee.

Mr. PHELAN (Kara Kara).—The Country Party supports this measure, which is designed to improve the conditions under which married women may contribute for superannuation. It is proposed to transfer the money from the existing fund into a new Married Women's Superannuation Fund and to increase the Government's contribution to the fund from 5 per cent. to 7½ per cent. The Country Party considers the Bill to be desirable and commends the Government for its introduction. Not only will the measure provide that contributors to the new scheme may elect to take either a lump sum payment or an annuity on their retirement, but also if for unforeseen circumstances—such as the natural hazards of married life—a contributor leaves the service for a period, the contributions will be suspended without penalty and can be resumed when the person concerned returns to work. There will be no liability for back payments, as is the case with most superannuation schemes.

My colleagues and I believe these are desirable provisions. Contributors will receive a guaranteed return on their contributions plus a Government contribution of 1½ times their own contribution. The Bill has been designed to overcome certain problems, and I believe it will offer justice and encouragement for married

women to contribute to the new optional scheme. I have every confidence in commending the Bill, which should overcome problems existing in the particular sphere of employment in the service with which it is concerned.

The motion was agreed to.

The Bill was read a second time and committed, *pro forma*.

Sir HENRY BOLTE (Premier and Treasurer) presented a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of this Bill.

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

The House went into Committee for the consideration of this Bill.

Clauses 1 to 5 were agreed to.

Clause 6 (Contributors).

Mr. CLAREY (Melbourne).—I do not think I made it clear in my second-reading speech that the new Married Women's Superannuation Fund will include all married teachers who are contributors to the existing fund. The Married Women Teachers' Pension Fund will disappear and all of its assets will be transferred to the new fund. This fund will also cater for married women in other branches of the service; in other words, a married woman, who is not a teacher, but who is employed elsewhere in the Public Service, will automatically be included in this fund. Sub-clauses (1) and (2) of the clause provide—

(1) Any person who was a contributor to the Married Women Teachers' Pension Fund established under the Teaching Service Act 1958 immediately prior to the commencement of this Act shall become and be a contributor to the Fund.

(2) Any woman who is an officer within the meaning of the Superannuation Act 1958 but to whom that Act does not apply and who does not become a contributor to the Fund pursuant to sub-section (1) may elect to be a contributor to the Fund and every woman who so elects shall become and be a contributor.

Apparently a female contributor to the existing superannuation fund who becomes married drops out of it and receives a refund of her contributions, but she can enter the new fund. I want to make it clear to honorable members that the new fund is not limited to married woman teachers but applies to married women throughout the service.

The clause was agreed to, as were clauses 7 to 11.

Clause 12 (Annuity Account).

Mr. CLAREY (Melbourne).—There is a technical point that I should like the Treasurer to clarify. Sub-clause (1) of clause 12 provides—

The Board shall from time to time when it thinks fit credit to the ordinary account and the special account (if any) of each contributor and to the Annuity Account an amount in respect of interest.

Can the Treasurer indicate why the words "when it thinks fit" are used in that sub-clause rather than a provision for a specified regular period, such as quarterly, half-yearly or yearly? My reading of the proposed legislation is that, if I am a contributor, I pay in certain amounts and I receive my share of the interest which is earned. What is the position if my share of the interest has not been added when I retire? I appreciate, of course, that if the Board added interest only once a year, for example, and I retired half way through the year, I could lose the benefit of the interest payment.

Sir HENRY BOLTE (Premier and Treasurer).—I think the honorable member has answered his own question. If a regular period were specified, I think that precisely what he is worried about could happen. Employment of the words "when it thinks fit" enables the individual accounts of every contributor to be adjusted. If adjustments were made periodically, a contributor could "miss out" on some interest. The provision simply means that if an

annuity or any other form of benefit is being determined at a particular time, the interest can be credited at that time.

The clause was agreed to.

Clause 13 (As to benefits on retirement).

Mr. CLAREY (Melbourne).—I ask the Treasurer to indicate what is meant by paragraph (*b*) of sub-clause (6) of this clause, which provides—

> where the contributor has agreed to accept an annuity payable on more than one life that the annuity shall be payable at different rates during the period of the annuity.

I thought that a contributor could accept only an annuity payable on his own life.

Sir HENRY BOLTE (Premier and Treasurer).—This is rather complicated. From an examination of the various provisions in sub-clauses (2) to (6) honorable members will find that there are a number of different ways in which a contributor may determine how she will take an annuity. She can have an annuity paid during the whole of her life; she can have an annuity for a term certain, which is for a given period; or she may take an annuity payable until the death of the survivor or herself, her children or her spouse. That is an annuity which is not only on her own life but is also on the life of a spouse or child. She will receive a lower annuity, of course. The sub-clauses referred to relate to elections that a contributor may make.

The clause was agreed to.

Clause 14 (Benefits on retirement because of ill-health).

Mr. CLAREY (Melbourne).—This provision is of considerable benefit to those who are not in the fund but desire to enter it. It provides that if a person elects to be a contributor within six months of the commencement of the operation of the Act she will not be required to submit to any medical examination. If medical examinations were to be insisted upon in every case, I am certain that there would be a number who would not be able to receive the full benefit. That is a provision which should attract many to the fund.

The clause was agreed to, as were clauses 15 and 16.

Clause 17 (Actuarial investigation of fund).

Mr. CLAREY (Melbourne).—Sub-clause (1) provides—

> An investigation as to the state and sufficiency of the Annuity Account shall be made at the expiration of the financial year ending on the 30th day of June, 1973 and thereafter as at the expiration of each period of five years.

I ask why the period of five years has been chosen. Honorable members will recall that the actuarial investigation of the State Superannuation Fund used to be made every five years, but that was altered to every three years. That is a passing query.

Sub-clause (2) provides that the investigation shall be made by an actuary appointed by the Board, and sub-clause (3) provides that the actuary shall report to the Board the result of his investigations. I suggest that words might be added to provide that a copy of the actuary's report shall be presented to Parliament. This is desirable when any reports of this nature are made. A few years ago, the Government accepted a similar suggestion by me in regard to the annual report—it was not an actuarial report—of the Exhibition Trustees. In this case, the Act governing the State Superannuation Fund provides for an actuarial investigation, and the copy of the actuary's reports are presented to Parliament.

I have the last report for the year ended 1965. I found that there was a similar provision—except for one qualification—in respect of the Married Women Teachers' Fund, that there should be an actuarial investigation. However, on inquiry at the Papers Room and elsewhere, I found that no copies of the report have been

received because the Act simply states that a report shall be made to the Board. As a result, the reports are not presented to Parliament. I see no reason why the reports should not be presented to Parliament so that they would be available for reference without honorable members having to ask that they be laid on the table of the Library. Perhaps the words I have suggested could be added when the Bill is dealt with in another place.

Sir HENRY BOLTE (Premier and Treasurer).—Although I usually agree with the honorable member for Melbourne, I am not sure that the suggested amendment is necessary. A quinquennial investigation used to be made of the State Superannuation Fund, and it is now proposed that an investigation at a similar interval should be made of the Married Women's Superannuation Fund. The reason why the period should be five years in relation to this fund is that it will be a much smaller fund than the State Superannuation Fund. I accept the honorable member's support and advice, but the reason for the change from five to three years in regard to the State Superannuation Fund was because of changed circumstances of investments which today are of long term and at a higher rate of interest. The actual fund can change materially in three years.

The honorable member for Melbourne will recall that previously most investments were in long-term Government bonds at 3½ per cent., and they were invested for decades. Today, the investment policy of the State Superannuation Board is such that each year the return is increasing. That is why it is essential that the position should be ascertained every three years, so that additional benefits may be transmitted—not to present contributors but to the people who are now pensioners. Until it is known how healthy the fund is, it is impossible to assess correctly what may be paid from the fund. However, I shall examine the point raised by the honorable member, and I will guarantee that, if it is believed necessary a report will be presented to Parliament in due course.

The clause was agreed to, as were clauses 18 and 19.

Clause 20 (As to assignment of benefits &c.)

Mr. CLAREY (Melbourne).—Subclause (2) provides—

> Notwithstanding anything in sub-section (1) in the case of the death of a pensioner or contributor to whom or in respect of whom any money not exceeding $400 is payable under this Act the Board may pay such money to such person as in the circumstances the Board thinks fit.

I ask the Treasurer to amplify this provision, which I presume relates to a payment which may be made to cover funeral expenses, and so on.

Sir HENRY BOLTE (Premier and Treasurer).—I should not care to give a definite answer, but I think it is to meet immediate expenses where there is little or no doubt about entitlement. If that is not so, I will ask the actuary to supply the honorable member with information.

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.

VALUATION OF LAND (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.

CHIROPODISTS 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. GINIFER (Deer Park).—The Opposition does not oppose the Bill, but I wish to comment on the role that is played by chiropodists as an aid to medical and surgical care. In his explanatory second-reading speech

the Minister stated that, although a medical practitioner indicates the over-all nature of a disability or injury, the chiropodist's skill is used in building artificial aids and in the manufacture of artificial limbs. Furthermore, in view of the fact that most general hospitals now have a consultant chiropodist to assist with treatment of various types of cases needing chiropody, it is now desirable that some type of registration and standardization should be implemented so that there will be some uniformity and a standard by which chiropodists may be registered.

I have one or two queries which I hope the Minister may be able to satisfy. For instance, the Minister indicated that in order to establish a Board by which chiropodists may be registered four chiropodists will be appointed to the Board initially. Who will be the chiropodists appointed, and on what recommendation or on whose recommendation will the Minister make such appointments? The Bill does not disclose how this is to be done. The Bill does lay down how subsequent appointments will be made, but it is not clear how the original four chiropodists are to be appointed so that the Chiropodists Registration Board may be constituted and then undertake the task of registering chiropodists in the future.

I also ask the Minister whether it is intended that in this registration board the Australian Chiropody Association of Victoria will predominate or will the Melbourne College of Chiropody be the only recognized school? This matter is not clearly stated in the Bill. Furthermore, what is the standing of the Associated Chiropodists Guild, which is another group of people who practise this art in Victoria? I should also be interested to learn what is the standing of the London College of Chiropody, the National School of Chiropody and the Premier School of Chiropody. What will be the position of persons who have been practising chiropody for a number of years but who have not qualified or completed some type of prescribed course with one of these organizations or guilds?

As I mentioned previously, there is some doubt as to how the Board may be established or how the original four chiropodists' representatives may be appointed. Clause 10, in wide terms, covers registration for the first twelve months. However, I believe honorable members would be happier if the Minister could supply more detail as to which persons are likely to be accepted and who are likely to be excluded as likely candidates for appointment to the board. I refer to the various guilds and organizations which are at present operating in this field. The principle of registration is good, but more information as to the intention of the Bill would be welcome. The definition of chiropody contained in clause 2 of the Bill is wide and I am wondering if the position in Victoria may become similar to that in the United States of America where chiropodists are permitted to operate to correct deformities of the feet and toes.

Members of the Opposition support the Bill, but there are many questions which we should like answered by a Minister in this House or by the Minister of Health in another place.

Mr. R. S. L. McDONALD (Rodney).—Members of the Country Party also support the Bill, the purpose of which is to make provision with respect to the registration of chiropodists. This is a technological age and developments are continually occurring in the treatment of diseases. It is only natural in a growing population that there will be a greater call for people qualified in the correction of feet complaints and the treatment of diseases associated with the feet. In his second-reading speech the Minister said—

> Over the years representations have been received from various interests for the introduction of legislation to recognize chiropody as a profession and so ensure that the members of the public receive chiropody

treatment from only those persons who are adequately qualified. The practice of this profession is now regulated by legislation by government registration boards in Western Australia, South Australia, New South Wales and Tasmania.

For that reason I believe the Victorian law should follow this line and permit the registration of chiropodists. It is a profession which will grow, and only qualified persons should be allowed to treat complaints of the feet. The old practice of a chiropodist merely providing a cure for corns is finished. The definition of chiropody as contained in clause 2 of the Bill covers most of the actions that would be undertaken by these qualified persons.

Clause 3 provides—

Notwithstanding anything in this Act a medical practitioner may practise chiropody and may recover in any court any fee or charge for or with respect to the practise of chiropody.

A medical practitioner is entitled to charge fees for this service and the public must be protected by having qualified people in the profession of chiropody. The various provisions of the Bill will ensure that that profession is properly controlled. I believe that the examinations proposed to be conducted by the Board will be adequate. Sub-clause (1) of clause 4 provides for the establishment of the Board in the following terms:—

For the purposes of this Act there shall be a Board appointed by the Governor in Council under the style of "The Chiropodists Registration Board of Victoria" (hereinafter in this Act referred to as "the Board") consisting of the following:—

(*a*) Two medical practitioners nominated by the governing body of the Victorian Branch of the Australian Medical Association;

(*b*) One chiropodist selected by the Minister for appointment as chairman; and

(*c*) Three chiropodists elected by the chiropodists of Victoria in the prescribed manner:

The Board will set the courses and this will take time. In a letter to the Minister of Health, the Associated Chiropodists Guild, an organization operating in Victoria, made several comments on the Bill, with some of which members of my party do not agree. The letter from the guild to the Minister stated—

We have now had an opportunity of studying the proposed Bill forwarded to us by the Honorable the Attorney-General. The proposed Bill had not previously been forwarded to this Guild and we had no prior opportunity of studying same or suggesting any amendments thereto.

We now suggest the following amendments to or in relation to the proposed Bill:—

(*a*) That the Bill as drawn be rejected and be re-introduced at a later stage in an amended form; as this Guild representing a number of Chiropodists has not had a reasonable opportunity of studying same, commenting therein or suggesting amendments thereto.

Frankly, I do not agree with those comments because the health of the nation is of paramount importance. If the Government elevates chiropody to a profession, as is proposed in this Bill, it will be doing the right thing. The letter continues—

(*b*) If (*a*) is not acted upon then the following minimum amendments be made to the Bill as presented:

(1) The definition of chiropody is much too wide. A person practising his profession within the ambit of that definition would be surely encroaching on the domain of a qualified medical practitioner.

They have made that suggestion, but how many of them continue in practice without taking notice of it? That is why professionally qualified people must be available to undertake this work. A person who needs treatment will not go to both a doctor and a chiropodist. The chiropodist will be elevated to the status of a professional person and will exercise his duties as he should. The letter further states—

(2) Clause 9 (2) (*a*). For 21, substitute eighteen years old. There are quite a number of persons who are now in practice who have not attained their majority.

It is my opinion that any person who has had experience in this profession should have no trouble in completing the prescribed course set by the Board. It will be in the interests of the people he is to treat that he should have these qualifications. The

principle generally accepted throughout life is the greater the qualifications the easier it is to carry out the job. The letter continues—

(3) Clause 10 (1) be amended by adding after the word "that" in the 4th line thereof the words "such person has completed a course of study through any school of chiropody in Victoria or has practised chiropody for reward during any period of the twelve months preceding the coming into operation of this Act", and by deleting the rest of the words in the said clause 10 (1).

As stated in previous correspondence to you, no standard of training has previously been in force in this State and therefore it is but right that any person in practice at the commencement of the Act must be entitled to earn their livelihood without further examination or interruption.

I do not agree with that statement. If a person has been a chiropodist for a long time he should have no trouble in qualifying. He should have sufficient experience to enable him to pass any test set by the Board.

Chiropractors have sought registration for years and if the Government has seen fit to introduce legislation to register chiropodists it has a duty also to introduce legislation to enable other professions to be registered.

The motion was agreed to.

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

CRIMES (EVIDENCE) BILL.

The House went into Committee for the further consideration of this Bill.

Discussion was resumed of clause 2, providing, *inter alia*—

After sub-section (3) of section 314 of the Principal Act there shall be inserted the following sub-section:—

"(4) Where, on the trial of a person for perjury, or for wilfully and corruptly making a false statement on oath, it appears to the jury that the accused has made two statements on oath, of which one is irreconcilably in conflict with the other, and the jury are of opinion that one of such statements was wilfully false, but they cannot say which of them was so, they may specially so find and the accused is guilty of perjury or of wilfully and corruptly making a false statement on oath (as the case may be) and he shall be liable to punishment accordingly."

Mr. ROSS-EDWARDS (Shepparton).—I move—

That, in proposed new sub-section (4) of section 314, the words "of opinion" be omitted with the view of inserting the words "satisfied beyond reasonable doubt".

I am rather surprised that this provision has been introduced in this form. The matter was referred to the Statute Law Revision Committee about ten years ago and the committee recommended that no action should be taken. In his second-reading speech the Attorney-General said that the number of cases in which this clause would be applicable were few. However, he considered it desirable to introduce such a provision.

A similar section has been in operation in New South Wales for many years and the proposed new sub-section follows the wording of the New South Wales law. If my amendment is accepted the proposed new sub-section will then read, "and the jury are satisfied beyond reasonable doubt" instead of "and the jury are of opinion". In criminal cases in Victoria it has been the practice for a jury to be satisfied beyond reasonable doubt before bringing in a verdict of guilty. However, this wording has been watered down to allow the jury to bring in a verdict merely if it is of "opinion", which is a lesser standard of proof. It is difficult to see why we should deviate from the standard of proof which the jury must observe in other matters, and I see no reason why Victoria should follow the New South Wales practice. If there is some good reason, which we have not heard, it could be considered. If not, it would be proper for the Government to accept the amendment.

Mr. G. O. REID (Attorney-General).—I appreciate what the honorable member for Shepparton has said. I have made a fairly close study of the proposed amendment. The honorable member is concerned that in proposed new sub-section (4) of section 314 of the principal Act the words

"the jury are of opinion that one of such statements was wilfully false" appear, and he wishes those words to be replaced by the words, "the jury are satisfied beyond reasonable doubt that one of such statements was wilfully false".

It is necessary for me to reiterate what I said in my second-reading speech, that this proposed amendment is designed to tighten the law in regard to perjury. At present it is possible for a person to make a statement on oath, either in a court or in some form of sworn statement outside the jurisdiction of the court, and to make an entirely contrary statement about the same matter in some other court or in some other proceeding. In these cases the Crown has difficulty in establishing which statement is false. It might be necessary for the Crown to charge a person with making a false statement, but the Crown has no means of proving whether the facts deposed to in the particular matter are falsely stated or not.

In my second-reading speech, I conceded that this matter has arisen on a number of occasions in Victoria. Some years ago it was brought to the attention of the Statute Law Revision Committee, which at that stage thought there was no necessity for an amendment to be made to the law. However, as I indicated in my explanatory speech, a number of instances have been brought to the notice of the Crown Solicitor and the Solicitor-General indicating that contradictory statements in different proceedings have been made by certain persons. As I pointed out then, there are probably more instances than come to the notice of the Crown Solicitor and the Solicitor-General, because it is only when these matters are brought to their attention by a tribunal that the matter is recorded.

Both in New South Wales and in Canada provisions such as are proposed in this amendment have been in force for some time, and it is considered that Victoria would do well to follow these precedents in this regard to tighten the law in regard to perjury, because all honorable members will agree that perjury tends to undermine the whole of our judicial system. False statements in court can render the judicial system inoperative, and the law should be tightened in this regard. Public opinion is in favour of such an amendment.

What concerns the honorable member for Shepparton is that in the proposed sub-section (4) the words "the jury are of opinion that one of such statements was wilfully false" appear, and he desires to introduce the words, "the jury are satisfied beyond reasonable doubt that one of such statements was wilfully false". I concede—and any other member of the legal profession in this House will agree—that the standard of proof in criminal matters is that of proof beyond reasonable doubt. In answer to what the honorable member says in this regard, I should like to say that there are three arguments against the proposition which induce me to say that I am not prepared to accept the amendment in the form put forward by the honorable member.

The first argument is that the proposal follows the wording of the relevant section of the legislation in New South Wales and also, I understand, of the wording of the particular section in Canada. So far as I know, the form of the new sub-section follows the words of other statutes, and to the best of my knowledge and belief no difficulty has arisen in regard to these matters nor has any indication been given that an accused person has been prejudiced.

The second reason why I am not disposed to accept the amendment moved by the honorable member for Shepparton is that I maintain that the burden of proof is retained in the latter words of the sub-section. It provides, *inter alia*—

> Where, on the trial of a person for perjury, or for wilfully and corruptly making a false statement on oath, it appears to the jury that the accused has made two statements on oath, of which one is irreconcilably in

conflict with the other, and the jury are of opinion that one of such statements was wilfully false, but they cannot say which of them was so, they may specially so find—

these are the important words—

and the accused is guilty of perjury. . . .

That implies that before the jury made their finding they would have to be satisfied that all elements in the indictment sustained a proof beyond reasonable doubt. That is my second argument against the acceptance of the honorable member's amendment.

My third reason for not supporting his amendment is that, from my personal knowledge, the general purpose of the Crimes Act is not to bring into the general text matters affecting the burden of proof, which is substantially a matter determined in common law decisions and is not a matter of statutory definition. If it is emphasized in this particular crime that a certain element must be proved beyond reasonable doubt there is a danger that it may throw doubts upon other parts of the Crimes Act. The necessity for proof beyond reasonable doubt in the interests of the accused is preserved in those parts of the Crimes Act, as well as in this Bill, by the general common law proposition that to sustain a conviction all these matters must be proved beyond reasonable doubt at common law.

For those reasons, I am not prepared to accept the amendment moved by the honorable member for Shepparton.

Mr. TURNBULL (Brunswick West).—I do not propose to enter this argument because the Opposition intends to vote against the whole of clause 2 for reasons I shall give at the appropriate time. In favour of the honorable member for Shepparton, I point out that the Canadian Criminal Code states—

. . . no person shall be convicted under this section unless the court, judge or magistrate, as the case may be, is satisfied beyond a reasonable doubt that the accused, in giving evidence in either of the judicial proceedings, intended to mislead.

I have no doubt that that type of legislation has motivated the honorable member for Shepparton in moving his amendment, but, as I have said, the Opposition intends to vote against the clause for reasons which will be stated. I hope I do not find myself voting with the Government. It makes an Opposition member feel uncomfortable when he has to vote with the Government in this Chamber.

Mr. MOSS (Leader of the Country Party).—As a layman, I am unable to follow the remarks of the honorable member for Brunswick West regarding the difficulties to which he has referred. He has said that he will not support the honorable member for Shepparton and that he intends to vote against the clause.

Mr. TURNBULL.—That is so.

Mr. MOSS.—The honorable member for Brunswick West has cited the words "beyond a reasonable doubt" which appear in the Canadian legislation. The honorable member for Shepparton desires to have these words included in the new sub-section (4) of section 314. The Attorney-General has referred to the necessity to tighten up the law relating to perjury, and on more than one occasion the Attorney-General used the words "beyond reasonable doubt". What does an opinion mean? Does it mean the opinion of the majority of the jury?

Mr. G. O. REID.—It means the whole of the jury.

Mr. MOSS.—The jury makes a unanimous decision. If, after their deliberations, they say, "We are of opinion", does that mean that they are unanimous? The effect is the same as the proposal put forward by the honorable member for Shepparton regarding the inclusion of the words "beyond reasonable doubt". This would be an added safeguard in the legislation. I realize it is difficult to convince honorable members on both sides who apparently do not wish to be convinced.

Mr. TURNBULL.—Not by a layman.

Mr. MOSS.—That is so. The point is that both honorable members have used the expression "beyond reasonable doubt" and yet the Attorney-General seems convinced in his mind that the words "of opinion" are sufficient. I cannot follow the argument.

Mr. TURNBULL (Brunswick West).—I do not want to be placed in the position of supporting the amendment and then opposing the whole of the clause.

Mr. Moss.—What is the reason for opposing it?

Mr. TURNBULL.—If the Opposition approved the proposed amendment it would be taken as approving the remainder of the clause, whereas it desires to oppose the whole clause.

The amendment was negatived.

Mr. TURNBULL (Brunswick West).—The Opposition intends to vote against the clause, which provides—

After sub-section (3) of section 314 of the Principal Act there shall be inserted the following sub-section:—

"(4) Where, on the trial of a person for perjury, or for wilfully and corruptly making a false statement on oath, it appears to the jury that the accused has made two statements on oath, of which one is irreconcilably in conflict with the other, and the jury are of opinion that one of such statements was wilfully false, but they cannot say which of them was so, they may specially so find and the accused is guilty of perjury or of wilfully and corruptly making a false statement on oath (as the case may be) and he shall be liable to punishment accordingly."

This question was considered by the Statute Law Revision Committee in September, 1958. An examination of the committee's report reveals that the reasons advanced by the Attorney-General in support of this clause coincide with the views of the Attorney-General in 1958. The committee's report states—

1. The Honorable the Attorney-General, by memorandum dated 11th February, 1958, drew the attention of the committee to an apparent anomaly in the law relating to the crime of perjury and to section 331 of the Crimes Act 1900 of the State of New South Wales. His memorandum reads:—

"Frequently Judges of the Supreme Court refer to me documents and transcript of evidence in cases heard before them suggesting that because of gross inconsistencies in evidence given by a party investigations should be made with the object of prosecuting for perjury any person prima facie guilty of that crime.

"Investigations are almost invariably undertaken; but consideration of the resulting reports usually discloses that, whilst perjury has been committed by that party yet it cannot be said which of the inconsistent statements on oath is the true one.

"The law as it stands requires the Crown to prove the false statement on oath, so that inability in that direction results in a perjurer escaping from a prosecution."

I suppose every week in almost every court of the land the inability of the Crown to prove a false statement on oath results in a perjuror escaping from conviction.

Mr. WILTON.—Probably it happens every day.

Mr. TURNBULL.—I agree. In the Court of Petty Sessions at Shepparton or Numurkah, an Aborigine or some person of low education could make inconsistent statements without knowing that he had done so. At times, persons who have a poor educational background will say almost anything, hoping that in some way their statements will prove advantageous to them. This situation could arise because of the person's mental capacity, which renders him incapable of rationalizing but, because he is anxious to help the court, he will say almost anything. Frequently, statements on oath emanating from persons of this type can be contradictory.

I cannot understand why the Crown should not be in the same position in regard to offences of the type envisaged in this Bill as it occupies in ordinary cases of larceny. The police or the Crown should attempt to obtain evidence to show which statements are false and, if this cannot be done, the persons concerned, as in the case of many other crimes, should be considered innocent.

Mr. Moss.—Under this proposal, a person could be found guilty without a trial.

Mr. TURNBULL.—That is so. This matter was thoroughly investigated by the Statute Law Revision Committee, which came to the following conclusion:—

> The committee is not convinced that the mischief to which the Honorable the Attorney-General adverted in his memorandum is either sufficiently grave or sufficiently widespread to justify the enactment of either provision in Victoria.

Opposition members consider that the truth of that statement still stands today. We propose to vote against the clause.

Mr. Moss.—Who were the Legislative Assembly members of the Statute Law Revision Committee which considered this matter?

Mr. TURNBULL.—The committee included the honorable member for Albert Park, the honorable member for Sunshine, the honorable member for Benambra, the honorable member for Gippsland West, the Minister of State Development and the Minister of Transport, all of whom are eminent persons, who would not come to a decision of this type unless they had devoted great care and attention to the problem.

Mr. G. O. REID (Attorney-General).—Briefly, I point out that the honorable member for Brunswick West has overlooked the fact that this clause relates to persons who have made contradictory statements on oath in different proceedings. Various examples of this have been brought to the notice of the Crown Law authorities from time to time.

For the benefit of honorable members, I shall quote a typical case. It concerns a woman who swore in divorce proceedings that she had not committed adultery with a certain man, whom I shall call Mr. X. In subsequent proceedings, in which the woman was bringing a Supreme Court action against Mr. X., she swore that she had committed adultery with him on a number of occasions. Situations of this type frequently confront the Crown, which has no means of knowing which of the two statements is false. It is desired to legislate to deal with cases of this type.

As I stated in my second-reading speech, the Statute Law Revision Committee came to the conclusion that this amendment was not necessary but that these matters are being continually brought to the notice of the Solicitor-General and the Crown Solicitor and, if the integrity of the courts is to be preserved, the law must be tightened in this regard.

Mr. TURNBULL (Brunswick West).—The provision states that the false statements must be made on oath.

Mr. G. O. REID.—The statements would have to be on oath to constitute perjury.

Mr. TURNBULL.—The two statements in question could be made in the one court proceeding and not in separate cases. I am not convinced by the remarks of the Attorney-General and, therefore, the Opposition will vote against the clause.

The Committee divided on the clause (Mr. L. S. Reid in the chair)—

Ayes	39
Noes	26
Majority for the clause	13

AYES.

Mr. Balfour	Mr. Reid (*Box Hill*)
Mr. Billing	Mr. Rossiter
Mr. Birrell	Sir Arthur Rylah
Sir Henry Bolte	Mr. Scanlan
Mr. Borthwick	Mr. Smith (*Bellarine*)
Mr. Darcy	Mr. Smith (*Warrnambool*)
Mr. Dixon	Mr. Stephen
Mr. Doyle	Sir Edgar Tanner
Mr. Dunstan	Mr. Tanner (*Morwell*)
Mr. Evans (*Ballaarat North*)	Mr. Taylor
Mrs. Goble	Mr. Templeton
Mr. Hayes	Mr. Trethewey
Mr. Jona	Mr. Vale
Mr. Loxton	Mr. Wheeler
Mr. MacDonald (*Glen Iris*)	Mr. Wilcox
Sir William McDonald	Mr. Wiltshire.
Mr. McLaren	
Mr. Manson	*Tellers:*
Mr. Meagher	
Mr. Porter	Mr. McKellar
Mr. Reese	Mr. Suggett.

NOES.

Mr. Buckley	Mr. Moss
Mr. Clarey	Mr. Phelan
Mr. Cochrane	Mr. Ring
Mr. Divers	Mr. Ross-Edwards
Mr. Edmunds	Mr. Sutton
Mr. Evans (*Gippsland East*)	Mr. Trewin
Mr. Fennessy	Mr. Trezise
Mr. Floyd	Mr. Turnbull
Mr. Ginifer	Mr. Whiting
Mr. Holding	Mr. Wilkes
Mr. Lovegrove	Mr. Wilton.
Mr. McDonald (*Rodney*)	*Tellers:*
Mr. Mitchell	Mr. Broad
	Mr. Mutton.

PAIRS.

Sir John Bloomfield	Dr. Jenkins
Mr. Rafferty	Mr. Stoneham
Mr. Stokes	Sir Herbert Hyland.

Clause 3—

In sub-paragraph (ii) in paragraph (*b*) of sub-section (4) of section 408A of the Principal Act for the words "or at the police station" there shall be substituted the words "or at or in the vicinity of the police station".

Mr. ROSS-EDWARDS (Shepparton).—I shall explain the two amendments circulated in my name and I shall move them separately. The principal Act provides that a person shall be given a breathalyzer test at the scene of the accident or that he shall be taken to a police station nearest to that place. In a recent court case it was found that a defendant was taken to the nearest police station, which was shut, and the test was taken outside the police station. For this reason, the case failed. The amendment contained in this clause is that the police shall carry out the test at or in the vicinity of the police station. My second amendment proposes that the test shall be carried out at a police station. The expression proposed by the Government, "at or in the vicinity of the police station", hinges on the meaning of the word "vicinity", which I presume means somewhere near a police station.

A person may be apprehended on suspicion of having a blood-alcohol content greater than .05 per cent., and he may be placed in a police van either by day or by night in circumstances that may damage his reputation as an innocent person. My amendment could be criticized on the grounds that a person could be taken to any police station. I should hope that it would be the nearest police station. Problems arise when the members of the mobile patrol do not know whether a police station will be open or not. It is agreed that a person who has a blood-alcohol content greater than .05 per cent. should be tested, but this should be done in the privacy of a police station and not in the public view. Therefore, I move—

That the words "or at the police station" be omitted with the view of inserting the words "at the police station nearest to that place".

Mr. TURNBULL (Brunswick West).—I wholeheartedly support the honorable member for Shepparton. The principal Act provides that a person who is required to furnish a sample of his breath for the purposes of analysis shall not be obliged to do so except within two hours of the driving or being in charge of the motor car in respect of which a member of the Police Force has a belief that the person has behaved in a manner which indicates that his ability to drive a motor car was impaired, and at or in the vicinity of the place where his driving or being in charge of a motor car occurred, or at the police station nearest to this place. It could well be that the vicinity of the place where the driving occurred was in the street.

The person should be taken away in a dignified manner and the test should be undertaken at a police station. He should not be subjected to the test in front of members of the public but should be taken to a quiet place and the test then carried out away from the public eye. I should imagine that a level surface is needed for the breathalyzer to function properly. It is important that the test should be carried out in a dignified way and where the person concerned would be able to take some interest in the proceedings and in what was recorded. The penalty for the offence is severe—a convicted person shall lose his licence for at least three months.

Opposition members support the amendment moved by the honorable member for Shepparton.

The Committee divided on the question that the words proposed by Mr. Ross-Edwards to be omitted stand part of the clause (Mr. L. S. Reid in the chair)—

Ayes	38
Noes	25
Majority against the amendment ..	13

AYES.

Mr. Balfour	Mr. Reid (*Box Hill*)
Mr. Billing	Mr. Rossiter
Mr. Birrell	Sir Arthur Rylah
Mr. Borthwick	Mr. Scanlan
Mr. Darcy	Mr. Smith (*Bellarine*)
Mr. Dixon	Mr. Smith (*Warrnambool*)
Mr. Doyle	Mr. Stephen
Mr. Dunstan	Mr. Tanner (*Morwell*)
Mr. Evans (*Ballaarat North*)	Sir Edgar Tanner
Mrs. Goble	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. McLaren	Mr. Wiltshire.
Mr. Manson	*Tellers:*
Mr. Meagher	Mr. McKellar
Mr. Porter	Mr. Suggett.
Mr. Reese	

NOES.

Mr. Broad	Mr. Mitchell
Mr. Buckley	Mr. Moss
Mr. Clarey	Mr. Phelan
Mr. Cochrane	Mr. Ring
Mr. Divers	Mr. Ross-Edwards
Mr. Edmunds	Mr. Sutton
Mr. Evans (*Gippsland East*)	Mr. Trezise
Mr. Fennesy	Mr. Turnbull
Mr. Floyd	Mr. Whiting
Mr. Holding	Mr. Wilkes
Mr. Lovegrove	Mr. Wilton.
Mr. McDonald (*Rodney*)	*Tellers:*
	Mr. Mutton
	Mr. Trewin.

PAIRS.

Sir John Bloomfield	Sir Herbert Hyland
Sir Henry Bolte	Dr. Jenkins
Mr. Rafferty	Mr. Stoneham.

The CHAIRMAN (Mr. L. S. Reid).—As the next amendment proposed to be moved by the honorable member for Shepparton is entirely dependent upon the amendment which has been negatived, it cannot proceed.

The clause was agreed to.

Clause 4 (Copy certificate as to breath test to be evidence).

Mr. TURNBULL (Brunswick West).—The Attorney-General has cleared up some doubts that I had about this clause, and the Opposition now has no objection to the clause.

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.

MOTOR CAR (FURTHER AMENDMENT) BILL.

The House went into Committee for the further consideration of this Bill.

Discussion was resumed of clause 7, as amended, providing, *inter alia*—

Section 22B of the Principal Act is hereby amended as follows:—

. . . . . .

(*b*) After sub-section (4) there shall be inserted the following sub-sections:—

"(4A) Any person being the holder of a licence issued on probation under this Part who within a period of twelve months after the date of issue of such licence drives a motor car which does not have conspicuously on the front and rear thereof a plate clearly marked with the letter P and of the size and colour prescribed shall be guilty of an offence against this Part and liable to a penalty of not more than $50."

and of Mr. Manson's amendment—

That, in paragraph (*b*), the following sub-section be inserted to follow sub-section (4A) :—

"(4B) Sub-sections (2A) and (4A) shall not apply to a member of the police force who drives a motor car registered in the name of the Victoria Police Department in the course of his duties as a member of the police force and who is the holder of an Approved Driver's Certificate indorsed for the particular class of motor car being so driven."

Sir ARTHUR RYLAH (Chief Secretary).—I support the amendment.

Mr. WILKES (Northcote).— In the absence of the Chief Secretary, it was suggested that the amendment should be taken away and reconsidered by the Government. The Bill

provides that the holder of a probationary licence shall display "P" plates on any private vehicle that he drives and that he shall not exceed the speed limit of 50 miles per hour on the open road. The amendment proposes that a policeman who is the holder of a probationary licence and who is in charge of a police vehicle shall no longer be bound by the provisions of the measure. The amendment provides that if he is in possession of a special licence—I presume that means if he has received instruction at the police driving school at Broadmeadows—because he has received special training, the provisions of the Act shall not apply. Irrespective of whether a policeman has had the benefit of special driving instruction at Broadmeadows, if in fact he is the holder of a probationary licence the provisions of the Act should apply.

Sir ARTHUR RYLAH (Chief Secretary).—I am glad that the Opposition has come out quite frankly on this subject. Can any honorable member imagine anything more ridiculous than a police car with a "P" plate on it? Does anyone seriously imagine that this would go down with the community?

Mr. ROSSITER.—Yes, the Opposition.

Sir ARTHUR RYLAH.—I know that, but I am talking about reasonable people. I am sure that the Deputy Leader of the Opposition thought he would score a political point over this.

Mr. WILKES.—I have another say.

Sir ARTHUR RYLAH.—I have, too, and I shall make use of it and enjoy it. I do not think anyone is more capable of rubbishing the Police Force than the Opposition. I do not refer to the Deputy Leader of the Opposition.

Mr. WILKES.—Explain the amendment.

Sir ARTHUR RYLAH.—I have explained it.

Mr. WILTON.—All you have done is accuse the Opposition of rubbishing the Police Force.

Sir ARTHUR RYLAH.—That is normal, and the honorable member must excuse me for doing so because it is the Opposition's usual form. Opposition members have been doing it for a long time and are enjoying it. I want to be serious and fair. Can any honorable member imagine anything more ridiculous than a police car driven by a qualified policeman aged eighteen years bearing a "P" plate at the front and rear?

Mr. WILKES.—I could not imagine anything more ridiculous.

Sir ARTHUR RYLAH.—That is all the amendment is designed to achieve. The recommendation from the Police Department is that if a police driver is certified as qualified by the Chief Commissioner he should not have to display the "P" plates at any time.

Mr. CLAREY.—One law for the police and another for the civilians!

Sir ARTHUR RYLAH.—For the first time since I have been in the Chamber the honorable member for Melbourne has expressed something with which I entirely agree. When a policeman is driving a police car and is in possession of a qualifying certificate from the Chief Commissioner, it would be silly for him to display a "P" plate.

Mr. FLOYD.—You will have trouble with Lovell.

Sir ARTHUR RYLAH.—The honorable member for Williamstown has had a lot of trouble with Lovell for a long time, but I do not want to refer to that. I am trying to deal with the question seriously and to be fair.

Mr. WILTON.—It will be a case of numbers count.

Sir ARTHUR RYLAH.—I know that numbers count, but I am trying to be serious about this. I do not say that there should be one rule for the rich and one for the poor, as the honorable member for Melbourne accused me of thinking. I said that if a police driver were driving a car in accordance with an authority issued by the Chief Commissioner it would be silly for him to be

required to display a "P" plate. On the other hand, it would also be silly if a policeman of the age of eighteen years who had the right not to display it while he was driving a police vehicle on duty, when driving a motor car at Sunbury or Bulla or somewhere else could say, "Because I am a policeman, I do not have to display a 'P' plate".

The Opposition can make all the political capital it wishes out of this, as it has been doing, but I think the amendment is reasonable. I do not mind if the Opposition wants to toss it out, but I do not know why it should be considered unreasonable. I do not know why the Opposition should split hairs and suggest that this is illogical, unreasonable and detrimental to the Police Force. Under the Bill as it stands, if an eighteen-year-old police driver drives a motor car he must display a "P" sign. I think all honorable members agree that it would be ridiculous to do that on a police vehicle.

Mr. WILKES.—Suppose he drives an ordinary vehicle?

Sir ARTHUR RYLAH.—That is exactly what the amendment is designed to do. If the policeman is driving a police vehicle under the authority of the Chief Commissioner he will not display "P" plates, but if he is driving his own vehicle while on leave he will be required to do so the same as any other teenager. I do not know why there should be any political debate over this.

Mr. WILKES.—Mr. Acting Chairman——

The ACTING CHAIRMAN (Sir Edgar Tanner).—Does the honorable member intend to address the Committee on the amendment?

Mr. WILKES.—Yes.

The ACTING CHAIRMAN.—Under Standing Order No. 78E, the honorable member has already exercised his right to speak. If it is the will of the Committee, I shall hear the honorable member.

Mr. WILKES (Northcote).—This is the first time I have heard that Standing Order imposed in Committee in this House. I point out that it is not a matter of whether it is stupid or not for a policeman to have to display "P" plates on a police vehicle. Of course, it is stupid and the Opposition does not consider that such a situation should obtain. The Opposition asserts that a policeman who is a probationary driver as a civilian should not be in charge of a police vehicle.

If a policeman is a probationary driver as a civilian, the same provisions of the Act should apply to him if the Chief Commissioner sees fit to put him in charge of a police vehicle. If he is not competent enough under the Act as a civilian he is no more competent as a policeman. Whilst he is driving as a civilian under the Act he will be required to display "P" plates and not to exceed 50 miles an hour. If the Chief Commissioner sees fit to put him in charge of a police vehicle because of special qualifications which he has achieved after training, he should be in no different position from a civilian.

I am not concerned about the display of "P" plates, but about the principle involved. If a police driver is not experienced enough as a civilian he is not experienced enough as a policeman. There can be no doubt about that. If he is experienced enough as a policeman to escape the provisions of the Act, he should be experienced enough as a civilian. That is where the amendment falls down. It is not because he is a policeman; it is because he is a civilian.

Sir ARTHUR RYLAH.—You will get a lot of marks for rubbishing the Police Force.

Mr. WILKES.—The Chief Secretary is very touchy. His Government has been battered from one side of the Chamber to the other. Opposition members are entitled to be critical if they think there is something wrong with measures introduced by the Government. We are critical of this

Bill. I would not dare to discuss anything other than the amendment. We have already expressed our views on the Bill in general.

Sir ARTHUR RYLAH.—And what you think of the Police Force.

Mr. WILKES.—We have expressed our views on the Police Force in this State. On numerous occasions Opposition and Country Party members have stated that they consider our Police Force unparalleled anywhere in the Commonwealth. We are not interested in the Chief Secretary's innuendoes, but point out that the honorable gentleman cannot have his cake and eat it too. If a civilian is bound by the provisions of the Motor Car Act, a policeman should be bound by them when he is on duty. If because of the stupidity of this Government the drafting of the amendment forces a policeman to display "P" plates on his vehicle, that is not the responsibility of the Opposition. As the Opposition suggested before dinner, the amendment should be taken away and redrafted so that a person who is a probationary driver will be bound while he is a policeman. Why should he be able to exceed the speed limit when acting as a policeman? This is not a reflection on the Police Force ; it is a reflection on the Government. The Opposition opposes the amendment.

Sir ARTHUR RYLAH (Chief Secretary).—I remind the Deputy Leader of the Opposition that this does not deal simply with eighteen-year-old drivers.

Mr. WILKES.—You mentioned eighteen-year-olds.

Sir ARTHUR RYLAH.—I did not. The honorable member referred to that.

Mr. HOLDING.—That is the best speech you have made this year.

Mr. WILTSHIRE (to Mr. Holding).—You cannot put two and two together.

Honorable members interjecting.

Mr. HOLDING.—I just gave you an intelligent suggestion, you great lout.

The ACTING CHAIRMAN (Sir Edgar Tanner).—Order! The Committee will come to order forthwith. Certain honorable members are making it difficult for the Chief Secretary to be heard.

Sir ARTHUR RYLAH.—I cannot hear all the terms of endearment that are being thrown about, but I believe that to refer to an honorable member as a great lout is not honorable and I ask for a withdrawal.

Mr. HOLDING.—Which honorable member are you talking about?

Sir ARTHUR RYLAH.—The honorable member for Syndal.

Mr. HOLDING.—He has not complained.

Sir ARTHUR RYLAH.—I have complained.

Mr. HOLDING (Leader of the Opposition).—Mr. Acting Chairman, as a result of the Chief Secretary's complaint, and having studied the performances of the honorable member for Syndal over a period of time, I certainly withdraw my interjection that he is a great lout ; he is a very small lout.

The ACTING CHAIRMAN (Sir Edgar Tanner).—I have to call on the Leader of the Opposition to make a proper withdrawal.

Mr. WILTSHIRE.—Withdraw unreservedly.

Mr. HOLDING.—I withdraw.

Sir ARTHUR RYLAH (Chief Secretary).—May I say briefly and succinctly that the argument submitted by the Deputy Leader of the Opposition was based on the premise that all of the policemen who were authorized by the Chief Commissioner to drive were eighteen years old, and therefore in their first year of driving. Perhaps the Deputy Leader of the Opposition did not understand the provision. It has been designed in the interests of road safety, and it concerns a matter which the Government believes to be fundamental to road safety. The only exception that the Government is making is that when a policeman has passed the necessary

tests, so far as the Chief Commissioner is concerned, even if he is eighteen years old he should not have to display "P" plates when driving a police car. The Deputy Leader of the Opposition agreed that nothing could be more ridiculous than that.

Mr. WILKES.—What about the 50 miles per hour speed limit?

Sir ARTHUR RYLAH.—That could lead to a ridiculous situation when the Chief Commissioner, after a test, had authorized a policeman to drive. If, for instance, an attempt were made to apprehend bank robbers, of whom we have recently heard so much, the policeman would not be displaying "P" plates but would have to say to the sergeant in charge of the crew, "Because I am under the 'Dog Act', I cannot drive at more than 50 miles an hour. I am terribly sorry, sergeant, but I cannot follow this car because I must maintain 50 miles an hour and go no faster".

If the Government had suggested to the Opposition that a policeman, because he has been certified to drive by the Chief Commissioner, should be able to break all of the rules, whether driving a police car or his own, the Leader and Deputy Leader of the Opposition and the honorable member for Melbourne would have screamed to the high heaven that a preference was being extended to policemen, whether on or off duty. All that the Government has attempted in the proposed amendment is to ensure that policemen who have been authorized by the Chief Commissioner to drive when performing their functions in the service of Her Majesty and in the interests of the community should be exempt from the obligations I have mentioned. They would not be exempt when driving their own cars. According to the Opposition, however, the Government has done something crooked and is giving policemen a privilege which is not enjoyed by ordinary members of the community.

The Government agrees with what the honorable member for Melbourne said. The honorable member was right on the ball when he asked why a policeman off duty should have privileges that an ordinary citizen does not have, but apparently this is not within the conception of the Leader of the Opposition, who, in his inimitable fashion, is about to tear the Government to pieces.

Mr. HOLDING.— You said it.

Sir ARTHUR RYLAH.—Yes, and members of the Committee will enjoy it. I reiterate that it is a fair proposition and that if the Opposition does not like it, it can move to throw it out. The Government will not be upset. It considers that it has done the fair thing in the interests of both the Police Force and the community.

Mr. HOLDING (Leader of the Opposition).—Mr. Acting Chairman, I feel bound to point out that I, as a member of this Parliament, am becoming a little tired, and perhaps a little angered at the attitude of the Chief Secretary. Whenever an honorable member raises a question concerning the Police Force the instinctive political reaction of the honorable gentleman is not to consider the merits of the argument or proposition, but to resort to what surely must be the lowest card in his bag of political tricks; that is, to accuse any member of the Opposition who exercises his right in respect of these matters of demeaning the police force and attacking its reputation.

A study of Parliamentary records over past years will show that no member of this House has put forward more positive proposals to make the Police Force in this State a more effective body for the protection of the people of Victoria than the Deputy Leader of the Opposition. He has put forward proposals which would engender within the Police Force a feeling of pride in its own reputation and capacity. No member has done more to advance the cause of the Police Force than the honorable member.

What is the basis of the proposition put forward by the Deputy Leader of the Opposition? It is simple. The Deputy Leader of the Opposition has

argued—and I should have thought it was beyond argument—that there are, or ought to be, enough drivers of police vehicles who can exercise the responsibilities placed upon them as members of the Police Force, without the Chief Commissioner having to rely on probationary drivers.

MR JONA.—There are not enough of them.

MR. WILKES (to Mr. Jona).—As chairman of the Road Traffic Committee, you ought to know better.

Mr. HOLDING.—I have heard some slurs cast on the Police Force in my time, but I have never heard a more implied slur than that of the honorable member for Hawthorn. The honorable member has said that the Police Force is presumably so incompetent and so lacking in skill and capacity that it cannot find enough drivers who comply with the laws of the State which relate to licensed drivers and has to rely on eighteen-year-old probationary drivers.

The Minister of Labour and Industry has interjected to say something about demonstrations outside Pentridge. There are two groups of people who operate around Pentridge. One group is inside, and the other group is outside but should be inside, although usually they are not to be found demonstrating outside. I commend that thought to the Minister. The warders at Pentridge are overworked and underpaid.

The essence of this proposition is that there is an incompetent Chief Secretary who is being protected by an incompetent Minister of Labour and Industry, and if the Chief Secretary needs to be protected I make a plea to members of the Liberal Party not to let it be done by the Minister of Labour and Industry.

MR. JONA.—Proceed with the Bill, and drop the personal abuse.

Mr. HOLDING.—The member of the Liberal Party who has interjected has been nominated to an all-party committee dealing with road safety. He is actually paid for it; and that is the best that he can offer.

MR. ROSSITER.—You are being as low as you can get.

Mr. HOLDING.—I shall deal with the interjection of the Minister of Labour and Industry later. I am tired——

Mr. ROSSITER.— You are tired! We are tired.

Mr. MANSON (Minister of State Development).—I rise to a point of order, Mr. Acting Chairman. I hope that I am a reasonable man, and I wish to be fair. Do not let us be silly at this stage of the sitting. I appeal to the Leader of the Opposition to return to the Bill and to refrain from introducing personalities into the Committee's deliberations.

MR. JONA (to Mr. Holding).—If you had any decency, you would withdraw.

Mr. HOLDING (Leader of the Opposition).—Members of the Opposition sit in the Chamber awaiting a contribution by members such as the honorable member for Hawthorn. As chairman of the Road Safety Committee he should be able to contribute to the debate. The Deputy Leader of the Opposition has been abused by the Chief Secretary tonight. The honorable member was subjected to a stream of interjections when he advanced arguments in respect of this Bill, and the Chief Secretary then had the gall to accuse him of doing nothing more than demean the Police Force. There was no objection from the honorable member for Hawthorn, and there was no mild rebuke to "get on with the debate" by the Minister of State Development.

To return to the Bill, the basis of the argument that has been advanced on behalf of the Opposition by the Deputy Leader of the Opposition is, simply, that within the Police Force

there ought to be enough skill, competence and capacity, because a person who drives a police car has great responsibility. If he is driving along a road and sees a car which is being illegally used, or if—to take the analogy used by the Chief Secretary —he sees a bank or a Totalizator Agency Board agency being held up, and he sets off in hot pursuit, what is required from the man behind the wheel is a skill, capacity and diligence in driving which goes far beyond the skill, diligence and capacity of the average driver, whether he is licensed or not.

Mr. MANSON.—That is why he receives specialist training.

Mr. HOLDING.—I accept the Minister's interjection. There are not sufficient police cars available to members of the Police Force. The skill and capacity are a specialist skill and a specialist capacity. Police cars ought not to be used as a training ground for probationary drivers. The matter is as simple as that.

The relationship of members of the Police Force with the general public is difficult and complex. The average member of the public ought not to feel or to be led to the view that, in respect of the law, members of the Police Force are in a special position. In making that point, I do not demean the Police Force or detract from it. I am concerned to protect it, its reputation and its capacity. If a member of the Police Force is going to operate under this Bill, he should do so in his own time; he should get his skill and training in his own time. The whole purpose and purport of the Bill is to provide a situation where people who are probationary drivers, irrespective of age, can ultimately obtain a qualification. They are restricted for the first twelve months. The point that has been made by the Deputy Leader of the Opposition is that in this situation members of the Police Force ought not to obtain any special concession by virtue of their membership of the Police Force.

Mr. MANSON.—They receive special training.

Mr. HOLDING.—In this situation they do not have special training. I do not know what the average age of members of the Police Force is, but I think it is well over eighteen years. There are plenty of members of the Police Force who, in terms of special training that is involved in this Bill, are well over that age. The basis of the argument of the Deputy Leader of the Opposition is that probationary drivers ought not to be placed in control of police vehicles. What is the answer to that proposition? I have not heard it from the Chief Secretary. It is no answer to say that, because that proposition is put, the Police Force is being abused. Members of the Opposition reject that argument entirely.

The Deputy Leader of the Opposition has asked: What is the case for the Police Force relying on probationary drivers to drive police vehicles? Is there some special problem about the Police Force that we do not know about? Is the Police Force so short of men who are skilled, possessing licences, who are uninterested in receiving this special training that it has to rely on probationary drivers? That is the heart of the argument.

I should have thought the way the argument of the Deputy Leader of the Opposition could be rebutted would be by producing facts and evidence in respect of the operation and structure of the Police Force which showed that the exemption contemplated by this amendment was necessary for the proper and effective functioning of the Force. If that were done, perhaps it ought to be considered. But that has not been done. All that has happened up to date is that honorable members have been informed that in the opinion of the Chief Secretary it is necessary. It is suggested that anybody who disagrees with that view is guilty of abusing or demeaning the

Police Force. Members of the Opposition reject that argument. Until the Government or members of the Government are prepared to meet the substance of the argument of the Deputy Leader of the Opposition, this amendment ought to be handled as the Deputy Leader of the Opposition suggested.

Members of the Police Force carry out an important role in this community, but they are like other members of the Public Service. They are an important body of men who, by and large, are neither more nor less important than any group of public servants in the community. There are many fine and dedicated members of the Police Force, but, like any large number of men operating in the Public Service, there will from time to time be areas of incompetence and inefficiency, and in recent times—I do not believe to the disgrace or the over-all operation of the Police Force—there have been occasions when individual members have been guilty of corruption. When those things occur they ought to be faced in terms of their reality, because members of the Police Force are not angels—they are mortal men, they are public servants, and like any group of public servants they are answerable to Parliament. I am tired of the Chief Secretary speaking as if there were something special about members of the Police Force, so that any member of Parliament who chooses to raise any question about the Police Force is immediately handled on the basis that he is abusing, demeaning or lowering the general reputation of the Force.

Mr. JONA.—You are shaking the public confidence in the Force, and you know it.

Mr. HOLDING.—One of the reasons why this Government is never out of trouble is that occasionally an inquiry is made into the operation of the Government. This happened recently in a report by the Committee of Public Accounts.

Mr. WHEELER.—Keep to the Bill.

Mr. HOLDING.—I realize that the honorable member is in trouble in his electorate. I shall not go into that matter.

Sir ARTHUR RYLAH (Chief Secretary).—I wish to raise a point of order. I suggest that the Leader of the Opposition should keep to the Bill, and more immediately to the amendment.

Mr. HOLDING (Leader of the Opposition).—Many individual members of the Police Force are gravely concerned about aspects of its administration and operation. It is not going to do this Government or this House or the Police Force any good if we adopt the attitude of the honorable member for Hawthorn who, when any issues relating to the Police Force are raised in Parliament, states that members are attacking and undermining the Force. Nothing could be more damaging to the Police Force than that sort of attitude, and members of the Opposition reject it. The honorable member for Hawthorn has not had the guts to speak in recent months; he has sat silent when many important issues have been before this Parliament. As a member of the Committee of Public Accounts he remained silent and did not have the guts to speak.

Mr. WHEELER (Essendon).—On a point of order, I suggest that the Leader of the Opposition should withdraw his remark that the honorable member for Hawthorn is a member of the Committee of Public Accounts. The honorable member is not a member of that committee; nor is the Committee of Public Accounts related to this Bill.

Mr. HOLDING (Leader of the Opposition).—I apologize unreservedly to the honorable member for Hawthorn. I should have referred to the honorable member for Essendon, who is a member of the Committee of Public Accounts. It is important that members of the Police Force should not be set

aside from any other section of public servants. In some ways, they are better and more competent than officers in other areas of the Public Service; they have a difficult and complex job to do, and many members of the Force carry out their jobs to the best of their ability, but it is the job of this Parliament to improve the Police Force where possible and to be critical where necessary. That is how the Deputy Leader of the Opposition has acted in respect of this measure. Honorable members abrogate their responsibility if they do not act in this way.

The arguments advanced by the Deputy Leader of the Opposition have not been met on their merits. They have been met by the Chief Secretary in the traditional manner in which he has met every question and every problem concerning the Police Force. This subject has only to be adverted to and the Chief Secretary is on his feet, screaming and yelling and saying that members are attacking the reputation of the Police Force. That is not true in this case, nor has it been on previous occasions. I believe the Chief Secretary could do the Police Force a real service if he desisted from this attitude and listened to the substance of the arguments advanced by honorable members, because in this case the argument advanced by the Opposition would serve to protect and enhance the reputation of the Police Force and not diminish it.

Mr. MANSON (Minister of State Development).—A tremendous amount of heat has been generated in this debate, quite unnecessarily, and I hope honorable members will now relate their remarks to the amendment and to the very simple proposition that it contains. It is so simple that even the Leader of the Opposition and the Deputy Leader of the Opposition, if they are prepared to listen, ought to be able to understand it. The proposition is that a policeman who has been specially trained and who is the holder of an approved driver's certificate——

Mr. WILKES.—He cannot be specially trained at eighteen years of age.

Mr. MANSON.—With great respect to the Deputy Leader of the Opposition, I did not interrupt him when he was speaking on this perfectly simple matter. It does not matter if the policeman is 18, 19, 21 or 30 years of age; he is a newly-licensed driver. Therefore, he ought to be a probationary driver. As well as being a probationary driver he is also a police driver.

Mr. HOLDING.—Does that in fact happen?

Mr. MANSON.—It could.

Mr. HOLDING.—Does it?

Mr. MANSON.—I am trying to be fair to everyone concerned. I know of no specific case, but the amendment is designed to try to protect the generality of cases and it may be that there are two or twenty such cases.

Mr. HOLDING.—Or none.

Mr. MANSON.—Without theorizing too much, the fact is that there could be a man who was a probationary driver, aged 18, 19, 21 or 30 years, and he should carry a "P" plate. As well as being a probationary driver he could also be a police driver. Whether or not members of the Opposition agree, such a person gets special training as a driver and is granted an approved driver's certificate, but only after completing a special and very difficult course. The amendment specifically refers to the holder of an approved driver's certificate endorsed for a particular class of motor vehicle. He is a man with a dual capacity. On Saturday as a civilian he is a probationary driver and on Monday he is a driver for the Police Force executing his duty to protect the Opposition, the Government and the community generally.

Mr. WILKES.—He should not be a probationary driver.

Mr. MANSON.—I do not agree with the statement made by the Deputy Leader of the Opposition. The facts are as I am giving them.

The ACTING CHAIRMAN (Sir Edgar Tanner).—Order! Members of the Committee have been given a great deal of licence. If honorable members want me to get hard, they will continue in the present vein.

Mr. MANSON.—On the Saturday this man is restricted to driving a vehicle at 50 miles an hour, but on Monday he may have to drive a police car at 60 or 70 miles an hour. What is wrong with that if he holds this particular type of licence after having been given special training?

Mr. WILKES.—He should not be a probationary driver.

Mr. MANSON.—I cannot agree with the Opposition. We have a reasonable argument, and it is on the basis of this argument that the amendment was moved by the Chief Secretary.

Mr. LOVEGROVE (Sunshine).—I support my colleague, the Deputy Leader of the Opposition, because, as the Chief Secretary knows, both he and I had an interest in the probationary drivers' scheme. The honorable gentleman will recall that the Deputy Leader of the Opposition and I on numerous occasions suggested to the Government that it should establish the principle of probationary drivers' licences and commercial licences. These suggestions were graciously accepted after a respectable interval of time and the system of probationary licences and commercial licences was introduced.

The system of probationary licences was the most important because it resided in the wide and considerable experience of the Chief Secretary and other responsible members of the Government and became legislation with the consent and approval of the Police Force. It resided basically on two premises. The first was that in learning to drive a motor car the purely mechanical side of driving took a certain length of time. This is despite the fact that at the same time the Government, on the initiative of the Chief Secretary, brought about reforms in motor schools in Victoria to ensure that adequate training was given to all learner-drivers. However, it was still necessary for a reasonable period of time to elapse in order that two things might happen. The first was the development of mechanical aptitude. This is the reference that the Minister of State Development has made, quite rightly, and I can see that he agrees with me.

Mr. MANSON.—I agree with what you are saying now.

Mr. LOVEGROVE.—A reasonable period of time has to elapse to allow mechanical aptitude to manifest itself. The second thing responsible for the length of time which must elapse before a probationary driver becomes a good driver is the development of road sense. In a city such as Melbourne, which is the worst run capital city in Australia in terms of traffic control, which has the greatest muddles on practically every street corner, and which has bottle-necks surrounding the city at intervals of not more than a quarter of a mile, the development of road sense in drivers is essential. In addition, Melbourne has the most under-equipped, most inadequately staffed, and the worst run Police Force.

Mr. MANSON (Minister of State Development).—On a point of order, surely at this late stage in the debate the honorable member for Sunshine should relate his remarks to the amendment.

The ACTING CHAIRMAN (Sir Edgar Tanner).—Order! The point of order is upheld. I ask the honorable member for Sunshine to relate his remarks to the amendment.

Mr. LOVEGROVE (Sunshine).—In a city like Melbourne a driver needs not only mechanical aptitude but also road sense, and both these qualities come only with experience and not with intensive training, which takes twelve months to acquire.

Mr. MANSON.—This is nonsense.

Mr. LOVEGROVE.—The Minister of State Development, who is now in charge of the Bill, says that I am

speaking nonsense when I say that it takes twelve months for a person to acquire mechanical aptitude and road sense. I shall draw on the experience of the Police Force to support my remarks.

Mr. MANSON.—These qualities can be obtained on a simulator.

Mr. LOVEGROVE.—I take it that the Minister of State Development is talking of a television screen which simulates road conditions.

The ACTING CHAIRMAN (Sir Edgar Tanner).—Order! Certain honorable members have been carrying on private conversations for quite some time. There are lobbies in which these conversations may be undertaken.

Mr. LOVEGROVE.—The evidence that this Bill cannot be acquired in Melbourne on a simulator resides in the statistics given by the Chief Secretary to the Deputy Leader of the Opposition on 19th November in answer to a series of questions asked by the honorable member. He asked—

What number of vehicles have been purchased for use by the Victoria Police Force since January, 1968?

The ACTING CHAIRMAN.—Order! I ask the honorable member to relate his remarks to the amendment.

Mr. LOVEGROVE.—I want to tender as evidence statistics relating to the number of collisions and accidents in which police cars were involved in 1968. The figures were supplied to the Deputy Leader of the Opposition in answer to a question he asked on 19th November and are reported at page 1772 of *Hansard*. The Deputy Leader of the Opposition asked—

How many police vehicles have been involved in accidents since January, 1968, and how many of these vehicles were off the road and out of service due to these accidents?

I want to make it clear that this is no reflection on the Police Force; it is a reflection on the Government. I also want to refute the allegation made by the Chief Secretary that the Deputy Leader of the Opposition was reflecting on the Police Force.

Mr. WILCOX.—You are reflecting on the Police Force.

Mr. LOVEGROVE.—This is no reflection on the Police Force. These are the numbers of vehicles involved in accidents since January of this year—

Four hundred and forty-nine, a break-up of which is as follows:—

No repairs required	50
Minor repairs costing less than $40	98
Repairs costing between $40 and $200	221
Repairs costing more than $200	77
Damaged beyond economical repair and written off	3
Total:	449

Mr. HAYES.—Were all of these vehicles driven by probationary drivers?

Mr. LOVEGROVE.—No, and that is why the Opposition is opposing this amendment. Members of the Police Force in Melbourne have the most hazardous jobs in Australia and they will need both our respect and sympathy if they are to be saddled with this kind of legislation. The answer given to the Deputy Leader of the Opposition in regard to the number of police cars involved in accidents contained the following further information:—

Three hundred and ninety-nine of the 449 police vehicles involved in accidents were off the road and out of service for varying times as a result of the accidents in which they were involved. In the case of those suffering only minor damage, the vehicles were only off the road for a very brief period while the repairs were actually being effected.

What will be the legal position confronting both the Government and the Police Department when a collision occurs between a vehicle driven by a driver who is not a probationary driver in the sense that the law ordinarily provides and a vehicle whose driver is a probationary driver in the sense that the amendment proposes? Obviously the amendment will create a considerable field for litigation and a fertile area for the

legal profession to argue the point that I am now putting to Parliament. What will be the position in the case of a constable who has not had the opportunity to receive proper training before he is put in charge of a motor car. If I understand the Minister correctly, the honorable gentleman intends that such a person shall receive superior training, and if he receives a qualifying certificate he will not be a probationary driver. If, on the one hand, on Sunday, a policeman is wearing civilian clothes and driving his own car as a probationary driver and on Monday he is wearing police uniform and driving a police car, he is being given a special licence to do on the Monday all the things he is not permitted to do on Sunday. In this way, a false legal position is being created.

If, as the Deputy Chief Secretary is endeavouring to assert in support of this amendment, it is true that a particular member of the Police Force is so competent as a result of his training that he may drive through the heart-breaking traffic of Melbourne at over 70 miles an hour in pursuit of criminals in the most crime-ridden city of Australia——

Honorable members interjecting.

To those honorable members who say " knocker ", I refer to the recently considered statement by the secretary of the Police Association in regard to the inadequacy of the Police Force.

Mr. MANSON (Minister of State Development).—On a point of order, Mr. Acting Chairman, I suggest that the honorable member for Sunshine should speak to the amendment before the House.

The ACTING CHAIRMAN (Sir Edgar Tanner).—Order! The honorable member for Sunshine will relate his remarks to the amendment.

Mr. LOVEGROVE (Sunshine).—I am sorry, Sir, but the arguments I considered convincing have apparently not convinced the Minister. I therefore appeal to you, Sir, to take heed of the honorable member for Malvern, who earlier succeeded in having progress reported by supporting the case put forward by the Opposition. This is an indication of the confusion and disruption which exist within the ranks of the Government, which is gradually disintegrating under bad leadership.

It is not only Opposition members who feel this way concerning the dangers contained in this amendment; it is apparent that the honorable member for Malvern has similar feelings. The honorable member pointed out with great eloquence that on Monday a policeman could drive at any speed under any conditions, but on Sunday, as a probationary driver in his own car and wearing civilian clothes, he would be limited to the ordinary speed restrictions. I appeal to the Chief Secretary, on behalf of the honorable member for Malvern, who is a most responsible supporter of the Government and, more importantly, a gentleman who has earned the respect of the Opposition not only because of his political capacities but also through his profound legal knowledge, to further examine this amendment. The honorable gentleman should seek advice from the best lawyers whom the Liberal Party can provide. I am referring not to honorable members with legal qualifications, but to persons who may be outside Parliament. The Opposition would like to know what would be the liability of the policeman in the circumstances I have outlined, and also the consequences to the Police Department and to the Government.

Mr. MANSON (Minister of State Development).—The remarks of the honorable member for Sunshine make me weep, but I can tell him now that I have no intention of withdrawing the amendment, which will be pursued to the bitter end. The amendment will be proceeded with in the form circulated.

The Committee divided on Mr. Manson's amendment (Mr. L. S. Reid in the chair)—

Ayes	47
Noes	16
Majority for the amendment ..	31

AYES.

Mr. Balfour	Mr. Reid (*Box Hill*)
Mr. Billing	Mr. Ross-Edwards
Mr. Birrell	Mr. Rossiter
Sir Henry Bolte	Sir Arthur Rylah
Mr. Borthwick	Mr. Scanlan
Mr. Buckley	Mr. Smith (*Bellarine*)
Mr. Darcy	Mr. Smith (*Warrnambool*)
Mr. Dixon	Mr. Stephen
Mr. Evans (*Gippsland East*)	Mr. Suggett
Mrs. Goble	Mr. Tanner (*Morwell*)
Mr. Hayes	Sir Edgar Tanner
Mr. Jona	Mr. Taylor
Mr. Loxton	Mr. Templeton
Mr. MacDonald (*Glen Iris*)	Mr. Tretheway
Sir William McDonald	Mr. Trewin
Mr. McKellar	Mr. Vale
Mr. McLaren	Mr. Wheeler
Mr. Manson	Mr. Whiting
Mr. Meagher	Mr. Wilcox
Mr. Mitchell	Mr. Wiltshire.
Mr. Moss	
Mr. Phelan	*Tellers:*
Mr. Porter	Mr. Doyle
Mr. Rafferty	Mr. Evans (*Ballaarat North*)
Mr. Reese	

NOES.

Mr. Clarey	Mr. Sutton
Mr. Divers	Mr. Trezise
Mr. Edmunds	Mr. Turnbull
Mr. Fennessy	Mr. Wilkes
Mr. Floyd	Mr. Wilton.
Mr. Holding	
Dr. Jenkins	*Tellers:*
Mr. Lovegrove	Mr. Ginifer
Mr. Ring	Mr. Mutton.

PAIRS.

Sir John Bloomfield	Mr. Stoneham
Mr. Stokes	Sir Herbert Hyland.

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.

MELBOURNE AND METROPOLITAN BOARD OF WORKS (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.

FISHERIES BILL.

The debate (adjourned from September 25) on the motion of Mr. Manson (Minister of State Development) for the second reading of this Bill was resumed.

Sir ARTHUR RYLAH (Chief Secretary) (*By leave*).—I wish to make a statement concerning this Bill which, I feel, may shorten the debate on it. I propose to foreshadow certain amendments, which I shall move during the Committee stage. The first amendment relates to clause 15. Under this clause the fee for a master fisherman's licence is $25, plus an additional fee of $5 for each member of the crew authorized by the licence. The amendment I intend to propose in Committee will enable a person who has been engaged in the fishing industry as a commercial fisherman for a period of at least fifteen years, and who is an old age or invalid pensioner, or a totally and permanently incapacitated pensioner under any Commonwealth Act, to obtain a master fisherman's licence at a concession fee of $10. The amendment will enable old and incapacitated fishermen to retain their interest in the industry.

Clause 15 also sets down the fees to be paid for various forms of commercial fishing licences. The fee provided in the Bill for a processor's licence is $100 for a trading society registered under the Co-operation Act 1958 to promote the interests of fishermen and carrying on business as such and, in any other case, $250. While a fee of $250 is appropriate to large processors, it is felt that a fee of this magnitude would be oppressive to some of the smaller organizations which are apparently carrying on a successful processing business.

The amendment which I propose to move in Committee provides the following graduated scale of fees:—

(*a*) in the case of a co-operative, $100;

(*b*) in the case of a partnership, a fee calculated at the rate of $25 for each partner but not exceeding—
  (i) $100 where each of the partners is the holder of a master fisherman's licence ; and
  (ii) $250 for all others,
(*c*) in the case of an individual, $50 ; and
(*d*) in any other case, $250.

Clause 25 requires any person who forms or creates a fish habitat for clams, oysters, mussels and certain other specified species of fish on any shore up to high-water mark or on any land adjacent to such shore, or on any land in Victorian waters, to obtain a fish culture permit.

The purpose of the amendment which I shall propose in Committee provides a statutory requirement that before the Chief Secretary can issue a fish culture permit with respect to Crown land adjacent to a shore or with respect to any Crown land in Victorian waters, the applicant for the permit must first obtain the consent in writing of the Minister of Lands.

Clause 63 makes it an offence for any person directly or indirectly to put or discharge into waters containing fish any poison prescribed for the purpose of the section or any matter or thing which is likely to render waters poisonous or injurious to fish or to the spawning grounds, spawn or food of fish. Under the provisions of the Vermin and Noxious Weeds Act 1958, the owner or occupier of land is required upon notice from an inspector effectually to destroy and suppress all noxious weeds growing or being upon the land. The penalty for failing to do so is an amount not exceeding $100.

I am informed that the Vermin and Noxious Weeds Destruction Board recommends various poisons for noxious weed control and issues instructions to landholders in the proper use of these substances. In addition, the Board through its servants and agents, removes vermin and noxious weeds from Crown lands. The Director of Fisheries and Wildlife has informed me that there are some herbicides and many pesticides which are toxic to fish, even in minute quantities. It is reasonable therefore to expect persons using these substances to act in a responsible manner.

I intend to move two amendments to clause 63. The first amendment will provide an exemption from the provisions of the clause for the Vermin and Noxious Weeds Destruction Board, its servants or agents in respect to the use of poisons for eradication of vermin and noxious weeds from Crown lands where those poisons are used in accordance with specifications previously furnished in writing by the Department to the Director of Fisheries and Wildlife. This exemption is similar to the exemption already provided in the Bill for the State Rivers and Water Supply Commission in respect to the use of poisons for clearing or maintaining channels and drains.

The second amendment will provide a statutory defence to any charge of putting or discharging into waters containing fish any prescribed poison or substance likely to render those waters poisonous or injurious to fish if the defendant has acted with reasonable precaution. The amendment provides that it shall be a defence in any proceedings for offences against sub-clause (1) of clause 63, if the defendant proves that, having taken all reasonable precautions against committing an offence, he had at the time no reason to suspect that he had committed an offence or that the offence arose from causes beyond his control and that in either case he had otherwise acted innocently. The defendant is also required to give certain information to the police or an inspector of fisheries when properly called upon and to give notice to the informant not less than seven

days before the proceedings that he intends to avail himself of the protection afforded by sub-clause (1).

I intend to propose the omission of sub-clause (7) of clause 81 which seeks to provide that regulations made under the Fisheries Act 1968 shall have effect notwithstanding anything to the contrary in any other regulation, by-law, proclamation or order made under the provisions of any other Act. It is now believed that any differences of opinion in relation to any regulations, by-laws, proclamations and so on can be adequately adjusted by consultation between Departments and that such an overriding provision is not required. The remaining amendments which will be proposed in Committee are to correct typographical or drafting errors and are of no real consequence.

Two amendments have been submitted to me by the honorable member for Broadmeadows who is handling this Bill for the Opposition. In my most generous mood, I will accept the first amendment, and I shall have a further look at the second amendment before the clauses are dealt with in Committee. I have taken this unusual course, with the leave of the House, to simplify the debate and to assist honorable members. I suggest that at this stage the amendments proposed to be moved by myself and the honorable member for Broadmeadows should be circulated.

The SPEAKER (the Hon. Vernon Christie).—The House may grant leave for this to be done. Circulation may proceed.

Mr. WILTON (Broadmeadows).—This is an extensive Bill, which repeals the Fisheries Act 1958. The Act has been redrafted. The Bill incorporates many of the provisions of the principal Act, with some additions. Clause 6 relates to the appointment of suitable persons under the age of 65 years as honorary inspectors of fisheries. I ask the Chief Secretary whether, in implementing this provision, consideration will be given by the Government to taking into its confidence organizations such as the Piscatorial Council of Victoria, whose members, particularly the officers, have a considerable knowledge of fisheries in Victoria. They have had long association on the amateur angling side of fisheries, and I believe the Government could find within the ranks of that organization many suitable persons who would be well qualified to act in this capacity if the Government intends to persist with the idea of appointing honorary inspectors.

Sir ARTHUR RYLAH.—The answer is a simple " yes ".

Mr. WILTON.—I am pleased to receive that information. Part II. of the Bill deals with the Commercial Fisheries Council. Under clause 11 it is proposed to establish a council, the purpose of which is to act in the interests of fisheries, particularly commercial fisheries. The commercial fishermen will have a representative on this council. Honorable members will recall that, in 1967, the House dealt with an amendment to the Fisheries Act. On that occasion I submitted that commercial fishermen should have the right to elect one of their own members as their representative on the council. The Minister then indicated that he would consider the suggestion. However, this Bill does not contain such a proposal. The Government is following the past practice of the representative of the commercial fishermen being appointed by the Governor in Council.

Commercial fishermen have rightly pointed out that this is a complex industry composed of various types of fisheries. The different sections of commercial fisheries do not necessarily have common interests which would make it practical for one person to represent the whole of the commercial fishing industry. It has been argued by commercial fishermen that a cray fisherman, for instance, would not necessarily be aware of all the problems that other commercial

fishermen experience in the pursuit of their livelihood. This is a reasonable request. This principle has been followed in relation to other bodies whereby primary producers have representation on marketing boards, and so on; the people concerned have the right to elect their own representative.

The Government has come part of the way towards recognizing commercial fishermen as primary producers. Only this evening the House dealt with an amendment to the Motor Car Act. Included in that Bill was a provision which extends to commercial fishermen the right to register motor vehicles on the same conditions as apply to primary producers. I believe commercial fishermen will be pleased to receive this concession. I ask the Government to reconsider the question of representation of commercial fishermen on the Commercial Fisheries Council.

Another important provision in the Bill relates to the licensing of processors. Again, when the Act was amended last year, I pointed out that, in the interests of fisheries, processing companies should be prepared to make some contribution towards the finances used to advance and promote the fishing industry. It is in their interests that the fishing industry should become stabilized; in the long run, they will benefit from any advancements made in the industry as a result of scientific research. It is reasonable to license these organizations to ensure a contribution to the fund. It will also strengthen the hand of the authority responsible for supervising the industry. The fact that a licence can be cancelled for a misdemeanor is a deterrent to misbehaviour. The provision of a licence for taking shark is also reasonable.

I was somewhat puzzled by the word "bets" appearing in clause 17. The Chief Secretary has clarified the position by foreshadowing an amendment to correct a misspelling—it should be "nets". In his second-reading explanatory speech, the Minister of State Development stated that it was proposed to increase the fee for amateur fishing licences to $4. He was kind enough to inform me by letter that this was an error and that it is intended to retain the present licence fee of $2. His original statement caused some consternation amongst the members of the Piscatorial Council. Sub-clause (2) of clause 23 states—

> The provisions of sub-section (1) shall not apply to any person of or under the age of sixteen years or to the holder of a master fisherman's licence.

I believe that a person remains at sixteen years of age until midnight on his seventeenth birthday. Does this sub-clause mean that a person does not have to take out a licence until he has reached his seventeenth birthday? I have made many inquiries on this subject, and the Piscatorial Council would be grateful to the Chief Secretary if he would clarify this point because it does not want to mislead its members.

Clause 25 relates to fish culture. I foreshadow an Opposition amendment, which the Chief Secretary has indicated the Government will accept, to provide that a licence for fish culture shall not be granted unless the Minister is satisfied that the applicant has published notice of his intention to make application for the licence in the prescribed form in some newspaper circulating generally in Victoria not less than 28 days before the lodging of the application, and that any persons lodging objection to the granting of the licence have a reasonable opportunity of being heard. The amendment is reasonable because a person in the community may wish to lodge an objection to the granting of a fish culture licence, and if the objection is sufficiently sound, he may have the opportunity of persuading the authority not to issue the licence. I am concerned at sub-clause (2) of clause 49 which states—

> The provisions of sub-section (1) extend to any case where a person is found behaving or conducting himself in such a manner or under such circumstances that the inspector or member finding him believes

on reasonable grounds, without having observed the commission of an offence against this Act or the regulations, that the person found has committed such an offence.

It could be argued at length what constitutes " on reasonable grounds ". A citizen could be placed in the position of having to prove his innocence rather than the informant proving his guilt. This is contrary to British justice, and no citizen should be placed in that position. Clause 55 relates to unauthorized tagging and provides—

Any person who marks tags or brands in any manner whatsoever any fish without the authority in writing of the Director shall be guilty of an offence against this Act.

The Opposition foreshadows an amendment to this clause, which the Chief Secretary has indicated he will accept. Honorable members who have joined fishing parties will know that fishermen have adopted the practice of marking the fish they keep in captivity in their nets until they return home. These fishermen could face prosecution. I am also informed by the Piscatorial Council that during its competitions fish are deliberately marked by the stewards to prevent them from being submitted more than once at the official weigh-in. Under the provisions of this clause a person could be prosecuted for marking fish under such circumstances. The amendment I propose to submit is as follows——

The SPEAKER (the Hon. Vernon Christie).—Order! The honorable member is in order in discussing this but would it not be better to debate the clauses in detail during the Committee stage?

Mr. WILTON.—I appreciate your advice and guidance, Mr. Speaker, and I shall deal with the clauses in detail in Committee.

The SPEAKER.—The second-reading debate is more suitable for a discussion of the general aspects of the Bill.

Mr. WILTON.—I shall not pursue the point at this stage. The Chief Secretary has foreshadowed an amendment to clause 63 and this has allayed our fears to some extent. The provisions of this clause relate to the discharge of any substance that may poison or pollute waters containing fish. In certain circumstances a person operating under the directions of an officer of the Vermin and Noxious Weeds Destruction Board could discharge a substance into waters containing fish and so be liable to prosecution under the legislation in its present form. However, the Chief Secretary has indicated that he proposes to move an amendment to remedy this situation.

Members of the Labor Party have serious objections to clauses 74 and 75. Clause 74 provides—

Where any person is charged with taking fish for sale contrary to the provisions of this Act or the regulations the burden of proving that the fish were not intended for sale shall be upon the person charged.

That is a clear indication that a person charged with an offence under this provision has to prove his innocence rather than that the informant has to prove that he is guilty. This is in direct contrast to what has become the accepted practice throughout the English-speaking world. Members of my party intend to oppose both clauses 74 and 75.

Clause 75 deals with fish taken from Victorian waters and places the onus on the defendant to prove that the fish were not taken from Victorian waters. The practice of the informant proving guilt has stood the test of time for hundreds of years under what is commonly termed British justice. The proposals in these clauses represent a serious departure from this principle and should be strenuously opposed by all honorable members who believe in upholding the principles of British justice.

The Government has introduced this principle into this legislation, but it may not be the end of the matter. If it is successful on this occasion the Government may decide to embody the same principle into other legislation. Members of the Opposition will not lend their support to this principle, and I do not think any other honorable member should

support it. I ask the Chief Secretary to give consideration to the deletion of these two clauses because it would be dangerous for the Government to persist with its policy in this regard.

Members of the Opposition support the Bill in principle because we believe it will make a contribution to the fishing industry by assisting the authorities charged with the responsibility of administering the industry to stabilize it. The industry has been suffering under adverse conditions for many years, and many problems are facing fishermen. A great deal of hard work will be required to bring the industry to the stage we would all like it to attain.

In view of the fact that the Government has gone part of the way in recognizing fishermen as primary producers, it ought to be prepared to go further and assist commercial fishermen financially. This could be done through the Rural Finance and Settlement Commission. Commercial fishermen would be considerably assisted if they could obtain finance from the fishermen to carry out maintenance on their boats and their fishing gear. The State Development Committee dealt with this matter at page 47 of its 1960 report. Under the heading "Finance of fishing gear, fishing boats and equipment" it stated—

> The committee considers that the policy of the Rural Finance Corporation—

That is now the Rural Finance and Settlement Commission—

> should be altered so that the financial accommodation is available to fishermen towards the cost and improvement of boats, equipment and fishing gear when reasonable security is available to cover such financial accommodation.

After an extensive inquiry the committee was sufficiently influenced in 1960 to make that recommendation to the Government, and I support it because it would be a worth-while contribution to this industry. The Government ought to adopt this recommendation. The facilities of the Rural Finance and Settlement Commission are used by other primary producers who require finance for various things and the same facilities ought to be extended to commercial fishermen.

I hope the Government will give this matter serious consideration because commercial fishing is a hazardous job. The fishermen are at the mercy of the elements and, whilst they take all the protective measures within their capabilities, situations continually arise over which they have no control and which can cause serious damage to their boats and gear. The cost of maintaining equipment can be expensive, and if it is necessary for the fishermen to approach private banks or lending institutions for finance, they are subject to high rates of interest, which add to their financial problems. If the Rural Finance and Settlement Commission were permitted to assist them, finance would be available at a much lower rate of interest and would benefit the industry as a whole. Apart from the clauses to which I have referred, the Opposition supports the Bill.

Mr. B. J. EVANS (Gippsland East).—This Bill amends and re-enacts the law relating to fisheries and as such it opens up the whole field of amateur and commercial fishing, which is very extensive. As the time is approaching 1.30 a.m., it is a little difficult to deal adequately with the ramifications of the measure.

As has been mentioned by the honorable member for Broadmeadows, the fishing industry is recognized as a primary industry, although it enjoys fewer benefits in the way of recognition and assistance from Government sources than does any other primary industry. One of the greatest drawbacks to the development of the industry in this part of the world is the virtual absence of protection from imported fish. The protection amounts to only a fraction of a cent per pound, which makes it difficult for the local industry to compete with the imported product.

Most of the equipment used by fishermen is purchased from people who are enjoying a high tariff protection for the production of the equipment. This makes it difficult for the industry to grow in the way it ought to be growing and no doubt is capable of growing. According to the Victorian Fishermen's Co-operative Society, approximately $34,000,000 worth of fish is imported into Australia annually.

Mr. TURNBULL.—From where is it imported?

Mr. B. J. EVANS.—It comes from many parts of the world. I think a good deal comes from New Zealand and a certain amount from the Scandinavian and European countries. The local industry is entitled to receive the same protection as other industries. Whilst I appreciate that this does not relate directly to the Bill, there is no doubt that it has a great effect on the development of the industry which this Bill, in part, is designed to bring about.

Fishermen at Lakes Entrance in particular are interested in the development of otter trawling, which is apparently more effective than the Danish seine trawling that is in use at present. I do not know whether honorable members are particularly interested in the difference between the two but, stating it briefly, Danish seine trawling involves the placing of a net and the circuiting of a school of fish in an endeavour to trap it in a net which is then hauled aboard the vessel, whilst with otter trawling the net is operating continuously whilst the vessel is in motion, and the net is hauled behind the vessel instead of being strung out and hauled back in again. This system is claimed to be much more efficient than the method currently in use.

Although the Lakes Entrance fishermen believe this is a much more effective system, they are not in a position to investigate it unless an individual fisherman is prepared to go to the great expense of ascertaining whether the ocean floor is suitable and the general method will lend itself to operations of the Lakes Entrance fishing fleet.

It has been submitted that the research and development fund established under the Act could be applied to enable a fisherman to carry out experiments and, if they prove to be satisfactory, for the fisherman to purchase the equipment required. Other fishermen could then proceed with the purchase on the basis of the experience of the fisherman carrying out the exercise. It would be a fair proposition for the Government to use some of the funds that are being provided from licence fees to enable a fisherman to undertake the research without his bearing the heavy cost involved if the equipment did not prove as satisfactory as the fishermen believe it would be. The research would be undertaken by one fisherman on behalf of others in the industry. I advance that proposition for the Government's consideration.

I acknowledge the point made by you, Mr. Speaker, that this Bill can best be dealt with in Committee and I envisage that I will speak on a number of the clauses. The amendments foreshadowed by the Chief Secretary will remove some of my party's principal objections to certain clauses. I do not think there are any substantial differences regarding the remaining clauses in the Bill, and therefore there is little point in elaborating in too much detail at this stage.

However, I note that, in contrast with the Act that is being repealed by this measure, instead of prescribing minimum and maximum penalties, the Bill proposes only specified penalties in almost every case. Whilst I appreciate that there is possibly some connexion with the Acts Interpretation Act, I should like to know why this difference applies. People who have examined the provisions of an old Act, where the penalty has been, perhaps, a minimum of $4 and a maximum of $100 have then found

a clause in a subsequent Bill providing for a fixed penalty of perhaps $200, and they have asked why this should be so. I realize that there is probably an explanation for this, but I should like the Chief Secretary to clarify the position so that I can explain the reason to these people.

Another point on which I should like information relates to reciprocity between States in regard to commercial fishing licences. I raise the matter now so that the Chief Secretary may obtain the information before clause 18 is discussed in Committee. There is a good deal of concern among fishermen on the question of reciprocity, particularly between Victoria and Tasmania. I understand that the reciprocal rights which have been granted by Victoria to Tasmanian fishermen operating in our waters are not being returned by the Tasmanian Government. I should like the situation to be clarified. I fully agree with the principle of reciprocity between the States, but it should not operate in a one-sided fashion.

I also wish to raise a point concerning the issue of anglers' licences, in which I have a personal interest. There is a sound argument for some system of issuing short-term anglers' licences; for example, a licence or permit could be issued for a fee of, say, 50 cents enabling an angler to fish for a period of one month. Many individuals—we could not reasonably call them anglers—spend their annual holidays at a seaside resort with their families, and the children are anxious to go fishing. The father accompanies them, but under the provisions of the Bill if inspectors find fish in his car which the children have caught, the father has to prove that he did not catch them. There must be hundreds of people in this category and it should not be difficult to introduce a system whereby people who retail bait are provided with a book of duplicate permits which can be stamped with a date granting a short-term licence to an applicant. The bait shop could supply a licence or permit to enable a person to angle for a period of, say, one month.

I am not an angler, but I have had sufficient experience to appreciate the desirability of short-term licences. On a couple of occasions, I have purchased an angler's licence for only one fishing trip. Provision should be made in the Bill to meet the demands of families whose children want to spend a short time during their holidays trying out their hands as anglers. This should not involve a serious administrative problem. I appreciate that there is no necessity for a licence for ocean angling. I commend my suggestion, which applies to inland waters, to the Government for examination.

Sir ARTHUR RYLAH.—Are you advocating a salt water licence?

Mr. B. J. EVANS.—No. I am seeking provision for a short-term licence costing, say, 50 cents, to allow a man to fish for one month, rather than him being required to pay $2 for a licence which he will require only for his annual holidays. I have seen New South Wales fishing licences for sale in bait shops and sports stores in this State. Apparently that State has a system of this kind in operation. It would be well worth examining. In most cases, my proposal would encourage people to obey the law rather than to take the risk of not obtaining a licence for one day. Any law which encourages people to take a risk in that way is not a good law. If a licence or permit were readily available at a lower fee, it would increase the amount of revenue available to the funds to which these fees are allocated. It should be relatively simple to devise a suitable system.

I do not wish to refer to any other points at this stage, but I shall raise some further questions in Committee. I hope the Chief Secretary will give consideration to the points I have already mentioned because they have the support of the fishing industry and, if implemented, could greatly encourage the industry in this State.

Mr. EDMUNDS (Moonee Ponds).—This Bill contains 81 clauses, and completely modernizes the Fisheries

Act. Much of the Bill deals with professional fishermen, but many of its provisions relate to amateur fishermen. Societies such as the Essendon Fish Protection Society and the Anglers' Club are vitally concerned with such provisions. Clubs of this type have been long established and over the years their activities have been beneficial to the community. Their ideas for the protection of fish and the development of angling within a small community have been important to public interests. I regret that the Bill is being debated at such a late hour, because it will be difficult to elaborate on some of the points I wish to make.

The members of the club which I mentioned are strong supporters of legislation that is designed to develop and improve conditions for anglers generally throughout the State. Many provisions in the Bill, deal directly with the development of amateur angling. For instance, clause 22 proposes a reduced fee for aged and invalid pensioners, and totally and permanently incapacitated pensioners. This is whole-heartedly supported by fishing and angling clubs. The setting aside of children's fishing reserves, as provided in clause 79, is an excellent idea which was introduced early this year in an area of the Edwardes Lake. This project has been a huge success so far as the Fisheries and Wildlife Branch is concerned. This encourages amateur angling, which, as a recreational activity, is of benefit to the community. Other points that I wish to raise in respect of reciprocity are vital, and I think they would be best dealt with when the House is considering the clauses of the Bill. I am of the opinion that anything which will encourage amateur anglers to enjoy this fine sport at an early age is deserving of support.

As the Leader of the Opposition and the Deputy Leader of the Country Party have said, many provisions contained in this Bill are designed to implement suggestions which have been put forward for many years by angling clubs and which I support. I desire to have something to say concerning the amendments which have been circulated. Unfortunately, however, a Bill such as this contains so many clauses that honorable members are not able to develop some of their arguments to the extent that they would wish. I should like to ask questions of the Chief Secretary in respect of many clauses contained in this measure, but I feel that at this late hour it would not be within his capacity to furnish the answers.

Mr. MUTTON (Coburg).—When this Bill was introduced, I gained the impression that its purpose was to serve both commercial and sporting sides of the fishing industry. Unfortunately, however, prior to the Bill being debated in the House, honorable members received a letter from the Chief Secretary stating that while it has been proposed to increase the inland angling licence fee from $2 to $4, that proposal had been made in the mistaken belief that the Australian Piscatorial Council supported such an increase. The letter stated that the council was now expressing opposition to the proposed increase and, in view of that, the proposed amendment was to be withdrawn. As a result, the House can deal only with the commercial side of the industry.

I relate my remarks wholly and solely to the provisions of the Bill which apply to the fresh water or inland angler. I had been informed by the Chief Secretary that the proposal to increase the inland angling licence fee from $2 to $4 was supported by the Victorian Piscatorial Council because it would provide additional funds to the Fisheries and Wildlife Branch and improve inland fishing, but subsequently I received a letter from the council which expressed completely opposite views. Paragraph (c) of that letter reads as follows:—

The Government's failure to implement the recommendation of the Victorian Piscatorial Council for the introduction of a General Amateur Angling Licence at a fee

of $2.00 for inland estuary and salt water. Salt water problems and research work entails the Fisheries and Wildlife Department in equal work with fresh water (inland), and therefore a licence for salt water is but fair to all.

The council advocated not an increased fee for an amateur angling licence but an over-all, general licence which would apply to both salt water and fresh water anglers.

I have studied the relevant figures and have found that when the inland angling licence fee was last increased the number of licences issued decreased. In 1965-66, 100,721 inland licences were taken out at $1 each, and in 1967-68 only 75,890 were taken out because the licence fee had been increased to $2. From that it can be assumed that when licence fees are increased, the number of licences and the amount of revenue received by the Government will be reduced. It is apparent that the Chief Secretary was aware that if he pursued his objective of increasing inland angling licence fees there would be a further reduction of revenue.

The reason for my concern is that I consider angling to be a major industry with many supporting trades. The tourist trade, for example, has greatly developed. As can be seen at Lake Eildon, the boating industry and the fishing equipment industry have expanded a great deal, and this has provided avenues of employment.

The House is considering an improvement to the commercial side of the fishing industry, but I suggest that very strong consideration should be given to methods of increasing the popularity of the sporting side of the industry. In his second-reading explanatory speech, the Minister stated that the Snobs Creek hatchery was one of the State's greatest tourist attractions. Of course, even though the hatchery is doing a wonderful job, there is much room for improvement. If more finance were made available to the Fisheries and Wildlife Branch, the activities of that hatchery could be expanded 100 times. The hatchery has been successful in the production of trout ova and fry, and it could be equally successful with fish such as black fish which are indigenous to the State of Victoria.

I believe that if the licence fee was amended and a general angling licence issued to cover all anglers throughout the State, including salt water, estuary and fresh water fishing, the added revenue received could be applied to the Snobs Creek hatchery and other hatcheries which could be established and developed. In addition, the policing of waters such as estuaries, the Gippsland Lakes and Port Phillip Bay by inspectors of the Fisheries and Wildlife Branch are costly. Therefore, they are getting away scot-free without making any contribution to the industry but enjoying all the benefits that fishing can provide. Encouragement should be given to people who enjoy some form of relaxation from the hurley-burley and rapid tempo of modern life.

The honorable member for Moonee Ponds expressed the view that in addition to considering the needs of adult anglers and commercial fishermen, the Government should also consider the younger generation. The Bill will enable the Minister to provide assistance in local areas, where junior anglers will be able to participate in fishing. If the honorable gentleman intends to act along these lines, he must consider the type of water in which children will be permitted to fish. Edwardes Lake and the Coburg Lake in my electorate were both formed on local streams. Some years ago, these lakes abounded with fish but, as a result of pollution from nearby factories, all types of aquatic life and fish life have been destroyed. The Bill also empowers the Minister to take action to control pollution. Before the Minister will be able to assist junior anglers to participate in fishing for recreational purposes in lakes that have been formed on natural streams, it will be necessary to impose some form of control over pollution, which can destroy fish life within a matter of weeks.

From information supplied by the Fisheries and Wildlife Branch, I understand that about 3,000 trout were released in Edwardes Lake but, owing to pollution, they survived for only two and a half months. This indicates the severe type of trade waste or effluent that is being released into many of our lakes which, although man-made, are picturesque and provide many attractions for local people. They could serve in an added sense by providing sporting recreation for the younger generation.

In 1963, the backbone of the fishing industry in Tasmania was the production of scallops, but the scallop fields of that State have now been completely fished out. Many fishermen from Tasmania turned their eyes to Victoria because they had been told that there were fruitful grounds in Port Phillip Bay from which scallops could be harvested at great profit. As a result, during the past two years, about 170 fishing boats congregated in Port Phillip Bay with the intention of harvesting scallops. In his second-reading explanatory speech, the Minister stated that 170 fishing boats were too many to work in the Bay. Last year, there was a record harvest of scallops but, already this year, there has been a substantial decrease in this regard. Unfortunately, scallops can be harvested successfully only during the spawning season from April to May. Probably, it is due to this factor that the harvesting of scallops will ultimately destroy the scallop beds. Obviously, if scallops are taken during the spawning season, they will have no opportunity of continuing in their breeding capacity.

I hope that if the ambit of inland angling licences for amateurs is broadened, the licences will cover all aspects of fishing, including fishing in salt water, fresh water, estuaries and such like. I ask the Chief Secretary to consider amending the legislation to encourage more people to participate in fishing as a form of recreation.

The motion was agreed to.

The Bill was read a second time and committed, *pro forma*.

The House went into Committee of Ways and Means.

Sir ARTHUR RYLAH (Chief Secretary).—I move —

That under and in accordance with the Fisheries Bill there shall be charged and paid for the use of Her Majesty her heirs and successors the fees set forth hereunder, namely :—

For the issue of an amateur fishing licence—

(*a*) to any person who satisfies the issuing officer that he is an old age or invalid pensioner under the Commonwealth Act for the time being in force relating to social services or is a totally and permanently incapacitated pensioner under the Commonwealth Act for the time being in force relating to the repatriation of discharged servicemen—$0.50 per annum ; and

(*b*) by any person not referred to in paragraph (*a*)—$2.00 per annum.

For the issue of an amateur hoop-net licence—$4.00 per annum.

For the issue of an amateur netting licence —$4.00 per annum.

For the issue of a fish culture permit—$200.00 per annum.

For registration of a commercial fish farm —$5.00.

The motion was agreed to, and the resolution was reported to the House and adopted.

The House went into Committee for the consideration of the Bill.

Clause 1 was agreed to.

Progress was reported.

ADJOURNMENT.

NATURAL GAS : BLOW-OUT AT MARLIN FIELD—ADDRESS-IN-REPLY: PRESENTATION TO GOVERNOR.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That the House, at its rising, adjourn until this day, at half-past Ten o'clock.

In moving this motion, Mr. Speaker, it is proposed that you, Sir, will take the chair at 11 a.m. or as near thereto as possible having regard to your commitment in relation to the presentation to His Excellency the Governor of the Address-in-Reply.

The motion was agreed to.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That the House do now adjourn.

Mr. EDMUNDS (Moonee Ponds).—I wish to raise a matter which I consider to be urgent Government business and which should be of concern to the Government because of its urgency. The major calamity of the blow-out of natural gas off the coast of Victoria constitutes a hazard. The Government should make some positive statement to the public of Victoria because of the seriousness of this situation. As I understand from yesterday's newspaper report, the blow-out of natural gas is uncontrollable until an American technical expert arrives here in a couple of days' time and attempts to control it. A director of Esso-BHP informed a Senate committee yesterday that the dangers are so great that he is unable to predict what will be the outcome because this is an unknown area so far as their experience goes.

I wish to learn from the Government whether the Minister for Fuel and Power will report to the House on this disaster. What are the dangers to mariners and other people such as fishermen who are in Bass Strait on their normal business? What are the hazards involved in attempting to control this escaping gas? Will the Marlin sea platform collapse into the sea? A further point which should be explained is how this will affect the Government's agreement with Esso-BHP? Does the agreement contain any clause which provides for this type of disaster? I realize that natural gas will be supplied from the Barracouta area and that the Marlin well is not supposed to come into operation until early next year. However, I believe it is important, particularly to members of this House, for the Minister in charge of this natural resource and its supply to the Melbourne area to make a positive statement in relation to this disaster.

Mr. BALFOUR (Minister for Fuel and Power).—The Government and the Mines Department are fully aware of what is going on in Bass Strait. It is regretted that this blow-out of gas has occurred, although I presume it is something which anyone must be prepared for where gas and oil fields are concerned. So far as I am aware, on Monday afternoon at about 4 p.m. or 5 p.m. gas appeared to be coming out of the sea, and the 50-odd personnel who were on the Marlin platform were evacuated. Six men remained on the platform, but on Tuesday morning or late Monday evening these men were taken off. On Tuesday morning observations were made of the platform by helicopter. Mr. Jim Le Page, one of the senior officers of the Mines Department, was sent down there to make observations and report back to the Department.

I understand that Esso-BHP has arranged for experts to be flown out from America, and I assume they will be here later today. In the meantime, a barge is being loaded at Barry Beach with cement and mud which will be taken out to the Marlin structure and should arrive in the early hours of Wednesday. The object is to have this material on hand so that it may be pumped into the well, or wells, which may have sprung a leak. I believe it was originally assumed that Marlin A.7—a well in which a casing was being run in—was the well that had sprung the leak. It was not known whether the blow-out preventer had failed; whether the gas was coming from in between the casing—which had been run to about 1,100 feet—and the drill hole; or whether one of the other wells might have sprung a leak. Those matters have yet to be evaluated. I can assure the House that the Government, the Mines Department and Esso-BHP are concerned about this matter and, with all the technical knowledge available, everything will be done to ensure that this gas leak is stopped as quickly as possible.

The SPEAKER (the Hon. Vernon Christie).—I remind honorable memmers that, in regard to the presentation of the Address-in-Reply to His Excellency the Governor, cars will leave Parliament House at 9.50 a.m. this morning.

The motion was agreed to.

The House adjourned at 2.12 *a.m.*

Legislative Council.

Wednesday, December 4, 1968.

The PRESIDENT **(the Hon. R. W. Garrett)** took the chair at 11.22 a.m., and read the prayer.

LIEUTENANT-GOVERNOR'S SPEECH.

PRESENTATION OF ADDRESS-IN-REPLY.

The PRESIDENT (the Hon. R. W. Garrett).—I have the honour to report that this day, accompanied by honorable members, I waited upon His Excellency the Governor and presented to him the Address of the Legislative Council, adopted on the 12th November last, in reply to His Excellency the Lieutenant-Governor's Speech on the opening of Parliament. His Excellency was pleased to make the following reply:—

MR. PRESIDENT AND HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL.

In the name and on behalf of Her Majesty the Queen I thank you for your expressions of loyalty to our Most Gracious Sovereign contained in the Address you have just presented to me.

I fully rely on your wisdom in deliberating upon the important measures to be brought under your consideration, and I earnestly hope that the results of your labours will be conducive to the advancement and prosperity of this State.

I add my personal thanks to honorable members for the excellent attendance at the presentation of the Address-in-Reply this morning.

MOTOR CAR (FURTHER 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.

EDUCATION DEPARTMENT.

EMPLOYMENT OF TEACHER AIDES.

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

In view of his answer to question No. 2 asked in this house on the 9th April, 1968, that consideration has been given to the employment of teacher aides to work in libraries, audio-visual centres, class-rooms and lunch rooms—(i) what proposals is he recommending; and (ii) when can it be expected that such teacher aides will be appointed?

The Hon. L. H. S. THOMPSON (Minister of Education).—The answer is—

Such proposals have been considered, but we have no definite plans for expansion at this stage apart from increasing the number of laboratory assistants as finance permits.

WARRNAMBOOL TECHNICAL COLLEGE: SUBMISSION FOR COMMONWEALTH GRANT.

The Hon. C. A. MITCHELL (Western Province) asked the Minister of Education—

Has a submission on behalf of the Warrnambool Technical College been made for a Commonwealth advanced education grant; if so, when will the Commonwealth advanced grant and matched State grant for the 1970-72 triennium be determined?

The Hon. L. H. S. THOMPSON (Minister of Education).—The answer is—

No submissions from Victoria have been forwarded to the Commonwealth yet. It is expected this will be done soon and Warrnambool Technical College will be included.

LAKES ENTRANCE.

SAND BAR PROBLEM.

The Hon. R. W. MAY (Gippsland Province) asked the Minister of Agriculture—

(*a*) Following the answer to question No. 7 asked in this House on the 27th November last, which stated that an extensive model study of the entrance at Lakes Entrance has been undertaken, when and where can the model be inspected?

(*b*) When will the feasibility survey referred to in part (*c*) (v) and (vi) of the answer be completed and when is it anticipated that the contract will be called for dredging?

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

(*a*) The model study, which was undertaken in space loaned by the State Rivers and Water Supply Commission at its Werribee laboratory, has been completed and the model itself has been dismantled.

(*b*) It is anticipated that some three months will be required to complete the economic feasibility study of the conversion of the departmental dredge *Pioneer*. The possibility of contract dredging of the bar has not yet been determined.

PUBLIC WORKS DEPARTMENT.

ST. ARNAUD COURT HOUSE: PROVISION OF TOILET FACILITIES.

The Hon. M. A. CLARKE (Northern Province) asked the Minister of Agriculture—

(*a*) Is the Public Works Department incapable of resolving the deadlock between the Law Department, the Police Department, and the Forests Commission regarding payment for adequate toilet facilities, including town sewerage, at the St. Arnaud court house?

(*b*) In view of the fact that provision of new toilets and connexion to the sewerage system have been urgently requested since 1962, will the Minister of Public Works provide an explanation for the protracted delay of any action at St. Arnaud court house?

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

(*a*) There is now no deadlock.

(*b*) The project was delayed pending a decision on allocation of costs, which has now been resolved.

Contract documents are in course of preparation.

COUNTRY ROADS BOARD.

DUPLICATION OF BRIDGE OVER WODONGA CREEK.

The Hon. A. K. BRADBURY (North-Eastern Province) asked the Minister of Agriculture—

Does the Country Roads Board propose to duplicate the bridge over the Wodonga creek, Hume Highway, Wodonga; if so, when?

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

Yes; the construction of the bridge is expected to commence early in 1969.

WESTERNPORT REGIONAL PLANNING AUTHORITY.

PROPOSALS OF TOWN AND COUNTRY PLANNING BOARD.

The Hon. I. R. CATHIE (South-Eastern Province) asked the Minister for Local Government—

(*a*) What proposals were put forward by the Town and Country Planning Board to the shires proposed to be included in a Westernport Regional Planning Authority at a meeting on the 18th January, 1968?

(*b*) Were these proposals agreed to by the shires present at the meeting, naming the shires involved?

(*c*) Are these proposals to be incorporated in the proposed legislation setting up the authority?

The Hon. R. J. HAMER (Minister for Local Government).—The answers are—

(*a*) and (*b*) The Shire of Flinders called a meeting at Dromana on 17th January, 1968, which the chairman of the Town and Country Planning Board was invited to address. No proposals requiring the meeting's approval or adoption were presented, the address being an outline of proposals set out in the Board's reports to the Minister dated 4th September, 1967, entitled "Organization for Strategic Planning".

(*c*) The Town and Country Planning (Amendment) Act 1968 provided the necessary machinery for the setting up of regional planning authorities.

RAILWAY LOAN APPLICATION BILL.

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

That this Bill be now read a second time.

This is a Bill to authorize the expenditure of an amount not exceeding $24,000,000 from the Loan Fund on account of the Railway Department. The specific allocations are listed in the schedule to the Bill. This measure cancels any unexhausted provisions in the current Railway Loan Application Act. The Bill is drawn to cover the period from the 25th August, 1968, to 31st December, 1969, and the amount of $24,000,000 relates to this period; the sum for the current financial year is $17,064,000.

The Bill and the explanatory notes give a good deal of detail and I do not propose to mention each item. However, I do wish to draw the attention of honorable members to several items of importance. Almost all the expenditure provided for in this Bill will go to improve railway services. There is a lot of catching up to be done in this regard, not only to rehabilitate a huge organization but to do this at a time when technology and the railways' transport competitors have gone ahead in leaps and bounds. This task of catching

up is extremely costly and, unfortunately, cannot be achieved as quickly as we would all like. All honorable members are aware of the financial restrictions placed on the Government by the Loan Council.

The programme of replacing steam locomotives with diesel locomotives was a major initial step in the programme of up-grading railway equipment and service. This replacement has now almost been achieved. Twenty-eight diesel locomotives were delivered during the past year. Eight more diesels are scheduled for delivery, and the replacement is expected to be completed in 1971. That will see the end of steam. Sub-item No. 201 in the schedule allows an expenditure of $2,000,000 for locomotives.

The major expenditure for rolling-stock this year will be for 100 additional grain hopper wagons, at least 50 special container carrier wagons, 50 large open general freight wagons and 100 other wagons of various types equipped to carry long and special loads. Some idea of the cost of re-equipping a railway may be gauged from the fact that these 300 wagons will cost $3,200,000.

Further expenditure on railway stock will include $1,000,000 for the first of a new batch of suburban trains. There is a major problem in rehabilitating the suburban fleet. Although 60 new trains have been placed into service since 1956, many old trains remain.

In an attempt to allow public transport to play its proper part in the transport scene—every form of transport has its place in a modern community—recently tenders were invited for a new batch of suburban trains. Each of these new trains will consist of six 75-ft. carriages capable of carrying up to 1,500 people at peak load. These trains will have tinted anti-glare windows, power-operated doors, forced-draught ventilation for use in the warmer months, and they will be heated.

I have spoken of the major expenditures proposed for rolling-stock in the next year. I now turn to discuss the significant expenditures which will be met to up-grade tracks. Expenditures in this category are listed under item No. 1 in the schedule to the Bill. The railways have 300 men working in four gangs, each gang equipped with the most modern machines available to re-lay tracks in country areas. Work is being carried out on the Portland line, the main north-east broad-gauge line, the Yarram line, and the Sea Lake line. These gangs re-lay an average of about 160 miles of track in a year.

The up-graded tracks allow better railway service, with smoother-running trains and higher train speeds. With the improved tracks and better rolling-stock, the railways are now running express goods train services up to 60 miles per hour on the main interstate routes. A similar service has recently been provided to Portland and Mount Gambier.

What happens when the railways can provide efficient modern service is illustrated by what occurred over the past six years on the Adelaide line. In 1962, approximately 1,000 tons gross were hauled by each of four trains each way weekly. Today there are 34 trains a week running between Melbourne and Adelaide and train loads have reached 2,200 tons gross. As a matter of interest, some arithmetic has been done. On an average loading for a semi-trailer it would require 3,000 trips by semi-trailers to carry the load carried by these trains in any one week.

A further example of what the railways can do is the recent speeding up of service between Mount Gambier, Portland and Melbourne. With express trains, an overnight freight service is given between Mount Gambier and Melbourne, and the Portland to Melbourne trip time has been reduced by three and a half hours.

The Geelong line, which carries 23,000 tons gross daily, has now been duplicated to Werribee, allowing

improved service on this line. The next section to be duplicated will be the 10 miles from Werribee to Little River. This work will be completed by late 1969 and it is expected the duplication of the Geelong line will be finished in 1970-71.

A special type of track work which requires particular mention is being carried out with the building of the Melbourne hump yard. The work being done on this hump yard, which will cost a total of $11,000,000, is proceeding on schedule and should be completed early in 1970. This Bill authorizes an expenditure of $3,150,000 on this project this year. Although the hump yard involves the most modern techniques of railway operation, the principle of its working is very simple. Wagons are pushed up one side of the hump by a locomotive, uncoupled, and allowed to roll down the tracks on the other side. They can be switched to any one of a number of lines and their momentum can be retarded by the use of sophisticated automatic and electronic equipment.

The value of this project in increasing railway efficiency will be very real. This will be obvious to anyone who has studied the system. Service to customers will be speeded up and the time which trucks and goods spend in the Melbourne yard will be considerably reduced. The yard is now capable of handling 2,500 trucks in a day, whilst the hump yard will handle 3,750 trucks in the same time. This project is the result of many years of study and work by the railways, and this year Commissioner Reynolds and Mr. Crute, the manager of the Melbourne freight terminal, visited England to study hump yard operations there and to consult with the firm supplying the electronic equipment for the yard in conjunction with its Australian associates. Much practical benefit was gained from this visit.

Track work is also being carried out in the metropolitan area. Over recent years, the most rapid increase in peak period travel has taken place on the Burnley group of lines. The number of Melbourne-bound passengers passing through Burnley during the morning peak period is now 18,200—an increase of 30 per cent. since 1959—and the peak period traffic continues to grow. To enable this increased traffic to be handled efficiently, additional trackwork has been laid between Richmond and Burnley; the Glen Waverley line has been duplicated throughout; and a third track, signalled for two-way running has been provided between Hawthorn and East Camberwell.

However, there are two bottlenecks still to be attended to. One is between Jolimont junction and Richmond, where two extra tracks must be provided before any more peak period trains can be run to either Box Hill or Glen Waverley, and the second is between Burnley and Hawthorn, where a third track is necessary to segregate express and stopping trains and to pave the way for the running of more trains to Box Hill. Work has already commenced on the Burnley-Hawthorn section, and during the currency of this legislation it is proposed to make a start on the Jolimont junction-Richmond job.

As well as eliminating the remaining bottle-necks between Melbourne and Hawthorn, the programme includes extension of the third track from East Camberwell to a point between Mont Albert and Box Hill.

I shall now deal with expenditure for the construction of new railway lines and surveys, and so on. The amount of $500,000 provided is required—

(i) to enable further progress to be made with the preliminary planning and investigation for the Melbourne underground railway;

(ii) to enable new lines to Barry Beach and Long Island, already authorized by Parliament, to be completed; and

(iii) to cover expenditure that may be incurred on any other line that has been authorized, or that may be authorized, by Parliament during the currency of the Act.

With regard to the first of these items, the underground railway, while some additional test boring is being carried out to complete the sub-surface picture, the only real problem remaining is finance. Once this has been surmounted, work can commence quickly. The new lines to Barry Beach and Long Island, referred to under sub-items Nos. 302 and 303, respectively, are associated with the rapid developments that are taking place in Victoria, particularly following the discovery of oil and natural gas in Bass Strait.

Barry Beach is being developed as the construction and embarkation site for all oil and gas platforms and under-sea pipelines in Bass Strait. The Tyabb-Long Island line is being built in the first instance to serve a new superphosphate works being established in this area. However, it is suitably located to meet the requirements of other industrial developments expected to take place in the Hastings area.

Additional explanatory material and further details of the works included in the Bill are contained in an explanatory memorandum which has been circulated, and I shall be pleased to furnish any other information that may be desired by honorable members in respect of any of the items. 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.

GOODS (TEXTILE PRODUCTS) BILL.

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

That this Bill be now read a second time.

This is a Bill to amend Part V. of the Goods Act 1958 in so far as it applies to the labelling of textile products. This is an area of the law in which it has been the practice for quite a few years to maintain uniform legislation between the several States, and also the Commonwealth. The Commonwealth Commerce (Imports) Regulations apply to imported goods at their point of entry into Australia, while the laws of the States apply to these goods, as well as locally made goods, at their point of sale.

The provisions of the Goods Act which apply particularly to textile products are contained in section 92. Briefly, the section requires that textile products as defined shall be labelled with particulars of their fibre composition ; a person who sells or offers for sale any textile product which is not so labelled commits an offence. A textile product containing at least 95 per cent. wool is to be described as "pure wool" ; other textile products are to be described in various ways.

Not unnaturally, from time to time representations are made to the Government, on behalf of one interest or another, for some change in the detail of the legislation, although the main principles continue to gain general acceptance. When this happens, it requires consultation between the seven Governments concerned ; because interstate and international trade are involved, obviously uniform legislation must be maintained. On this occasion, agreement has been reached between all the Governments concerned for the introduction of legislation to make three minor amendments to the existing law, which have been proposed by one or another of the trade interests concerned. I shall now explain the proposals.

First, at present the Act requires the expression "pure wool" to be used to describe textile products containing 95 per cent. or more wool. The percentage of 95 is used because standard scientific tests have a 5 per cent. margin of error. It was proposed that it be permitted to use as alternatives either of the expressions "all wool" or "10 per cent. wool". The Government agrees that the expression "all wool" would be acceptable, but not "100 per cent. wool", and proposes that section 92 be amended accordingly.

Secondly, at present section 92 applies only to those kinds of carpets coming within that part of the definition of "textile products" which reads "woven, knitted or felted materials manufactured from fibre". In fact, most of the carpets sold today are not of the woven kind. If it is reasonable to require that carpet pile fibres shall be described at all, then it is reasonable to require that they shall be described in all cases, whatever the method of manufacture of the carpet may be. It is therefore proposed to alter the definition of "textile products" so as to include all kinds of carpet.

Thirdly, there is the matter of labelling textile products made of a mixture of wool and what are known as "specialty animal fibres"—that is, the rare and costly natural fibres cashmere and mohair and the hair of the alpaca, camel, llama and vicuna. It is fashionable for some purposes to mix a small quantity of one of these fibres with a large quantity of wool to produce what is claimed to be, for "fashion" purposes, superior fabric.

The Australian Agricultural Council, which comprises the State Ministers of Agriculture and the Commonwealth Minister for Primary Industry, has recommended that the textile labelling laws be amended to permit the application of the international wool symbol "Woolmark", introduced by the International Wool Secretariat and the Australian Wool Board, to fabrics containing a mixture of wool and specialty animal fibres. The "Woolmark" symbol includes the words "Pure New Wool". This would allow the "Woolmark" programme to be applied on an internationally uniform basis, and the Australian Wool Board is anxious to bring these specialty fabrics within the scope of the "Woolmark" programme as soon as possible. The State Ministers of Labour have agreed to place before their respective Parliaments legislation to allow this to be done, provided that the fabric contains not less than 80 per cent. sheep's wool.

Allowing for the 5 per cent. margin which I mentioned previously, this would permit the addition of up to 15 per cent. of a specialty animal fibre, while still permitting the "Woolmark" symbol to be applied. I am assured that in most cases this proportion would be less than 15 per cent., and that the position is not likely to be abused because the specialty fibres are dearer than wool. In any case, it seems apparent that many sellers of these products would prefer to stress the presence of the specialty fibre—for example, mohair—rather than to ignore it. Nevertheless, the amending legislation would permit the "Woolmark" symbol to be used by those wishing to do so.

Clause 1 provides for the Act to come into operation on a day to be fixed by proclamation. The 1st January, 1969, is the day which the Government has in mind. Clause 2 contains the substantive provisions of the Bill. Paragraph (*a*), which amends sub-section (2) of section 92 of the principal Act, makes the amendments necessary to allow the use of the expression "all wool" to be used as an alternative to the expression "pure wool". Paragraph (*b*) inserts an additional sub-section (2A) in section 92 of the principal Act, which deals with the descriptions to be applied to textile products containing a mixture of sheep's wool and

specialty animal fibre. Paragraph (c) amends the definition of "Textile products" in sub-section (4) of this section so as to include carpets of all kinds. 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.

MARRIED WOMEN'S SUPERANNUATION FUND BILL.

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

That this Bill be now read a second time.

The primary purpose of this Bill is to establish a Married Women's Superannuation Fund which will apply to both members of the Public Service and women teachers. This system will replace the scheme that was set up approximately twelve years ago under the name of the Married Women Teachers' Pension Fund. This scheme has had limited appeal and many married women teachers have preferred not to contribute to it. This new scheme is being introduced as a result of discussions with the unions concerned and following a report of the State Superannuation Board.

The basic change in the new scheme is that instead of a married woman contributing 5 per cent. of her salary and the State matching this contribution, she will, in future, contribute 5 per cent. and the State will contribute 7½ per cent., or one and a half times the amount contributed by the married woman concerned. This represents a substantial improvement on the existing superannuation scheme.

Other improvements will also be effected by the legislation. First, the lump sum which would normally be payable to a contributor upon reaching the age of 60 years may be converted into an annuity or annual payments at the discretion of the contributor. Those who are at present in the Married Women Teachers' Pension Fund or contributors to the State Superannuation Fund, provided that they do so within six months, may transfer to the new fund on marriage without the necessity for a medical examination. Those who are required to submit to a medical examination and successfully pass it will qualify for the full benefits of the fund. On the other hand, if a woman fails to pass the medical examination, she will enjoy the benefits of a lesser scheme whereby the State will contribute virtually 2½ per cent. as against the 7½ per cent. to which I previously referred. When persons of this type retire, they will obtain one and a half times what they have paid into the fund.

Two separate accounts will be set up under the legislation, one of which will be called a special account into which money already contributed to the Married Women Teachers' Pension Fund will be paid, and an ordinary fund into which the payments under the new scheme envisaged in the Bill will be paid. The main aim of the Government is to cater for the special needs of married women. It is usual for them, because of family reasons, to have more frequent absences from their employments than male employees, and it was thought desirable to have some superannuation scheme whereby, upon their return to work, they would not be faced with the liability of having to make up arrears. Secondly, it was considered that because of the stress and strain placed on them, married women, who often have the dual role of raising a family and undertaking employment, should be permitted to retire on account of ill health on a basis which is less stringent than would normally be required. The benefits which will be enjoyed by such persons will be less than those applicable to the orthodox State Superannuation Fund, but they represent a substantial improvement on those which are available under the Married Women Teachers' Pension Fund. I commend the Bill to the House.

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

It was ordered that the debate be adjourned until Tuesday, December 10.

LIQUOR CONTROL (AMENDMENT) BILL.

The debate (adjourned from November 27) on the motion of the Hon. V. O. Dickie (Minister of Health) for the second reading of this Bill was resumed.

The Hon. J. W. GALBALLY (Melbourne North Province).—"I do not care what the people do in the streets", said George IV., "so long as they do not frighten the horses". It remains for a Victorian Government 100 years later to adopt this example. "We do not care how people drink at the football or in the streets", proclaims the Government, "so long as we prevent them from having drinks with their meals". How do women regard the male alongside them at the football? They can have him bottled, canned or straight out of a tap. As the intake rises, so does his pugnacity towards the umpire, the opposing team and his neighbour. The supporters may swim in the stuff for all the Government cares, so long as people do not attempt to take a bottle or a can to an eating-house.

The great Australian ugliness is to be seen every Saturday afternoon at the football, where thousands of cans provide a trap for the unwary. In some countries at certain seasons of the year, people need snow shoes; at this rate, we will have to invent a type of can shoe. How the great Babylons of the brewing bonanza must chuckle to see this ancient revival! This is a dizzard of a Bill that cuts across nature itself. Historically and sensibly, food and drink are to be taken together. In these liquorish times, the Government is rearing a race of gongoozlers who stand, stare and drink.

I propose to say what I think a reasonable, social attitude on this question should be. It is conditioned by the fact that the taking of reasonable quantities of food and drink at a meal is the most desirable way of having alcohol and ought to be encouraged. The taking of liquor with food ought not be restricted to those people who can afford the charges that are made at licensed restaurants, of which I offer no criticism, because in many instances they afford other attractions in the way of exotic pictures, music and other forms of entertainment. There are such places in Melbourne, and if people can afford to visit them, why should they not do so?

It is socially desirable that from time to time a father and husband should be encouraged to take his wife to a neighbouring eating-house to relieve the daily tedium of a hot kitchen. In such places, food to suit his purse can be obtained at reasonable prices, to be consumed together with a bottle of ale or of wine, or whatever drink purchased at the ordinary retail price may be brought for the purpose. In country towns and villages, it may be assumed there is a demand, perhaps not as great as in urban areas, for a licensed restaurant, to which an ordinary artisan may take a bottle of beer to consume with his meal, instead of going around to the sale-yards or somewhere else to drink in solitude. However, the Government's attitude is conditioned by the view that only the wealthy can be trusted to take liquor with meals. The poor must not enjoy wine or beer with their meals. I point out that everyone cannot afford black coats and striped pants.

The Hon. MURRAY BYRNE.—The Government pioneered the right to take liquor into cafés and restaurants.

The Hon. J. W. GALBALLY.—Now this petulant Government is taking away that right. The Government says, "We do not know the

difference between a milk bar and an eating-house". It is somewhat like confusing an elephant with a violin. In reply to Mr. Byrne, at best this Bill is a horrible example of unskilled labour. The Government said "Everything would have been all right but for the nasty people of the press, who pointed out to the community that a person may drink in a milk bar not only milk but also beer. The press had no right to say that." It may be the law, as I understand from the second-reading speech of the Minister of Health. If it is a matter of contradiction, I shall read that part of the speech to the House.

The Hon. G. L. CHANDLER.—Honorable members will take it as read.

The Hon. J. W. GALBALLY.—At best, the Bill is an inadequacy and a confession that the Government is not able to deal with the matter. At the worst, it is a snobbish attitude towards the poor people of the community. The Government proposes that these people shall run the gamut of the Liquor Control Commission, from which a permit must be obtained. The Government appears to favour this kind of thing, and if it stays in office much longer people will be able to paper the walls with all the permits they are required to collect during their lifetime. A permit will be required because there is supposed to be great danger to the health of the community in allowing people to take alcohol into an unlicensed restaurant, where sufficient lavatories and toilet facilities, and so on, must be provided. Section 224 of the Health Act reads—

> No person shall keep an eating house or serve meals to the public therein for gain or reward unless the same is registered with the council.

It is an offence for such a person not to comply with the regulations made by the Governor in Council regarding drainage, the provision of suitable lavatories and sanitary conveniences, and the maintenance of the premises in a proper state of repair. Surely if adequate inspection is carried out that is strict control. Is it necessary for the Government to say, "The premises are quite all right for eating but not for drinking"? That indicates the kind of men in the Government today with whom we are dealing.

During the Committee stage of the Bill, I intend to suggest an amendment which will obviate this offensive provision which the Government proposes to inflict on the community. If the House supports this Bill, the Government should then look at some of the evils associated with alcohol in the community, as I have already indicated—for example, the consumption of liquor at football matches, and so on. Not only is it socially undesirable that people who attend football matches should be subjected to inconvenience and rudeness, but most of the people who drink at the football will step into a motor car after the match and drive away. This aspect touches on danger to life and limb. The remedy is simple, and I trust the Government will support the Opposition on this matter.

Even in this House there may be members who regard drink as a scourge of the devil, and they may well be right. However, drink is available in the community, and the Government should encourage its use in a form and under conditions which will promote moderate rather than excessive drinking. The family man should be encouraged to partake of liquor with meals, accompanied by conversation, where moderation is the desirable object. I am inclined to agree with St. Paul who, many years ago, said, "Use a little wine for thy stomach's sake".

The Hon. I. A. SWINBURNE (North-Eastern Province).—The Bill before the House seeks to amend certain provisions dealing with the supply or consumption of liquor in cafés and refreshment places. It also deals with some minor amendments to the vintner's licence and with the problem of providing canteen services in works areas. The title of the legislation was changed when the Liquor

Control Act was introduced. Honorable members will agree that the controls provided in the Bill are wide, but the principle behind them is that where liquor is served other than in a private home it should be subject to the issue of a licence or some form of control, so that it can be policed.

Previously when proposed legislation of this nature was before the House, as spokesman of the Country Party, I drew the attention of the Government to the problem of liquor in cafés and refreshment rooms. My remarks went unheeded; in fact, the Government considered I was wrong in my interpretation of the measure then before the House. However, shortly afterwards, the matter was brought to public attention and it became evident that the interpretation placed on the measure by the Country Party was correct, and that anyone could take liquor into a milk bar, refreshment room, or café, according to the interpretation which may be placed on what might be termed a casual eating-house, such as exists throughout the length and breadth of the land.

Mr. Galbally raised the matter of drinking whilst eating, and I thoroughly agree with him. If a person intends to partake of liquor, there is no better way to consume it than with a meal. Surely the Government does not intend to make the provision wide enough to permit a person to consume liquor in a milk bar. Surely there are sufficient licensed premises in this State. There are hotels, licensed restaurants and cafés which provide for the serving of liquor, and in some instances it may be served in motel rooms. There is also provision for temporary licences to be issued to allow liquor to be served at certain places.

Mr. Galbally referred to the problem of liquor at football matches. I am a great supporter of football and enjoy watching a game. It annoys me that liquor is consumed excessively at football matches because of its effect on some supporters; there is also the risk of a sprained ankle or broken leg should a person trip over the beer cans that become strewn all over the place.

The Hon. M. A. CLARKE.—And one's clothing may be sprayed with beer.

The Hon. I. A. SWINBURNE.—That is so, and there are other similar annoyances. A person may even be hit on the head with a beer can that has been thrown. These are problems associated with licences issued for such areas. Another problem is that of people taking liquor to football matches in bags, but this is a separate matter which should be dealt with in its proper place. Most of the people who drink at the football do so for the whole duration of the match, during which period probably they do not eat anything. There should be stricter control over this sort of thing.

I support the Bill because it is in line with the views expressed by the Country Party when the whole question was first raised in this House. As one who travels a good deal throughout the State, probably I have more meals in cafés in country areas and in the city than most people. I do not consider that a person should be able merely to walk into a licensed grocer's shop and purchase a can of beer, then walk into a café and, without the consent of the proprietor, consume intoxicating liquor. I do not believe that is right. If a family man wants to take his wife and children into a café for a meal there should be places which he can choose in the full knowledge that no permits have been issued for the sale of alcohol in them. He and his family should not be harassed by people who might have consumed liquor. In some country cafés one frequently sees a person who has spent more time than he should have at the hotel. This person harasses other patrons of the café. It is sometimes difficult for the proprietor to remove him and he has to call for police assistance.

People should not be permitted to consume liquor in these cafés, first, because they become a nuisance to other people, and, secondly, because the Victorian laws provide that anyone who serves a person under the age of eighteen years with liquor in a public place is guilty of an offence. At sporting fixtures and in private homes I have seen people under the age of eighteen years served with liquor. If liquor is served in cafés without supervision the results may be disastrous.

The Hon. J. W. GALBALLY.—Does Mr. Swinburne want a policeman to be standing there while they drink it?

The Hon. I. A. SWINBURNE.—No, I am trying to be practical in my suggestions. Some responsibility should be cast upon the person who is in charge of the premises, but under the present Act there is no such responsibility and children could be served with liquor. People could bring liquor into the café without seeking permission of the proprietor. Under the provisions of this Bill it will be necessary for a substantial meal to be provided before a permit will be granted, and that will mean that liquor cannot be consumed in small milk bars. The owner of a café at which a substantial meal is provided will be given the right to apply for a permit and he will then be responsible for policing the conditions under which it is issued. In spite of the criticism levelled at some hotelkeepers by the Chief Commissioner of Police I believe they do a reasonable job in supervising their premises. Recently at a hotel in my electorate the local football club was having its end-of-season dinner. Before the dinner started the proprietor asked how many of the players were under eighteen years of age. Several of the boys put up their hands and they were asked to leave by the proprietor, because they could not be served with liquor. Most responsible licensees accept this, but unless a similar responsibility is thrown on the proprietors of cafés which are granted permits there will be no similar supervision.

This principle was enunciated by members of the Country Party in the debate on the previous Bill. However, there is one provision in this Bill that members of our party are not happy about. It is paragraph (*b*) of proposed new sub-section (4) of section 45, as contained in clause 2. Paragraph (*b*) of the clause provides, *inter alia*—

(iv) For sub-sections (4) to (10), both inclusive, there shall be substituted the following sub-sections :—

" (4) The Commission may grant a permit authorizing liquor to be consumed possessed or controlled by any person over the age of 18 years—

. . . . . .

(*b*) in a cafe between the hours of twelve noon and ten in the evening on any day except Sunday or Good Friday and between twelve noon and half-past two in the afternoon and between six in the evening and ten in the evening on Sunday or Good Friday;

Hotels are closed on Good Friday, so why should a permit be granted to a café for the consumption of liquor on Good Friday? During the Committee stage a member of the Country Party will move to have the words " or Good Friday " omitted from this provision. We expressed a similar desire when the previous Bill was before the House and we submit it again today.

During previous debates members of our party have also referred to the conditions under which vignerons' licences could be issued and I am pleased that this matter has been reconsidered by the Government. Under the existing provisions it is difficult for many vignerons to comply with the licence requirements and now a more reasonable approach has been adopted to the conditions under which they may supply liquor on their properties.

Clause 8 of the Bill contains amendments relating to the issue of licences to canteens and works

areas. For many years the sale of liquor has been permitted at canteens in certain works areas and the matter was really brought to attention in relation to the developmental work being undertaken at Barry Beach. The amendments proposed in the Bill will provide for a licence to be granted to a particular person instead of to a works area. The Commission will be permitted to grant a licence to an existing licensed victualler, and one factor which will be taken into consideration in granting the licence is the number of existing licensed premises within a radius of 10 miles of the works area.

Members of our party have asked what will happen if a suitable person cannot be found within the 10-mile radius. As I understand the position it will not be mandatory for the Commission to grant a licence to a person within the 10-mile radius if it is satisfied that there are no suitable applicants. There is nothing to prevent the Commission from going outside this area and obtaining another licensee. I presume the Government has included this provision in the Bill to protect the interests of a licensee whose business might be affected by the granting of a licence to a canteen in the area in which he is already trading. I hope that a licence will not be granted to somebody from Melbourne whose business would not be affected if a canteen licence were granted.

The remaining amendments are more or less complementary and members of our party have not objection to them. We support the Bill with the exception of the provision to which I have referred relating to the sale of liquor on Good Friday and the principle of supervision of consumption of liquor in cafés. This matter was first raised in the press and the Government now realizes that something has to be done to control it, particularly in those cases where permits were not issued. There are plenty of provisions in the legislation for licences to be provided for special occasions, such as functions at a local hall. These functions are held more in country areas than in the metropolis. It was difficult to interpret the Act in the way it which was worded but the proposed amendments clarify the position. In future, the person who is conducting the function at the hall will be responsible for any breaches of the law that may occur. Therefore, the Bill now provides a reasonable and practical method of meeting the problem.

The consumption of liquor creates many problems and I shall not expound all of them, even though they affect many walks of life. In my opinion, many road accidents are caused by the consumption of alcohol, but I believe that if the existing laws relating to motor vehicles were more rigidly policed there would be a reduction in the road toll. This Bill deals with this aspect in what might be termed the contribution of alcohol to the road toll. I do not minimize this effect, but if some of the other provisions of the laws of Victoria were more rigidly enforced some progress would be made in reducing the road toll.

Only two weeks ago I was unfortunate enough to be involved in an accident because a transport driver, who found that the lights on his truck had fused, left his vehicle on the road and failed to put out warning signals. My car ran into the back of the transport. The transport driver was not concerned that I was 90 miles from home and would be without my vehicle for some weeks. He was concerned that he had to be in Sydney by 7 a.m. the next day. The fact that the location of his vehicle might cause more accidents did not worry him.

When coming to Melbourne on Monday morning I passed twelve trucks which were proceeding north on the highway and which did not comply with the laws relating to these vehicles. It is time that this position was examined. The Government has

been successful in putting unroadworthy cars off the road and it could be equally successful in ensuring that unroadworthy transports do not operate on the roads. As I said before, I do not minimize the effect of alcohol on the road toll, but no law which this Parliament passes will totally overcome this problem. One of the greatest contributors is liquor consumed in private homes. Statistics relating to motor accidents reveal that a large number occur in the early hours of the morning when young people are returning home from parties. Many of us who have teen-age children are concerned with this problem because the people who conduct these parties are not prepared to supervise the consumption of alcohol at them. I feel that this is one of the greatest problems facing the community. It is a problem which will never be overcome unless a personal effort is made by each and every individual. However, by an Act of Parliament, the consumption of liquor in public places at least can be controlled.

While the Country Party accepts the principle that liquor may be consumed in public places under some degree of control, I am concerned that this proposed legislation might contribute to the many problems associated with liquor. This Bill deals with the consumption of liquor in cafés and restaurants, and I do not believe that people should be able to take liquor into such places without supervision. The Country Party supports the provisions contained in the measure, with the exception of that which deals with the consumption of liquor on Good Friday.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1, providing, *inter alia*—

(1) This Act may be cited as the Liquor Control (Amendment) Act 1968 and shall come into operation on a day to be fixed by proclamation of the Governor in Council published in the Government Gazette.

The Hon. V. O. DICKIE (Minister of Health).—All honorable members are aware of the many problems associated with the consumption of liquor, but on this occasion I shall not discuss them in detail. I agree with Mr. Swinburne that when the Licensing Act was consolidated into the Liquor Control Act in the previous sessional period, the matter being debated today was discussed, and warnings were issued that there could be problems in differentiating between cafés which did not supply meals and those which did and had been permitted in the past to serve liquor, although very few people were aware of it. The situation has now developed that people are taking their own liquor into restaurants at which meals are available. In the country areas that I know so well, and right along the Western Highway, I have visited many cafés and restaurants and have found that people are availing themselves of facilities provided for the consumption of liquor. The press first raised the subject of whether it was permissible for liquor to be taken into an ordinary milk bar which did not provide a susbtantial meal. In addition, there were inquiries from many quarters as to whether this was permissible. As honorable members are aware, it was not happening, but the possibility existed, and in view of that fact the Government has had to move to bring the situation under some control.

Mr. Galbally has made available to me a copy of an amendment that he intends to move at a later stage. Although it is aware of the desire of Mr. Galbally and the Labor Party to return to the system that has been in operation, the Government realizes that two difficulties could arise. The first is that restaurants are serving meals to people who bring their own liquor, and on Christmas Eve or New Year's Eve, when many parties are being held, members of the licensing police could walk in and stop the restaurateurs

from serving liquor. The proprietor might say, "I am allowed to do it because of an amendment to the Act", and the police could reply, "That is not so, because the Act has been changed". To avoid such a situation arising, the Government intends to proclaim the permit provisions early in the New Year. Resaurateurs will have to apply for a licence, and it is doubtful whether the Liquor Control Commission could hear them in time to enable permits to be issued before Christmas. The adoption of this method will make it possible for restaurant proprietors to carry on in the usual way during the intervening period and then to submit their applications to the Commission. To make it as easy as possible for them to obtain a permit, no fee will be charged for this licence. By not proclaiming these provisions until early in the New Year, and, in addition, by not charging any fee, the Government is attempting to assist these people to continue as they are.

Originally, the Government intended that unlicensed restaurants would not have to comply strictly with the rules and regulations of the Commission with regard to licensed restaurants; and that as people would bring their own liquor, the prices charged for meals would not be as high as those in licensed restaurants. In this way, a community need would be met. Notwithstanding the fact that no fee is to be charged for a permit, the Liquor Control Commission will still be responsible for inspecting the establishments concerned and deciding whether or not they are basically eating-houses.

The Chief Secretary has asked me to inform the House that, to the degree that it is possible, he hopes the Commission will realize that it is the Government's intention that the standard required to be observed before a permit is issued should not be extremely high, because the main purpose of the permit is merely to distinguish between restaurants and establishments which are primarily milk bars. Many new restaurants have been established within the last few months and they are meeting a need of the community. Most that I have visited have been selling cigarettes, cigars and chocolates, and so on. Golden Fleece Petroleum, for example, has an excellent chain of restaurants throughout the State and, although restricted in the number of articles stocked, they do sell tobacco, cigarettes, and chocolates.

As I have said, the present system will be permitted to continue until the New Year, and restaurants can then easily obtain a permit at no fee. The only inconvenience they will be caused is that they will need to make application to the Commission, and the Commission possibly will have to inspect the premises. I move—

That, in sub-clause (1) of clause 1, the words "shall come into operation on a day to be fixed by proclamation" be omitted with the view of inserting the words "the several provisions of this Act shall come into operation on a day or on the respective days to be fixed by proclamation or successive proclamations."

The Hon. J. W. GALBALLY (Melbourne North Province).—I am astounded at what the Minister is now saying. He concedes that this system has been working well and he sees no necessity for restaurateurs to apply for a permit; yet he insists that it must be done. In effect, the Minister is saying, "Leave it to us. We will not proclaim this Act and they will be all right over Christmas. In due course they can write to the Commission or somebody or other, and we shall tell the Commission not to be too hard on these people, and they will get a permit. Just trust us." I would not trust the Government anywhere. I do not see why small shopkeepers in the community should be so much under Executive control. It ought to be done by an Act of Parliament. Their rights should be defined.

What is the point of writing to the Commission if it is not to inspect the premises concerned? An inspection has to be made under the Health Act before an establishment may be licensed as a café, so what is the point of duplicating the system? Is it to get square with the press? In his second-reading speech the Minister said—

Experience over a considerable period of time has shown that members of the community have not abused the privilege of taking their own liquor into unlicensed restaurants, cafés and other places where meals and refreshments are ordinarily supplied to the public.

In view of that, there is no need for the proposed legislation. Regrettably, however, the publicity which has been given to this matter has created such distrust in the public mind that the Government feels constrained to take this action. I always thought that publicity was a *sine qua non* of a democratic Government, and that secrecy was the weapon of a totalitarian Government. I do not think it is proper to put small shopkeepers, restaurateurs and café proprietors in the hands of the Government in this way, when their rights should and could be defined by legislation. A situation could be reached where everybody in the community would be in the Government's hands. I shall move my amendment later; at this point I wished only to outline our party's attitude. The Minister speaks as though he is dispensing some largesse to the people. In my view, the people have the same rights as a Minister of the Crown or anyone else.

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

Clause 2, providing, *inter alia*—

The Principal Act is hereby amended as follows :—

(*a*) In section 5—

(i) In the interpretation of "Cafe" for the words "meals or refreshments" there shall be substituted the words "bona fide meals";

. . . .

to the public for consumption on the premises but where bona fide meals are not ordinarily served to the public for consumption on the premises.'

(*b*) In section 45—

(i) For paragraph (*a*) of sub-section (1) there shall be substituted the following paragraph :—

"(*a*) into or in any cafe at any time;";

(ii) After sub-section (1) there shall be inserted the following sub-section :—

. . . .

(iv) For sub-sections (4) to (10), both inclusive, there shall be substituted the following sub-sections :—

"(4) The Commission may grant a permit authorizing liquor to be consumed possessed or controlled by any person over the age of 18 years—

(*a*) in an unlicensed club which has been approved by the Commission pursuant to the provisions of sub-section (5) during such hours on any day or days as the Commission thinks fit;

(*b*) in a cafe between the hours of twelve noon and ten in the evening on any day except Sunday or Good Friday and between twelve noon and half-past two in the afternoon and between six in the evening on Sunday or Good Friday;

. . . .

(9) The Commission may grant a permit authorizing liquor to be consumed possessed or controlled at a particular function or occasion in a cafe public hall or unlicensed club by any person over the age of 18 years during such hours on any day or days as the Commission thinks fit but in the case of an unlicensed club no more than twelve permits shall be granted in any calendar year.

. . . .

(14) A permit under this section shall not be issued until in the case of a permit under paragraph (*c*) of sub-section (4) a fee of $250 and in the case of any other permit the fee fixed by the regulations has been paid.

(15) Where a permit is granted under this section—

(*a*) in respect of any cafe or public hall any person in those premises other than the occupier : or

(*b*) in respect of any unlicensed club any person in those premises—

may gratuitously supply liquor to any other person in the premises."

The Hon. J. W. GALBALLY (Melbourne North Province).—I wish to make one or two comments on what Mr. Swinburne has said. In other States—honorable members will

immediately think of conditions in Queensland—people have the privilege of buying liquor and taking it into a café without disturbing their neighbour or anyone else. Those of us who have travelled abroad recall that throughout Europe the provision of food and drink go together. It is undesirable that people who want to drink with a meal away from home should be put to the intolerable expense—unless they are well-to-do—of having to go to a licensed restaurant. Mr. Swinburne contends that a licensed café should be under supervision. I point out to him that under this Bill there will be no such supervision. All a proprietor has to do is to apply for a permit. It is not envisaged that there will be any inspectors or policemen watching what goes on in a café.

The Hon. I. A. SWINBURNE.—A permit will be issued on certain conditions.

The Hon. J. W. GALBALLY.—The Minister has informed the Committee that there will be no conditions.

The Hon. V. O. DICKIE.—The permit is free.

The Hon. J. W. GALBALLY.—That is so, but the conditions relate to the nature of the premises.

The Hon. V. O. DICKIE.—The Commission will make its own decisions.

The Hon. J. W. GALBALLY.—Now we are getting to it! I understand that if the premises are suitable, are provided with proper toilet facilities and are clean and so on, the proprietor will be entitled to a permit.

The Hon. V. O. DICKIE.—The Commission will control licensing.

The Hon. J. W. GALBALLY.—There will be favouritism, which is what I object to. There will be "Mr. Fixits" in the community, who will obtain a permit for this proprietor and will not be able to obtain a permit for someone else. The proprietors concerned are little people; many migrants own small businesses. What are they going to think about the proposal? This provision opens the way for corruption to occur. If conditions are to be imposed, they should be laid down by law. The Minister has said that the Chief Secretary intends to tell the Commission not to be too hard on applicants. What nonsense! My amendment attempts to define the difference between a café and a milk bar. Where meals are sold, where one can obtain a meal on the premises—I do not think it is necessary to define what a bona fide meal is—one can take alcohol and drink it with the meal. The definition of "café" is also wide enough to include places where take-away meals are sold. That seems to be reasonable. One can have a meal and partake of a bottle of alcohol, and the fact that a café sells meals to people who take them away still brings it within the scope of my amendment. It is true that under my proposal certain cafés which sell confectionery, and so on, will not be covered, but they will be able to elect for themselves whether to continue to sell small items of confectionery or whether to be an eating-house in the true sense of the word.

The Hon. G. L. CHANDLER.—That will be a hardship to some proprietors.

The Hon. J. W. GALBALLY.—It will not be as great a hardship as is imposed upon them now. If the Minister considers that to be a hardship, I shall include fruit and confectionery. I thank the Minister for the suggestion. I was hoping an honorable member would mention that.

The Hon. MURRAY BYRNE.—What about cigarettes?

The Hon. J. W. GALBALLY.—I shall include cigarettes also. I shall include cigarettes, fruit and confectionery; a milk bar which sells milk will be excluded.

The Hon. SAMUEL MERRIFIELD.—What about hamburgers?

The Hon. J. W. GALBALLY.—They are a well-recognized form of take-away meal. I move—

That it be a suggestion to the Assembly that they make the following amendment in sub-paragraph (*i*) of paragraph (*a*):—After '"bona fide meals"' insert "and at the end of the interpretation there shall be inserted the words 'but does not include any premises where goods of any kind other than meals cigarettes fruit and confectionery are sold or disposed of for consumption off or removal from such premises'".

The Hon. I. A. SWINBURNE (North-Eastern Province).—The position is going from bad to worse because Mr. Galbally's amendment would exclude 99 per cent. of cafés or eating-houses in the State.

The Hon. J. W. GALBALLY.—I should like to exclude 100 per cent.

The Hon. I. A. SWINBURNE.—A café proprietor who sold a bottle of Coca-Cola would be in difficulties. Most cafés sell soft drinks and many other lines. A proprietor who sold a packet of matches or a packet of Aspros would be in trouble. Throughout the country districts, many small shops are providing service after the larger shops are closed. As a result of amendments to the Labour and Industry Act, small shops are permitted to sell various goods and most café proprietors, in order to make ends meet, have widened the scope of their sales. Under Mr. Galbally's amendment, the type of restaurant which would come under the exclusion would be eligible to be, and in most cases would be, a licensed restaurant. I doubt whether one could find one restaurant in Victoria which would come within the category proposed in Mr. Galbally's amendment. Members of our party are not prepared to accept the proposal.

The Hon. J. W. GALBALLY.—You are not prepared to accept the principle that a person can take a bottle of beer anywhere. That has been your traditional attitude to liquor.

The Hon. I. A. SWINBURNE.—I have been fairly moderate in my view on this subject over the years. I consume what I should term a moderate amount of liquor. I do not intend to lay down conditions by which other people shall abide. The consumption of liquor in public places should be controlled. Our party has always adopted that view, and will continue to do so. The amendment is impracticable, and our party opposes it.

The Hon. J. W. GALBALLY (Melbourne North Province).—Mr. Swinburne said that no café in the country would meet the requirements. Hundreds of cafés sell food. In any country town one can obtain a steak in a café; many genuine eating-houses also sell confectionery, fruit and the like, and they would come within my amendment. Mr. Swinburne's objection is not to my amendment, which he ridiculed. His idea is that nobody should have the right to take liquor into a café unless it is under some form of control, which he did not designate. The only form of control is to ensure that premises are clean and decent, and these provisions are provided in the Health Act in relation to the registration of premises with a council. What other control can be envisaged, other than having a policeman there watching a person drink? I suggest to Mr. Swinburne that he is all astray in this matter.

The Hon. V. O. DICKIE (Minister of Health).—The fact that Mr. Galbally was prepared to see the shortcomings of his amendment and to add other words to it shows the great difficulty associated with this point. The very difficulty that the Bill sets out to attempt to overcome is that which Mr. Galbally recognized by adding certain words to his amendment. I realize that there are some good unlicensed restaurants in the suburbs—some of them owned by migrants in Carlton and elsewhere—which sell only food. Henceforth it will be necessary for them to seek a permit. They will do so because no fee will be attached to it, and they will realize they have several months

in which to apply without interference from the law. Again, I quote the Golden Fleece chain of restaurants, which is one of the best throughout the country. These restaurants sell practically everything. Mr. Galbally's amendment would exclude them.

A small restaurant in my town has a cigarette bar, a chocolate bar and a cigar bar. It would be excluded under the amendment. It also displays paintings for sale. Under Mr. Galbally's amendment, that restaurant would not be able to obtain a permit because it sells things other than confectionery. The more one considers this situation the more one realizes the difficulties. Therefore, the Government intends to confine the position strictly to the provisions which have been operative and have been working well. Because of the difficulty of distinguishing between a milk bar and a restaurant, the Government believes that this matter should be under the control of the Commission, and that a permit should be obtained. The permit will cost nothing, and the business concerned will have a couple of months in which to obtain it. This is the best solution to this difficult problem.

The Hon. I. A. SWINBURNE (North-Eastern Province).—Mr. Galbally said that I gave no indication of how this matter would be controlled. When permits are issued under the Liquor Control Act, certain conditions must be met. These permits do not indicate whether toilets must be provided and whether they shall be clean, and things of that nature. Most of those matters are controlled under the Health Act. The Liquor Control Act places a responsibility on the proprietor of the establishment. The proprietor will have to meet these conditions, in the same way as he must see that no one under the age of eighteen years consumes liquor on his premises. It is not necessary to have a policeman standing at the front door; the proprietor must accept the responsibility for ensuring that the conditions are adhered to.

The Hon. J. W. GALBALLY.—He might not be able to obtain registration under the Health Act.

The Hon. I. A. SWINBURNE.—All Mr. Galbally challenged me to do was to state how the controls would be imposed.

The Hon. J. W. GALBALLY.—I still cannot see them.

The Hon. I. A. SWINBURNE.—If a person does not want to see something, he will not. The position is laid down in the measure and, in the opinion of the Country Party, it is clear and precise.

The suggested amendment was negatived.

The sitting was suspended at 1.3 *p.m. until* 2.18 *p.m.*

The Hon. J. W. GALBALLY (Melbourne North Province).—Whatever errors I was led into were due to the Leader of the House. Although we belong to opposite sides of the House, I hope the day will never dawn when I shall spurn suggestions sincerely made by the honorable gentleman because of our relative positions in the Chamber. I have always been one to respect the wishes of the Committee. The failure of my amendment to be passed is a disappointment to me and no doubt to all those little people in the community to whom I adverted, but I do not propose to persist in my other amendments.

The Hon. I. A. SWINBURNE (North-Eastern Province).—As I stated when speaking to the motion for the second reading of the Bill, members of the Country Party have consistently agreed that liquor should not be provided on Good Friday. Therefore, I move—

That it be a suggestion to the Assembly that they make the following amendment in paragraph (*b*) of proposed sub-section (4) of section 45:— Omit the words "or Good Friday."

The Committee divided on the suggested amendment (the Hon. G. J. Nicol in the chair)—

Ayes	9
Noes	24
Majority against the suggested amendment ..	15

AYES.

Mr. Bradbury	Mr. Mitchell
Sir Percy Byrnes	Mr. Swinburne.
Mr. Clarke	*Tellers*:
Mr. Hewson	Mr. Mansell
Mr. McDonald	Mr. May.

NOES.

Mr. Byrne	Mr. Houghton
Mr. Campbell	Mr. Hunt
Mr. Cathie	Mr. Merrifield
Mr. Chandler	Mr. O'Connell
Mr. Dickie	Mr. Thom
Mr. Elliot	Mr. Thompson
Mr. Fry	Mr. Todd
Mr. Galbally	Mr. Tripovich
Mr. Gleeson	Mr. Walton.
Mr. Granter	
Mr. Gross	*Tellers*:
Mr. Hamer	Mr. Grimwade
Mr. Hamilton	Mr. Knight.

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

That it be a suggestion to the Assembly that they make the following amendment in clause 2, paragraph (*b*) :—

Omit the following words and expressions :—

"(14) A permit under this section shall not be issued until in the case of a permit under paragraph (*c*) of sub-section (4) a fee of $250 and in the case of any other permit the fee fixed by the regulations has been paid."

and insert the following :—

"(14) The fee for a permit under this section shall be in the case of—

(*a*) a permit under paragraph (*b*) of sub-section (4)—no fee;

(*b*) a permit under paragraph (*c*) of sub-section (4)—$250; and

(*c*) any other permit—the fee prescribed."

The suggested amendment was agreed to, and the clause was postponed.

Clause 3 was agreed to.

Clause 4—

In sub-section (1) of section 33 of the Principal Act for the words "wine or spirits" where twice occurring there shall be substituted the words "wine spirits cider perry or mead".

The Hon. V. O. DICKIE (Minister ister of Health).—I invite the Committee to vote against this clause. Later, I propose to move for the insertion of a new clause to follow clause 3.

The Chief Secretary has received persistent representations from the wholesale liquor merchants concerning their problems in offering hospitality to their clients. Before the new legislation, the licensing authorities allowed part of a wholesaler's premises to be excised from the premises actually licensed. This enabled liquor to be consumed on that part of the premises. Under the Liquor Control Act it is an offence to dispose of or consume liquor on any premises ancillary to licensed premises.

The Chief Secretary is not anxious to extend the "wine tasting" provisions in so far as they are given to retail bottle merchants, but has agreed to reframe the liquor tasting provisions as they concern wholesale merchants. The proposed amendment will preserve the original amendments agreed to in the Assembly in so far as they extended the right of sampling cider, perry or mead, as well as wine or spirits, but they make, in addition, separate provisions to allow the Commission to grant a wholesale liquor merchant a permit to supply gratuitously liquor of any kind to his clients.

It is believed that the proposed new clause will enable the Commission adequately to control drinking on wholesalers' premises, but at the same time allow wholesalers, under proper supervision, to carry on their traditional custom of dispensing hospitality to their clients.

The clause was negatived.

The remaining clauses were agreed to.

The Hon. V. O. DICKIE (Minister of Health).—I propose the following new clause to follow clause 3:—

'AA. Section 33 of the Principal Act is hereby amended as follows:—

(*a*) In sub-section (1) omit "the holder of a wholesale liquor merchant's licence or";

(*b*) In sub-section (1) for the words "wine or spirits" (where twice occurring) there shall be substituted the words "wine spirits cider perry or mead";

(*c*) At the end of sub-section (1) there shall be inserted the following sub-section:—

"(1A) Notwithstanding anything in the last two preceding sections the Commission may on the payment of the prescribed fee grant to the holder of a wholesale liquor merchant's licence a permit authorizing him subject to such terms and conditions as the Commission thinks fit and as are specified in the permit to supply gratuitously liquor on such part or parts of the premises as is or are specified in the permit to clients of the holder and authorizing the consumption on such part or parts of those premises of the liquor so supplied.";

(*d*) In sub-section (2) for the expression "sub-section (1)" there shall be substituted the expression "sub-sections (1) or (1A)";

(*e*) In sub-section (3) for the expression "sub-section (1)" there shall be substituted the expression "sub-sections (1) or (1A)."'

The new clause was agreed to.

Progress was reported, and the suggested amendment was reported to the House and adopted.

It was ordered that the Bill be returned to the Assembly with a message intimating the decision of the House.

SUPERANNUATION (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.

MELBOURNE HARBOR TRUST 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.

LAND TAX BILL.

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

That this Bill be now read a second time.

The main purposes of this Bill are to give effect to the Budget promise to abolish land tax on primary production land, and to declare the rates of land tax on other land for the calendar year 1969. At the same time, the opportunity has been taken to bring forward some earlier Government proposals for changes in the Land Tax Act to facilitate the use of municipal valuations, and the transfer of land tax valuers to the staff of the Valuer-General, and also to bring forward several other desirable amendments.

The reasons for the Government's decision to abolish land tax on primary production land were explained in the Treasurer's Budget speech. Farmers coming out of the worst drought in living memory have in most cases suffered considerable permanent loss of income and, more important, loss of capital for the generation of future income. In this latter respect, there has been extensive pasture deterioration and loss of livestock. Having regard also to rising costs and falling overseas prices, the farmer's capacity to absorb these losses and pursue a recovery programme is severely strained. In order to help the farming community to recover from these setbacks, and to provide permanent encouragement for the development of Victoria's important primary industries, the Government has taken the decision embodied in the Bill.

By means of the simple amendment proposed in paragraph (*f*) of clause 2 of the Bill, all land used for primary production will become exempt from land tax from 1st January, 1969. In other words, land now subject to the concessional rate provided for primary production land will not be subject to land tax after 1968, provided that it continues to be used as such.

It was also stated in the Budget speech that some compensating adjustments would be necessary to offset the revenue loss arising from the exemption of primary production land. These adjustments are contained in the table of rates of land tax set out in clause 8 of the Bill. The effect of the adjustments is to increase by 10 per cent. the land tax on other land where it is valued at more than $25,000. Land tax on land of lower values is unchanged from the rates now applying. The new rates will come into operation on 1st January, 1969.

In my introductory remarks, I mentioned that the Bill included some proposals for changes in the Land Tax Act to facilitate the use of municipal valuations and the transfer of land tax valuers to the staff of the Valuer-General. These changes should remove much of the misunderstanding which has arisen in the past from the lack of uniformity in valuations for different rating authorities. They represent a logical working out of the principles already incorporated in the Valuation of Land Act. In the circumstances, before passing to a discussion of the relevant amendments, it is perhaps desirable that I should review the steps which have led to these amendments.

In 1960, the Government took the step of legislating for the appointment of a Valuer-General to co-ordinate and advise on all valuations for rating and taxing purposes with a view to securing reasonably uniform valuations throughout the State. At that time, the absence of uniformity was quite noticeable as between municipalities and became particularly evident when such valuations were adopted by other rating authorities.

Great progress towards uniformity of municipal valuations has been made since 1960 and, consistent with the ideal of over-all uniformity, the Government decided to adopt municipal valuations for land tax purposes. With this decision, the co-ordination of valuations for rating and taxing purposes through the Valuer-General was complete in principle, and much progress has been made towards completion from the practical point of view. Already, 52 municipalities throughout the State have supplied the Commissioner of Land Tax with valuations of unimproved capital value which are being applied for the 1968 land tax year, and it is expected that the adoption of municipal valuations will be completed by 1972.

Some of the amendments of the Land Tax Act now proposed represent merely the formal adjustment of the structure of the Act to the new situation. It is necessary to remove from the Act all references to the Commissioner's responsibilities for making valuations for land tax purposes. At the same time, it is proposed that as an administrative matter, with a view to further rationalizing valuation services and giving the Valuer-General the means of performing any valuations required of him, the valuation staff of the Commissioner of Land Tax will be transferred to the Valuer-General. The main work now performed by this staff is valuations for probate and stamp duty and miscellaneous valuations for various Government Departments and semi-government authorities. The responsibility for this valuation work will be transferred from the Commissioner of Land Tax to the Valuer-General, and further amendments of the Land Tax Act are required for this purpose also.

From what I have said, honorable members will readily perceive that there is a close link between some of the amendments contained in this Bill and those proposed in the Valuation of Land (Amendment) Bill 1968. The amendments required for these purposes, together with a number of associated amendments, are contained in clauses 2, 3 and 6 of this Bill. There is no need for me to delay the

House by dealing with the clauses of the Bill in detail. However, detailed information will be supplied to all honorable members who require it. 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 the next day of meeting.

CHIROPODISTS BILL.

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

That this Bill be now read a second time.

This Bill is introduced to set up a Chiropodists Registration Board of Victoria to undertake the responsibility of fixing standards for the training and examination of chiropodists, issuing certificates of registration and generally supervising the practice of chiropody by chiropodists. Over the years, representations have been made by various interests for the introduction of legislation to recognize chiropody as a profession and so ensure that the members of the public receive chiropody treatment only from those persons who are adequately qualified. This profession is now regulated by legislation as to its practice, by Goverment registration boards in Western Australia, New South Wales and Tasmania. Although premises in which chiropody is carried on have been the subject of control under the Health Act in Victoria since 1954, the actual practice of chiropody has not been controlled by legislation.

Today a thoroughly-trained chiropodist both in Australia and overseas undertakes work far in advance of merely paring corns and callouses. He is trained in various methods of providing prosthetic aids for persons whose feet have been injured and those who have been treated surgically to correct deformities and the like. Whilst a specialist medical practitioner indicates the over-all nature and type of artificial foot aid necessary to correct posture defects due to foot injury, the chiropodist often uses his special skill for building and fitting the aid. His services are extensively used in the rehabilitation of the physically handicapped and in assisting the aged by improving their comfort and mobility. The majority of general hospitals now have a consultant chiropodist to assist with treatment of various types of cases needing chiropody.

In view of the development that has taken place over the years in this profession, and because of the comparatively skilled range of services that the profession is able to offer to the public, it is considered appropriate for standards of training to be set by a properly-constituted board and for the activities of those engaged in the profession to be supervised and controlled by it. It follows that in setting up such a Board the public will automatically be protected from the unskilled or inadequately trained operator. The Bill will set up a Chiropodists Registration Board to be appointed by the Governor in Council consisting of two medical practitioners, and four chiropodists, one of whom will be appointed as chairman. Under sub-clause (1) of clause 4, three of the four chiropodists will be elected by registered chiropodists, provided that in the case of the original appointment of the Board, all four chiropodists will be selected by the Minister for appointment.

The usual provisions relating to tenure of appointment of members of the Board, meetings of the Board, a quorum, appointment of acting chairman, voting and loss of membership of Board are included in the balance of clause 4 and in clauses 5 and 6. Clause 7 sets out the powers and duties of the Board, which include the training and examination of chiropodists, the issue of certificates of registration, generally, the supervision of the practice of chiropody by chiropodists, and the appointments of registrar and staff.

In clause 2 of the Bill, chiropody is defined very widely. This definition is the one that has been adopted by the Parliament of South Australia. Persons entitled to be registered after the commencement of the proposed legislation are described in sub-clause (1) of clause 9. These are—

(1) persons who have completed the course of training and passed the examination prescribed under the Act;

(2) persons who hold a qualification of a standard substantially similar to the Victorian one; and

(3) persons who, being trained outside Victoria, have undergone whatever further training the Board thinks necessary and passed the prescribed examination.

Clause 10 covers the registration of persons practising as chiropodists and persons training to be chiropodists at the commencement of this legislation.

The Board to be established will be able to register any person who applied for registration within twelve months of the commencement of the Act, if it is satisfied that such person is proficient in the practice. It will have the power in any case it deems necessary to require the applicant to undertake further training or to pass a special examination.

The Hon. I. A. SWINBURNE.—Does the Bill lay down standards of efficiency for chiropodists?

The Hon. V. O. DICKIE.—The standards of efficiency will be one of the responsibilities of the Board. All persons undertaking training in chiropody at the commencement of the Act will be required to record their names with the Board. On completion of training, they may be registered by the Board but, if the training is deemed inadequate, the trainee may be required to undertake a further period of study and pass a special examination.

The collection of fees and penalties and the use of the money so collected is authorized by clauses 11 and 12, while clause 13 requires the submission of annual financial and general statements to the Minister. The probable financial situation of a Chiropodists Registration Board has been examined. Based on the prospective registration of between only 1,000 and 1,500 chiropodists, there would be an initial income to the Board, at maximum fee, of $18,000 in the first year and between $12,000 and $14,000 a year thereafter. This would be more than adequate to cover the administrative costs of the Board, but the fees initially prescribed may be less than the maximum. However, it is desired to have the power to increase fees by regulation when rising costs warrant it.

Clauses 14 and 15 set out offences against the Act, including the practice of chiropody for fee or reward by unregistered persons and penalties therefor, while clause 16 deals with the cancellation or suspension of a registration and sets out the procedure to be followed by the Board and the rights to an appeal of any person who is refused registration or whose registration is cancelled or suspended. Under clause 17, the Board will have full powers to conduct any inquiry. Clause 10 provides that persons whose registration is cancelled will be required to surrender to the Board any certificate of registration within 14 days under penalty of a fine of not more than $50. Clause 19 fixes a maximum penalty of a $50 fine for any failure by a person registered as a chiropodist to carry out any lawful direction of the Board. The Governor in Council, without recommendation from any body, may make the regulations although, except in special cases, they will be made only as recommended by the Board.

On the motion of the Hon. D. G. ELLIOT (Melbourne Province), the debate was adjourned.

It was ordered that the debate be adjourned until the next day of meeting.

CRIMES (EVIDENCE) BILL.

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

That this Bill be now read a second time.

The Bill proposes to amend the Crimes Act 1958 with respect to perjury, and also with respect to evidence of breath tests for determining blood-alcohol levels. It is perjury to swear what one knows to be false or does not believe to be true. Normally, the onus rests with the prosecution to prove that a statement was made on oath with knowledge of its falsity. Cases occur, however, in which the circumstances are such that, although a person has made conflicting statements, no one can prove which statement was false and proceedings cannot be brought against that person. It is proposed that, when an accused person has made irreconcilable statements on oath, the jury may specially so find; the jury may also find that it is incapable of establishing which statement is untrue. An accused person is then to be taken as guilty of perjury, even though the prosecution cannot prove which statements were false. This Bill follows the New South Wales legislation, which has been in operation for some years.

I direct the attention of honorable members to the fact that, in 1958, the question of whether or not this provision should be enacted in Victoria was considered by the Statute Law Revision Committee. In its report of the 24th September, 1958, the committee stated that it was not convinced that the mischief to which the Attorney-General had referred in his submission was either sufficiently grave or sufficiently widespread to justify the enactment of the proposed provision in Victoria. In the ten years which have elapsed since that report, further cases of this type have arisen. There is no actual record of the total number of such cases because, under the existing law, no action can be taken. The Crown Solicitor reports that his attention is directed to about one case each year. He has submitted that there is a mischief which ought to be provided against, and this Bill takes cares of that mischief.

In respect to the breath test evidence, the case of *Mintern-Lane* v. *Kercher* was recently brought before Mr. Justice Newton of the Supreme Court. Under paragraph (*b*) of sub-section (4) of section 408A of the Crimes Act 1958, a person is not required to submit to a breath test except at or in the vicinity of the place where his driving or being in charge of a motor car occurred, or at the police station nearest to that place. In the case in question, the Laverton police station was nearest to the place where the defendant was apprehended. At that time the police station was locked, having been closed earlier for the night. A breathalyzer was set up in the police car in the street immediately outside the station and the defendant was asked to submit to a breath test in the police car. He refused, and the question for determination by the Supreme Court was whether a refusal to submit to a test in the street outside the police station could be said to have been a refusal "at a police station," within the meaning of the section.

The Hon. J. M. TRIPOVICH.—It means that if a police station is closed a breathalyzer test may be taken in the car outside the station.

The Hon. R. J. HAMER.—A breath test may be taken at or in the vicinity of a place where an accident has occurred. If in fact the police station is found to be closed, the test may be taken in the vicinity of the police station. Many police stations are closed for some period in each day so that the risk of this situation recurring is rather high. To permit of breath tests being made in a car outside a closed police station, the Bill proposes to alter paragraph (*b*) of sub-section (4) to require the test to be taken "at or in the vicinity of the police station" nearest to the place of the offence.

The next matter arises out of a Full Court case, *Lynch* v. *Hanlon*, in which the informant simply gave evidence of apprehending the defendant and taking him to the nearest police station, where he was given a breath test by other police. The only evidence of the breath test before the lower court was a certificate in the form of Schedule Seven A of the Crimes Act 1958. Section 408A of the Crimes Act contains provisions which were designed to dispense with the attendance in court of the breathalyzer operator unless notified by the accused person that he required the operator to attend as a witness. The Full Court held that there should have been some evidence by the informant that the copy certificate tendered in evidence was a copy of the certificate delivered to the accused person and that no such evidence was given. It is apparent from this judgment that the references in the current section to copy certificates are not sufficient if the certificates are to be expected to prove themselves. For the word "copy" the Bill proposes to substitute the words "document purporting to be a copy".

Opportunity has been taken in this Bill to revise the form of certificate in Schedule A., which is now set out more clearly and has been made easier to construe. The certificate contained in the Bill includes no new material. These amendments in turn prompt some alterations in the form of certificate in Schedule Seven A with respect to the matters to be certified in certificates. These amendments in their turn suggest that the certificate could be paraphrased profitably for ease of reading and assistance in construction. The certificate proposed in the Bill does not contain any new matter, but is simply a rearrangement of the old certificate in a more effective form. 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.

LAND (SPECIAL LAND) BILL.

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

That this Bill be now read a second time.

The purpose of this measure is to cater for the development and change of usage of certain sections of Crown land in western Victoria. The areas to which I specifically refer are the Little Desert and the Lower Glenelg region, which latter area consists of 100,000 acres divided into three sections—first, the Nelson area; secondly the Glenelg river valley; and, thirdly, the Kentbruck Heath.

The other area concerned is the Little Desert, which has excellent potential for development. Most of it is classified as country that will carry one and a half to two sheep to the acre, I am told, and it has an annual rainfall of 18 to 19½ inches. Therefore, it would seem that in its present form it is economically wasted, and the Government is anxious to ensure its economic development. Representations have been made to the Government by many people—from field naturalists, apiarists, forest experts and enthusiasts, from pastoralists, people fond of bird watching, and people anxious to make a start in farming life on a small developmental block. The problem of the Minister of Lands has been to sort out the applications and requests of these various groups and plan some sort of consistent and reasonable form of development for the area.

In regard to the Lower Glenelg area, it is proposed that 22,400 acres of 100,000 acres should be set aside as a national park. I understand that this is a little more than was recommended by the Land Utilization Advisory Council, which recommended an area of 17,500 acres. The aim is to take in a lease of approximately 25 miles of the Glenelg river valley, and particularly that section

where the river is very wide. There could be some prospects of developing part of this land for grazing purposes, but it is intended that the majority of the remainder of the 100,000 acres shall be set aside for forest purposes.

The other main region being considered is the Little Desert area. This consists of 440,000 acres, a significant portion of which has already been alienated. Here again, it is intended to add from 80,000 to 90,000 acres to what is known as the Kiata National Park, which already comprises approximately 3,000 acres, so with the additional area it will become one of the State's larger national parks.

It is interesting to note that when the National Parks Authority was created there were thirteen national parks with a total area of 313,000 acres throughout the State. During the past ten years another seven parks have been created, including Hattah Lakes, Glenaladale, Fraser, Mount Eccles, Port Campbell, Mount Richmond and Morwell. This proposal will make a significant and worth-while addition to the State's national parks. The park in the Little Desert area will take in a 5-mile frontage along the Wimmera river.

Another aspect of the proposed change of usage of land in this area is concerned with the intended developmental scheme through improvement purchase leases. The area suitable for this purpose would comprise approximately 196,000 acres. The area has been divided into regions A, B and C, largely based on the nature of the existing flora and fauna, but it is suggested that it has the potential to develop to a carrying capacity of one and a half to two sheep to the acre, and it is in the 18 to 19½ inches rainfall belt. I understand that initial clearing costs would be between $22 per acre and $37 per acre, depending on whether a landholder did the work himself or whether a developmental company carried it out on his behalf. This, of course, would be an initial cost and would not include the cost of fences and bringing water to the property.

It is interesting to note that in Victoria there are 56,000,000 acres. Already 34,000,000 acres have been alienated and another 12,850,000 acres comprise of lakes, rivers, roads and national parks. This leaves approximately 9,100,000 acres still unalienated and largely unused in the form of unoccupied Crown land. The Little Desert area forms a significant part of that area.

The reason for this Bill is to divide the Crown land for development into two classes. The ordinary type will be dealt with under land improvement purchase leases, and the new section will be classified as special land. The first clauses of the Bill are applied generally to developmental leases or improvement purchase leases under the Lands Act. The first change in clause 2 removes any possible legal doubt on the power of the Lands Department to grant land jointly to a husband and wife. This is a common procedure in other fields, because it has certain benefits from the probate angle. It is highly desirable that the power of the Lands Department to do this should not be in doubt.

The second provision of general application is clause 4, which will enable the Minister to grant special concessions to those who have been victims of drought, flood or personal ill health. At present all that can be done to assist these people is to take over the property, terminate the lease and grant some concession for improvements to the man responsible for carrying them out. However, the Bill enables the Minister to give authority to the leaseholder, who may be in the process of purchasing the land, to exercise his right under the lease and sell, transfer or assign the lease to a person for a price disclosed to the Minister. This seems to be a reasonable and justifiable concession that the Minister should be able to exercise. It is intended that the Little Desert

area will fall within this general classification, but the whole area is not uniformly classified as such by the Bill. A proclamation method is proposed. Clause 5 of the Bill inserts several new sections into the Act and will classify various lands as special land. Sub-section (2) of proposed new section 162B provides that any proclamation made under sub-section (1) of this section will not take effect until it has lain on the table of the Legislative Council and the Legislative Assembly for 21 sitting days. I foreshadow an amendment to reduce the time to fourteen sitting days because of certain technical difficulties. It is still the intention of the Government that the proclamation shall remain on the table of both Houses of Parliament for sufficient time to allow members to become acquainted with the intention.

Other new sections will also apply to special lands. For example, it may be desirable to waive the provisions relating to residence within a certain distance of a property for a certain time. It may be necessary to apply special provisions to guard against fragmentation of land, the development of uneconomic blocks and overstocking. The provisions contained in the Bill will allow special clauses to this effect to be inserted in the leases. Proposed new section 162D specifically guards against fragmentation and overstocking. It provides that it is not permissible to subdivide land of this type once the lease has been granted. Proposed new section 162E is a similar type of provision, and provides that where the Minister has granted a lease to a developer on the understanding that that land will be worked in conjunction with other land that the lessee owns, the land cannot be sold or transferred without the permission of the Minister during the initial period. At a later date, the land may be sold, but only if it is coupled with the original block owned by the settler. It is important to guard against fragmentation and the development of uneconomic blocks.

The provisions of proposed new section 162C will allow companies to apply for and be granted improvement purchase leases, but the Government would prefer the area to be developed by individual landholders. However, if substantial capital funds are required for this purpose it may be desirable to seek applications from companies. However, there should be a restriction on the amount of land that can be granted to a company and on behalf of the Minister of Lands I foreshadow an amendment which will provide that a company will be permitted to obtain land worth no more than $18,000. This will be an important safeguard.

It can be seen that generally speaking the Bill contains many provisions relating to the development of these two important areas in western Victoria. It seems reasonable that special provisions should apply to the granting of improvement purchase leases in this area because of the special nature of the land. I recommend to the House the provisions contained in the Bill.

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 10.

PERPETUITIES AND ACCUMULATIONS 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.

DOOR TO DOOR (SALES) (AMENDMENT) BILL.

The debate (adjourned from November 21) 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).—This Bill is complementary to a measure which was before the House last week to amend the Consumers Protection Act.

It amends an Act which was passed by Parliament in 1963 and which to a large extent has been successful. Unfortunately there are always some " smarties " in the community who want to try to circumvent the law. Therefore, from time to time it is necessary to strengthen the law, and that is the purpose of the Bill. The amendments contained in it have resulted in the main from recommendations made by the Consumers Protection Council in its report for the year ended 30th June, 1967. In fact, the Bill implements two of the recommendations of the council but the Government has not yet seen fit to implement other recommendations on this subject made by the council. I hope the Government is still considering those recommendations because these matters have received considerable attention by the council and it is obvious that the Act will have to be amended eventually to cover the contingencies referred to in these recommendations.

Many unscrupulous persons have accepted the Door to Door Sales Act as a challenge and they have used all sorts of subterfuges to get into homes to sell their goods. A recent practice in the area in which I live was the issuing of a crossword puzzle and the person winning the competition was offered a discount on various electrical appliances. The person submitting the entry had to indicate the particular appliance he was interested in. I returned one of these puzzles to the organization and not long afterwards a salesman called at my front door. Unfortunately I was not at home at the time. He stated that, although I had not been successful in winning the free television set, I had won a prize of $40 off any electrical appliance I cared to name. That is the way these salesmen get under one's guard. Many people would believe it to be a genuine discount, but if they made inquiries from the several discount houses in the city they would get a better deal. This subterfuge puts the salesman—or so he believes—outside the scope of the Door to Door Sales Act with the result that he does not have to issue the customer with the necessary schedules relating to the five-day cooling-off period. I venture to suggest that not one person in a hundred would know that he has the benefit of this five-day cooling-off period. Most of them would go ahead with the contracts which, in many cases, they are not in a position to fulfil.

There is a great deal of scope for further action to be taken in regard to consumer protection. As yet the law on this subject is only a small part of the law of Victoria but it will grow bigger and will cover many more fields. Reports I have on this subject are too numerous to read to the House. They go into great detail on how salesmen manage to get inside the front door. One such subterfuge is referred to in the report of the Consumers Protection Council and there is a further report in a magazine entitled *Melbourne Partisan*. I do not know who publishes it. In an article headed " Beware of the Dog ", the author, Jim Lyell, makes some interesting comments. He tells about how an encyclopaedia organization manages, under the subterfuge of carrying out an inquiry into the sales of products, to get inside homes and tell the occupants that they have been selected as the recipient of a set of books but they have to make a subscription to something else. Finally, the occupant puts his name on the dotted line and he has to pay in the vicinity of $400 or $500 for something that is not worth $100. These salesmen are highly skilled and have all the answers. They can fool the occupants of homes.

Some people know that they are an easy mark for salesmen and therefore they window-shop before they make up their minds to buy anything. However, when a salesman comes to the door he gets under their guard and they are unable to resist some of the stories he tells them. Sooner or later he sells them a product which they do not really want and which they

really cannot afford. The Government cannot do enough to protect the consumers from these people. Many of the organizations are based outside Victoria—indeed, some are based overseas—and most of the ideas that they put forward seem to emanate from the United States of America where the legislators have had to take action similar to that proposed in this Bill.

A couple of the recommendations made by the Consumers Protection Council are worthy of note. One is that door-to-door salesmen should be licensed. I accept this recommendation because I believe the consumer should know the character of the person who knocks at his front door. Sometimes, because they are unable to get an answer at the front door, these salesmen walk down the side of the house or even into the house and do all sorts of damage. Whilst the Government may be congratulated on having taken some action in this regard, I believe that a lot more needs to be done and that it needs to be done quickly, because the moment this Bill is passed the "smarties" will be trying to find a way in which to get around it. Members of the Opposition will always support any worth-while move to help to protect consumers.

The Hon. C. A. MITCHELL (Western Province).—The Country Party is of the opinion that the proposed legislation is a step in the right direction. The experience I have had with door-to-door salesmen has not been enjoyable. They employ high-pressure methods and confuse womenfolk. Any action that the Government can take to protect consumers will have the support of the Country Party.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3, providing, *inter alia*—

Section 3 of the Principal Act shall be amended as follows :—

. . . . . .

(*b*) At the end of the section there shall be inserted the following sub-section :—

"(2) Where a credit purchase agreement is made by the purchaser or bailee (as the case may be) at his place of residence, and the vendor fails to give to the purchaser or bailee the documents referred to in paragraphs (*b*) and (*c*) of sub-section (1) at the times at which they are required to be given by the said sub-section, the vendor shall be guilty of an offence against this Act and liable to a penalty of not more than $200."

The Hon. R. J. HAMER (Minister for Local Government).—Under section 3 of the principal Act it is an offence for a vendor, under a door-to-door sales agreement, not to give the purchaser two documents which are intended to advise him of his rights, particularly his right to cancel any purchase agreement within five days. As drafted paragraph (*b*) of clause 3 of the Bill makes it an offence for the vendor not to hand over the documents, and the purpose of the amendment is to make it equally an offence not to hand over either of them, since there are two. I move—

That, in proposed new sub-section (2), after the word "bailee" the words "either of" be inserted.

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

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

MELBOURNE UNIVERSITY (COUNCIL) BILL.

The debate (adjourned from November 13) on the motion of the Hon. L. H. S. Thompson (Minister of Education) for the second reading of this Bill was resumed.

The Hon. I. R. CATHIE (South-Eastern Province).—This Bill, which amends the Melbourne University Act, has been introduced at the request of the Melbourne University Council. I assume, therefore, that its provisions have the unanimous support of members of the council. However, I believe it is the duty of the Parliament carefully to examine

proposals being considered by it. As a result of my consideration of the measure, I propose to move two brief amendments in Committee.

The Bill proposes to enlarge the council by providing for a number of additional members. The Labor Party has no objection to this proposal. It seems reasonable, bearing in mind the great increase in the number of sub-professorial staff and the important role which their committees play in the life of the university, that they should have the right to have an additional member elected to the university council.

The University of Melbourne has placed increasing emphasis upon its role as a post-graduate university as distinct from its role as a university for under-graduates. Post-graduates should be given the right to elect a representative to watch their interests on the council. I think approximately 1,400 post-graduate students are currently enrolled; and it seems to me to be strange that at a time when the Parliament is debating legislation that will allow the post-graduate group to elect its own representative on the council, replies to questions that I have asked in the House reveal that the number of Melbourne university grants and scholarships available to post-graduate students is being reduced. If we are sincere about wishing to make our universities comparable with those overseas, we should extend post-graduate courses at a far greater rate than has so far been the case. If a comparison is made of the number of people studying for the degree of doctor of philosophy it will be found that we fare poorly as against the United States of America and most countries in Europe.

The Bill also provides for the president of the Students' Representative Council to be an *ex officio* member of the Melbourne University Council with full voting rights, and the Opposition has no quarrel with that provision. The Labor Party believes, however, that there is a lack of consistency in the provision which reduces the age qualification for under-graduate representation on the council from 21 to 20 years. In his second-reading speech, the Minister explained that the principal reason for this proposal is that many of the people who are now 21 years of age are graduating, have graduated or are rapidly approaching graduation and that, therefore, they could not be expected to look after and responsibly examine the interests of the under-graduate student population. If it is true that 21-year-old under-graduates are beginning to lose touch with the under-graduate student population, the same argument must apply in respect of graduates who are twenty years of age. For that reason, at the Committee stage I shall move that the word "twenty" be omitted with the view of inserting the word "eighteen" being inserted.

It seems to me to be a reasonable principle—although I realize that it is not of great moment—that if under-graduates have the right to elect somebody to represent them on the governing council of the University of Melbourne, they should also have the right to stand for election and represent the interests of their fellow under-graduates. An under-graduate of nineteen or nineteen and a half years of age could be in his third and final year of his course, and if the Opposition voted for the Government's recommendation that such a person could not stand for election to the Melbourne University Council, it would debar him from representing under-graduates while he himself was an under-graduate.

The Hon. L. H. S. THOMPSON.—That is the council's recommendation.

The Hon. I. R. CATHIE.—I appreciate that fact, but, as I said earlier, members of this House have a duty to examine recommendations placed before them and, if it is considered that important principles are involved, to propose amendments.

With the general current of debate in this community and the trend towards giving a vote to eighteen-year-olds, I have no doubt that within the next two years that will become a reality, and I cannot see any reason why we should not say to undergraduates of eighteen years of age, " You have the right to be elected and to represent your fellow undergraduates on the Melbourne University Council ".

I do not intend to comment at length on other provisions of the Bill which deal, in the main, with the period that the members of the council may serve, but I shall comment on clause 7, because it is the intention of the Opposition to propose an amendment to it. We will suggest that instead of there being an increase from 20 to 30 as mentioned in that clause, the increase shall be from 20 to 60.

In his explanatory second-reading speech, the Minister stated that the proposed increase in the number of free places at the university for public servants from 20 to 30 was justified in view of the increase in the Public Service and the fact that eight or nine years had elapsed since the last increase occurred. Furthermore more public servants are desiring to undertake university courses. This is a healthy trend. It is important that Victoria should be served by officers of the highest distinction, both in academic achievements and in more practical fields of day-to-day administration. I do not understand why such a miserly increase in free places from 20 to only 30 is proposed.

I attempted to ascertain the current demand within the Public Service from people who wish to undertake university courses and who desire to take advantage of the provision to gain free places. These figures were supplied to me through the Free Places Committee of the Public Service Board. In the 1967 academic year, there were 90 applicants for the 20 free places. Of these, 32 were interviewed, and of course only 20 free places were granted. In 1968, the figure hardly varied. There were 94 applicants, 31 of whom were interviewed, and again, under the existing law, only 20 free places were granted.

I understand that the Free Places Committee makes its recommendation on the following basis: An applicant must have completed his first year at a university; in other words he must have successfully completed one year of, perhaps, a three or four-year university course; or to have completed a diploma course in its entirety. This means that an applicant has to prove that he is capable of undertaking and completing a university course. One of the greatest weaknesses in the educational structures, not only of this State but of the whole Commonwealth of Australia, lies in the field of adult education. There is a far too limited opportunity for adults in the community who leave school before gaining the higher qualifications which they now require and of which this nation is so urgently and desperately short to gain higher qualifications.

The amendment that I foreshadow, to increase the number of free places from 20 to 60, should be supported. I realize that a quota system is operating at the universities, which makes for certain difficulties. I wish to make it clear that the Labor Party has always rejected the whole concept of a quota system at universities or any other tertiary institution. If the Labor Party had formed the Government this situation would not have occurred. However, this system exists, and a special effort must be made to assist those people, particularly within the Public Service, to gain qualifications and academic distinction and, in return, to give better service to the people of Victoria. With the exception of the two amendments that I have foreshadowed, our party has no objection to the Bill.

The Hon. M. A. CLARKE (Northern Province).—This Bill proposes a number of amendments to the Melbourne University Act. On the whole,

members of the Country Party agree with the proposals. Mr. Cathie has raised two points for consideration, which I shall discuss in Committee and indicate how the Country Party feels about them. At the outset, I point out that, in regard to the proposed increase in the council of the University of Melbourne, the numbers stated in clause 3—that is, an increase from 34 to 35 and from 38 to 39—do not tally with other provisions in the Bill. In his explanatory second-reading speech, the Minister stated that two of these places were filled by previous legislation and that the Deputy Vice-Chancellor and the Vice-Principal were added to the council without the principal Act being amended to increase its total membership. Actually, the Bill proposes the appointment of three additional persons to the membership of the council. What puzzles me is the legal situation that has arisen during the period when two more members have been on the Melbourne University Council than the Act permits. Have the actions of the council during that period been legitimate? I sincerely hope so, but I direct attention to the problem. If there is any question that the actions of the council of the Melbourne university have not been strictly in accordance with the law during this period, amendments should be introduced as soon as possible to validate the position. This Bill will add three members to the council of the University of Melbourne and take away one, so that there will be an increase of only two in the membership of the council.

One of the most interesting aspects of the measure is the proposed increase in the junior representation. An additional representative of students—making three in all—will be appointed, and that extra student will automatically be the president of the Students' Representative Council. One member of the council who is a graduate student will be elected by graduate students. Another difficulty arises, to which I direct the attention of the Minister. This point has been discussed by academics and by councils of other universities. Under this Bill, a graduate student must be enrolled for a course leading to a master's degree or a doctor's degree. If this student takes a part-time tutorial position—which it is possible to do when undertaking a further course—does he remain a graduate student, or does he become a member of the sub-professorial staff and therefore have a vote for the sub-professorial representation? I think this matter will cause some difficulty before long, because it is possible for a person to be on both the graduate students' roll and the sub-professorial staff roll. This matter should be considered by the Minister. I point out that at a subsequent stage, two other Acts—the Monash University Act and the La Trobe University Act—will no doubt be amended in accordance with this Bill, so the matter is of some importance for future legislation.

I now deal with the question of under-graduate representation and Mr. Cathie's suggestion that the age of this representative should be reduced to eighteen years—not twenty years as proposed in the Bill. At this stage, I indicate that members of the Country Party will support Mr. Cathie's foreshadowed amendment. It is logical to assume that, in the future, the age requirement will be gradually reduced, and I see no reason why it should not be reduced now. La Trobe University council has just appointed its first under-graduate representative, Mr. Des. Kelly, who attended the last meeting of the council. I must say that it was refreshing and informative to have an under-graduate on the council. I am certain that such representatives can add a great deal to the wisdom and maturity of the students and also assist in the deliberations of the council. The Bill proposes that the representative of Monash University shall be removed from the council of the University of Melbourne. The Country Party agrees with that proposal. As a matter of fact, it has

been found that it has not been necessary to have a different representative present at each university council. I think a mistake might have been made in appointing the Director-General of Education to all the councils in the first place ; it has been necessary to afford him some relief because he finds it difficult to attend all the meetings.

Clause 7 deals with free places for public servants. Without having heard the Minister in reply to Mr. Cathie, there will be a substantial increase, percentage-wise, from 20 to 30 in the number of free places. Members of the Country Party point out that if the number of free places to public servants is increased, the number of places that are available to other students in other categories is naturally reduced. I am inclined to think, without hearing the Minister, that the proposed increase from 20 to 30 is substantial, and I shall await an explanation from the Minister before making a decision on this point.

My only regret is that it has been necessary to amend comparatively frequently the Acts relating to universities. The Melbourne University Act is hard to interpret because it has been amended on a number of occasions. I ask the Minister or the Government to consider the reprinting of the Acts in their amended form more frequently. I have had difficulty in understanding the Melbourne University Act and I have had to refer to several other Acts to understand the provisions of 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, providing, *inter alia*—

In sub-section (1) of section 5 of the Principal Act—

(*a*) for the expressions "thirty-four" and "thirty-five" there shall be substituted the expressions "thirty-eight" and "thirty-nine" respectively;

. . . . . .

(*c*) in paragraph (*e*) for the expression "twenty-one" there shall be substituted the word "twenty";

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

That paragraph (a) be omitted with the view of inserting the following paragraph :—

"(*a*) for the words preceding paragraph (*a*) there shall be substituted the following words :—

"The council shall consist of not more than thirty-eight members but if a person who is not a member of the council is elected to be Chancellor the council shall consist of not more than thirty-nine members including the Chancellor so elected, and shall be constituted as follows"."

The net result of this amendment will be to change the wording.

The amendment was agreed to.

The Hon. I. R. CATHIE (South-Eastern Province).—Paragraph (c), provides that the age at which a person can be a representative of undergraduates shall be reduced from 21 years to 20. For the reasons which I indicated during the second-reading debate, the Opposition believes there would be greater consistency if the age were set at eighteen years. Therefore, I move—

That, in paragraph (c), the word "twenty" be omitted with the view of inserting the word "eighteen".

The Hon. L. H. S. THOMPSON (Minister of Education).—As I hinted by interjection, this Bill was introduced at the request of the council of the University of Melbourne, which suggested that the age should be twenty years. My view is that it makes little difference whether it is twenty or eighteen years. In nine cases out of ten, because it takes a little time for someone to become favourably known at the university, a person of at least twenty years of age would be elected to represent students. The council of the university may express some view on this which could be considered in another place but, because of the view I have expressed, I am prepared to accept the amendment.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 4 and 5.

Clause 6 was verbally amended, and, as amended, was adopted.

Clause 7—

In paragraph (*e*) in sub-section (1) of section 33 of the Principal Act for the word "twenty" there shall be substituted the word "thirty".

The Hon. I. R. CATHIE (South-Eastern Province).—This clause provides that there shall be 30 instead of 20 free places at the University of Melbourne for persons employed by the Victorian Government. I move—

That the word "thirty" be omitted with the view of inserting the word "sixty".

As Mr. Clarke has stated, a change from 20 to 30 represents a large percentage increase, but 90 members of the Public Service have applied for free places. Before they are able to do so, they must have some success in tertiary education, and more places should be available to them.

The Hon. L. H. S. THOMPSON (Minister of Education).—The Government will not accept this amendment. The chairman of the Public Service Board, after surveying the needs of the Victorian Public Service, requested the amendment to the Act, as contained in the clause ; he thought that an increase of 50 per cent. in the number of places would be ample. Furthermore, when consideration is given to increasing the number of free places in the future, the possibility of providing those places at Monash University or La Trobe University instead of at the University of Melbourne must be considered.

The amendment was negatived, and the clause was agreed to.

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

SETTLEMENT GRANTS AND MORTGAGES BILL.

The debate (adjourned from November 13) on the motion of the Hon. L. H. S. Thompson (Minister of Education) for the second reading of this Bill was resumed.

The Hon. SAMUEL MERRIFIELD (Doutta Galla Province).—This Bill amends the Soldier Settlement Act 1958 and the Land Settlement Act 1959 with respect to Crown grants and mortgages. Much of the machinery of the two Acts has been merged. The activities of the Soldier Settlement Commission and the Rural Finance Corporation are now carried out by one body, the Rural Finance and Settlement Commission. Over the years, many non-contentious amendments have been made to the Act, and this Bill proposes another six amendments which do not call for objection.

First, the Bill will enable the Commission to relinquish public land for recreational or other public purposes. The Commission already has power to relinquish land which it has purchased, but not land granted to it by the Crown. As honorable members will agree, none of the closer settlement areas are complete without land and buildings for recreation and other public purposes. It is essential that the Commission should be able to set aside land for these purposes without having to provide the necessary facilities. It is more a municipal matter to provide recreational facilities and so on. The Opposition has no objection to this proposal.

The second provision of the Bill will allow the Commission to dispose of land by relinquishing it to the Crown. Although I cannot remember one this session, a measure providing for the revocation of reservations of Crown land comes before Parliament almost every year. Reservations for particular purposes are revoked and reservations for other purposes are made. The Bill will enable the Commission to relinquish land to the Crown so that it may be used for many different purposes.

The third amendment proposed by the Bill will allow the Commission to accept mortgages on freehold land. The conditions on which it will accept mortgages could extend beyond those normally registered on a title. Paragraph (*b*) of proposed new sub-section (3) of section 23 of the Act provides that, if a mortgage is

executed, it shall be subject to such covenant and conditions as the Commission deems proper. They are not necessarily binding because the Transfer of Land Act previously provided that only the Supreme Court could remove covenants.

I have dealt with the issue of Crown grants. A further amendment relates to the credits to be held and applied for the purposes of the mortgage conditions of the Commission. There is no reason why a credit cannot be held as a balance against a liability. It was proposed to refer the question of the interpretation of regulations to the Statute Law Revision Committee. This committee would have had the benefit of expert opinion and submissions. However, the Government has now decided to short circuit the matter and make the necessary provisions in this measure.

Sir PERCY BYRNES (North-Western Province).—This Bill contains a number of small but necessary amendments relating to the Rural Finance and Settlement Commission. Generally speaking, the members of my party support the Bill, although they have some reservations about giving authority for the disposal of Crown land. In Robinvale, a certain area of Crown land adjoining the irrigation settlement has been held for a number of years pending the possibility of its being developed as further vineyard areas. Because of the over-production of dried vine fruits, that plan was not proceeded with, and the Commission has permitted the use of the land for dry farming.

Whilst my party agrees that the opportunity should be given to the Commission to dispose of Crown lands where necessary, particularly in the Heytesbury area, for the exchange of lands for forest roads, and also for recreational areas and school sites, I hope the Commission will not take this as a prelude to the disposal of Crown land at Robinvale. Once the land is disposed of, further extensions will not be possible. People in that district hope the demand for dried fruits will again develop and that this land may be used for planting of vines.

I agree with the provisions relating to the credit accounts of the settlers which will be of benefit to the man and his family. Those of us who understand land transactions, do not oppose the provisions relating to the extension of the mortgage principle. The question of the regulations was to be referred to the Statute Law Revision Committee, but that was not done. The members of my party 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.

LIQUEFIED GASES BILL.

The debate (adjourned from December 3) 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).—This short but important measure relates to the storage, handling and transportation of liquefied gases. Accidents have occurred in the transportation of various gases, and the Labor Party believes that this Bill is necessary and that some of its provisions are worthy of its support.

Earlier today, I spoke with the Minister for Fuel and Power to ascertain why helium had not been included in the list of gases covered by the Bill. The honorable gentleman has advised me that if it becomes necessary helium will be included at a later stage. Helium is a product of gas and is used mainly for underwater diving especially out in Bass Strait. It can be dangerous

if mixed wrongly. However, the Minister informed me that if necessary helium can be prescribed under the regulations. This was the only query that I had regarding the Bill. The Labor Party supports the measure, and wishes it a speedy passage so that the storage, handling and transportation of liquefied gases can be properly regulated.

The Hon. R. W. MAY (Gippsland Province).—The Country Party also supports the Bill and acknowledges that the discovery of natural gas will bring about an increasing demand for the transport of gases such as methane, ethane, ethylene and vinyl chloride. Recently, I visited Houston and New Orleans in the United States of America and saw the progress that had been made in the separation of gases and their use in industries which have been especially established on the basis of these products.

As the field of exploration and research extends, an increasing number of by-products will be obtained from natural gas, and the number of industries associated with these products will increase. A map of New Orleans indicates that about 900 industries have been established on the waterfront. Some use the by-products of natural gas, and others use gases which are extracted for producing and generating heat. Even the Colonial Sugar Refinery has an extensive factory at New Orleans. Gas is piped to the waterfront and therefore industries have sprung up along the Mississippi river where they can be serviced by ocean-going vessels to transport the manufactured product. I believe the same pattern will apply here. Indeed, I think the south-east of Australia will have a large increase in population.

I was amazed to see the degree of automation in regard to pipeline systems. One wonderful safeguard was that, from a great distance from the pipe, it was possible to isolate a section whenever a leak occurred. This is very necessary because of the explosive force of gas, which has been highlighted in the last few days by the gas escape at the Marlin rig. This explosive force also makes it necessary that road transport of gas should be undertaken with the strictest safeguards in the interest of public health and safety. Gas will be transported for household and industrial uses in the country areas where the freight factor is not great. In these circumstances, heavy industries will be located on the waterfront, particularly if they are export industries.

The last issue of *News from Melbourne*, issued by the Victoria Promotion Committee states—

WESTERNPORT : BHP MOVE

One of the biggest land deals in Victoria in recent times strengthens the view that Westernport, 40 miles south-east of Melbourne, is destined to become a new centre for Australian heavy industry.

Westernport Bay is considered to be one of the best natural deep water ports in the country. A major attraction for companies moving into the area is the vast oil and natural gas finds in the Bass Strait, just over 100 miles away.

The gases covered by the Bill will be those which will be transported by road, rail and, in some cases, by boat. In the Gulf of Mexico, I flew over areas where gas was being used to mine sulphur from the ocean. The gas is transported to the site and then injected down pipes to the ocean bed where the sulphur is melted. Other gas is then forced through the pipes, and the liquid sulphur is piped into insulated tanks and transported in liquid form to the mainland, where it is again processed and brought back to a solid state. It is essential that strict safeguards should be applied for the sake of the people employed in the industries. It is also necessary where gas is transported considerable distances in the country to service manufacturing industries. Overseas, there was an absence of large-scale heavy industries along the route of the pipeline which were serviced by the pipeline. All industries based on export or which have a high rail freight factor are located on the waterfront. It

will require all the ingenuity of man to preserve industry in country areas. It appears that tanker transport by boat or rail is excluded from the provisions of the Bill, although the loading and unloading is covered. I presume the Government, in its wisdom, has decided that the same danger does not exist on the rail, particularly where it travels through open spaces, as would exist with road transport.

The one matter which concerns the Country Party is whether the regulation-making powers under clause 22 are too wide. The clause provides that the Governor in Council may make regulations in respect to the conditions under which liquefied gas may be stored and transported; the types and quantities of liquefied gases; the forms of application; specifications and insulations of tanks, cylinders and equipment used; the levels to which the containers may be filled; safety distances separating containers and equipment from protected works, roads, streets, paths and railway lines and any other places work or structure; standards of construction, materials, efficiency and so forth; the quality of liquefied gases; the odourization of liquefied gases; notification of accidents, and many other things.

The Governor in Council may also make regulations to prescribe fees. When I asked a question the other day, I had not had time to study the Bill, but I notice that fees will be paid for licences and permits. The regulations will cover any matter or thing which by this Act are required or permitted to be prescribed or necessary to be prescribed for carrying out the provisions of the Act. One wonders whether the regulation-making powers will not be too wide because the regulations seem to cover a far greater area than does the Bill itself. Perhaps some of these matters should have been defined more precisely in the Bill.

The Country Party agrees that there is a need to provide for the safety of the public because of the explosive nature of the gases. We feel it will need all the ingenuity of the Government to ensure that the gas is made available at an attractive price to country areas, in order that there is not a complete depletion of industry in country areas away from the seaboard. On behalf of the Country Party, I sound that note of warning.

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 Gas Act 1958.

The Hon. R. J. HAMER (Minister for Local Government).—Mr. May referred to the regulation-making powers of the Bill, as contained in clause 22. I admit that the list does appear formidable, but if it is examined closely it will be seen that there are hardly any regulation-making powers which will not really require to operate under the Bill. After all, a great deal of detail must be included in regulations relating to the storage of dangerous gases.

The Hon. R. W. MAY.—I was inquiring whether they went far enough.

The Hon. R. J. HAMER.—Since Mr. May raised this question, I have examined the various matters concerning which the Governor in Council may make regulations. Under clause 22, the Governor in Council is empowered to make regulations for or with respect to the forms of application, notices and licences; conditions, limitation and restrictions to be contained in licences; the methods by which containers may be filled with liquefied gases; safety distances separating containers and equipment for liquefied gases from protected works, and so on. Having regard to the close scrutiny given to all regulations by the Subordinate Legislation Committee, I am sure that

Mr. May need not worry concerning the regulation-making powers of the Governor in Council.

The Hon. R. W. MAY.—The reference to safety distances intrigued me.

The Hon. R. J. HAMER.—The safety distances vary considerably depending on the type of container which is used and the type of gas that is stored. I cannot suggest how the regulation-making powers of the Governor in Council could be reduced.

The clause was agreed to, as were clauses 3 to 11.

Clause 12, providing, *inter alia*—

(1) This Act shall not apply to—

. . . .

(c) the storage of liquefied gas which is being or is about to be processed in the process area of a refinery or factory in respect of which a certificate issued under this section is in force—

but shall apply to loading and unloading operations in the course of transportation by rail or on any ship or aircraft.

The Hon. R. J. HAMER (Minister for Local Government).—During the second-reading debate, I intimated that representations had been received from the Melbourne Harbor Trust and other harbor trusts concerning this Bill, pointing out that already certain provisions and regulations applied to port areas. The harbor authorities asked to be virtually exempted from the provisions of this legislation on the ground that their regulations were adequate to ensure safety in the handling of liquefied gases. The amendments which I propose are solely confined to this aspect. They will implement the view of the Government that the harbor trusts rightly contend that they already have the means and ability to exercise adequate control over dangerous gases. Accordingly, I move—

That the following new paragraph be inserted to follow paragraph (c) :—

"(*d*) the transportation of liquefied gas in an area under the control of a harbor or port authority or port officer or the loading or unloading of liquefied gas into or from any ship in any such area or any operation or procedure connected with such loading or unloading."

This amendment, if adopted, will exempt from the application of the Act the transportation of liquefied gas under the control of a harbor or port authority.

The Hon. A. W. KNIGHT (Melbourne West Province).—It appears that the subsequent amendments foreshadowed by the Minister for Local Government could be termed corollaries to the amendment which is now under consideration. There is a danger inherent in the adoption of these amendments to which I direct the Minister's attention. Whilst I appreciate that the various port authorities are already governed by regulations which will ensure safe handling of liquefied gases, it is possible that certain overseas vessels, which conform to overseas standards, may not be covered by the regulations when they are not berthed at a port. I ask the Minister whether he envisages any difficulty or danger in this regard.

The Hon. R. J. HAMER (Minister for Local Government).—Mr. Knight, who is referring more particularly to an amendment which I shall move to clause 16, has directed attention to a matter of great importance, namely, the extent to which an overseas vessel, which is not necessarily in a port, but which is perhaps trading outside the port in waters around the coast, will be compelled to comply with the regulations under this legislation. If the vessels come within the jurisdiction of the State, they can be compelled to comply with the regulations. If they are on the high seas outside the territorial limits—I shall not deal with that aspect now—they may be free to operate under all kinds of unsafe arrangements so long as they do not come within our jurisdiction. I assure Mr. Knight that vessels which enter a port will come under this legislation.

The amendment was agreed to, as was a consequential amendment, and the clause, as amended, was adopted, as were clauses 13 and 14.

Clause 15, providing, *inter alia*—

(2) Where the Minister is satisfied that—

(*a*) any premises or place used for the storage of liquefied gas immediately before the coming into operation of this Act cannot at reasonable expense be made to comply with a requirement of this Act or the regulations; and

(*b*) everything reasonable has been done in relation to the premises or place to ensure a standard of safety approximating to that demanded by the requirement—

The Minister may issue a licence or permit in respect of the premises or place.

The Hon. R. J. HAMER (Minister for Local Government).—The amendment, which I shall move to this clause, is complementary to the one which has just been adopted; it relates to the storage of liquefied gases. The amendment will authorize a port authority to have some say before a licence is issued in its area for the storage of gas. Therefore, I move—

That the following new sub-clause be inserted to follow sub-clause (2):—

"( ) The Minister shall not issue a licence or permit authorizing the storage of liquefied gas in any premises or place situate in any area under the control of a harbor or port authority or a port officer unless the applicant has obtained the consent of the relevant harbor or port authority or port officer to the storage of liquefied gas in those premises or that place."

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

Clause 16, providing, *inter alia*—

(1) The Minister may issue a licence or permit for the transportation of liquefied gases to the owner of any vehicle or boat which complies with the requirements of this Act and the regulations.

(2) The Minister may issue such licence or permit subject to any conditions limitations and restrictions (in addition to those prescribed) as he thinks fit.

The Hon. R. J. HAMER (Minister for Local Government).—The last two amendments, which are also complementary to the other amendments that have been adopted by the Committee, relate to the transportation of liquefied gases in a boat in a port area. I move—

That sub-clause (2) be omitted.

The amendment was agreed to.

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

That the following sub-clause be inserted to follow sub-clause (1):—

"( ) A licence or permit under this section—

(*a*) shall, in the case of a licence or permit for the transportation of liquefied gases in a boat, be subject to the condition that the boat is not used for the transport of liquefied gas on waters under the control of a harbor or port authority or port officer without the prior consent of the relevant harbor or port authority or port officer; and

(*b*) may be subject to such other conditions and to such limitations and restrictions (in addition to those prescribed) as the Minister thinks fit."

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.

WATER SUPPLY LOAN APPLICATION BILL.

The debate (adjourned from November 28) 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 the regular Water Supply Loan Application Bill which is brought down at about this time each year to give Parliamentary authority for the expenditure of loan moneys for the provision of water supplies. Although the financial provision in the Bill relates to a period of a calendar year, the actual works which will be performed under this legislation relate to a financial year. As usual, the Minister of Agriculture was good enough to supply with the Bill an explanatory

memorandum from which it is apparent that the amount of loan money made available in each of the past five calendar years has been approximately $30,000,000 and the actual expenditure in that period has been in the vicinity of $18,000,000. Obviously, because of the loss in the purchasing power of the $1 the similarity of the amount of loan money made available each year means that less work is being carried out each year.

According to the explanatory memorandum, the State bears the largest portion of the capital liability, representing approximately 75 per cent., while the remaining 25 per cent. is borne by various trusts, commissions, boards and authorities. A similar situation so far as capital liability is concerned relates to sewerage works.

The history of loan application measures of this type is very interesting. With the tapering off of gold discoveries in the mid 1850's and a lessening in the search for gold by those who had either made fortunes or moderate incomes as a result of gold, a good deal of land settlement took place. We live in a dry continent, and the areas where a lot of the gold was discovered were not richly blessed with rivers or a water supply. Therefore, settlers had to look for a continuity of water supply, and this led to the Irrigation Act of 1886. History shows that 90 water trusts were established during the period up to 1905. Many of them got into severe financial difficulties, and in 1905 the Water Act was introduced, by which the debts of the trusts were wiped off, and only one trust continued to operate. Then the State Rivers and Water Supply Commission was set up.

At this stage, on behalf of the Opposition, I should like to pay a tribute to the Commission, to past Ministers who have administered the Commission throughout the years, and to the present Minister, Mr. Borthwick, a young man in politics who has a future in this Government. In the light of the many problems that have been faced, the State Rivers and Water Supply Commission down the years has provided many good facilities for the State.

This Bill is introduced at a much happier time than was the case last year. Now we have water—we have been accused of wasting it—and the Minister is virtually walking in water. Last year there were only mud flats, so we should be grateful for the breaking of the drought which brought the conditions we are enjoying today. The Bill makes provision for a number of schedules, the first being "State works—storages and headworks". This item of major importance varies from year to year, as some works finish and other works begin. I wish to comment on one about which some discussion has taken place in this House, as well as in another place. I refer to the Chowilla dam in the north-west, on the River Murray. I have had the privilege of looking over this dam site and having certain of its problems explained to me by engineers who were then investigating its construction. I was impressed by the statements of South Australian people, who considered the dam to be of such importance and to observe the combination of the three States in relation to the dam development. For various reasons the dam has not developed along the lines planned. It is a shallow area to which a high rate of evaporation would apply, and in respect of which a salinity problem would apply. The build-up of the salt cannot be coped with, which indicates the necessity to pipeline water in much of this north-western area.

Neither the present Minister, nor past Ministers, have been unaware of the importance of pipelining the water rather than constructing a number of small storages located throughout the State. If larger storages could be provided with

better reticulation by pipeline, I am certain that this would be of greater benefit to the State than simply storing water in small storages.

The use of underground water was developed in an organized manner in 1964. This is an interesting development because in much of the north-western area of Victoria, it is not a question of where underground water will be found. I know the area where the present Minister of Water Supply spent part of his life, and I spent part of mine perhaps a little farther east. He was at Murrayville and I was at Underbool. The water at Murrayville was much better, and it was not a question of where water would be found, but where a bore would be sunk. Farther east at Walpeup, the quality of the water was some degrees worse than sea water, but in the north-western part of the State the provision of underground water is being developed, and I commend the Commission for continuing these projects.

The private storage of water on farms is a matter which should be examined more closely, but the Commission has no control over this matter because it comes under the control of the Soil Conservation Authority. The farmer should be encouraged to make provision for the storage of water on his own land. A lot of water runs to waste year by year, but the answer is to be found not only in the provision of funds; advice and, possibly, assistance are required. This may be provided by means available to the Soil Conservation Authority, but only few applications for assistance appear to have been made to the Rural Finance and Settlement Commission. This may be because farmers do not know of the assistance that is available to them, or they do not have sufficient incentive, or, again, do not understand the technical side of the problem.

The Hon. A. K. BRADBURY.—Do you not think it would be cheaper to subsidize these farm storages?

The Hon. J. M. TRIPOVICH.—That may be so, but the Minister should examine the New South Wales Act, as I am certain that some of the provisions applying there could with advantage be brought into operation in Victoria.

The Hon. G. L. CHANDLER.—That matter has already been examined.

The Hon. J. M. TRIPOVICH.—I am most grateful to learn of that. I invite honorable members to examine the *New South Wales Year Book*, which is available in the Parliamentary Library, and read the history of encouragement given to water supplies on farms in that State, and then consider what has been done in this State, which is sadly lacking in this respect. In the north-western part of the State, there is not much water available. Today fewer people live in this region than was the case fifteen years ago. The growth rate of this area is two per 1,000 people per year, so that Melbourne has taken more migrants from some of the rural areas than it has received from overseas. The reason for this is obvious—power and water are two items which are absolutely essential to the community.

The Bill before the House is a regular one, providing for works of a total sum of $30,100,000, which is to be allocated through the year. Moneys will be transferred from job to job in relation to the development difficulties that may apply. I have already commended the Minister in relation to the Geelong-Ballarat water scheme in another Bill. This type of activity in relation to a town water supply can be applied in other areas of the State. I am sure that the Commission and the Minister will continue to ensure that Victoria receives a good water supply. The work that

has been carried out to date is commendable, but further features must be developed over the years. The Opposition supports the measure.

The Hon. A. R. MANSELL (North-Western Province).—This Bill is one of the measures that play an important part in the economics of the State, particularly to the farming community. Over the past six years, there has been practically no variation in the amount of money made available under loan Bills. Perhaps the most important requirement of the State is water. The whole of our life and economy are dependent upon it. Australia is a primary producing country. It is all very well to say that industry can do this and that, but in primary production, with the irrigation of the land, production is continuing all the time and resources are not being depleted. There is much talk about the millions of dollars being earned from exports of iron ore from Western Australia, and so on, but when that is finished there will just be a hole in the ground with nothing to replace it. Water plays an important part in the community and deserves far greater consideration.

There has been a continual cry in Melbourne that the city is short of water. The Melbourne and Metropolitan Board of Works has come in for a great deal of criticism because of the lack of planning and foresight in regard to water storages. I do not know why the Board records its water storage figures in gallons, instead of acre-feet, but it is time that a common term, such as acre-feet, was used in the measurement of water because it is easier to calculate and understand.

The Country Party feels that this Bill should go further. It was interesting to note that Mr. Tripovich referred to people going from the country to the city and stated that there is not a sufficient increase of population in the country areas. People leave the country for the city seeking work. Economic conditions are bringing about this position because today farming areas have to be larger to provide a living area for the people. Many people are leaving the country to reside in the city. Public servants who formerly worked in the country return to the city when they retire, yet many country towns have excellent water supplies and other facilities including bowling clubs, swimming pools and golf courses. There are also other people who wish to remain in the country when they retire. I asked the head master of a high school why he remained in the country when he retired. He told me that he was born in the country and that as he had retired he was no longer interested in the rat race. He could play golf and bowls and go fishing when he liked. In addition, he found the people friendly and he knew everybody in the district. He commented that water and electricity supplies were available. He also liked the social life in country areas.

The standard of living in a country town depends to a large extent on the availability of water. People can do without electricity, but they cannot do without water. It is interesting to note that 22 new sewerage authorities are being established in country areas. Since I have been a member of Parliament there has been a continual demand for the provision of sewerage facilities. I am interested in the problems facing small country towns which are now installing sewerage systems, and in this regard I give great credit to an officer of the State Rivers and Water Supply Commission, Mr. Hal Richmond, who played an important part in providing ways and means of installing these systems. Of course, septic tank systems are proving beneficial to many small country districts.

It is noticeable that in those towns where sewerage facilities have been installed progress has been made in other directions. New buildings are being constructed and farmers are

retiring to these towns instead of coming to the city. There are 77 water trusts in Victoria, and the loan allocation under this Bill to these trusts is only $4,600,000. The amount received by each district will be insufficient even though many of them are now self-supporting and self-governed. There is a further allocation of $1,000,000 for 23 new water schemes.

In travelling around country towns I notice a difference between the quality of water brought about by chlorination and filtration. Water is supplied to the City of Mildura and parts of the Shire of Mildura from the same source. Other parts of the shire are supplied by the State Rivers and Water Supply Commission, Merbein being an example. The dirty water used to supply the City of Mildura comes straight from the river and is pumped to a tower. It contains all sorts of solids and is not ideal for a water supply. Across the river in New South Wales the same water is used but it is filtered and chlorinated. It is pumped to a much higher tower and the result is a better pressure of water. The Government should examine the possibility of bringing these various groups together and supplying water from the one source. For example Merbein and Redcliffs could be supplied by the State Rivers and Water Supply Commission. Other towns throughout the State could benefit in a similar manner.

Three or four years ago the system operating at Werrimull in the Millewa district was directed to the attention of the State Development Committee. The supply for stock and domestic purposes in this area was provided by a pipeline. Some people had said that this area was not worth developing and providing with a water supply, but I disagreed. It was settled under a Government settlement scheme and the settlers faced many difficulties in the early years. Sir Percy Byrnes, with the co-operation of various Governments, did a great deal to help the settlers. Now it is an economic area and even during the drought I was pleased to see the work done on the consolidation of farms.

However, a better water supply is needed. There are miles of channels through sand ridges and around sand hills, and the farmers fill their dams twice a year. A large quanity of water is wasted by this process, and the time has come when the pumping system must be replaced. If it is not, tremendous problems will be created. In places it is possible to push one's finger through the rusting main. The State Development Committee made recommendations in regard to the type of system that should be installed, and young engineers from the State Rivers and Water Supply Commission went to no end of trouble to assist in designing a system that would work by pumping. They also designed a type of reservoir that would allow for pressure by gravitation through pipelines, with the settlers taking over at a certain stage.

A similar system is being operated in areas controlled by the State Rivers and Water Supply Commission, and in two places water is brought across the border from South Australia by this means. Miles of pipes have been laid on top of the ground and several concrete and steel tanks have been installed. Ball taps are installed on each tank and as it is filled the water is cut off and the next tank begins to fill. The usual practice is that tanks are located at the point where four paddocks adjoin. The area has proved to be ideal sheep country. It may not be as good as the Western District, but it is serving its purpose. The lack of water is preventing further development. If the system to which I have referred can be carried out economically in South Australia, there is no reason why a similar system cannot be installed to assist the farmers at Werrimull in the Millewa district. However, there is no provision in this Bill to permit such a scheme to be installed.

A sum of $75,000 has been allocated to provide meters for private diverters. This amount is to be expended throughout the State and not merely along the River Murray. I believe this to be a wise move because salinity problems are arising as a result of too much water being used for irrigation. Farmers should know how much water they are using. At present there is no relationship between the water requirements of an area and the amount of water actually used. Many thousands of acres are being ruined because they are becoming salted as a result of inadequate drainage facilities being provided to take away excess water.

In areas under the control of the State Rivers and Water Supply Commission meters are installed and there has been a noticeable reduction in the amount of water used. If a farmer has a meter he is conscious of the quantity of water he is using. It has been suggested that meters for private diverters must be provided by the diverters. If a person goes into a grocer's shop and buys a pound of sugar he does not have to provide his own scales. Similarly if he buys a yard of cloth at another shop he does not have to provide the tape measure. As the State Rivers and Water Supply Commission is selling, controlling and allocating the water, it should provide the measuring devices. The meters could be maintained from the money received as water rates by the Commission. The same principle should apply to those farmers in irrigation districts who are using water supplied by the Commission.

The use of water brings about problems associated with salinity, and this is occurring along the Murray, Goulburn and Campaspe rivers where private diverters are operating. It is all very well for the State Rivers and Water Supply Commission to sell the water to the private diverters and for the Government, through the Lands Department and the Department of Agriculture, to recommend the opening of land for settlement, and for the Rural Finance and Settlement Commission and the Commonwealth Development Bank to provide finance for the settlement, but nothing is being done to prevent the adverse effects of applying water to land. In view of the fact that the State Rivers and Water Supply Commission has complete control over every stream, river, creek, water channel, lake and lagoon in Victoria it should also be responsible for drainage. Along the River Murray thousands of acres of land are under irrigation, but the farmers have great difficulty in getting rid of their drainage water. In some cases it is possible to establish drainage basins on land owned by the Forests Commission, but the Commission is not keen on the idea if it is likely that a few trees will be killed.

The Lands Department refuses to accept any responsibility and the State Rivers and Water Supply Commission does not show a great deal of interest. What are the farmers to do with this water?

I am not suggesting that the Commission should install evaporative basins because that is the responsibility of the private diverters. However, the Commission should make areas available for the establishment of evaporative basins. At present some farmers are pumping drainage water 1½ miles away from their property and my sons have told me that they are prepared to pump the water 3 miles if they can find somewhere to pump it to. It is time that the State Rivers and Water Supply Commission and the Lands Department got together and decided to make areas available for this purpose.

Because of lack of control by the State Rivers and Water Supply Commission in the past, many thousands of acres have been over-irrigated and the water level has built up. The result is that salty water is now being used for irrigation. It is also being put into streams and into the water used for town supplies. Unless there is an effective drainage

system which takes the excess water away below, there will be a high salt content at the top. If there is no effective drainage, water will be lost due to transpiration and evaporation, but the salt content will be increased in the soil and in the plants themselves. If this continues, there is a limit to the economic life of the particular land. It is time that the Government seriously considered ways and means of providing land in drainage basins into which saline water can be pumped.

Because nothing has been done in the past, millions of dollars are now being spent to overcome the problem. Bar creek and Lake Hawthorn are examples. Considerable expenditure is involved in dealing with the problem there. In addition, very large sums are being spent on the New South Wales side of the Murray.

Victoria's quarter-share of the works being carried out by the River Murray Commission amounts to $470,000. I point out that water is being lost from the River Murray just as it is flowing to waste in Melbourne at the present time. Many thousands of acre-feet of water are flowing down the Murray. From the front door of my home, I can see the vast expanse of water which is flowing down to the sea. This has been the position for many months; yet not twelve months ago everyone was crying about the lack of water and the Minister was receiving deputations from people along the River Murray who were begging for water. In this connexion, I pay a tribute to the Minister and to the chairman and staff of the State Rivers and Water Supply Commission for the manner in which they handled the problem in trying to ensure that everybody got some water, and for their courtesy to the deputations they received. At that time each person thought he was faring the worst and wanted his full issue of water without regard to the requirements of others.

At present water is going to waste, and to mitigate this money should be spent on projects around the lower reaches. There have been many complaints about salinity, and there is a need for a holding basin in the lower reaches in order that water can be held at peak flood time with sufficient flow to give a wash through to remove salinity. A special committee of experts is to make a report on the problem. This report has not yet been received and, in the meantime, vast quantities of water are being wasted.

The Government must reconsider its approach to the problem to see whether or not the salinity can be stopped upstream. In addition to extra storages being provided upstream, there must be storages below. The Hume reservoir has played a big part in maintaining water supplies, but, with the Snowy Mountains scheme coming into operation, so much extra water will come down that the Hume reservoir will not be able to hold it. A great deal of water is coming from the catchment area; and the State cannot afford to postpone its planning any longer. Only a limited amount of finance is provided in the Bill for surveys and research.

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 Funds for purposes specified in schedule).

The Hon. G. L. CHANDLER (Minister of Agriculture).—I commend the two honorable members for their thoughtful contributions to this debate. Mr. Tripovich appears to have a good knowledge of the subject and Mr. Mansell, of course, has built up a practical knowledge of it throughout his life. I join with them in commending the Minister and the chairman and members of the State Rivers and Water Supply Commission for the way in which they handled the most difficult situation which was brought about by an unprecedented drought. I point out to Mr. Mansell that the cost of the proposed works in connexion with

the Millewa stock and domestic supply to which he referred will be approximately $2,000,000. These works have been included in submissions made to the Commonwealth, and planning in connexion with the project is well advanced. It is not possible at this time to indicate when the works will be carried out.

Australia is the driest continent in the world. When one considers that South America has an annual rainfall of about 53 inches, South Africa, 26 inches, Europe, 25 inches, North America, 24 inches, Asia, 24 inches, and that Australia has an average of only 17 inches, it is apparent that the conservation of water is vital to this country's welfare.

Mr. Mansell referred to populations, and it is interesting to note that the populations of Shepparton, Swan Hill, Albury and Wodonga have increased at a greater rate than those in almost any other part of Victoria. The reason for the increases is the availability of water, power and industry. I do not think there can be big population increases where there is no industry. As a matter of interest, the highest percentage of population increase in the census period from 1961 to 1966 was in Shepparton, and the percentage population increase of Geelong was only slightly ahead of that of Swan Hill.

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.

FISHERIES BILL.

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

LIQUOR CONTROL (AMENDMENT) BILL.

This Bill was returned from the Assembly with a message relating to an amendment suggested by the Council on the consideration of the Bill in Committee.

It was ordered that the message be referred to the Committee on the Bill.

PUBLIC WORKS LOAN APPLICATION BILL.

The debate (adjourned from November 28) 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 is a Bill to sanction the issue and application of loan money for public works. I can remember similar Bills over a long period. In earlier years a measure of this type made provision for the expenditure of perhaps $10,000, and in later years the amount rose to perhaps $100,000. We are now used to applying huge sums, such as the $113,000,000 contained in this Bill, and they pass through without a quiver in a comparatively short time. However, the debate on this Bill gives honorable members an opportunity to discuss various works which it is proposed to carry out in the ensuing period.

The various loan application Bills that are passed by Parliament are adding to the public debt of Victoria at an alarming rate. In addition, loans are made available under the Commonwealth-State Housing Agreement. The ordinary budgetary provisions supply the interest that is paid on these measures. The ordinary person would imagine that all of this money comes directly out of revenue, but in fact much of it is reimbursed by public bodies which have the benefit of loans supplied through various loan application Bills. The House has just dealt with the Water Supply Loan Application Bill, through which money is applied for public bodies which repay both the capital and interest on the sum involved. Therefore, the State is not as badly off as some people may imagine. Nevertheless, there is a tremendous growth in

the repayments of capital and interest as a result of loan application Bills.

I suppose it is not our responsibility to worry about future measures for the simple reason that we will not be here when the majority of the repayments of these loans, which extend over 53 years, become due. Members pass these measures lightly because we do not have to worry about the consequences. The immediate urgent need of the works contained in loan application Bills concern us electorally, and we take some interest in having the money spent as fast as possible. However, the question of repayment will certainly concern later generations. Just as we are paying for what past communities have done, future generations will have to pay infinitely more.

The ridiculous aspect of loan application provisions is that most of the money is provided from Commonwealth Consolidated Revenue. Only a certain proportion is actually raised on the open market by means of Commonwealth loans. Those loans are actually subject to interest, but the rest is supplied from surplus revenues of the Commonwealth. In its wisdom, the Commonwealth, as a prudent bookkeeper, applies for its purposes all the extra Consolidated Revenue—with which it undertakes capital works—and makes available to the States moneys raised by loans on the open market and on which it requires interest to be paid. If there are any Consolidated Revenue surpluses, that Government also requires normal interest payments to be made on sums provided. The result is that the States are getting further into debt and are faced with enormous liabilities in respect of repayments and interest charges. Many of these loans are more or less book entries, because the Commonwealth has to make higher and higher payments to the States by means of income tax reimbursements.

It is time that a formula was adopted under the Commonwealth-States financial agreement whereby the same proportion of debt and Commonwealth surplus revenues were applied in the two spheres. If this were done, the Commonwealth would shoulder its fair share of the obligations to repay loans for posterity, the same as the State, and the State would get the same benefit as the Commonwealth from Consolidated Revenue. The Commonwealth is able to construct a $6,000,000 lake in Canberra for the benefit and recreation of the community, and I am not quibbling at the desirability of this project. The Commonwealth can act in this manner without liability in any sense in a capital way, but in relation to more necessary works in the State sphere the State has to go on paying interest for 53 years. This is a ridiculous state of affairs.

So far as Public Works Loan Application Bills are concerned, over a number of years the principle of ensuring that all the items are properly productive and properly developmental has been ignored. In many instances, the items relate to the provision of a coat of paint or some minor works, the cost of which should be the liability of the present community. It is useless to condemn young people because they live in a frivolous manner or adopt a frivolous attitude towards balancing income and expenditure, when Parliament which is composed of members who ought to have some sense of responsibility does not apply the same principle in the State arena. One cannot expect the individual to act any differently from Parliament. Unless Parliament sets an example, I am afraid the State is going to get deeper into the mire by continuing to apply loan funds on 53-year repayment terms to carry out works which are not truly developmental and which should be met from revenue. For example, if a coat of paint is applied to a building in the hottest part of the State, it will last only a few years. The State is applying these funds about eight times over the period of the

repayment of the loan just to put a coat of paint on a wooden building in the northern part of the State. It is ridiculous to carry on in this way. Until the situation is remedied, the communities of the future will be injured. The Government should commence some sort of measurable pruning. I realize its difficulties, and I am not blaming the Government altogether for the existing situation, but the State should commence a measurable policy of gradually eliminating the items that should be charges on revenue and gradually dropping them from loan application Bills.

I notice that the sum to be applied in relation to schools, hostels, teachers' colleges, and so on is $36,000,000. The Labor Party formed the Government in 1952, and Sir Percy Byrnes preceded me as Minister of Public Works. Sir Percy had a sum of $5,000,000 to expend on schools, and most of that amount was committed by contracts carried over from the previous year. When I became Minister of Public Works at the beginning of December, 72 per cent. of that $5,000,000 had been expended, and I was left with about 28 per cent. with which to carry on for another seven months. Times have changed considerably since then, due to the increased population, changes in money values, and the improvement in the availability of money—even of loan funds from the Commonwealth.

A long time ago the Minister for Local Government and I had a discussion on the merits of a greater diversion of the resources of the community from the private sphere to the public sphere. I do not think the Minister differed greatly from me, although he did not say too much at the time. In a free and affluent society, I suppose some expenditure on silly items is inevitable. However, it is not right that the community should go on postponing works of a vital nature while worthless things are made by industry and consumed in the private sectors, from which posterity gets no real benefit. The time is coming when a greater proportion of national resources ought to be diverted into the public sectors. I can see the Minister of Education's hair becoming thinner day by day because the honorable gentleman is worrying about the problems of the Education Department. Even the huge sum of $36,000,000 that has been allocated for this purpose will not cope with the needs in the educational field. In my early days, the Melbourne High School, which was then known as the continuation school, was the only one in existence. Subsequently, high schools were established at Geelong, Coburg, Williamstown and Essendon, and then one or two others were built. Camberwell High School was established in 1938 and no other was built until the high school at Heidelberg, a concrete and steel structure of some 25 or 26 rooms, was constructed some fifteen or sixteen years later. That indicates the slow growth of secondary education. From then on, there was an explosion in the secondary field of education. Perhaps the Box Hill High School was built within that sixteen-year period.

Victoria has not yet caught up with its educational needs. When I was Minister of Public Works, I was told that the provision of an additional 500 class-rooms a year for three years would solve the accommodation problems of the Education Department. I said that the Department could have 500 class-rooms for the first year in which I was Minister of Public Works. The Minister of Education knows that 498 class-rooms were built in that year. In the following year, 647 were provided. The number required was still growing when the present Government took office, and within a year or two more than 1,000 class-rooms a year were needed. Despite the long period that has elapsed since then, the problem remains. The effects of the education explosion were sadly underestimated by the education authorities in this State, and Victoria has still not caught up with the needs.

Members of the council of the Victoria Institute of Colleges endeavour to keep its activities confidential, but I can say that the building committee of the institute faces tremendous problems in attempting to meet the needs with the available money. Possibly, the Minister already has a list of works which will be necessary in the next triennium; certainly, the needs will be vastly greater than those for the present triennium. I do not know how the State can make sufficient finance available or whether the Commonwealth Government will come to the party. Unless the Commonwealth is generous, the State will come nowhere near solving its tertiary education problems.

These problems arise from a greater population and also from the higher education standards that are required in the present day. At one time, tertiary education was thought to be necessary only for professional men, but it is now necessary for those in many types of skilled occupations. I do not believe it is yet possible accurately to foresee educational needs. Overseas countries have worse problems than Victoria, but because of greater development there they are possibly not so apparent. If Victoria is to reach the stage of development attained in overseas countries, we shall have many headaches. I can see the day when the Minister of Education will be wearing a wig in the House.

I am glad that the Victoria Institute of Colleges and colleges of advanced education have been separated administratively, because when they were combined many problems were created. It was essential for current expenditure to be dealt with separately. Colleges of advanced education come within the jurisdiction of the Victoria Institute of Colleges, which could not precisely determine its own budget, as somebody with the Minister's ear was suggesting that the budget should be cut down because a new high school was needed somewhere. An allocation should be made by Parliament, to each organization, and each should work within the limits of its provision.

There are 79 items in the schedule to the Bill, one or two fewer than in other years. In earlier days, the Public Works Loan Application Bill contained about half a dozen items, except in extraordinary years, when twelve items might have been included. The works provided for are many and varied.

The Commonwealth has been sadly backward in assisting the State to provide mental health facilities. Thirteen years ago, the Commonwealth offered Victoria $2,000,000 for capital works on a $2 for $1 subsidy basis. In those days the main difficuty was to get projects under way. Nowadays, the building force has developed greatly and the problems of commencing works or obtaining contractors have disappeared, but there is a great deficiency of capital funds. Improvements are sadly needed at many mental health institutions to make them the first-class places that they should be. I can remember when Dr. Jones was the Inspector of Mental Hygiene. I recall Dr. Dax's arrival in Victoria to take charge and the fights that he had over the years with Governments. Through the press and in other ways, he set about awakening the conscience not only of the community but of Parliament; he fought a great lone battle. It is to the credit of Dr. Dax that, in spite of the difficulties he faced, he stuck to the job and brought about a greater improvement in mental institutions than was ever envisaged prior to his coming to this State. However, the needs of the Mental Health Authority are still great. I hope the Government presses on with development in this field. A sum of $6,000,000 is allocated for mental hospitals and institutions, but the proposed expenditure for the current financial year is only $4,835,000.

Since its form was changed in 1953, the Hospitals and Charities Commission has rationalized the programme of hospital building in this State. At one time, it was thought that, because of the development in medical science, the demand for hospital accommodation would decrease. It was believed that many conditions would be dealt with at the patient's home or on a clinical basis instead of his occupying a hospital bed. It is probably true that many illnesses are treated in those ways, but the demands on hospital accommodation have increased. The Commission still has a great need for more funds. I have not yet had time to study thoroughly the answer to the question on hospitals which I asked yesterday, but I am not certain that a full range of hospital priorities in Victoria has been properly allocated. The comment could apply also to school priorities. I do not blame the present Minister of Education, but I believe that many priorities were allocated for reasons other than need. The Labor Party offers no objection to the Bill.

Sir PERCY BYRNES (North-Western Province).—The Public Works Loan Application Bill presents the House with a monumental exercise each year. The 79 items in the schedule cover a wide range of works. The sum of $5,000 is provided for Young Farmers' Clubs, $4,000 for the Council of Adult Education, $7,000,000 for universities, and $32,000,000 for the Education Department. The total allocation is $113,000,000 but the expenditure in the current financial year is expected to be $90,000,000.

From that sum, the Public Works Department will obtain an amount of revenue which is not stated but about which an intelligent guess may be made. I should expect that from the provision of $90,000,000 about $12,000,000 will be taken by the Public Works Department as payment for the carrying out of works. This is one way of obtaining revenue from loan funds. This is an enterprising approach and it shows that the Government is never lost for a way of overcoming its financial difficulties. That is the sign of the good government. There is a belief that this method of accounting began with Sir Arthur Warner. I am not sure that that is true, but the practice has been followed since his day. Mr. Merrifield and I belong to the company of former Ministers of Public Works, but I shall not go into what we did. We had ways of obtaining revenue, but we did not handle so much money.

The wide range of works mentioned in the schedule indicates what needs to be done in this State. I am interested to know what amount of money is to be spent on Aboriginal welfare this year. The total amount provided is $800,000; the sum of $350,000 is to be found by the State and $220,000 will come from the Commonwealth Government. Probably a total sum of $500,000 will be spent on Aborigines. I understand that some Aborigines, who have already applied for farms, will be taught how to utilize the land.

I am also interested in the work done by the Marathon centre for spastic children. Two fires at this centre burnt out the building, but the Education Department is providing money to rebuild it. These efforts are appreciated. However, inflation is catching up with the Spastic Children's Society, which is finding it almost impossible to bridge the gap between receipts and expenditure.

In recent years, the Government has provided some measure of assistance for the spastic children, but this assistance could be increased. I appreciate that increased demands have been made for hospitals, schools and so on, but for many years the spastic children have had to battle their own way. I hope they will now be given more consideration. It is comparatively easy for spastic children to get treatment at a centre in Melbourne because buses are provided to transport children to day

centres. However, difficulty is experienced in country districts, and hostels should be provided to cater for these children and their future needs. I appeal to the Government to stretch the finance a little further to ensure that hostels are built for country sufferers from cerebral palsy. The National Council of Women has been interested in this subject for some years. I believe they have already approached the Minister of Health, and I commend their efforts.

It is staggering to learn of the expenditure on education. The amount provided for education including schools and universities in this Bill exceeds $40,000,000 out of a total expenditure of $90,000,000. I do not want to be accused of not being receptive to the needs of education, but the requirements of water supply have been sadly neglected in the past six years. An amount of $18,000,000 has been allocated for this purpose, but it must be realized that because the value of money has decreased by 25 per cent., the effectiveness of the allocations has also been reduced by that percentage. The provision of water for Victoria is urgent. We seem to be imbued with the idea of education. Whilst I agree that this expenditure is necessary, other important developments of Victoria must not be inhibited.

It is entirely wrong that the loan programme must be presented to the Commonwealth Government in the usual way. Tremendous demands are made on defence, but Australia is a growing community and it is wrong that the Commonwealth Government does not fully face up to its responsibilities. One cannot help feeling that our Parliamentary brethren in Canberra remove themselves to their ivory towers, lock themselves up like hermit crabs and know nothing of Australian affairs outside of their own little circle. They do not fully realize the needs of the Australian people.

A complete revision of outlook is required. It is all very well for some economist to say, "You must not spend this money because, if you do, inflation will occur". The banks have already increased the interest rates to farmers so that the people will not have too much money to spend. Australia has a tremendous future. Earlier today Mr. May informed the House what is happening in other parts of the world. Australia is only on the threshold of its development, and we should tackle our affairs with boldness and vision. If the Commonwealth Government inhibits this development by telling us that we must not do certain things, Australia will get nowhere.

I shall not read the schedule to the Bill. Honorable members are aware of the works that need to be done. The provision in the Bill of $90,000,000 needs to be increased by at least 50 per cent. New schools should be built and residences are required for teachers in country areas. Apparently no money is available to build houses for teachers throughout the State. This is sheer bad administration. Maybe it has something to do with the State, but certainly it is the result of the present relationship existing between the Commonwealth and the States. I approve of the Bill, and I hope that circumstances will change to enable Victoria to get the money necessary to carry out the projects that require to be done.

The Hon. H. M. HAMILTON (Higinbotham Province).—In the circumstances, my comments must be brief. This Bill authorizes the expenditure of $113,000,000 of loan funds. I emphasize the points made by Mr. Merrifield and Sir Percy Byrnes that these loan funds represent to a large degree surplus revenue of the Commonwealth on which Victoria pays interest, and at the same time the Commonwealth Government is financing its own public works out of revenue. This aspect of the Commonwealth financial structure must be re-examined and some statesmanlike approach must be made to the problem of an equitable sharing of the national debt.

Mr. Merrifield highlighted the great problem in education. Of the total provision made in the Bill, 27 per cent. is earmarked for education—school buildings. Mr. Merrifield emphasized the failure of Governments in the 1930's and the 1940's to appreciate the future needs of education. The Minister of Education is now faced with the problem of making 10 cents do the work of a $1.

The sum of $3,500,000 has been made available to the National Gallery. The State of Victoria and the Government must be really proud of this Gallery. It is an asset for which future generations will thank us. I hope the Minister will press on with stage 2 of this magnificent project.

An amount of $13,000,000 is to be made available to the Hospitals and Charities Commission. Again, the Commission is confronted with the problem of making 10 cents do the work of $1. The growing needs of the aged are being catered for. Undoubtedly, because of the development of medical science and the increase in the average age of our population, the problem of the aged will be greater in the future. I am pleased to see that some provision is made for the aged, and I hope that this will continue.

The motion was agreed to.

The Bill was read a second time and committed.

The clauses were agreed to.

Schedule.

The Hon. I. R. CATHIE (South-Eastern Province).—In relation to Item 1 of the schedule, recently, on the adjournment of the House I raised the question of the shocking conditions existing at the Langwarrin State School, and I pleaded with the Minister to state when tenders would be called for the construction of a new school building. It is clear that the parents and the school committee believe that they are being ignored by the Government.

At the beginning of the school year, the Frankston paper published photographs of the school. One depicted the dilapidated roof of a building that was built prior to the first world war, and which has been verbally condemned by the Public Works Department. The photographs show gaping holes in the guttering, and the caption indicates to the layman that when it rains there is little chance of the water reaching the drain pipe. A further photograph shows a young child trying to get a drink of water at a hall half a mile away. These photographs were taken almost twelve months ago, and the school committee has received only a series of broken promises. Today, it is not possible to take photographs showing the guttering, because in the meantime it has disappeared.

The present enrolment at the school is 204 pupils, and only 65 of these children are in permanent class-rooms which have been condemned. The roof of the school leaks, and it is infested with rats and possums. On a visit I made to the school last week, I saw that the possums had not been very respectful to a photograph of Her Majesty the Queen. This is typical of the situation that exists at the school.

Eighty children are accommodated in two portable class-rooms and the remaining 59, consisting of preparatory and first grade students, are taught in the local hall, half a mile away, which also has a leaky, rat-infested roof. The hall is completely inadequate for the purposes for which it is being used.

I want to deal briefly with the promises that have been made to indicate the extent to which the local people have been let down by the Government. Since 1963, each annual report of the district inspector of schools has stressed the urgency of a new State school being built at Langwarrin. In December, 1965, the committee thought it was making progress because Mr. Rossiter, the

Assistant Minister of Education, advised, " We have decided that the new school building will consist of six class-rooms ". At that time, there were 144 pupils at the school; today the number is 204 and there will possibly be between 240 and 250 next year. Instead of a new six class-room school, the present requirement is for an eight class-room school.

In April, 1966, in a further letter, Mr. Rossiter said that the erection of a new school building at Langwarrin had been included in the current building programme. The Minister also expressed regret that it was not possible to give priority to replacements over new schools in fast-developing areas where the need was more pressing. The Langwarrin school population has increased by 30 per cent. over the past four years and, in 1969, there could be a further 25 per cent. increase.

At the end of 1966, a further letter was received from Mr. Rossiter in which he said that the Department was aware of the need for replacement of the existing building and that provision had been made in the building programme. Again, two years ago, the school committee felt that it was making progress because it had received a promise that the building would be constructed in the very near future. This belief was confirmed twelve months later when Mr. Rossiter wrote that the erection of a replacement school on a new site was included in the Department's building programme, that the school occupied a high priority amongst schools, and that the position would be reviewed early in 1968. Again, in December, 1967, Mr. Rossiter wrote that a replacement school had been included in the Department's building programme.

At the beginning of the school year on the 22nd February, 1968, Mr. Rossiter again wrote that the erection of the new building occupied a high place in the programme for replacing existing buildings, that the programme would be reviewed during March or April, and that full weight would be given to the needs of Langwarrin. Again, the local people believed progress was being made.

In the middle of this year, Mr. Crellin, secretary of the Education Department, wrote to me that it was hoped tenders would be invited during the 1968-69 financial year. In October, Mr. Rossiter wrote to Mr. Dunstan, M.L.A., and me, indicating that it was not possible to state precisely when the Public Works Department would be in a position to invite tenders for the new school. That summary suggests the long history of broken promises.

The Hon. L. H. S. THOMPSON.—Mr. Rossiter did not specify any particular year; therefore there were no broken promises.

The Hon. I. R. CATHIE.—I remind the Minister that we were being told as early as 1967 that the school occupied a high position on the priorities of schools. Are honorable members to believe that since the end of 1967 no progress has been made in the priorities of schools? No wonder parents are becoming disgusted at the delay.

On the 7th August of this year, the secretary of the school committee wrote to the Education Department, and he has not received a reply. I ask the Minister how long must school committees wait before they get replies from a responsible Department or the Minister on a matter studded with a long history of delays. In a letter to the Minister of Education in November of this year, the secretary of the school committee stated—

> I have written to the Education Department on the 7/8/1968 requesting a starting date on the building of the new school, or in the event of this not taking place before 1969 that a minimum of two portables be made available for Langwarrin. I have not as yet received a reply. I am sure that you can imagine the anxiety that is now besetting the committee and parents.

I again remind the Minister of the conditions existing at the hall. For example, the regulations prescribe

that, for the number of children accommodated at the hall, there shall be one drinking tap for girls and one for boys. In this case, there are none. The regulations also state that there shall be two washing taps for each sex. In fact, there is only one which is in a very poor condition. In regard to toilet closets, there shall be seven for girls and three for boys, but in fact there are three for boys and two for girls, and their condition is described as poor. It is no wonder that the school medical officer has asked for two of the children to be given eye-sight checks. It is also little wonder that two of the teachers who have spent the past twelve months teaching in this hall will not return to the school next year. If a teacher took sick, one of the classes at the main school went without a teacher so that two teachers could be on hand at the hall all the time.

The Hon. W. G. FRY.—If the school is built next year, you will have nothing to talk about.

The Hon. I. R. CATHIE.—That is why I am raising the matter now. It is the only opportunity that I have had. I now desire to quote from one of the many letters sent by parents to the secretary of the school committee. It contains these remarks—

> Those children at "that hall" are the citizens of tomorrow and are on the way to being a social disgrace. The Grade I children naturally dominate preparatory grade and with no older children to mix with the whole structure socially of this school is breaking down. The grade I of this year will find it difficult to assimilate in the school after twelve months of triumph over preps at the hall. They miss the play equipment, library and technical equipment of the school, and also the social life of the school as a whole involving all teachers and children.
>
> As you know, Sir, we are losing two of our infant teachers this year, both highly skilled in the advanced teaching methods favoured by Langwarrin. One of these transfers is possibly caused by the trying conditions this young lady has had to work under this past year.
>
> . . . . . .
>
> Their toilets are public, and I mean public, used by any and every one hiring the hall and on some Monday mornings are a disgrace to civilized people. The teachers and pupils are expected to clean these toilets and the area surrounding the hall on Monday morning. Most people would feel weak in the stomach at the thought of the mess, much less having to clean it up.

The Hon. L. H. S. THOMPSON.—That is why we are rebuilding the school this financial year.

The Hon. I. R. CATHIE.—The letter continues—

> This, Sir, is not good enough in an affluent society. The Education Department is paying over $1,000 a year to rent "that hall" so why can't the money be used to provide two portable class-rooms.

When I telephoned the officer in the Education Department concerned with the allocation of portable class-rooms, he informed me that none had been allocated to Langwarrin for next year. Again I make a plea to the Minister of Education that, as a matter of urgent priority, two portable class-rooms should be provided at the Langwarrin State School for the beginning of the 1969 school year. Secondly, I ask the Minister to make a further statement, not only to Parliament, but also to the school committee, the parents and teachers involved, as to when he expects tenders to be called for the construction of the school.

The schedule was agreed to.

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

LABOUR AND INDUSTRY (MISCELLANEOUS PROVISIONS) 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.

ADJOURNMENT.

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

> That the Council, at its rising, adjourn until tomorrow, at half-past Ten o'clock.

The motion was agreed to.

The House adjourned at 6.53 *p.m.*

Legislative Assembly.

Wednesday, December 4, 1968.

The SPEAKER **(the Hon. Vernon Christie)** took the chair at 11.4 a.m., and read the prayer.

RAILWAY DEPARTMENT

CITY UNDERGROUND RAILWAY.

Mr. GINIFER (Deer Park) asked the Premier—

Whether he has conferred with the Prime Minister regarding Commonwealth finance for Melbourne's proposed underground railway; if so, what was the outcome of the conference?

Sir HENRY BOLTE (Premier and Treasurer).—The answer is, "No."

FITTING OF REFLECTORS ON ROLLING-STOCK.

Mr. GINIFER (Deer Park) asked the Minister of Transport—

What progress has been made by the Victorian Railways Commissioners in their investigation into the question of fitting rolling-stock with reflector lights or luminous tape as an aid to reducing accidents at level crossings?

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

There is no known method of making reflectorized signs on freight wagons last. This is the experience in Australia and overseas. However, the investigations are being continued.

PUBLIC WORKS DEPARTMENT.

P.A. MANAGEMENT CONSULTANTS PTY. LTD.: TERMS OF ENGAGEMENT.

Mr. EDMUNDS (Moonee Ponds) asked the Premier—

What are the terms of the engagement of P.A. Management Consultants Pty. Ltd. to investigate the Public Works Department, and what are the costs and charges of this investigation?

Sir HENRY BOLTE (Premier and Treasurer).—The answers are—

P.A. Management Consultants Pty. Ltd. have been engaged to undertake a study of the Public Works Department in two phases, viz.:—

(i) a detailed study of the entire Department.

(ii) the design of improved procedures.

The costs and charges of the investigation comprise—

(*a*) fees, which are—

Phase (i)—$18,000.
Phase (ii)—$90,000.

and

(*b*) actual expenses associated directly with the assignment.

STATE SUPERANNUATION BOARD.

ANNUAL REPORTS: VALUE OF INVESTMENTS: INTEREST.

Mr. WILKES (Northcote) asked the Treasurer—

1. When the reports of the State Superannuation Board, covering the operations in the years 1966, 1967, and 1968, will be presented to Parliament?

2. How much was in the Superannuation Fund as at 30th June, 1968, what rate of interest it bears, and what this interest amounted to at 30th June, 1968?

Sir HENRY BOLTE (Premier and Treasurer).—The answers are—

1. Today.

2. The value of investments at 30th June, 1968, shown in the Board's report is $136,462,697. The rate of interest is approximately 5.4 per centum per annum. The amount of interest received in the year to 30th June, 1968, was $6,906,535.

PRISONERS' AID SOCIETY.

GOVERNMENT SUBSIDY.

Mr. WILKES (Northcote) asked the Chief Secretary—

Whether the Government subsidizes the work of the Prisoners' Aid Society; if so, at what rate, and when it was last increased?

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

An amount of $7,200 is paid to the Prisoners' Aid Society through the Hospitals and Charities Commission. This was last increased from $6,000 in 1966-67. In addition, the Treasury advances up to $300 per annum for rail warrants issued by the society.

YOUTH ORGANIZATIONS ASSISTANCE FUND.

INCREASED ALLOCATION.

Mr. WILKES (Northcote) asked the Chief Secretary—

When the allocation to the Youth Organizations Assistance Fund was last increased?

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

In 1964-65, when the allocation was increased from $240,000 to $290,000.

PRISONS DIVISION.

WEEK-END LEAVE FOR PRISONERS.

Mr. WILKES (Northcote) asked the Chief Secretary—

Whether the Government has any plans for introducing week-end leave for prisoners, similar to that granted to youth trainees?

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

The Director-General of Social Welfare has very wide powers under section 51 of the Social Welfare Act 1960, and these are used extensively in prisons as well as in youth training centres. Leave from prisons is confined to compassionate reasons such as illness, death and funerals or to seek employment prior to release on parole. The week-end leave scheme applied in youth training centres is considered more appropriate for young offenders who have to make adjustments in family relationships at home. There are no present plans to apply the scheme to prisons.

CHILD WELFARE.

RECOMMENDATIONS OF COMMITTEE OF INQUIRY.

Mr. WILKES (Northcote) asked the Chief Secretary—

In connexion with the recommendations of the committee of investigation into allegations of neglect and maltreatment of young children, what action is proposed in relation to—(*a*) registration of child-care workers; (*b*) training for foster parents; and (*c*) investigation into low-rental housing?

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

(*a*) and (*b*) These are essentially long-term projects. The Social Welfare Training Council has them under consideration, and recent investigations abroad by the superintendent of training will make an important contribution. Aspects related to the registration of child-care workers will also be considered by the committee appointed to formulate minimum standards for residential institutions. An association of foster-parents has been formed and discussions on matters including the training of foster-parents are proceeding.

(*c*) This is a matter for the Housing Commission.

PERMITS FOR CHILD EMPLOYMENT: QUALIFICATIONS OF INSPECTOR.

Mr. WILKES (Northcote) asked the Chief Secretary—

1. In view of the huge increase in permits granted for child employment, whether he will provide an analysis of the permits granted, including the number of individual children involved and the amount of work performed?

2. What are the qualifications of the inspector engaged in supervising the granting of these permits, and how he deals with the family problems he uncovers in the course of his duties?

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

1. Yes—if the honorable member will indicate the period and the range of aspects which he is interested in.

2. No academic qualifications, but the officer is well-equipped by experience and personality for the duties. The duties do not bring him into touch with family problems.

GOVERNMENT INSTITUTIONS.

SUBSIDIES.

Mr. WILKES (Northcote) asked the Chief Secretary—

Under what legislation subsidies for voluntary help with Government institutions, for example, the $2 for $1 subsidy at Illoura, and the subsidy for the swimming pool at Allambie are granted?

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

The construction of the swimming pools at Illoura and Allambie has been arranged by the Public Works Department using loan funds. Contributions towards the cost have been accepted from the auxiliaries associated with these institutions.

SOCIAL WELFARE BRANCH.

FAMILY GROUP HOMES.

Mr. WILKES (Northcote) asked the Chief Secretary—

1. When it is expected that the two-family group homes at Northcote will be built?

2. What plans exist for future expansion of family group homes?

3. Whether there is any ground for concern at the turnover of cottage parents?

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

1. Tenders for construction were called on 27th November to close on 17th December. It is not possible at this stage to state when they will be completed.

2. Provided that funds can be made available, it is proposed to construct at least four additional homes each year.

3. The turnover of staff is a cause for concern in all institutions, but it is characteristic of a period of full employment.

FAMILY ASSISTANCE PAYMENTS.

Mr. WILKES (Northcote) asked the Chief Secretary—

1. When family assistance (emergency grants) was first introduced, and what rate was paid?

2. Whether consideration will be given to increasing the present rate of $20 per family in any one year?

3. Whether the $20 per annum per family is paid in a lump sum; if not, how payment is made?

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

1. In November, 1963, at the same rate as still applies, namely, up to $20 per family in any one year.

2. No. The existing maximum is considered adequate for its purpose.

3. Grants are made and vary according to the incidence and nature of emergencies, up to the maximum stated.

SUPERVISION OF REGIONAL AND SUBURBAN OFFICES.

Mr. WILKES (Northcote) asked the Chief Secretary—

What division or section of the Social Welfare Branch is responsible for the supervision of regional and suburban offices?

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

The Family Welfare Division and Probation and Parole Division of the Branch, which provide the staff stationed in these offices.

CHILD MIGRATION SUB-SECTION: STAFF.

Mr. WILKES (Northcote) asked the Chief Secretary—

Whether the child migration sub-section of the Social Welfare Branch is staffed by a professional worker; if not, what is the classification of the officer engaged in this work?

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

No. The officer concerned is classified at "C1" level in the Administrative Division of the Public Service.

FAMILY ASSISTANCE SECTION: ASSISTANCE TO NECESSITOUS CHILDREN AND FAMILIES.

Mr. WILKES (Northcote) asked the Chief Secretary—

1. How often and under what circumstances assistance to necessitous children is reviewed by the Family Assistance Section of the Social Welfare Branch?

2. What were the reasons for rejection, in 1967–68, of 1,584 applications for family assistance?

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

1. Each individual case is reviewed at intervals depending on the nature and number of changing factors involved.

2. Ineligibility, on assessment in regard for income and essential expenditure compared with the "required income" scale.

MENTAL HEALTH AUTHORITY.

PLACEMENT OF CHILDREN IN INSTITUTIONS: FOSTER CARE PLACEMENTS.

Mr. WILKES (Northcote) asked the Chief Secretary—

1. Whether the Government has any plans to enable suitable placement for the 60 children awaiting placement in Mental Health Authority institutions, and at present unsuitably placed with the Social Welfare Branch?

2. What plans the Government has to expand foster-care placements?

3. Whether the Government can give an assurance that any expansion will not be at the expense of present standards of foster care?

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

1. Consultations have taken place with the Mental Health Authority and the Hospitals and Charities Commission in relation to this problem, but there is no easy solution within the limits of finance currently available.

2. Every opportunity is taken to attract new applicants with whom children may be placed. The Social Welfare Branch recently published an explanatory brochure for public interest towards this purpose.

3. Yes.

STREET TRADING ACT.

AMENDMENT.

Mr. WILKES (Northcote) asked the Chief Secretary—

Whether consideration has been given to amending the Street Trading Act 1958, so that it applies in other areas besides the City of Melbourne?

Sir ARTHUR RYLAH (Chief Secretary).—The answer is, "No".

LAW DEPARTMENT.

BAIL CONDITIONS: PRISONERS ON REMAND.

Mr. WILKES (Northcote) asked the Attorney-General—

1. Whether the Government will make an examination of bail conditions, with a view to avoiding unconvicted persons being kept in custody for lengthy periods?

2. Over the past five years, what percentage of prisoners on remand were not subsequently convicted?

Mr. G. O. REID (Attorney-General).—The answers are—

1. The Statute Law Revision Committee recently suggested that the Attorney-General give consideration to framing suitable terms of reference in respect of an investigation of the Victorian bail system by the committee, and this suggestion is now being examined.

2. This information is not available.

PORT PHILLIP BAY.

DREDGE SPOIL.

Mr. EDMUNDS (Moonee Ponds) asked the Minister of Public Works, for the Minister for Local Government—

Whether the current environmental study of Port Phillip Bay will take into consideration the effect of dredged spoil dumped in the vicinity of the spoil ground buoys in Port Phillip Bay and Corio Bay?

Mr. PORTER (Minister of Public Works).—The answer is, "Yes".

ABORIGINAL AFFAIRS.

NOTIFICATIONS OF CHARGES AGAINST ABORIGINES: LEGAL AID.

Mr. WILKES (Northcote) asked the Minister for Aboriginal Affairs—

1. How many notifications of charges against Aborigines have been forwarded to the Ministry of Aboriginal Affairs since its commencement?

2. How many Aborigines have been given legal aid, and what were the reasons where legal aid was not granted?

Mr. MEAGHER (Minister for Aboriginal Affairs).—I apologize to the honorable member for not having sufficient time in which to prepare a written answer to his question. However, I can give him an off-the-cuff answer which I hope will satisfy his requirements. Owing to staff difficulties, complete records of such notifications have been kept in the Ministry of Aboriginal Affairs only since 14th June, 1966. In that time, approximately 150 applications have been received by the Ministry, 25 of which have concerned drunk and disorderly charges which, under the Act the Ministry is not required to recognize. Another 25 have been relatively minor offences on which it was considered there was no need to take action.

The Ministry has been active in all notifications of serious charges against Aborigines, with the exception of the Harrison case to which I referred last week. The Ministry has either made an officer available or provided legal representation in the court at the time the case was heard. It would be beyond the capacity of the staff of the Ministry at this stage to obtain all the additional details of all the cases referred to by the honorable member in his question. However, steps have been taken to increase the staff of the Ministry to enable this information to be readily available. Therefore it is not possible to answer the question in any more detail.

HOUSING COMMISSION.

APPLICATIONS FOR ACCOMMODATION.

Mr. GINIFER (Deer Park) asked the Minister of Housing—

1. How many applications for housing were lodged with the Housing Commission during the financial year 1967–68, and how many applications were outstanding at the end of that financial year?

2. How many applications for housing have been lodged during the period 1st July to 30th November, 1968, and how many applications were outstanding as at 30th November, 1968?

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

1. 10,094 applications lodged.
   15,281 applications outstanding.
2. 4,321 applications lodged.
   15,442 applications outstanding.

UNITS COMPLETED.

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

What annual number of Housing Commission houses and flats, respectively, was completed in each of the years 1950 to 1967, and in this year to date?

Mr. MEAGHER (Minister of Housing).—The answer consists of a statistical 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:—

Year Ended 30th June.	Houses.	Flats.
1951	2,610	89
1952	2,825	145
1953	2,987	251
1954	3,134	456
1955	3,354	606
1956	3,098	1,054
1957	2,128	452
1958	1,911	503
1959	2,209	351
1960	1,960	634
1961	1,573	644
1962	1,762	638
1963	1,114	908
1964	1,563	761
1965	1,898	790
1966	1,793	893
1967	2,260	856
1968	1,187	1,027
1st July, to 30th Nov., 1968	556	191

RENT REBATES: REIMBURSEMENT BY COMMONWEALTH.

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

Whether, under the Commonwealth–State Housing Agreement, provision is made for rebated rent amounts granted by the Victorian Housing Commission to be reimbursed by the Commonwealth; if so—(*a*) what are the details; and (*b*) what amount of finance has been granted by the Commonwealth for this purpose in each of the past five years?

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

Neither the 1945 nor the 1956 Commonwealth–State Housing Agreement specifically provides for the reimbursement of the cost of rental rebates to the States. However, pursuant to clause 15 of the 1945 agreement, a State may, provided that it fully complies with the agreement so far as rent fixation is concerned, be reimbursed three-fifths of the amount in any one financial year by which the cash expenditures exceed the cash receipts (rental charges less rebates). No amounts have been received in the past five years by Victoria under this clause.

INDUSTRIALIZED HOMES AT BENALLA.

Mr. TREWIN (Benalla) asked the Minister of Housing—

1. When the successful tenderer will commence construction of the industrialized homes at Benalla?
2. When it is expected the contract will be completed?

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

1. Work commenced on 19th November, 1968.
2. Three units are scheduled for completion in March, 1969, and three in April, 1969.

HOUSES AT YALLOURN.

For **Mr. HOLDING** (Leader of the Opposition), Mr. Wilton asked the Minister of Housing—

1. How many Housing Commission houses are vacant in Yallourn?
2. Whether it is intended that these houses will be made available to applicants; if so, when; if not, why?

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

The Housing Commission has never constructed any houses at Yallourn.

EDUCATION DEPARTMENT.

STUDENT TEACHERS IN TRAINING.

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

1. How many students were in training as primary, secondary, and technical school teachers, respectively, in each of the years 1960 to 1967, and this year?
2. How many students in each category successfully completed their courses in each of the years 1960 to 1967?

Mr. ROSSITER (Minister of Labour and Industry).—The answers supplied by the Minister of Education consist of two tables of statistics 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.

Year.	Primary.	Secondary.	Technical.
1960 ..	3,389	1,947	547
1961 ..	3,555	2,152	595
1962 ..	3,567	2,463	676
1963 ..	3,578	2,863	783
1964 ..	3,575	3,359	887
1965 ..	3,562	3,503	931
1966 ..	3,815	3,838	1,109
1967 ..	4,209	4,460	1,109
1968 ..	4,601	4,874	1,153

2.

Year.	Primary.	Secondary.	Technical.
1960 ..	1,393	461	120
1961 ..	1,525	532	121
1962 ..	1,469	476	134
1963 ..	1,274	672	162
1964 ..	1,484	518	165
1965 ..	1,391	611	177
1966 ..	1,483	658	188
1967 ..	1,580	773	230

AVONDALE PRIMARY SCHOOL.

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

In respect of the building extensions currently being undertaken at the Avondale Primary School, whether provision has been made for—(*a*) an office for the infant mistress; (*b*) toilets for the women teachers; and (*c*) a library; if not, why?

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

(*a*) Yes.

(*b*) As the existing toilets for women teachers are adequate, additional toilets are not included in the current extensions.

(*c*) No. Libraries are provided where the additions bring the total number of class-rooms to 24 or more. The rooms currently being erected at Avondale Primary School will bring the total to 22.

USE OF NEW KEILOR EAST SWIMMING POOL.

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

Whether the Education Department plans to use the new Keilor East swimming pool for swimming instruction; if so—(*a*) how many teachers will be assigned to this pool; (*b*) what schools will be invited to participate; and (*c*) when swimming instruction will commence?

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

Yes.

(*a*) Two.

(*b*) Niddrie State School.
Avondale State School.
Keilor State School.
Keilor Heights State School.
St. Albans Technical School.
Avondale State School.
Milleara State School.
Keilor South State School.
Tullamarine State School.
Niddrie Technical School.
Parklands State School.
Keilor South State School.
Doutta Galla State School.

(*c*) 12th February, 1969.

KEILOR HEIGHTS HIGH SCHOOL: ERECTION OF PORTABLE CLASS-ROOMS.

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

When it is expected that work will commence on the erection of portable class-rooms on the permanent site of the Keilor Heights High School?

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

Work on the erection of portable class-rooms on the permanent site of the Keilor Heights High School has already commenced.

It is expected the rooms will be ready for the opening of the 1969 school year.

KEILOR HEIGHTS STATE SCHOOL.

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

Whether the Education Department has any plans for providing additional class-room accommodation at the Keilor Heights primary school; if so, what are the details of these plans?

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

The erection of additional class-room accommodation at the Keilor Heights primary school is included in the Department's list of capital works. No plans have been prepared for this work.

PORT OF GEELONG.

DECLINE IN SHIPPING TRAFFIC.

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

1. Whether his attention has been drawn to recent statements that the port of Geelong shipping traffic has declined in volume and future prospects in comparison with previous trends?

2. Whether action is being considered to seek improvement of such traffic at the port?

Mr. MANSON (Minister of State Development).—The answers are—

1. I am not aware of any recent statement that shipping traffic in Geelong has declined. However, because of the drought there has been a reduction in the volume of wheat moving through the port. This is expected to improve with this season's harvest.

2. The Minister of Public Works reviews port activity at frequent intervals.

DECENTRALIZATION.

ESTABLISHMENT OF INDUSTRIES IN GEELONG.

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

1. Over the last five years, what inquiries from industrial firms have been directed by the Division of State Development to the Geelong district with a view to establishment in that area, and what was the outcome of such direction?

2. Where such industries have decided not to establish in Geelong, what were the reasons for these decisions, and where such industries were eventually established?

3. What industries so directed have established in the Geelong area?

4. What is the approximate Geelong employment force used by each such industry?

5. Whether any present industries in conjunction with the Division are considering establishment in the Geelong district; if so, what are such industries?

Mr. MANSON (Minister of State Development).—The answers are—

1. The full answer to this question is impossible as even an examination of all files for the past five years would not disclose all cases where the attention of firms has been directed to Geelong during negotiations. However, even in the last two years at least 26 firms are involved.

2. This information is not available.

3. Huyck Corporation, Winchester-Western and Morley's.

4. Huyck's 87, Winchester 103, Morley's discontinued.

5. Twelve firms are still considering establishment in the Geelong district, and these are textile labels, jewellery, car assembly, smelting, engineering, chemicals (three firms involved), bearings, fertilizers, tooling for car industry and steel.

MOUNT BUFFALO NATIONAL PARK.

LEASE OF TATRA INN.

Mr. HOLDING (Leader of the Opposition) asked the Minister of State Development—

If he will lay on the table of the Library the file containing the lease, all amendments thereto, and all correspondence and memoranda relating to the Tatra Inn, Mount Buffalo National Park?

Mr. MANSON (Minister of State Development).—It is difficult to lay the file on the table of the Library at present because there will be a meeting of the National Parks Authority tomorrow and the file is required at that meeting. However, when the meeting ends, I will make it available to the Leader of the Opposition.

DEPARTMENT OF HEALTH.

SCHOOL DENTAL SERVICE: CHILDREN TREATED.

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

In respect of the school dental service conducted at 2 Geelong-road, Footscray—(*a*) how many children were treated at this

centre in each of the years 1963 to 1967, and this year to date; and (*b*) at which schools the children who were treated this year were enrolled?

Mr. MANSON (Minister of State Development).—The Minister of Health has provided the following answer:—

With reference to School Dental Centre, 2 Geelong-road, Footscray.

(*a*) 1963—4,496.
1964—4,129.
1965—5,891.
1966—4,162.
1967—4,458.
1968—4,887 (to 30th November).

(*b*) School No. 1033, Holy Rosary School, Kensington.
School No. 253, Footscray (Geelong-road).
School No. 1912, Footscray (Hyde-street).
School No. 4160, Footscray North.
School No. 4792, Footscray North Special.
School No. 477, St. Monica's School, Footscray.
School No. 1146, St. John's School, West Footscray.
School No. 3890, Footscray West.
School No. 1501, Yarraville.
School No. 2832, Yarraville West.
School No. 478, St. Augustine's Girls' School, Yarraville.
School No. 1467, St. Augustine's Boys' School, Yarraville.

RIVER MURRAY.

OPERATION OF PADDLE STEAMERS.

Mr. R. S. L. McDONALD (Rodney) asked the Minister of Water Supply—

1. How many paddle steamers passed through the lock at Torrumbarry on the River Murray in each of the last five years?

2. What was the name of each steamer?

Mr. BORTHWICK (Minister of Water Supply).—I should explain that whilst the honorable member has specifically requested information on paddle steamers, in some cases I have been unable to differentiate and I have supplied the figures relating to all boats going through the lock during the past five years. The answers contain statistical data, and I seek leave of the House for their incorporation in *Hansard* without my reading them.

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

1 and 2.

Particulars of river traffic through Torrumbarry lock over the past five years are as follows:—

1964—
Paddle steamer *Oscar W*—Echuca to Mannum.

1965—
19.2.65—One raft, four men on board.
7.9.65—*Riverina* cabin cruiser to Echuca.

1966—
10.2.66—12-ft. aluminium boat. Echuca to downstream.
27.8.66—Barge powered by outboard motor. Echuca to Mildura.
31.8.66—One cabin cruiser.
2.9.66—*Etona*—private house boat, from Echuca to downstream—returned 4.9.66.
5.10.66—*Betsy*—private house boat upstream to downstream—Barmah to Bartram—returned 11.10.66.
21.12.66—*Canberra.*
31.12.66—*Etona.*

1967—
1.1.67—Motor launch to Echuca.
11.1.67—Raft upstream to downstream.

1968 (to the end of August)—
7.3.68—One boat with two passengers upstream to downstream.
10.6.68—Ten army assault boats on manoeuvre.
2.8.68—*Betsy* house boat—Echuca to Bartram, returned 13th August, 1968.
27.8.68—*Etona*—Echuca to Murrabit, returned 29th August, 1968.

MOTOR VEHICLES.

CAUSES OF ACCIDENTS.

Mr. TREWIN (Benalla) asked the Chief Secretary—

1. During the past twelve months, how many accidents involving motor vehicles have been attributed to a single cause?

2. How many of these have been attributed to consumption of alcohol?

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

1. and 2. A summary of statistics of all causes of motor accidents is not compiled but recently a survey of causes contributing to road accidents was made by the Chief Commissioner of Police which indicated that the consumption of alcohol contributed to approximately 70 per cent. of road accidents.

STATE ELECTRICITY COMMISSION.

FUTURE OF YALLOURN TOWNSHIP: MINING OPERATIONS: COMPENSATION.

Mr. HOLDING (Leader of the Opposition) asked the Minister for Fuel and Power—

Whether it is still the intention of the State Electricity Commission to win brown coal from the area now occupied by the township of Yallourn; if so (*a*) what is the estimated value of buildings, plant and equipment in the township; (*b*) what is the present estimated worth of brown coal located beneath the township; (*c*) when the Commission proposes to commence such operation; and (*d*) whether any compensation will be paid to businesses in the area?

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

The future of the Yallourn township is being fully investigated by a special committee of senior officers of the State Electricity Commission having regard to the fact that the township will be affected at some future date by the development of the Yallourn open cut. Its recommendations are to include plans and time-tables for the various stages which will be necessary for the gradual encroachment into the township area. The Commission expects to be able to inform interested parties early in the new year.

(*a*) The committee is making an estimate of the present value of the township as part of its considerations, but this is not yet complete.

(*b*) The quantity of coal under the township which could be won economically is of the order of 250,000,000 tons. On present day production costs, this would be valued at approximately $250,000,000.

(*c*) As mentioned, this information is not yet available, but the Commission expects to be in a position to make an announcement early next year.

(*d*) The question of compensation to businesses at Yallourn will be carefully examined when the Commission has received and considered the report of the committee. As the township will not be affected by coal winning activities for many years yet, business people will be given ample notice in which to plan their future operations.

YALLOURN HOUSES OWNED BY COMMISSION.

Mr. HOLDING (Leader of the Opposition) asked the Minister for Fuel and Power—

1. What is the number of houses owned by the State Electricity Commission in Yallourn?

2. How many such houses are occupied by—(*a*) pensioners or retired persons; (*b*) employees of the Commission; and (*c*) other persons employed in the area?

3. How many houses are vacant?

Mr. BALFOUR (Minister for Fuel and Power).—The answers are—

1. 1,056 houses and flats.

2. (*a*) 208 are occupied by widows or retired persons.

(*b*) 635.

(*c*) 141.

3. 72, of which 31 are allocated. A few of the vacant houses are sub-standard.

YALLOURN "W" POWER STATION: EMPLOYMENT.

Mr. HOLDING (Leader of the Opposition) asked the Minister for Fuel and Power—

1. How many men it is estimated will be employed in the erection of Yallourn "W" power station?

2. On completion, how many personnel it is expected will be employed in the running of Yallourn "W" power station?

Mr. BALFOUR (Minister for Fuel and Power).—The answers are—

1. A maximum of 950 in 1971-72.

2. Ultimate manning has not yet been determined, but it is expected that by 1974, approximately 225 persons will be employed in the manning of Yallourn "W" power station.

EMPLOYMENT IN LATROBE VALLEY: WASTAGE.

Mr. HOLDING (Leader of the Opposition) asked the Minister for Fuel and Power—

1. What number of personnel were employed by the State Electricity Commission in the Latrobe Valley in the years 1966, 1967, and in this year to date?

2. What has been the wastage rate of labour for each month during 1968?

Mr. BALFOUR (Minister for Fuel and Power).—As the answers consist of statistical tables, 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. Personnel strength.

At 31st December, 1966	8,003
At 31st December, 1967	7,759
At 31st October, 1968	7,584

2. Retirements, resignations and other terminations.

January, 1968	136	(1.73 per cent.)
February, 1968	125	(1.60 per cent.)
March, 1968	117	(1.50 per cent.)
April, 1968	71	(0.92 per cent.)
May, 1968	89	(1.15 per cent.)
June, 1968	87	(1.13 per cent.)
July, 1968	110	(1.44 per cent.)
August, 1968	125	(1.64 per cent.)
September, 1968	69	(0.90 per cent.)
October, 1968	106	(1.39 per cent.)

EMPLOYMENT OF APPRENTICES IN LATROBE VALLEY.

Mr. HOLDING (Leader of the Opposition) asked the Minister for Fuel and Power—

1. How many apprentices are currently employed by the State Electricity Commission in the Latrobe Valley complex?

2. What will be the 1969 intake of apprentices in the Latrobe Valley?

3. Whether the successful completion of indenture will guarantee apprentices positions in the Commission?

Mr. BALFOUR (Minister for Fuel and Power).—The answers are—

1. Four hundred and sixty-three.

2. Approximately 100.

3. The 1969 apprentice intake has been informed that trade employment by the Commission will depend on requirements when training is complete.

HONEY INDUSTRY.

STABILIZATION PLAN.

Mr. GINIFER (Deer Park) asked the Minister of Lands, for the Minister of Agriculture—

Whether the proposal for a plan for stabilization of the honey industry has been discussed at any recent meetings of State Ministers of Agriculture; if so, what was the outcome of such discussions?

Sir WILLIAM McDONALD (Minister of Lands).—The answer provided by the Minister of Agriculture is—

Following discussions with the State Ministers of Agriculture the Australian Honey Board was established by the Commonwealth Honey Industry Act in 1962.

There has been no discussion of any plan for stabilization of the honey industry at any recent meetings of State Ministers of Agriculture.

LIEUTENANT-GOVERNOR'S SPEECH.

PRESENTATION OF ADDRESS-IN-REPLY.

The SPEAKER (the Hon. Vernon Christie).—As directed by this honorable House, I waited upon His Excellency the Governor on this day, and presented to him the Address of the Legislative Assembly, agreed to on 31st October last, in reply to the Speech of His Excellency the Lieutenant-Governor on the opening of Parliament. His Excellency was pleased to make the following reply:—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

In the name of and on behalf of Her Majesty the Queen I thank you for your expressions of loyalty to our Most Gracious Sovereign contained in the Address you have just presented to me.

I fully rely on your wisdom in deliberating upon the important measures to be brought under your consideration, and I earnestly hope that the results of your labours will be conducive to the advancement and prosperity of this State.

PERSONAL EXPLANATION.

NEWSPAPER ARTICLE.

Mr. B. J. EVANS (Gippsland East).—I desire to make a personal explanation concerning an article headed "Unfair Aid on Drought" which appeared at page 17 of today's issue of the *Sun News-Pictorial*. The article refers to an answer given in response to a question asked in the House concerning drought relief. In one passage, the article states—

Sir William was answering a question by Mr. Evans (Liberal, Ballaarat North).

I think it should be made quite clear that the question was not asked by Mr. Evans, of Ballaarat North. I asked the question and, of course, I represent the electoral district of Gippsland East.

It is regrettable that this is the second time in a couple of weeks that I have been referred to in the daily press as being a member of the Liberal Party, a description which I consider to be far from complimentary. I hope the representatives of the press will endeavour

to be more accurate when referring to honorable members and their political affiliations.

POULTRY PROCESSING BILL.

Sir WILLIAM McDONALD (Minister of Lands).—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 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 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 subsidized by its excess water content. Those Victorian processors of frozen chicken, finding themselves at an economic disadvantage compared with some interstate processors marketing high water content frozen birds in Victoria, have inevitably tended to increase the water content of their own products in order 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 "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. This figure has been amply confirmed by measurements made in Victorian and South Australian plants in recent months.

As I indicated in my opening remarks, 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 legislation. However, due to the importance placed on this matter, the Victorian Department of Agriculture has taken over the running, and I am again in a position to present to this 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 sessions. 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 also be 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 for this type of co-ordination by legislation, but it can and will be achieved through the Australian Agricultural Council.

The Bill now before the House is arranged in three Parts, which deal with administration, the process of preparing carcasses for sale, and miscellaneous matters. For the information of honorable members 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 operations and plants that produce only fresh carcasses. The provisions of the Bill cover processing of all poultry carcasses intended for sale, but initially it is proposed that the legislation shall apply only to the processing of frozen poultry. As I indicated earlier, at present there is 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 are specified. A penalty of $200 is proposed where an inspector is obstructed, hindered or disturbed in the exercise of his powers and duties.

Clauses 6, 7 and 8 contain the requirements with regard to registration. 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.

Clauses 9 to 12 make up Part II. of the Bill and 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. 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 considered to be unreasonable. Clause 12 sets out the conditions under which an appeal may be made and determined.

Clauses 13 and 14 are Part III. 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 to the result of a test to be prima facie evidence of the facts in such a certificate. Clause 14 empowers the Governor in Council 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, and I commend the Bill to the House.

On the motion of Mr. TRESIZE (Geelong North), the debate was adjourned.

It was ordered that the debate be adjourned until next day.

VALUATION OF LAND (AMENDMENT) BILL.

Mr. PORTER (Minister of Public Works).—I move—

That this Bill be now read a second time.

The proposed transfer of valuation staff from the Commissioner of Land Tax to the Valuer-General, as already announced by the Government, makes it necessary to provide the Valuer-General with the same authority to carry out valuations as the Land Tax Act gives to the Commissioner of Land Tax. In addition, there is a need to transfer to the Valuation of Land Act the same facilities as are provided for valuers in the Land Tax Act to cover the inquiries which may be necessary when carrying out valuations as required by the Probate Duty Act and the Stamps Act. Clause 2 introduces a new sub-section (5) of section 3, and clause 3 restates section 3A of the principal Act to give this necessary authority to the Valuer-General.

It is also necessary to transfer from the Land Tax Act the corresponding safeguards to ensure the maintenance of secrecy in all of the confidential matters which may come to the knowledge of the valuer by reason of his inquiries. This is achieved by the inclusion in clause 3 of the Bill of proposed new sub-sections (3) and (4) of section 3A. The corresponding provisions of the Land Tax Act covering all of the foregoing provisions are to be found in sections 4, 72 and 83 of that Act.

Another related matter concerns the transmission to the Commissioner of Land Tax of the assessments of unimproved value now being carried out by municipal councils under the

co-ordination of the Valuer-General. The Commissioner must be able to prepare for the receipt of valuation information, and it is considered reasonable that a council should be given two months after the return of the valuation or receiving the request, whichever is the later, to provide this information. This instruction to the council has been introduced in clause 5 of the Bill in the form of an amendment to section 7 of the Valuation of Land Act.

The Commissioner of Land Tax is already using the assessments of unimproved capital value returned to councils since late 1965. The experience so far suggests that, with the transfer of all of his valuation staff to the Valuer-General, the Commissioner should have a reasonable assurance that, where land tax may be payable, each council will, following the return of a valuation, serve a notice of valuation on the owner of the property—who is the person liable for the payment of land tax as distinct from the occupier who is primarily responsible for the payment of municipal rates—in order that the owner may have an early opportunity of lodging an objection against the valuation if he so wishes.

Clauses 9 and 10 clarify this position. Clause 9 provides for all objections to be lodged at the time when the notice of valuation from the council is received, while clause 10 requires that an owner shall receive a notice of valuation whether or not he is responsible for the payment of municipal rates. It also provides that each person receiving a notice of valuation from the council shall be made aware of the use in appropriate cases of unimproved value by the Commissioner of Land Tax if the amount of value and use of the property are such as to attract that tax. A similar notice must also be given in respect of any other rating authorities using the valuation.

A small amendment included in clause 10 affects sub-section (3) of section 37 of the Valuation of Land Act by providing for the case where the Valuer-General may be required to make certain valuations of unimproved value for the Commissioner in circumstances where they would not normally be made by the municipal council—for example, where land attracts land tax but is exempt from municipal rates.

Clauses 11, 12 and 13 deal with matters relating to rating valuations. Clause 11 is a machinery amendment consequent on the amendments in clause 10 while, to off-set the possibility of more than one objection being lodged in any one year, say, to a council and to another rating authority, clause 12 has been introduced to make it clear that there may be only one such objection lodged in respect of the same valuation in any one year.

Clause 13 clarifies the position, and makes it clear that any adjustment to a valuation as a result of objection is binding on all rating authorities using it and not only the rating authority which made it. Clause 15 complements clause 13 by providing for any decision of a court or board to be equally binding on all rating authorities using the valuation in respect of which a determination has been made.

I turn now to a matter which has caused some concern to many councils. Legal opinion has been given that costs could not be awarded against an appellant who caused the expenditure of money in preparation of defence of a valuation by a council, but withdrew before the actual hearing. Clause 14 corrects this situation. It also clarifies the authority of a court or board to award costs as a result of a determination made after a hearing, and to provide for their recovery. This latter facet of the situation had been in some slight doubt.

It has already been provided in clause 10 that in future each owner as well as an occupier shall receive a notice of valuation. Clause 16 now ensures the right of objection to any

person who receives a rate or tax demand notice, but who has not previously received a valuation notice, having a right of objection to the valuation. Clause 17 contains a small consequential amendment.

The remaining clauses of the Bill not already referred to deal with the powers of the court and the Land Valuation Board of Review in hearing disputes with respect to the value of land. Because of the doubts raised in court actions under the Valuation of Land Act, it has been necessary to clarify the right of the court and the boards of review to hear all disputes. On the advice of the Parliamentary Draftsman, this right will be given by means of regulations listing "prescribed Acts" mentioned in the text of clause 7 in preference to the listing of the numerous Acts concerned.

In the Supreme Court Mr. Justice Gillard expressed the view that sections 37 to 40, inclusive, of the Valuation of Land Act and the amendment to section 19 of the Probate Duty Act 1962, by section 13 of the Valuation of Land (Appeals) Act No. 7276, were irreconcilable with sections 18, 19 and 20 of the Probate Duty Act. The amendment in clause 7, together with that in clause 19, corrects this situation.

One or two matters which have caused some confusion in hearings concerning the compulsory acquisition of land are dealt with in clause 8. One concerns the liability for the payment of costs where a sum of compensation is awarded after the acquiring authority has asserted that none is payable and in the reverse case where the court or board finds that no compensation is payable after it has been claimed. These two cases are dealt with in paragraphs (*a*) and (*b*) of clause 8, while paragraph (*c*) removes a doubt now existing by making it clear that any amount of the solatium claim or award is not to be taken into account when determining the liability for the payment of costs. The Act already specifies the formula related to the sum claimed and the amount awarded. Paragraph (*d*) has been inserted because of the existing uncertainty surrounding the ability of the board to assess the quantum of costs and gives the court or board the necessary power to make an effective order for payment of costs.

Clauses 18, 19, 20 and 21 make amendments to related Acts with respect to the application of the Valuation of Land Act to the Local Government Act, the Probate Duty Act, the Soldier Settlement Act and the Stamps Act. The intention is to provide for a completely uniform approach to the assessment of compensation, in the case of the Local Government Act and the Soldier Settlement Act, and to the removal of any conflict between the Valuation of Land Act and the Probate Duty Act and Stamps Act, respectively. It will be seen that, all in all, the amendments are designed to make the Valuation of Land Act work more smoothly, and I therefore commend its provisions to the House.

On the motion of Mr. WILKES (Northcote), the debate was adjourned.

Mr. PORTER (Minister of Public Works).—I move—

That the debate be adjourned until tomorrow.

Mr. WILKES (Northcote).—I have discussed this matter with the Minister and have pointed out that this is a technical Bill. Under normal circumstances, the Opposition would require a longer period of adjournment, irrespective of whether the Bill had been debated in another place. Members of the Opposition will not have the advantage of reading what has been said in the Council on this Bill. However, in the circumstances, we shall be prepared to debate the Bill tomorrow, and the Minister has given an assurance that he will at least examine matters raised by members of the Opposition during the debate.

Mr. PORTER (Minister of Public Works).—I wish to place on record my appreciation of the ready co-operation of the Deputy Leader of the Opposition. I appreciate his position ;

this is a technical Bill. Since about 1960, he and I have taken part in debates on a number of Bills to amend the Valuation of Land Act. I repeat the assurance that I have already given the honorable member that any matters raised will be examined, even after the Bill becomes an Act.

The motion was agreed to, and it was ordered that the debate be adjourned until next day.

SUPERANNUATION (AMENDMENT) BILL.

The debate (adjourned from November 26) on the motion of Sir Arthur Rylah (Chief Secretary) for the second reading of this Bill was resumed.

Mr. CLAREY (Melbourne).—This Bill comprises a miscellaneous group of amendments to the Superannuation Act. The explanatory second-reading speech was delivered by the Chief Secretary on the 26th November, but I am glad that the Treasurer is now sitting at the table for this debate. The honorable gentleman should be in a position to answer questions more satisfactorily than some Ministers who have been at the table over the past few sitting days. Eight basic amendments to the principal Act are proposed. I shall refer to them briefly, but shall make whatever comments are appropriate to particular clauses at the Committee stage.

This Bill provides that, in future, the contributions to the Superannuation Fund paid by female contributors who marry will be returned. They will then no longer be eligible to contribute to that fund, but will be allowed to transfer to the Married Women's Superannuation Fund, which will be established under a measure passed by this House yesterday. I indicate now that the Opposition will vote against the proposal for reasons which I shall explain when dealing with the appropriate clause.

The second important amendment in the Bill provides that pensioners resuming duty after ill health must serve for an additional three years, or to within three months of their maximum retiring age, before being eligible to take out additional superannuation units to which they would otherwise be entitled. The Chief Secretary explained that, at present, when such pensioners returned to work, because of salary increases which might have accrued during the period of their retirement, they would be entitled to take out additional units of superannuation. The Minister pointed out that some of these people may not be back at work for very long before again retiring on superannuation, and thus would be eligible to benefit from additional superannuation units for which they had made little contribution.

The third provision in this measure relates to those who begin to contribute to the fund when they have only a limited number of years of prospective service. At present, those who join the fund with less than twenty years' prospective service—that is, those who come into the service after reaching the age of 45 years—may contribute for only a reduced number of units, the number being conditional upon the number of years of prospective service. This Bill proposes that, in future, a similar principle will be applied to those who have less than 30 years' prospective service.

The fourth change effected by the Bill relates to the rights of certain officers, appointed for a term of years, who are not reappointed on the conclusion of that term. Clause 6 which deals with these officers refers to officers appointed under paragraph (*j*), (*ja*) or (*jb*) of sub-section (1) of section 3 of the Act and to new appointees to an office mentioned in Part II. of the Second Schedule. Some years ago, without the officers who were entitled to contribute to the

Superannuation Fund being specifically defined, provision was made that—

any person or class of persons holding any office—

(i) under the Crown; or

(ii) as a member of or in the service or employment of any body created by or under any Act of Parliament to which officer the Governor in Council, on the recommendation of the Treasurer of Victoria, by Order published in the *Government Gazette* declares that the provisions of this Act shall apply—

would be an officer for the purpose of the Act. Other provisions dealt with similar types of employees. A perusal of the *Government Gazette* indicates that, recently, a number of such officers employed by the Victorian Pipelines Commission and other bodies have been covered. Some such officers may be appointed for a limited number of years; they would not have a right to continue in the employment until they reached the age of 65. Apparently, the Solicitor-General has expressed the opinion that, although these people are appointed for only a prescribed term, when they retire they are entitled to the full pension benefit which would have been applicable if they served until the age of 65 years, or to the age of 60 years if they had nominated that age of retirement. A somewhat similar position would arise in connexion with officers specifically mentioned in the Second Schedule to the Act.

This Bill provides that, instead, those officers will be entitled to a lump sum payment of three and a half times the amount which they have contributed to the fund. In other words, although these officers may be appointed for only a limited term, and are not reappointed, a contribution of two and a half times the amount they themselves have contributed will be made from Consolidated Revenue towards a lump sum retirement payment. If, for instance a person had contributed $2,000, the Government would contribute $5,000, and the lump sum retirement payment would be $7,000.

There is a further provision in the Bill that such officers, who are over the age of 50 and have contributed to the Fund for fifteen years or more, may choose not to take a lump sum payment but to wait until they reach the age of 65 years and then receive a pension which will be calculated according to a new Table C. It will not be a full pension; depending on the retirement age, the value of the unit will be adjusted, but it will be less than if they had served until reaching the age of 65 years. I should imagine that, in most cases, such officers would choose the lump sum payment.

There is a special provision in the measure for a pension to be paid at a reduced unit rate—on his reaching the age of 65 years—to a contributor who resigns after contributing to the Fund for fifteen years, if he is over the age of 50 years. I emphasize that this provision refers to an officer who resigns, not to one who leaves the Service on retirement on account of ill health or a similar reason. Under the present Act, such a person would be entitled only to a refund of the contributions he had made to the Superannuation Fund. In many respects, the proposed new provision is generous. If the officer wishes to do so, he may obtain a pension, reduced on an actuarial basis, at the age of 60 years.

The sixth main proposal in the Bill is to give authority to the Board, in certain circumstances, to offer an ill-health pensioner a lump sum payment equivalent to five times the annual rate of pension in lieu of the pension. This amendment to section 46 of the Act relates to the liability of a pensioner who could be recalled to work. At present, a pensioner whose health is such that he could perform suitable duties may be recalled to work. As the Chief Secretary explained, there may be particular circumstances—particularly in the case of female teachers—in which the person concerned is not capable of resuming the work he or she previously

did, but is capable of carrying out other duties in a different branch of the Public Service, but a suitable job is not available at the salary the officer previously received. The Bill provides that those officers may be offered a lump sum payment equivalent to their pension entitlement for five years, if they are under the age of 40 years.

A very important provision is to change the name of the "State Superannuation Board" to the "State Superannuation Board of Victoria". The Opposition will not oppose any part of the Bill except that which, in its opinion, will inflict an injustice upon women employees. Members of the Opposition believe that there should be no discrimination between females and males in employment, rates of payment, pensions, and so on. As a matter of principle, we claim that, if a female who is contributing to the fund marries and is not obliged to resign her employment, she should not be penalized if she carries on.

Mr. MOSS (Leader of the Country Party).—I do not wish to traverse the ground so adequately covered by the Chief Secretary in his second-reading speech and by the honorable member for Melbourne. The Country Party supports the Bill, which brings superannuation provisions up to date in a practical way. I do not quite follow the point of the honorable member for Melbourne concerning the clause which he has indicated the Opposition will oppose. No doubt, the Premier and Treasurer will say something about it at the Committee stage.

Sir HENRY BOLTE.—Yesterday, the House passed a superannuation Bill to create a special superannuation fund for married women. How on earth can they be in both?

Mr. MOSS.—That was the point which confused me.

Mr. CLAREY.—Those who are at present contributors to the Superannuation Fund will not be thrown out of it, so there will be married women contributing to both funds.

Mr. MOSS.—No doubt that point will be cleared up in Committee. This measure will remove certain anomalies. In addition, the Bill will establish an important principle by authorizing the Board under certain circumstances to convert the superannuation benefits of those in ill-health to lump sum payments. Briefly, members of my party support the spirit of this Bill and hope it will pass without undue delay.

The motion was agreed to.

The Bill was read a second time and committed, *pro forma*.

Sir HENRY BOLTE (Premier and Treasurer) presented a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of this Bill.

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

The House went into Committee for the consideration of the Bill.

Clause 1 was agreed to.

Clause 2, providing, *inter alia*—

(2) At the end of the section 3 of the Principal Act there shall be inserted the following section :—

"3A. (1) This Act does not apply to a female officer (other than a female officer who was a married woman and a contributor at the commencement of the Superannuation (Amendment) Act 1968) while she is married.

(2) This Act does not apply to a female officer who has ceased to be married until the Board is satisfied that she has ceased to be married and issues its certificate to that effect."

Mr. CLAREY (Melbourne).—I indicated that the Opposition does not favour the proposal to remove married women from the ambit of the Superannuation Act. That

removal is proposed by sub-clause (2) which inserts the following new section 3A in the principal Act:—

(1) This Act does not apply to a female officer (other than a female officer who was a married woman and a contributor at the commencement of the superannuation (Amendment) Act 1968) while she is married.

(2) This Act does not apply to a female officer who has ceased to be married until the Board is satisfied that she has ceased to be married and issues its certificate to that effect."

The Opposition originally proposed to vote against sub-clause (1) of clause 7, which amends section 6 of the principal Act by substituting a new subsection (1) which provides, *inter alia*—

" Where a contributor—

(*a*) is discharged or dismissed or has his employment otherwise terminated in a manner not specifically mentioned in this Part or being a female officer marries—there shall be refunded to that contributor the actual amount of the contributions paid by that contributor.

If I had waited until clause 7 was discussed to express my opposition to clause 2, I would have been in an anomalous position. Members of the Opposition are opposed to the principle of saying to a female who is at present in the fund, " You may continue to contribute to the Superannuation Fund until you reach 60 years of age and then you may receive all the benefits accruing to you, but if you marry, you must leave the fund ". As the Treasurer stated, when a female marries, she can transfer to the Married Women's Superannuation Fund. However, the benefits available from that fund are not so attractive as those that apply in the Superannuation Fund. On retirement from the Married Women's Superannuation Fund, a female would receive a Government payment of only one and a half times her contributions as against a payment of two and a half times her contributions from the Superannuation Fund, if a lump sum should be required. The benefits under the Superannuation Fund are infinitely superior. A woman should not be penalized upon her marriage. Therefore, the Opposition proposes to vote against this clause.

I seek your guidance, Mr. Acting Chairman. Unfortunately, clause 2 relates to two distinct matters—it establishes a new table C to which I referred in debating the motion for the second reading of the Bill, and it proposes a new section 3A of the principle Act relating to the non-application of the Act to certain married females. The Opposition does not wish to vote against table C.

The ACTING CHAIRMAN (Mr. Stokes).—The honorable member may move that sub-clause (2) of this clause be omitted.

Sir HENRY BOLTE (Premier and Treasurer).—The Superannuation Board is really the trustee for a large fund and it is acting in the interests of contributors generally. As honorable members are aware, contributors obtain certain entitlements and benefits when they retire. It is not the duty of the trustee to recommend " giveaways " unless they are reasonably actuarialy sound and can be explained and understood. No one could explain, least of all understand, how married women could be placed on the same basis as ordinary contributors in any superannuation fund.

Mr. CLAREY.—It is done at present.

Sir HENRY BOLTE.—If the honorable member for Melbourne was alert, he should have opposed the Married Women's Superannuation Fund Bill yesterday.

Sir HERBERT HYLAND.—The Opposition is now opposing provisions of that Bill.

Sir HENRY BOLTE.—Members of the Opposition should have opposed the Married Women's Superannuation

Fund Bill yesterday. This is an extraordinary situation. Yesterday, the honorable member for Melbourne was helpful, and I felt that he was fathering the Bill more than I was. Between us we succeeded in having it passed. Today he is submitting a proposal that cuts across the spirit of that Bill. I cannot accept the amendment foreshadowed by the honorable member for Melbourne because Parliament should not loosely accept suggestions without a careful analysis by actuaries and the trustees of the fund on their over-all effects.

Today in answer to a question asked by the Deputy Leader of the Opposition, the Superannuation Board expressed its regret that it had to submit a three-year summary at the one time. This was caused by insufficient staff and mainly because never in the history of the Superannuation Board has the Superannuation Act been so extensively amended as during the past three years to provide more liberal and realistic benefits to contributors. Generally speaking, the fund is tremendously healthy and, with continuing increases in interest rates, the annual average earnings from the fund are increasing year by year. Again, this is in the interests of the contributors. The amendment foreshadowed by the honorable member for Melbourne would, to a degree—I concede that it would not be to a great degree—injure the investment of the average contributor. Married women who contribute to this fund cannot expect to receive the same benefits as normal contributors to a superannuation fund.

I have made these remarks to explain why the Government is not blindly or slavishly following the recommendations of the Superannuation Board. It does place great store on the Board's advice, suggestions and propositions from time to time. The Government cannot accept the amendment which will be proposed by the honorable member for Melbourne.

Mr. CLAREY (Melbourne).—I move—

That sub-clause (2) be omitted.

I have listened with interest to the remarks of the Treasurer, and I agree with some of his concluding statements concerning the way in which the fund is being administered and its satisfactory financial position which the published accounts and the next quinquennial investigation will probably reveal.

The Premier really side-stepped the point raised by the Opposition. He said that yesterday the Opposition accepted a measure relating to the establishment of a Married Women's Superannuation Fund. I point out that females who are at present contributing to the State Superannuation Fund are in a far better position than if they transfer to the Married Women's Superannuation Fund.

The Married Women's Superannuation Fund is really a re-establishment of the former Married Women Teachers' Fund. Previously, there was no separate married women's superannuation fund. The Government had been contributing the same amount as the contributors to that fund. When the new fund is established, the Government will contribute one and a half times the amount of contributions made by contributors. Those who remain in it and are entitled to a lump sum payment will receive two and a half times their contributions. Although I agree that the new Married Women's Superannuation Fund will be an improvement on the previously existing Married Women Teachers' Fund, it is not as good as the State Superannuation Fund. Because the new fund was better than the former one, the Opposition supported that Bill.

Under this Bill, it is proposed that, after marriage, women shall not continue to contribute to the State Superannuation Fund; they will be transferred to the newly-established Married Women's Superannuation Fund. I do not know why there should be this sudden departure because the small number of contributors involved would not unduly interfere with or adversely affect the stability of the Superannuation Fund with which we are now dealing.

I cannot understand the Treasurer's objection. The Government is attempting to do certain people a disservice by telling them that, although, when they first contributed to the State Superannuation Fund they could still remain in it if they subsequently married, that situation will no longer apply.

The Committee divided on the question that the sub-clause proposed by Mr. Clarey to be omitted stand part of the clause (Mr. Stokes in the chair)—

Ayes	48
Noes	14
Majority against the amendment ..	34

AYES.

Mr. Balfour	Mr. Rafferty
Mr. Billing	Mr. Reid (*Box Hill*)
Sir John Bloomfield	Mr. Ross-Edwards
Sir Henry Bolte	Mr. Rossiter
Mr. Borthwick	Sir Arthur Rylah
Mr. Buckley	Mr. Scanlan
Mr. Cochrane	Mr. Smith (*Bellarine*)
Mr. Darcy	Mr. Smith (*Warrnambool*)
Mr. Doyle	Mr. Stephen
Mr. Dunstan	Mr. Suggett
Mr. Evans (*Ballaarat North*)	Mr. Tanner
Mr. Evans (*Gippsland East*)	Sir Edgar Tanner
Mrs. Goble	Mr. Taylor
Mr. Hayes	Mr. Templeton
Sir Herbert Hyland	Mr. Trethewey
Mr. Jona	Mr. Trewin
Mr. Loxton	Mr. Vale
Mr. MacDonald (*Glen Iris*)	Mr. Wheeler
Mr. McDonald (*Rodney*)	Mr. Whiting
Mr. McKellar	Mr. Wilcox
Mr. McLaren	Mr. Wiltshire.
Mr. Manson	
Mr. Mitchell	*Tellers:*
Mr. Moss	Mr. Broad
Mr. Porter	Mr. Dixon.

NOES.

Mr. Clarey	Mr. Sutton
Mr. Divers	Mr. Turnbull
Mr. Edmunds	Mr. Wilkes
Mr. Floyd	Mr. Wilton.
Mr. Ginifer	
Mr. Holding	*Tellers:*
Dr. Jenkins	Mr. Fennessy
Mr. Stoneham	Mr. Trezise.

PAIRS.

Mr. Lovegrove	Mr. Reese
Mr. Meagher	Mr. Ring.

The clause was agreed to, as were clauses 3 to 6.

Clause 7 (As to rights on discharge dismissal or resignation).

Mr. CLAREY (Melbourne).—Owing to the lateness of the hour and the fact that I covered the clauses fairly fully in my second-reading speech, I shall not deal with them in detail in Committee. However, I propose to refer to clause 7 to indicate to the Government that the Opposition examines each measure with a microscope, as it were. I direct the Treasurer's attention to sub-paragraph (ii) of paragraph (*b*) of proposed new sub-section (1) of section 36 of the principal Act, as contained in this clause, which provides for the payment of a reduced pension to contributors who resign. Under this provision, a person who has attained the age of 50 years and has been a contributor for fifteen years shall be entitled to certain pension entitlements. The sub-paragraph, as drafted, includes the expression—

> "to receive a pension entitlement payable at the age of 65 years, and the amount of such pension entitlement per unit held by him"

shall be as set out in the table in this clause. I do not think the word "and" should be included in this provision; its inclusion is not only superfluous but also nonsensical. I suggest that this word should be deleted from the sub-paragraph; otherwise, in the next Statute Law Revision Bill which will correct a whole list of misprints and other minor errors in various enactments, it will be necessary to rectify the error.

Sir HENRY BOLTE (Premier and Treasurer).—If the honorable member for Melbourne is correct in his assertion that the word " and " should be omitted from the sub-paragraph, the clause will be amended in another place.

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

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

The sitting was suspended at 12.50 *p.m. until* 2.6 *p.m.*

MELBOURNE HARBOR TRUST LAND BILL.

The debate (adjourned from November 26) on the motion of Mr. Porter (Minister of Public Works) for the second reading of this Bill was resumed.

Mr. FLOYD (Williamstown).—This is a small Bill, which will not be opposed by honorable members on the Opposition side of the House. It concerns a small triangle of land which is situated adjacent to the Footscray-road and abutting the eastern side of Old Footscray-road. On numerous occasions, legislation has been introduced into Parliament to place certain Crown lands under the control of the Melbourne Harbor Trust. Yesterday, I was informed by the chairman of the Trust that this small piece of land had been over-looked on some earlier occasion, and its transfer to the Trust has now become an urgent matter so that a new road and railway can be constructed. From discussions with the Commissioners, I understand that the lessees of the land will not be affected.

The new road will be known as Coode-road, no doubt in recognition of a former chairman of the Melbourne Harbor Trust. The island was named Coode Island when the Yarra river was diverted from its original course. Years ago, the canal was cut to allow the Yarra river to run in a straight line, and the Coode Canal has now become the Yarra. Great development has taken place on the Yarra river over the years. In fact, the development has probably been greater than on any other river of comparable size. The Victoria Docks and the Appleton Docks have been established and the Swanson Dock, which will be used for ships carrying containers, is in the course of construction. The railway line, which will skirt the docks, will run almost parallel to Footscray-road. It is necessary for this small piece of land to be acquired by the Melbourne Harbor Trust in order that the railway line may be constructed, because the line will be needed when the Swanson Dock is operating. When the new road is constructed some of the pressure will be taken off Footscray-road because the traffic will go down Dudley-street and use this new road.

Some of my colleagues have asked if it will be a private road. It will be a private road in so far as the Melbourne Harbor Trust is concerned, but it will be open to the public although it will hardly be used by them in travelling from one point to another. They will use Footscray-road. It will also be used by people having business at the Swanson Dock.

There is no need for me to delay the passage of the Bill ; it contains a logical procedure to give a small piece of land to the Melbourne Harbor Trust. The present lessees will not be inconvenienced. When their leases expire—some as late as 1980—they will probably not be renewed. No buildings will be demolished to make way for the road. The necessary treating with the present lessees is almost completed, and I believe this has been conducted in a harmonious manner. I wish the Bill a speedy passage.

Mr. WHITING (Mildura).—The honorable member for Williamstown, as usual, has given the House the historical facts on the alteration of the courses of the Yarra and Maribyrnong rivers. The honorable member has lived in the area for many years and is familiar with the historical events which have affected this important part of Melbourne. This is valuable information for honorable members.

The area of land in the Parish of Doutta Galla which is the subject of this Bill was not, for reasons that I do not understand, handed over to the Melbourne Harbor Trust when it was granted the rest of the land in the area. Apparently at that stage, the Trust could not put forward sufficient reason for having the land transferred to it and it was held as a Crown reservation. Approximately ten years ago, the land was leased to various people and unfortunately some of the leases do not expire until 1980. The land will not be available to the Trust until these leases have expired, but the present lessees are prepared to negotiate with the Harbor Trust Commissioners with regard to the section of land which will become Coode-road. It is probably the most important section of the area at this stage, even though it consists of only 3 acres. It is urgent that this area should be made available to the Commissioners for road construction purposes to permit the development of access roads to the container berths at the Swanson Dock.

The provision of a railway line adjoining the additional area to be added to new Footscray-road is a worth-while project, and I am sure that the honorable member for Williamstown, because of his views on fixed rail transport, will agree that rail access to the container berths should be provided at the earliest opportunity.

The purpose of the Bill is to grant the whole of the area to the Melbourne Harbor Trust; the Old Footscray-road, which is shown on the map supplied by the Minister of Public Works when he made his second-reading speech, is to be eliminated and the lessees occupying the land which will be owned by the Melbourne Harbor Trust will be able to gain access to some of the new roads that are built.

It will be necessary to establish Coode-road, which will connect with the new Footscray-road, and to eliminate Old Footscray-road which at the moment is in a bad state of repair and runs diagonally across the area rather than parallel to new Footscray-road, as will Coode-road. I am amazed that the administrative officers of the Lands Department could not foresee further development in the area owned by the Melbourne Harbor Trust and did not make provision for this land to be transferred to the Trust when other legislation was being considered.

The Country Party supports the Bill and hopes the Melbourne Harbor Trust will fully develop the area and make the container berths at the Swanson Dock efficient because in the long run this will reduce the cost of handling goods in the port of Melbourne and thereby reduce costs of production.

The motion was agreed to.

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

PERPETUITIES AND ACCUMULATIONS BILL.

The debate (adjourned from October 22) on the motion of Mr. G. O. Reid (Attorney-General) for the second reading of this Bill was resumed.

Mr. G. O. REID (Attorney-General). (*By leave*).—It might be opportune for me briefly to explain the circumstances surrounding the reintroduction of this Bill. In April of this year, I moved the second-reading of the measure to amend the law relating to the rule against perpetuities and

the law relating to the rule against accumulations. This legislation is the result of a recommendation made by the Chief Justice's Law Reform Committee on this branch of the law. The recommendation was to the effect that the law needed amending to bring it into line with the law as it applied in other parts of the British Commonwealth.

The rule against perpetuities is of very long standing and has been developed substantially by the common law with some statutory modification. It was a rule made against a man who either by his will or by deed left property in such a way that no one was actually able to become the owner of that property until some remote time in the future. The type of man who devises that kind of provision must be rather vain and is probably of the cast of those who dominate their families and after death want to rule their families from the grave and prevent them from having the enjoyment of the property.

This rule has been developed over the years, but the Chief Justice's Law Reform Committee found that there has been a considerable need for modification of the rule. I do not propose to go into detail because the Bill was fully explained in my second-reading speech last April. It was decided at that stage that the Bill should be referred to the Statute Law Revision Committee for further report. The committee was unable to complete its deliberations for some time and in this sessional period it became necessary, after prorogation of Parliament, to reintroduce the Bill. I did so a few weeks ago and shortly afterwards the Statute Law Revision Committtee made its report. It agreed substantially with the recommendation of the Chief Justice's Law Reform Committee, but suggested certain amendments which the Government has accepted and which will be covered by amendments I will move during the Committee stage.

The Bill also relates to a statutory rule known as the rule against accumulations whereby people have made provisions tying up the benefit of the income from their property, as distinct from the capital, for long periods. The recommendation of the Chief Justice's Law Reform Committee was that these statutory provisions should be abolished, and the Bill follows that recommendation.

Excellent work has been done in this matter by a sub-committee of the Chief Justice's Law Reform Committee presided over by Mr. Justice Adam, who is a great authority on this branch of the law and at one time was lecturer in the law of real property at the University of Melbourne. The sub-committee has done a service to this State by recommending this praiseworthy move. I pay a tribute also to the Statute Law Revision Committee, which has devoted its time to this highly technical and difficult branch of the law and produced an excellent report. I thought it necessary to make that brief explanation to bring members up to date with the situation.

Mr. LOVEGROVE (Sunshine).—The Opposition does not oppose the Bill and, on its behalf, I join with the Minister in thanking the sub-committee of the Chief Justice's Law Reform Committee, headed by Mr. Justice Adam, who gave the Statute Law Revision Committee considerable assistance in this matter. I should also like to thank the Minister for his kindness in commenting upon the Statute Law Revision Committee and Messrs. M. M. Davidson and E. A. Hobson, representing the Life Officers' Association of Australasia, and Mr. A. X. Lyons, Assistant Parliamentary Draftsman, who gave the Statute Law Revision Committee invaluable assistance.

Mr. ROSS-EDWARDS (Shepparton).—The Country Party supports this extremely technical proposed legislation. The House has been fortunate to have the assistance of the Chief Justice's Law Reform Committee and the Statute Law

Revision Committee in framing the proposed amendments. The law known as the rule against perpetuities is not as important today as it was in earlier times, because wills made today tend to be simpler and are prepared under much more common-sense procedures than formerly. Of course, the law is still necessary, but today it applies more to superannuation funds, and so on. I commend the Bill to the House.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 (short title).

Mr. G. O. REID (Attorney-General). —I move—

That, in sub-clause (2), the word "disposition" be omitted with the view of inserting the word "dispositions".

A number of amendments are proposed. They have arisen from recommendations made by the Statute Law Revision Committee. I have circulated to members of the other parties written notes relating to the proposed amendments, because this is a rather technical Bill. It might be appropriate at this stage to say that one of the amendments suggested by the Statute Law Revision Committee is not to be adopted. To a large extent, it concerns a matter of form rather than of substance. The Statute Law Revision Committee proposed that section 126 of the Property Law Act 1958 should be incorporated in the Bill. This section of the Act relates to rent charges, and the committee thought it might appropriately be brought into this Bill. However, section 126 deals with the rather special powers and remedies conferred on the proprietors of rent charges by the preceding section of the Property Law Act. My feeling is that it would be preferable to leave the section stand in its present context, where it forms an integral part of a kind of code dealing with rent charges. For that reason, the Government does not propose to adopt that recommendation of the Statute Law Revision Committee which recommendation, as I have said, is one of form rather than of substance.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 2 to 13.

Clause 14—

(1) The rule against perpetuities shall not operate and shall be deemed never to have operated to invalidate a power conferred on trustees or other persons to sell lease exchange or otherwise dispose of any property for full consideration or to do any other act in the administration (as opposed to the distribution) of any property, and shall not prevent and shall be deemed never to have prevented the payment of trustees or other persons of reasonable remuneration for their services.

(2) This section—

(*a*) shall not render any trustee liable for any acts done prior to the commencement of the Trustee Act 1953 for which such trustee would not have been liable if this section and any corresponding previous enactment had not been enacted;

(*b*) shall not enable any person to recover any money distributed or paid under any trust if he could not have recovered such money if this section and any corresponding previous enactment had not been enacted.

Mr. G. O. REID (Attorney-General). —I propose to move three amendments to this clause, the explanation of which is as follows: Clause 14 re-enacts, with amendments, portion of section 73 of the Trustee Act 1958, which in turn re-enacted the corresponding section of the Trustee Act 1953. The section provides that the rule against perpetuities is to be deemed never to have applied to certain activities. For this reason the section contains a second sub-section which prevents the reopening of transactions made in accordance with the law as it stood before the 1953 provisions were enacted.

In the preparation of the Bill, it was not appreciated that the second sub-section should now make provision preventing the reopening of transactions made in accordance with

the law as it stood between the enactment of the 1953 provisions and the making of the further amendments of the section proposed by the Bill.

The words proposed to be inserted by the second proposed amendment should clearly have appeared in the original section as enacted in 1953, and I feel that the opportunity should now be taken to make the intention expressed, rather than merely implied.

I move—

That, in paragraph (*a*) of sub-clause (2), the words "had not been enacted" be omitted with the view of inserting the expression, "or for any acts done after the commencement of the Trustee Act 1953 but before the commencement of this Act for which such trustee would not have been liable if this section had not been enacted".

The amendment was agreed to.

Mr. G. O. REID (Attorney-General). —I move—

That, in paragraph (*b*) of sub-clause (2), the words "under any trust" be omitted with the view of inserting the words, "before the commencement of the Trustee Act 1953".

The amendment was agreed to.

Mr. G. O. REID (Attorney-General). —I move—

That, in paragraph (*b*) of sub-clause (2), the word "enacted" be omitted with the view of inserting the expression, "or any money distributed or paid under any trust after the commencement of the Trustee Act 1953 but before the commencement of this Act if he could not have recovered such money if this section had not been enacted".

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

Clause 15 was verbally amended, and, as amended, was adopted, as was clause 16.

Clause 17, providing, *inter alia*—

(1) The rule of law known as the rule against perpetuities shall not apply and shall be deemed never to have applied so as to render void a trust or fund established for the purpose of making provision by way of assistance, benefits, superannuation, allowances, gratuities or pensions for the directors, officers, servants or employes of any employer or the widows or children or dependants of any such directors officers servants or employes or for any person duly selected or nominated for that purpose by any such directors officers servants or employes pursuant to the provisions of such trust or fund.

(2) This section—

(*a*) shall not render any trustee liable for any acts done prior to the commencement of the Trustee Act 1953 for which such trustee would not have been liable if this section and any corresponding previous enactment had not been enacted;

(*b*) shall not enable any person to recover any money distributed or paid under any trust if he could not have recovered such money if this section and any corresponding previous enactment had not been enacted.

Mr. G. O. REID (Attorney-General). —I propose to move six amendments to this clause. The first and third are inter-related, and are intended to carry out the recommendation made by the Statute Law Revision Committee in paragraph 25 of its report that the clause should exclude from the operation of the rule against perpetuities non-employee superannuation schemes as well as the employee schemes dealt with by the clause at present. The committee felt that the class of non-employee schemes to be excluded should be described restrictively in order to prevent abuses, and suggested that section 19 of the Law Reform (Property Perpetuities and Succession) Act 1962 of Western Australia might be adapted for the purpose.

I have considered this recommendation, and have formed the view that it would be wiser to draw the exclusion in terms similar to those used in Western Australia. I fear that any restrictions incorporated in the clause could have unjust consequences, and do not feel that a broader clause would be abused, particularly having regard to the effects on such schemes of the Commonwealth income tax legislation and the State legislation relating to probate and stamp duties. I accordingly propose that the Committee should follow the West Australian precedent in this respect.

The second proposed amendment follows the recommendation made by the Statute Law Revision Committee

in paragraph 22 of its report that the part of the clause dealing with employee schemes should be drawn in wider terms in the spirit of the exemptions available under the income tax and probate and stamp duty legislation, which take account of the variety of beneficiaries who are provided for by modern schemes.

The fourth, fifth and sixth amendments are in the same terms, and intended for the same purpose, as the amendments of clause 14, since this clause re-enacts with amendments another portion of the same section of the Trustee Act 1958. I move—

That, in sub-clause (1), the words "render void a trust" be omitted with the view of inserting the words, "render void—(*a*) a trust".

The amendment was agreed to.

Mr. G. O. REID (Attorney-General). —I move—

That, in sub-clause (1), the words "widows or children or dependants" be omitted with the view of inserting the words, "spouses children grandchildren parents dependants or legal personal representatives".

The amendment was agreed to.

Mr. G. O. REID (Attorney-General). —I move—

That, in sub-clause (1), the word "fund" be omitted with the view of inserting the following expression:—

"fund; or

(*b*) a trust or fund established for the purpose of making provision by way of superannuation for persons (not being employés) engaged in any lawful profession trade occupation or calling or the spouses children grandchildren parents dependants or legal personal representatives of any of those persons or for any persons duly selected or nominated for that purpose pursuant to the provisions of the trust or fund".

The amendment was agreed to.

Mr. G. O. REID (Attorney-General). —I move—

That, in paragraph (*a*) of sub-clause (2), after the word "enacted" the words, "or for any acts done after the commencement of the Trustee Act 1953 but before the commencement of this Act for which such trustee would not have been liable in this section had not been enacted" be inserted.

The amendment was agreed to.

Mr. G. O. REID (Attorney-General). —I move—

That, in paragraph (*b*) of sub-clause (2), after the words "under any trust", the words "before the commencement of the Trustee Act 1953" be inserted.

The amendment was agreed to.

Mr. G. O. REID (Attorney-General). —I move—

That, in paragraph (*b*) of sub-clause (2), after the word "enacted" the words, "or any money distributed or paid under any trust after the commencement of the Trustee Act 1953 but before the commencement of the Act if he could not have recovered such money if this section had not been enacted" be inserted.

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.

FISHERIES BILL.

The House went into Committee for the further consideration of this Bill.

Clauses 2 to 5 were agreed to.

Clause 6 (Honorary inspectors).

Mr. B. J. EVANS (Gippsland East).—This clause refers to the appointment of honorary inspectors of fisheries. Sub-clause (3) indicates that an honorary inspector of fisheries shall have and may exercise any of the powers conferred upon an inspector of fisheries by the Fisheries Act or the regulations. Does this mean all the powers, or will each individual honorary inspector have specified powers? I seek some clarification from the Chief Secretary on this point. Does this sub-clause confer on an honorary inspector all of the powers exercised by an inspector of fisheries?

Sir ARTHUR RYLAH (Chief Secretary).—It means any powers that have been conferred upon an inspector by the Act or regulations, so that an honorary inspector will have all the powers which are conferred upon an inspector.

The clause was agreed to, as were clauses 7 to 10.

Clause 11 (Membership of council).

Mr. B. J. EVANS (Gippsland East).—This clause relates to the Commercial Fisheries Council, and, so far as I can see, it is a re-enactment of the existing provisions. I raise a question in regard to the constitution of the council, which shall consist of a person representing the interests of professional fishermen, one person representing the interests of wholesale and retail traders, and two officers of the Fisheries and Wildlife Branch. Sub-clause (3) states that a quorum of the council shall consist of three members and that, subject to there being a quorum, the council may act notwithstanding any vacancy in its membership. In view of the constitution of the council, it can operate without any professional fishermen being represented. It has been suggested to me that provision should be made for proxy representation of professional fishermen. It seems strange that an organization which is established to represent the interests of commercial fishermen could in fact operate without their being represented.

The Chief Secretary should examine this situation to ascertain whether provision could be made for a deputy or a proxy appointment to represent professional fishermen, particularly in view of the problems that may be associated with the professional fishermen's representative, who may come from a distant part of the State. If he was actively engaged in fishing, he could be at sea when the council was meeting, and, having only one representative, this would limit the effectiveness of the fishermen's voice on the Commercial Fisheries Council. I do not propose to suggest any amendment, but I direct this matter to the attention of the Chief Secretary and ask him to examine it.

Sir ARTHUR RYLAH (Chief Secretary).—I thank the honorable member for his suggestion, and I shall examine it. I suppose, to be fair, a similar provision should be provided for the other side, because there may be reasons — perhaps not distance, but sickness or something else— which would prevent their being represented also. I shall examine the point, and if necessary an amendment may be proposed later.

The clause was agreed to, as were clauses 12 to 14.

Clause 15, providing, *inter alia*—

(1) The following fees shall be paid for the issue or renewal of the licences referred to in this Part, namely:—

(*a*) for a master fisherman's licence—$25 together with an additional fee of $5 for each of the persons the number of whom is specified in the licence as the authorized crew of the master fisherman;

(*b*) for a barracouta licence—$20;

(*c*) for a bait licence—$20;

(*d*) for an abalone licence—$200;

(*e*) for a processor's licence—

(i) to any trading society registered under the Co-operation Act 1958 to promote the interests of fisherman and carrying on business as such —$100; and

(ii) to any other person—$250;

(*f*) for a marine harvesting licence—$100;

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That, in paragraph (*a*) of sub-clause (1) after the word "fisherman" the expression "but in the case of a person who has had not less than 15 years' experience as a commercial fisherman and is an old age or invalid pensioner under the Commonwealth Act for the time being in force relating to social services or is a totally and permanently incapacitated pensioner under the Commonwealth Act for the time being in force relating to repatriation of discharged servicemen the total fee payable shall be $10" be inserted.

Through the courtesy of honorable members, I was permitted to explain this amendment when I made a statement by leave last night prior to the resumption of the second-reading debate. It is unnecessary for me to go over the ground again, but the amendment is an attempt to provide a concession to pensioners who have been in the business for a long time.

Mr. WILTON (Broadmeadows).—The Opposition has no objection to this amendment. It is a reasonable proposal in relation to a person who has had not less than fifteen years in the industry and desires to continue to take a somewhat restricted active interest in the industry in the future.

The amendment was agreed to.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That paragraph (*e*) of sub-clause (1) be omitted, with the view of inserting the following paragraph:—

"(*e*) for processor's licence—

(i) to any body corporate not being a trading society referred to in sub-paragraph (ii)—$250;

(ii) to any trading society registered under the Co-operation Act 1958 to promote the interests of fishermen and carrying on business as such a trading society—$100;

(iii) to any partnership—$25 in respect of each partner but not exceeding—in the case of a partnership where each of the partners is the holder of a master fisherman's licence or an abalone licence —$100;

in the case of any other partpership—$250; and

(iv) to any individual person—$50;".

This amendment relates to a processor's licence. The Government had difficulty in drafting this amendment, but I think a compromise has been worked out which, I understand, is acceptable to both the Opposition and the Country Party. The problem here is that a processor can vary from a large company carrying on a large business to an individual, such as one of the constituents of the Premier, who is processing eels at Skipton. The Government has attempted to cater for every case. A fee of $100 is to be charged for a co-operative; a fee of $25 for each partner of a partnership, but not exceeding a total fee of $100 where each partner holds a master fisherman's licence or an abalone licence; and a fee of $250 in relation to all other partnerships. An individual person will pay a fee of $50 and a body corporate a fee of $250. I believe the proposed fees will ensure, without hardship to anyone, a reasonable contribution from the processors towards the research work that is being carried out by the Fisheries and Wildlife Branch.

Mr. WILTON (Broadmeadows).—If I understand the situation correctly, the Chief Secretary is aiming at a result similar to that which was achieved in regard to scallop fishermen; their earning capacity is geared to the fee payable for a processor's licence.

Sir ARTHUR RYLAH.—That is what the Government is attempting to do.

Mr. WILTON.—The Opposition has no objection to the amendment.

Mr. B. J. EVANS (Gippsland East).—This amendment takes care of one of the major objections that members of the Country Party had to this Bill. We believe it is a reasonable compromise. I thank the Chief Secretary for the opportunity extended to us to discuss this question with officers of his Department. I agree that it was a difficult proposition on which to reach a satisfactory solution. I think it is possibly the best proposal that can be suggested in the circumstances, and therefore members of the Country Party do not oppose the amendment.

The amendment was agreed to, and the clause, as amended, was adopted, as was clause 16.

Clause 17 (Offences).

Mr. B. J. EVANS (Gippsland East).—I wish to raise the question that I mentioned during the second-reading debate. An examination of

the principal Act, which this Bill repeals, discloses that in every case the penalty is stated as a minimum and a maximum, whereas in the Bill the penalties all appear to be fixed sums. I realize that there is probably some connexion with the Acts Interpretation Act, but, as many of the people who have been studying this Bill are not aware of the implications involved, I should appreciate an explanation by the Chief Secretary why there is a change between the existing Act and this Bill.

Sir ARTHUR RYLAH (Chief Secretary).—The explanation is simple. The Fisheries Act is an old enactment. The Government has adopted a new form of drafting—I think it was recommended by the Statute Law Revision Committee—that penalties shall be expressed in simple terms and that the Acts Interpretation Act shall apply to them. Unless a minimum penalty is specified, the penalties are maximum penalties. In this case, the court has discretion to impose a fine of up to $500 or imprisonment for six months. This does not mean that the court must impose that penalty.

The clause was verbally amended, and, as amended, was adopted.

Clause 18 (Reciprocity in respect of licences).

Mr. B. J. EVANS (Gippsland East).—This clause deals with reciprocity between the States, so far as registered fishermen are concerned. I should appreciate any information the Chief Secretary may have in regard to arrangements which may be made or are in process of being made, particularly between Tasmania and Victoria, with regard to reciprocal fishing rights. I understand that this question has been causing some concern because Victorian fishermen angling in Tasmanian waters are not receiving reciprocal rights. Perhaps the Chief Secretary can inform the Committee whether there are prospects for reciprocity to be achieved in the near future.

Sir ARTHUR RYLAH (Chief Secretary).—I cannot help the Deputy Leader of the Country Party now, but I shall obtain the information and supply it to him.

The clause was verbally amended, and, as amended, was adopted, as were clauses 19 and 20.

Clause 21 was verbally amended, and, as amended, was adopted.

Clause 23 (Offence to angle, &c., without a licence).

Mr. WILTON (Broadmeadows).—In the second-reading debate, I posed a question relating to the wording of sub-clause (2) of this clause which deals exempts persons of or under the age of sixteen years from holding a licence. My question related to the use of the word "of". I think I understood the position but I have been requested to obtain the information authoritatively from the Chief Secretary. I should therefore be grateful if the honorable gentleman would state whether the provision means that, until he becomes 17 years of age, a person can fish, although he does not hold a licence.

Sir ARTHUR RYLAH (Chief Secretary).—The expression is unusual, I agree. I remember the honorable member for Broadmeadows raising this matter in the early hours of this morning but I am afraid that I have not yet obtained the information. I shall arrange to have the position clarified and the information passed to the honorable member.

The clause was agreed to.

Clause 24 (Reciprocity with other States, &c., as to inland fishing).

Mr. EDMUNDS (Moonee Ponds).—The Essendon Fish Protection Society and Anglers Club has asked me to raise this matter. An angler from another State who holds a permit of that State will be permitted to fish in Victorian inland waters. Is a similar provision to be included in the Acts of other States so that fishermen who hold Victorian licences will be permitted to fish in those States? This matter was not mentioned by the Chief Secretary. At present, a Victorian who wishes to fish in the River

Murray, even though he sits on the Victorian bank of the river, must hold a New South Wales licence, as the River Murray is deemed to be a New South Wales stream. Obviously, if they were allowed to fish in New South Wales waters, Victorian licensees, particularly amateur fishermen, would be assisted.

Sir ARTHUR RYLAH (Chief Secretary).—I speak from memory, but I believe we have cleared up all the problems of reciprocity between Victoria and New South Wales. If I am right, New South Wales will be declared by the Governor in Council to be a reciprocating State pursuant to sub-clause (2) of this clause. In that event, the holder of a Victorian licence would be able to fish in New South Wales waters including the River Murray. Whether there will be other reciprocating States, I cannot say at the moment, but I shall find out. I shall make doubly sure of the position and advise the honorable member. The problems of Victoria and New South Wales concerning fishing have been much simpler than those relating to boating.

Sir EDGAR TANNER (Caulfield).—I may be late in raising this matter, but I have been trying to obtain information from someone who might know the answer to the problem. There is no definition of "amateur fishermen" in the Bill. I am not sure whether I can raise that matter at this stage.

The ACTING CHAIRMAN (Mr. Wiltshire).—That matter is not dealt with in this clause. If it is not dealt with in a subsequent clause perhaps the honorable member for Caulfield could raise it at the third-reading stage.

The clause was agreed to.

Clause 25, providing, *inter alia*—

(1) Any person having the permission in writing of the Minister so to do (hereafter in this Act called a "fish-culture permit") may form or create a fish habitat for clams oysters mussels scallops abalone crayfish prawns yabbies eels fishing-bait bass mullet estuarine perch or salmon on any shore up to high-water mark or on any land adjacent to any such shore or on any land in Victorian waters or may work and improve any natural or artificial fish habitat in existence on any such shore or land at the date of issue of the permit.

(2) Upon application made in the prescribed form for a fish-culture permit the Minister may, if he thinks the applicant a suitable person to hold such a permit and to culture fish, grant him a permit in respect of the fish habitat concerned.

Sir ARTHUR RYLAH (Chief Secretary).—As I explained when I made a statement by leave last night, clause 25 requires any person who forms or creates a fish habitat for clams oysters, mussels, and so on, on any shore up to highwater mark or on any land adjacent to such shore, or on any land in Victorian waters, to first obtain a fish culture permit. I move—

That the following sub-clause be inserted to follow sub-clause (2):—

"( ) The Minister shall not grant a permit under this section with respect to any Crown land adjacent to a shore or with respect to any Crown land in Victorian waters unless the applicant first obtains the consent in writing of the Minister of Lands to the grant thereof."

The effect of the new sub-clause will be to ensure that there is no interference with foreshores, to the detriment of the community.

Mr. WILTON (Broadmeadows).—The Opposition does not oppose this amendment; it considers the provision to be reasonable. The Minister of Lands has certain responsibilities, and he should be in a position to express an opinion about the issue of the permits.

The amendment was agreed to.

Mr. WILTON (Broadmeadows).—I move—

That the following sub-clause be inserted to follow sub-clause (2):—

( ) A licence shall not be granted under this section unless the Minister is satisfied that the applicant has published notice of his intention to make application for the licence in the prescribed form in some newspaper circulating generally in Victoria not less than twenty-eight days before lodging the application and that any person lodging objection to the grant of the licence have had a reasonable opportunity of being heard in relation thereto.

The Opposition feels that any person or persons who may have legitimate objections to the issue of a fish culture licence should have the opportunity to press those objections.

Sir ARTHUR RYLAH (Chief Secretary).—The Government accepts the amendment.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 26 to 34.

Clause 35 was verbally amended, and, as amended, was adopted, as were clauses 36 and 37.

Clause 38 was verbally amended, and, as amended, was adopted, as were clauses 39 to 43.

Clause 44 was verbally amended, and, as amended, was adopted, as were clauses 45 to 54.

Clause 55—

Any person who marks tags or brands in any manner whatsoever any fish without the authority in writing of the Director shall be guilty of an offence against this Act.

Penalty : $100.

Mr. WILTON (Broadmeadows).—I move—

That the words "marks tags or brands in any manner whatsoever any fish without the authority in writing of the Director" be omitted with the view of inserting the words "without the authority in writing of the Director marks tags or brands in any manner whatsoever any fish intended to be liberated in Victorian waters".

The purpose of the amendment is to protect people who catch fish and who, without having any intention of releasing them, mark them so that they will know their own. This would protect people who take part in contests organized, for instance, by the Victorian Piscatorial Council.

Sir ARTHUR RYLAH (Chief Secretary).—I have no objection to this amendment. It might help in tracing the ownership of undersized fish.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 56 to 62.

Clause 63, providing, *inter alia*—

(1) Any person who puts or discharges or causes to be put or discharged, whether directly or indirectly, into any waters containing fish or into any tributaries of those waters or streams flowing thereinto any matter or thing, whether liquid solid or gaseous, prescribed to be a poison for the purposes of this section or any other matter or thing which is likely to render the waters poisonous or injurious to fish or to the spawning grounds spawn or food or fish shall be guilty of an offence against this Act.

Penalty : $500 or imprisonment for six months.

Sir ARTHUR RYLAH (Chief Secretary).—For the reasons I outlined when I made a statement by leave last night, I move—

That the following sub-clauses be added to follow sub-clause (1):—

( ) The provisions of sub-section (1) shall not apply to the Vermin and Noxious Weeds Destruction Board or its servants or agents with respect to the use of poisons for eradicating vermin or noxious weeds from Crown lands where those poisons are used in accordance with specifications previously furnished in writing by the Board to the Director.

( ) It shall be a defence to proceedings for an offence against sub-section (1) if the defendant proves—

(*a*) that having taken all reasonable precautions against committing an offence he had at the time of the alleged offence no reason to suspect that there was in relation to the circumstances thereof any offence against the provisions of sub-section (1) or in the case of an offence arising out of causes beyond his control that the circumstances were such that the commission of an offence could not reasonably have been foreseen;

(*b*) that on demand by an inspector or a member of the police force he gave all information and assistance in his power with respect to the poison matter or things concerned; and

(*c*) that otherwise he acted innocently—

and has, not less than seven days before the hearing of the proceedings, notified the information in writing that he intends to avail himself of the protection of this sub-section giving details of the reasonable precautions which he claims he has taken or the circumstances which he claims could not reasonably have been foreseen.

Mr. WILTON (Broadmeadows).—Opposition members have no objection to the amendment. This clause caused us some concern. We believed that persons eradicating noxious weeds, at the direction of the

Vermin and Noxious Weeds Destruction Board, could inadvertently cause pollution in a stream and, under the clause as it appears in the Bill, render themselves subject to prosecution. That could have applied to the staff of the Board or to private citizens. The amendment will provide adequate protection.

Mr. B. J. EVANS (Gippsland East).—Many people engaged in rural pursuits, who were concerned about this aspect of the Bill, will welcome the protection afforded by the amendment proposed by the Chief Secretary. Under the provision as drafted, a private individual could be prosecuted for using poisons to eradicate weeds unless he had the consent in writing of the Director. This applied to any person who directly or indirectly put the poison into waters containing fish.

A person using a spray pump on pastures could be found guilty of putting poison into these waters. That was not the intention of the Government. Whilst many people are not convinced that the amendment will provide adequate safeguards, at least it is a reasonable defence that precautions were taken. Increasing concern is felt by many people in the community at the indiscriminate use of insecticides and weedicides and their effect generally on fish and wildlife. It is fair enough to expect that people who use these materials should take adequate precautions.

Officers of the Fisheries and Wildlife Branch do not always implement the provisions of the Act in the spirit envisaged by Parliament. Last Sunday, I was approached by a person whose master fisherman's licence had been cancelled. An officer of the Branch told him he could not accept a position as a crewman on his father's boat whilst the suspension was in force. I did not believe that to be the case and, when I checked the matter with the Chief Secretary's Department, my belief was proved to be correct. I have heard of other similar cases. I do not want to be unduly critical but, in cases of this nature, the onus of proof appears to be thrown on to the defendant. I hope that departmental officers will use these powers with care because they could place innocent people in a difficult position.

The amendment was agreed to.

Mr. EDMUNDS (Moonee Ponds).—Sub-clause (1) relates to the poisoning or pollution of waters containing fish, and provides a penalty of $500 or imprisonment for six months. Section 48 of the present Act is similar and provides a penalty of $50 to $100 or imprisonment for two years. That penalty failed to control the pollution of streams, and I believe this provision will have no greater success.

In recent years the Maribyrnong river and the Yarra river have become considerably polluted. The local angling club has severely critized this aspect of the Bill and has expressed concern at the state of pollution of these streams. The Maribyrnong river is a tributary of the Yarra river. In the past, these rivers were extensively populated by fish of all varieties, but the streams are now depleted. The Maribyrnong river is a salt water stream and is tidal almost to the end of my electorate. The relatively few fish that have been taken from the river taste strongly of kerosene and oil. To my knowledge, the offenders have never been prosecuted. If State or Commonwealth Government Departments or instrumentalities have been responsible for the discharge of sewage into these rivers, they should take some action to prevent this pollution in future.

In recent years, press notices have warned people not to eat mussels taken from the mouths of these two streams because of their severe pollution. Early this year the angling society in my electorate conducted an all-night fishing competition. At dawn, the Maribyrnong river was seen to contain many dead fish. The matter was raised with the Fisheries and Wildlife Branch because it

was obviously a case of pollution. It was impossible to trace the offenders. Therefore, the penalty provisions of this sub-clause do not mean a great deal.

In approximately June of this year, a dead horse was seen to be floating backward and forward on the tide in the Maribyrnong river and it remained there for some time. Apparently the authorities concerned had not noticed it. The Yarra river and the Maribyrnong river are the main waterways in the metropolitan area. If no attempt is made to control pollution, the environment will be destroyed. It is time that some of the provisions now relating to pollution were discarded and that a major attempt was made to control pollution.

Mr. B. J. EVANS.—Have you read the report of the Drainage Committee submitted some weeks ago?

Mr. EDMUNDS.—No, I have not. This clause provides penalties for pollution, but the penalties under the old Act could not have been applied to the pollution of the Maribyrnong river and the Yarra river. A water pollution control authority with some " teeth " should be established.

The clause, as amended, was adopted.

Clause 64 was verbally amended and, as amended, was adopted as were clauses 65 to 73.

Clause 74 (Onus on defendant to prove fish &c. not taken for sale).

Mr. WILTON (Broadmeadows).—This clause provides—

Where any person is charged with taking fish for sale contrary to the provisions of this Act or the regulations the burden of proving that the fish were not intended for sale shall be upon the person charged.

I indicated during the second-reading debate that the Opposition would not accept the principle that an accused should have to prove his innocence. The informant should be responsible for proving a person's guilt. The provisions of this clause are contrary to the accepted principles of British justice. A man is innocent until he is proved guilty. For the reason I have outlined, the Committee should reject this clause. Where does the principle stop? No doubt other amending legislation will provide a similar onus of proof. If honorable members reflect, they will realize the dangers of this clause.

The clause was agreed to.

Clause 75 (Onus on defendant to prove fish not taken from Victorian waters).

Mr. WILTON (Broadmeadows).—This clause contains a provision similar to that contained in the last clause. The onus of establishing that fish were not taken from Victorian waters is placed upon the person charged. As was the case under clause 74, the person charged must prove his innocence. If honorable members accept this provision and proclaim themselves to be champions of British justice, the Labor Party is not prepared to go along with them. As I said when dealing with clause 74, it is a dangerous precedent and no one knows where it will stop. The Opposition cannot vote for the clause, for the same reasons as it opposed clause 74.

The clause was agreed to, as were clauses 76 to 80.

Clause 81, providing, *inter alia*—

(1) The Governor in Council may make regulations for the management and control of fisheries, for the protection and improvement of fish and for preserving good order among fishermen and in particular, without in any way limiting or derogating from the generality of the foregoing provisions of this section, for or with respect to—

. . . . . .

(7) Regulations under this Act shall have effect notwithstanding anything to the contrary in any other regulation, by-law, proclamation or Order made under the provisions of any other Act.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That sub-clause (7) be omitted

The Government feels that this curious provision is not necessary, and that it does not constitute good Parliamentary practice.

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

The Bill was reported to the House with amendments, and the amendments were adopted.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That this Bill be now read a third time.

Mr. EDMUNDS (Moonee Ponds).—I ask the Chief Secretary whether it will be possible for a person to be prosecuted under the Melbourne and Metropolitan Board of Works Act, the Health Act and this Bill for polluting the Yarra river?

Sir ARTHUR RYLAH (Chief Secretary).—I fear that I cannot answer that question off the cuff, but it does highlight a problem which the Government will have to examine fairly soon, namely, the introduction of specific legislation to deal with pollution, pesticides, and so on. When that day comes, I hope the Government will receive the same support from honorable members as it has from the Deputy Leader of the Opposition and the honorable member for Broadmeadows in regard to this Bill.

Sir EDGAR TANNER (Caulfield).—Having been informed that the amateur fishing organizations approve of the definition of an amateur as outlined in the Bill, I give notice that I will not proceed with my proposal.

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

LIQUOR CONTROL (AMENDMENT) BILL.

This Bill was returned from the Council with a message intimating that on consideration of the Bill in Committee it suggested that the Assembly should make a certain amendment in the Bill.

Sir ARTHUR RYLAH (Chief Secretary).—The amendment suggested by the Council is a very simple one. Proposed sub-section (14) of section 45, of Bill, as drafted, provided—

A permit under this section shall not be issued until in the case of a permit under paragraph (c) of sub-section (4) a fee of $250 and in the case of any other permit the fee fixed by the regulations has been paid.

The following amendment has been suggested by the Council:—

That proposed sub-section (14) of section 45 be omitted with the view of inserting the following:—

"(14) The fee for a permit under this section shall be in the case of—

(a) a permit under paragraph (b) of sub-section (4)—no fee;

(b) a permit under paragraph (c) of sub-section (4)—$250; and

(c) any other permit—the fee prescribed."

The suggested amendment provides that if an unlicensed restaurant desires to apply for a permit to have liquor brought into the premises, a fee need not be paid. The purpose of the amendment is to reduce, as far as possible, the bar to such applications. I move—

That this House do make the amendment suggested by the Council.

The motion was agreed to.

It was ordered that the Bill be returned to the Council with a message intimating the decision of the House.

LABOUR AND INDUSTRY (MISCELLANEOUS PROVISIONS) BILL.

The debate (adjourned from November 20) on the motion of Mr. Rossiter (Minister of Labour and Industry) for the second reading of this Bill was resumed.

Mr. FENNESSY (Brunswick East).—When the Minister explained this Bill approximately two weeks ago, there was quite a deal of reaction outside Parliament concerning the proposals contained in the Bill. It has been aptly described as a miscellaneous provisions Bill, because it consists of nineteen clauses, which

amend various sections of the Labour and Industry Act, and most of the amendments are not related.

It could be said that this is a Committee Bill and, because it will be necessary to deal with the clauses individually in Committee, it is not my intention to debate them during the second-reading debate. However, I shall give a brief outline of some of the proposals contained in the clauses. Three provisions have caused a great deal of controversy. I refer to clause 3, which empowers the Minister to declare defunct certain wages boards; clause 4, which deals with the right of appeal to the Industrial Appeals Court; and clause 9, which relates to late shopping at Christmas. I do not intend to deal with many of the other provisions in the Bill during the second-reading debate, but shall do so in Committee.

In his second-reading speech, the Minister stated quite frankly that a number of wages boards are defunct at the present time. For example, the honorable gentleman referred to the Tramway Conversion Board, which was established to control activities during the changeover from cable trams to electric trams. Undoubtedly, this Board would not be required to exercise jurisdiction in the community today. The Minister also referred to the Coal Miners Board. Of course, there are very few coal miners left in Victoria, and even those who are engaged in the industry at Wonthaggi do not come under this Board. The Gold Miners Board was also named by the Minister and, as honorable members are aware, there are very few gold miners in Victoria today. In fact, gold miners who have remained in this industry are now controlled by the Australian Workers Union, and work under a Federal award.

I am not familiar with the ramifications of the Brewers Board and the Flour Board, but the Minister stated that these Boards are now more or less defunct. In the case of boards which are operating in a small way, the powers can be transferred to another board but, where jurisdiction no longer exists, the Opposition believes the Minister should have the power to declare them defunct. The Minister did not state during his second-reading speech that he required any power to declare any wages board defunct, and I assume the honorable gentlman would not require such power. I am sure that the Minister would agree that such a wide power could be dangerous. The present holder of the Labour and Industry portfolio is a reasonable man, who could be expected to act in a reasonable manner. However, a future Minister may attempt to use to the limit the powers vested in him by this Bill. The Opposition does not want this power to be abused. I trust therefore that, during the Committee stage, the Minister will assure honorable members that he does not seek power to declare boards defunct at any time, but only when they are no longer operative.

Mr. ROSSITER.—I give the honorable member for Brunswick East the undertaking that he seeks.

Mr. FENNESSY.—I thank the Minister for his assurance. I now deal with the right of appeal to the Industrial Appeals Court. At present the Act requires a majority viewpoint from both the employers and the employees on a wages board before an appeal can be taken to the Industrial Appeals Court. Clause 4, which amends section 45 of the principal Act, provides in effect that any individual, irrespective of whether he is vitally interested in an industry, may apply to the Industrial Appeals Court to be heard in an appeal against a decision of a State wages board. In other words, if "Snowy on the trams" is not satisfied with a decision of a State wages board, he has the right to appeal to the Industrial Appeals Court. Admittedly, under this measure, the court would be empowered to say whether the appeal could be heard. However, the

trade union movement is completely opposed to this provision. The system which is now operating has worked very satisfactorily. The Minister stated that the request to alter this provision emanated from the Victorian Employers' Federation. The honorable gentleman did not have the courtesy to discuss the proposal with the trade union movement before bringing in the enabling legislation.

Mr. ROSSITER.—Should I go cap in hand to the trade union movement?

Mr. FENNESSY.—On occasions in the past, when the trade union movement has submitted proposals for amendments to the Labour and Industry Act, the Minister has canvassed them around the Chamber of Manufactures and the Chamber of Commerce, even before making a decision concerning them. If it is good enough for the Minister to act in this manner concerning proposals submitted by the trade union movement, it is good enough for him to intimate to the trade union movement the proposals of the Victorian Employers' Federation.

Mr. RAFFERTY.—Rubbish!

Mr. FENNESSY.—I can understand the interjection of the honorable member for Glenhuntly, because he has always allied himself with the Chamber of Commerce; in fact, he is a committee member of that organization. The Opposition will strongly oppose clause 4.

Clause 9, which amends section 80 of the principal Act, relates to late shopping at Christmas. I wonder from where the Minister derived this bright idea. It appears to have been suddenly dragged out of the air. The honorable gentleman has decided that there will be a late shopping night on the last full shopping day before Christmas Day—in other words, on Christmas Eve. All honorable members, with the exception of the Minister, know only too well that, at Christmas, practically every office in the City of Melbourne, in the provincial cities and, in fact, throughout the State, closes at lunchtime or no later than 2 or 3 p.m. on Christmas Eve. This enables employees to proceed on their holidays before Christmas Day. Honorable members are no doubt familiar with the typical scene on Christmas Eve at about 4 or 5 p.m. when thousands of caravans, hitched to cars, may be seen heading for the Mornington Peninsula, interstate destinations, and various holiday resorts.

Many people employed in shops and offices book seats on areoplanes and trains which depart during the afternoon of Christmas Eve, so that they can proceed on their holidays without delay. Apparently, the Minister is not aware of this situation. Has the honorable gentleman ever been engaged in industry? What has he been doing all his life that he is not conscious of this fact? I suppose the Minister could be excused in some ways for this provision in the Bill, because he has no knowledge of the habits of the people in the community. The honorable gentleman has his head either in the sand or in the clouds.

As recently as the 31st October, 1968, the Minister wrote to the secretary of the Trades Hall Council on the question of shop trading hours and, for the edification of the House, I shall read the letter so that it will be placed on the record. It reads—

> I refer to the deputations from the Victorian Trades Hall Council which I received on 5th June, 1968, concerning the question of introducing a 5-days working week for shop assistants, by abolishing Saturday morning trading and substituting one late night per week and to our subsequent correspondence concerning this matter.
>
> I told you at that time that I would need to investigate this question very thoroughly before coming to a decision whether I should make any recommendation to the Government for amendment of the existing law.
>
> As you are aware, I have made comprehensive inquiries since that time and have invited public comment. The response to that invitation has been quite overwhelming and I am able to say without any doubt

that there would be a great deal of opposition in the community to the closing of shops on Saturday mornings.

The concluding portion of the letter is pertinent. It reads—

The Government has now come to the view that the present legislation ought not to be varied—that is, neither should shops be required to close on Saturday mornings, nor should they be permitted to open late on week days.

You will also be interested to know that it has been decided to discontinue the late night shopping that has been permitted for some time in the City of Traralgon. I have informed the Town Clerk of that city that I am revoking the exemption which I issued earlier and that this revocation will be published in the *Government Gazette* next week.

Although this letter was written on 31st October of this year, only a couple of weeks later, the Minister introduced into this House a measure authorizing late shopping at Christmas. Honorable members may well ask whether this in the thin edge of the wedge, and whether it represents an attempt to introduce late shopping into the community. It could well be asserted that it is. As the Opposition is opposed to late shopping, we will strenuously oppose this clause.

When the Minister announced his intention to introduce this Bill, it brought forth a reaction from outside this House. Naturally, the Shop Assistants' Federation and the Trades Hall Council were concerned at the proposal. An article in the *Age* newspaper of the 30th November of this year dealing with this question asked the pertinent question, "Who wants it?". The Minister stated that he had been approached concerning it by a storekeeper in a country town. Was he approached by a storekeeper at Upotipotpon or Moombledoo? No one knows the identity of the storekeeper in the country town who first requested a late shopping night prior to Christmas. It is ridiculous to suggest that, because of a request from a country town, legislation relating to late shopping at Christmas should apply throughout the State. Obviously, employees would be required to work during the late shopping night. The fact that the Trades Hall Council has made its position clear on this issue will be seen from the following extract from the report in the *Age* newspaper to which I referred:—

On Thursday the Victorian Trades Hall Council secretary (Mr. M. C. Jordan) told a council meeting that the Shop Assistants' Federation should direct its members not to work after normal closing time on Christmas Eve.

He claimed last night that a large Melbourne retail firm told the Shop Assistants' Federation yesterday that it did not intend to open on Christmas Eve.

Honorable members may draw their own conclusions as to which large retail firm it is. The report continued—

Mr. Jordan said no one he had spoken to favored the Government's move.

"In justifying the scheme Mr. Rossiter has said that it was requested from an out-lying country area.

"We are amazed at the discourteous manner adopted by the Minister in failing to consult either the Victorian Trades Hall Council or the Shop Assistants' Federation on the late night shopping proposal.

"We regard it as a straight-out exhibition of bad manners".

That is the true position. At no time did the Minister consult the people involved. Apparently the Minister thinks he can make a decision and the people will obey it.

Mr. ROSSITER.—This was a Government decision.

Mr. FENNESSY. — I wonder whether the Minister took this proposal to Cabinet for examination. I have great respect for some Ministers and believe that if the proposal had been closely examined the Bill would not have reached this House. I have already outlined the intentions of Opposition members, who will oppose clauses 4 and 9, and I have registered our protest to clause 3 which provides the Minister with the power to disband wages boards. The Bill should have been more specific. The Minister has now made a specific statement and has given an assurance that only defunct wages boards will be abolished.

Mr. R. S. L. McDONALD (Rodney). —This Bill comprises nineteen clauses, some of which are good

and others of which are not so good. The Country Party does not favour clauses 3, 4 and 9. Australia has a population of approximately 12,000,000 people, but countries where shops do extensive business during late night shopping hours have populations of up to 200,000,000 people, who are able to support such hours. It is possible that, if shops in Australia remained open at night, the proprietors would sustain losses.

Mr. ROSSITER.—Is that the situation now with hotels?

Mr. R. S. L. McDONALD.—Hotels do not enter into this question. The Minister is speaking of something that is not provided for in the Bill and is trying to confuse the issue. When the honorable gentleman makes such statements he reveals that he does not know what the Bill contains. He should take another look at the Bill and see if he is doing the right thing. If our population were large enough, we would be obliged to give the service, but at present the population of Australia does not warrant late night shopping. I hope the Minister will reply to this point and enlarge on his remark in relation to hotels.

Clause 9, which provides for late Christmas shopping, is a ridiculous provision to bring in at this stage, and the Country Party will oppose it. Although the Bill has some good points, it also contains bad provisions, and in Committee the Country Party will oppose those clauses that it considers should be opposed and support those which it feels should remain in 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 provisions for dividing Victoria into districts).

Mr. ROSSITER (Minister of Labour and Industry).—Honorable members should clearly understand the role of a Government in a Parliamentary democracy. Where a Government has been returned by the people with an overwhelming majority—and no one can deny that this Government was returned with such a majority—it has a duty to advance proposals which enable retailers to provide service to the public. This has already been done with respect to petrol shop trading hours, hotel trading hours and the Fifth Schedule shops trading hours. The areas in which the public may receive service from retailers has been progressively widened.

The Labour and Industry Act controls shop trading hours. There has always been pressure from the buying public for extra hours during the week before Christmas in which to purchase goods for Christmas, and the Government has agreed that there should be a night's trading before Christmas. This amending Bill provides that this extra trading shall be on Christmas Eve. I give notice to the Committee that at the appropriate stage I shall move an amendment to enable trading to be undertaken on the night of the first full day before Christmas eve. The Government is amending the Bill because it is convinced that the night before Christmas eve would be a better night than Christmas eve itself.

Mr. FENNESSY.—Why is that?

Mr. ROSSITER.—For some of the reasons put forward by the honorable member for Brunswick East. People might have decided to go away on holidays on the Christmas eve and might have made their travel arrangements. In a sense, the trading facilities for the general public in Melbourne close down from about 3 p.m. of Christmas eve. The honorable member for Brunswick East keeps interjecting, and I ask him to stop pecking at me like a bloody fox terrier.

The ACTING CHAIRMAN (Mr. Wheeler).—Order! Undoubtedly the Minister made that remark in the heat of the moment, and I request him to withdraw.

Mr. ROSSITER.—I withdraw, Sir, but not the words " fox terrier ". The Government is prepared to listen to representations made to it. It is believed that people in the community, including shop assistants, may not be able to do all their shopping at the last minute, so an opportunity is being given to them to shop during the Christmas period. The honorable member for Brunswick East made great play about the trade union movement and the Trades Hall Council.

Mr. TURNBULL.—Will you not call him the shadow Minister of Labour and Industry?

Mr. ROSSITER.—I would be delighted to do so if The Constitution Act Amendment Act provided for it. The position referred to by the honorable member is not recognized by Parliament or by statutes, and I would be remiss in my duty if I referred to him as the shadow Minister of Labour and Industry.

The ACTING CHAIRMAN (Mr. Wheeler).—Order! I would be remiss if I did not ask the Minister to relate his remarks to the Bill.

Mr. ROSSITER.—I accept your rebuke, Mr. Acting Chairman, but the honorable member is not the shadow Minister of Labour and Industry within the terms of this Parliament.

The ACTING CHAIRMAN.—Order!

Mr. ROSSITER.—The honorable member for Brunswick East referred to the letter addressed by me to the secretary of the Trades Hall Council in terms of the council's approach to me with a deputation to consider the closing of shops on Saturday morning, with the alternative opening on a week night. As quoted by the honorable member I said—

> The Government has now come to the view that the present legislation ought not be varied—that is, neither should shops be required to close on Saturday mornings, nor should they be permitted to open late on week days.

The Government stands by that statement, but not in regard to a week day in the Christmas week when members of the public still wish to shop on a night before Christmas. People might not have completed their Christmas shopping for all sorts of reasons. This Bill is not an insidious or subversive attack on the trade union movement or the shop assistants' union, or on their wages and conditions; its purpose is to allow people to have more time in which to do some shopping at a particularly Christian time of the year, when they are concerned with the Christian epic of Yuletide. This Bill affords Parliament an opportunity to say to the people, " Do your Christmas shopping and have a little longer time in which to do it ".

The member for Brunswick East also quoted from the *Age* newspaper, in which it was stated that Mr. Jordan was amazed at the discourteous manner of the Minister. Mr. Jordan is being amazed continually because all sorts of things are happening within the trade union movement. He is being amazed because 27 unions will not pay their affiliation fees to the Trades Hall Council.

Mr. TURNBULL (Brunswick West).—On a point of order, Mr. Acting Chairman, the Minister's remarks are not relevant to the debate.

The ACTING CHAIRMAN (Mr. Wheeler).—Order! I must uphold the point of order. The Minister must relate his remarks to the Bill.

Mr. ROSSITER (Minister of Labour and Industry).—I am sure that I am not out of order if I refer to Mr. Jordan as being amazed. The honorable member for Brunswick East stated that Mr. Jordan was amazed, and he is also amazed that I did not consult him on this matter. Does a Government in a democratic society always have to run cap in hand to the Trades Hall Council on matters of Government policy? I remind the Committee of the legislation introduced to bring about reforms in the bread industry. On that

occasion there were consultations between the Government and the Trades Hall Council.

Mr. TURNBULL (Brunswick West).—On a point of order, is this relevant to the debate?

The ACTING CHAIRMAN (Mr. Wheeler).—On this occasion the honorable gentleman is making an attempt to compare a relevant situation.

Mr. ROSSITER (Minister of Labour and Industry).—I am using it purely as an illustration. There have been times when the Ministry of Labour and Industry and the Trades Hall Council have been in close consultation on all sorts of matters, and this practice will continue. I hope the Trades Hall Council, interested as it is in the trade union movement, but perhaps not representative of the entire movement, and the Ministry of Labour and Industry will continue to discuss matters of mutual benefit and concern.

In this case, as a matter of policy, the Government decided to do certain things. These things have become public knowledge as a result of the publication of my second-reading speech, and responsible and interested organizations and individuals have made representations to the Government and to the Opposition on what is proposed. Indeed, the Opposition has consulted the Trades Hall Council, and vice versa. I hope, for the sake of the trade union movement, that the dissident unions will make their position clear because they have no voice in the matter.

The Government makes no apology for having introduced this point of policy into this Parliament. Between the time I made my second-reading speech and the resumption of the debate, representations were made by the Trades Hall Council to the Opposition, and the point of view of the Trades Hall Council has now been put before Parliament. Representations have also been made to the Government on the question of whether the day involved should be Christmas eve or the night before Christmas eve. The Government has accepted one of these proposals, and I have given notice of my intention to move an amendment to clause 19.

The honorable member for Rodney indicated that members of the Country Party were not happy with certain aspects of the Bill, and in particular with clauses 3, 4 and 9. I find this strange. The honorable member challenged me to demonstrate the relevance between my interjection to him about trading hours in hotels, which this Government widened, and trading hours referred to in the Bill. It may well be that these trading hours are regulated by different Acts, and although the Government has altered trading hours in various avenues, the principle is the same. The Government has widened the trading hours for the selling of petrol. Hotel trading hours and trading hours for small shops have also been extended, and therefore it seems reasonable, relevant and logical to examine Christmas trading hours in the retail area purely for the convenience of the public. Representations have been made that the extended trading hours should apply on the night before Christmas eve, and an amendment to that effect will be introduced.

I give the honorable member for Brunswick East an assurance that the action taken by the Government to amend sub-section (2) of section 20 of the principal Act by clause 3 is in regard to defunct wages boards and to no others. The honorable member listed a few defunct wages boards such as those relating to cable trams, coal mining and gold mining. These boards are defunct and the Government is cutting away the dead wood. There are approximately 230 wages boards in Victoria and they form a first-class system of conciliation and arbitration. It is a cheap system, and it might be a good idea if it were extended to the Federal

sphere. To make this system operate efficiently the Government proposes to cut away the dead wood, and that is being done by the amendment contained in clause 3 of the Bill.

The honorable member for Brunswick East also referred to the amendment to section 45 contained in clause 4 of the Bill in regard to the right of appeal. On this point the distinction between the philosophies of the Labor Party and the Liberal Party become apparent. The honorable member for Bunswick East said that he was opposed to an individual having the right to appeal to the Industrial Appeals Court against a decision of a wages board. This seems to me to underline the totalitarian approach of the socialist Labor Party, whereas this Government looks to the individual in the community as the mainspring and as the unit within the community which will determine its prosperity, initiative and drive within a democratic system. I reject the proposal put forward by the honorable member for Brunswick East.

The clause was agreed to.

Clause 3 (Abolition of wages board).

Mr. FENNESSY (Brunswick East).—The Minister of Labour and Industry has made his position perfectly clear. He has given an assurance that the amendment contained in this clause, relates only to defunct wages boards, and does not mean that he will have the right to declare wages boards defunct.

Mr. R. S. L. McDONALD (Rodney).—I accept the assurance given by the Minister but it seems to me to be in conflict with what he said in his second-reading speech in these terms—

> so as to allow the Governor in Council to abolish a wages board without having first transferred its powers to some other board or boards.

Surely the Government would not be transferring the powers of a defunct Board.

Mr. ROSSITER (Minister of Labour and Industry).—If the honorable member for Rodney had quoted from an earlier part of my second-reading speech he would have realized that the situation was entirely different from that which he envisages. I referred to the Brewers Board, the Flour Board, the Industrial Life Assurance Canvassers Board and the Tramways Board, and then I said—

> In order that this dead wood can be cut from the healthy tree of the wages board system, it is proposed to amend section 20 so as to allow the Governor in Council to abolish a wages board without having first transferred its powers to some other board or boards.

The boards to be abolished without having their powers transferred will be those boards which are considered to be defunct.

The clause was agreed to.

Clause 4 (Appeal).

Mr. FENNESSY (Brunswick East).—It is the intention of the Labor Party to vote against clause 4 because members of our party consider that it unnecessary. The appeal system at present operating is working efficiently. We believe in the principle that employers or employees have the right to appeal to the Industrial Appeals Court against the decision of a wages board. Possibly many honorable members are unaware of the workings of the wages board system and how appeals can be made to the Industrial Appeals Court. I know that the honorable member for Glenhuntly is familiar with the position. Members of the Labor Party believe in the wages board system, and we accept the right of appeal to the Industrial Appeals Court. Generally, decisions of wages boards are honoured by all parties, but in some cases appeals are made from the decisions of a board to the Industrial Appeals Court which consists of a Judge, a representative of the trade union movement and a representative of the employers' association. It is a fair and reasonable court of appeal and anybody who appealed to it would get justice.

Mr. ROSSITER.—Including individuals.

Mr. FENNESSY.—I fail to see why an individual who may be displeased with a decision of a wages board should have the right of appeal to the Industrial Appeals Court. In fact, the honorable member for Glenhuntly is having a second look at this. The proposals contained in clause 4 provide that the Industrial Appeals Court can decide whether or not it will hear the appeal on the facts put before it, irrespective of whether the person who makes the appeal is connected with the industry. It is on record that on one occasion a member of a wages board appealed to the Industrial Appeals Court. The decision handed down to the particular party was not very complimentary. The Industrial Appeals Court believed that the system which now operates and the decisions which are taken by wages boards generally are fair and impartial. This clause proposes that an individual may appeal to the Industrial Appeals Court. The principal Act does not provide for that, and the Opposition believes that it should not provide for it. The system is working well and efficiently, and the Labor Party can see no reason why any individual should have the right to lodge an appeal.

In many cases the appeals would be frivolous. This happens when vexatious litigants are involved. A situation could be reached in which a stream of people would be taking appeals to the Industrial Appeals Court. For those reasons it is the Opposition's intention to vote against clause 4 and to call for a division.

Mr. TURNBULL (Brunswick West).—The proposed new subsection (1A) of section 45 of the principal Act is grossly unfair. There are many good employers who either agree with their employees to a consent determination or, if the matter has been fully debated and argued before a wages board, do not feel disposed to lodge an appeal. On the other hand, members of the Chamber of Manufactures read all of the decisions in respect of a particular determination to which the employer concerned is not opposed, and they say, "If this is permitted to go into that award, it may get into other awards". If the Chamber of Manufactures feels that a particular award could be detrimental to its members, it will approach the Industrial Appeals Court to seek leave to appeal.

The relevant provision in this clause refers to an individual, and I ask honorable members why an ordinary individual should have the right to meddle in the relationship which exists between employers and employees. A provision of this type is in conflict with the wages board system as we understand it.

Mr. RAFFERTY (Glenhuntly).—I do not think any honorable member believes that the wages board system is under attack. It was suggested by the honorable member for Brunswick East that there might be some implied criticism in the provision contained in clause 4 that the system was not operating satisfactorily, but I do not think that that is the case at all. I am sure all honorable members believe that the wages board system is working well. I personally do not believe that it is the best system, for it has many shortcomings, but it is operating satisfactorily.

I see no reason why the Government should not give an individual the right to appeal if he wishes. I remind Opposition members that the provision contains the words "any person may, with the leave of the Industrial Appeals Court". The honorable member for Brunswick East suggested that trivial cases could be brought before the Industrial Appeals Court, but I suggest that those words make it clear that the court will give leave to appeal only after it is satisfied that the complaint is a valid one.

It is quite easy to understand why members of the Labor Party want appeals to be lodged only by the

trade union movement or—as they feel bound to add—by employer organizations; but I remind them that there are hundreds and hundreds of people who do not wish to belong to the trade union movement because they do not like it. Many wish to lodge appeals if they have valid cases. Many people do not wish to be represented by employer organizations. For those reasons, in bringing forward this measure the Government is doing a service to a group in the community which does not wish to be tied to trade unions or employers' organizations.

Because wages boards have been run in a certain manner over the years, it is not to say that, so far as individuals are concerned, the wages boards should be a closed book. I believe that the House should support this sensible provision, which is consistent with the Government's attitude right throughout in attempting to afford everyone a just opportunity, if he desires, to air his views as he wishes. He should not be forced to be tied to the trade union movement or to any other body.

Mr. FENNESSY (Brunswick East).—The honorable member for Glenhuntly said that the Opposition's case was that it wanted to exclude people outside the trade union movement from lodging appeals against a wages board decision. That is not the view of the Opposition, although it may be the view of the member who represents the Chamber of Commerce, because he is interpreting his own thoughts on how the Chamber of Commerce would apply itself in a particular case.

It is true that there have been many decisions with which the Chamber of Commerce and the Chamber of Manufactures have not been satisfied, and on many occasions they have appealed to the Industrial Appeals Court. In our view, that is a very fair course to follow, and nobody disputes it. This system has worked well in the past, so why should the Minister be suddenly interested in incorporating this clause into the Labour and Industry Act? Who asked him to do it? On his own admission, he was approached by the Chamber of Manufactures, which wished it to be included.

Did the Minister consult the trade union movement? Did he ever submit this clause to the Trades Hall Council or to its secretary, Mr. Jordan, and ask him for his opinion? As I pointed out in my second-reading speech, on many occasions proposals have been put forward by the trade union movement to Ministers of Labour and Industry. The movement has suggested amendments to the Act, and it is known that their submissions have been canvassed. If it is good enough for preceding Ministers to follow that course—on occasions the present Minister has done so—why was this proposal not submitted to the trade union movement?

It is not good enough for the Government merely to say that the provision has been suggested by the Chamber of Manufactures or the Chamber of Commerce. Being the Government that it is, and having the weight of numbers, it believes that it does not have to consult anybody. It makes a decision and people can take it or leave it. That is the attitude of the present Minister, and it is resented by members of the Opposition. We also resent the Government's practice of using sheer weight of numbers to force the passage of proposed legislation of this type. The Opposition opposes the clause and will call for a division.

Mr. ROSSITER (Minister of Labour and Industry).—I am constrained to reply to a point raised by the honorable member for Brunswick East. The honorable member said that representations were made to the Government by the Chamber of Manufactures, but I remind him that, in my second-reading speech, I said,

Representations have been made to the Government for some years, in this case by employer interests . . .

That does not mean that the Chamber of Manufactures or the Chamber of Commerce is the specific point of representation. I continued—

to amend the Act to allow appeal proceedings to be taken by additional classes of persons.

The employer interests to which I referred could be a minority of the associations concerned, or a minority of the Chamber of Manufactures and the Chamber of Commerce. Members of the Labor Party have protested many times over the years about the rights of minorities, and this Bill affords access to the courts for minority groups within the community which may not be represented by the Chamber of Commerce, the Chamber of Manufactures or the trade union movement. It must be a dreadful thing for the Opposition to know that the trade union movement is not representative of all the groups in the community which are on the employees' side of the industrial movement. There are individuals who would be distressed if the trade union movement were called upon to represent them, for they want to represent themselves at the Industrial Appeals Court.

Mr. FENNESSY.—You are not a trade unionist.

Mr. ROSSITER.—I have been a trade union member for nearly 40 years.

Mr. FENNESSY.—You sound like a trade union hater.

Mr. ROSSITER.—I am a hater of some trade unions, which deliberately besmirch the democratic principles in which we believe. I believe that some of the trade unions which are led by the communist influences in this community ought to be looked at closely. I must admit that the secretary of the Victorian Trades Hall Council has waged a war against them for years in an effort to dislodge them from the trade union movement and the Trades Hall Council but, unfortunately, it appears that he is losing his battle; but that is another story.

The rights of persons who are not members of an organization should be protected, and the Government stands on that statement.

The Committee divided on the clause (Mr. L. S. Reid in the chair).

Ayes	47
Noes	16
Majority for the clause	31

AYES.

Mr. Balfour	Mr. Reid (*Box Hill*)
Mr. Billing	Mr. Ross-Edwards
Mr. Birrell	Mr. Rossiter
Sir John Bloomfield	Sir Arthur Rylah
Mr. Borthwick	Mr. Scanlan
Mr. Broad	Mr. Smith (*Bellarine*)
Mr. Buckley	Mr. Smith (*Warrnambool*)
Mr. Cochrane	Mr. Stephen
Mr. Darcy	Mr. Stokes
Mr. Dixon	Mr. Suggett
Mr. Doyle	Mr. Tanner (*Morwell*)
Mr. Dunstan	Sir Edgar Tanner
Mr. Evans (*Gippsland East*)	Mr. Taylor
Mrs. Goble	Mr. Templeton
Mr. Hayes	Mr. Trethewey
Mr. Loxton	Mr. Trewin
Mr. MacDonald (*Glen Iris*)	Mr. Vale
Mr. McDonald (*Rodney*)	Mr. Wheeler
Mr. Manson	Mr. Whiting
Mr. Meagher	Mr. Wiltshire.
Mr. Mitchell	
Mr. Moss	*Tellers:*
Mr. Porter	Mr. Jona
Mr. Rafferty	Mr. McKellar.
Mr. Reese	

NOES.

Mr. Clarey	Mr. Sutton
Mr. Divers	Mr. Trezise
Mr. Edmunds	Mr. Turnbull
Mr. Fennessy	Mr. Wilkes
Mr. Floyd	Mr. Wilton.
Mr. Holding	*Tellers:*
Dr. Jenkins	Mr. Ginifer
Mr. Mutton	Mr. Ring.
Mr. Stoneham	

PAIR.

Sir Henry Bolte	Mr. Lovegrove.

Clauses 5 and 6 were agreed to.

Clause 7 (Regulations as to ventilation).

Mr. FENNESSY (Brunswick East).—In his explanatory second-reading speech, in referring to this clause, the Minister stated—

> Since Federation, constitutional issues of the respective jurisdictions of the States and the Commonwealth have always loomed large in the areas of the law within the administration of Departments of Labour, but perhaps they have loomed somewhat larger in recent years. In particular, the States have been concerned at the erosion of their constitutional powers, which has occurred by the inclusion of provisions concerning certain matters in awards made by the Commonwealth Conciliation and Arbitration Commission under the Conciliation and Arbitration Act. In most cases, I think, these would not have been arbitrated decisions, but would have been incorporated in awards as the result of agreements reached between the employer and employee organizations which are parties to the awards.

Of course, that is true, but many of the awards that are determined are based on agreements which have already been reached between employer and employee organizations. All that the Commonwealth Conciliation and Arbitration Commission does is more or less to ratify the agreements. The Minister went on to say—

> The particular matters with which the States have felt the most concern are, first, what I have already called "physical working conditions" and which may also be called, "safety, health and welfare provisions" and secondly, provisions concerning apprenticeship in the skilled trades and the administration of apprenticeship systems. The fact is that this Parliament may legislate on these matters, but the will of the Parliament may be set at nought by the process of representatives of employer organizations and trade unions getting together, making an agreement, and having it either registered as an agreement under the Commonwealth Act or incorporated in a Federal award made under that Act.

That is true also. The Minister emphasized his fear in relation to the erosion of the powers of the States. It is natural that he, as a member of this Government and apparently a good Liberal, should be a State-rightist and not believe in the centralization of power. Members of the Opposition understand the Minister's thinking in this regard, which might be appropriate also in a situation such as this—where regulations cover physical working conditions and safety, health and welfare provisions—where an organization desires to obtain uniformity, an objective which is achieved in many fields under Federal awards. The Minister believes there could be an erosion of the regulations as they apply within the State and are controlled by this Parliament. The Minister went on to refer to discussions that have taken place recently between the States and organizations of employers and employees in the Federal award field. Although members of the Opposition believe the clause is a worth-while amendment, we desire to make one suggestion to the Minister. It is that the regulations should at all times obtain until the question of standardization becomes final. In other words, there could be a time lag between the attaining of standardization and the time when he is prepared to accept standardization as opposed to the regulations. When a time lag occurs, the regulations should at all times govern these factors.

The clause was agreed to, as was clause 8.

Clause 9—

> After the proviso to sub-section (1) of section 80 of the Principal Act there shall be inserted the following further proviso :—
> "Provided further that when Christmas Day occurs on a Tuesday, Wednesday, Thursday, Friday, or Saturday all such shops may remain open on Christmas Eve until the hour of nine o'clock and when Christmas Day occurs on a Sunday or Monday all such shops may remain open on the Friday immediately preceding Christmas Day until the hour of nine o'clock."

Mr. ROSSITER (Minister of Labour and Industry).—I shall explain the proposed amendments which have been circulated. The clause, as drafted, makes provision for an increased period of trading on Christmas Eve. In view of the points made by members of the public and interested parties, the Government now feels that it should amend the Act to allow for the Christmas trading period to be extended on the

night before Christmas Eve. The amendments seek to give effect to that proposal. I move—

That, in the proposed proviso to sub-section (1) of section 80 of the principal Act, the word "Tuesday" be omitted.

Mr. FENNESSY (Brunswick East).—Members of the Opposition oppose this clause because we do not believe in a late shopping night. It is strange that the Minister at this stage has responded to pressure brought upon him by organizations which have approached him over the past two weeks and have persuaded him to abandon his idea of the late Christmas Eve shopping night and to provide for a late shopping night on the day before Christmas Eve. Members of the Opposition are opposed to the extension of late shopping hours. The Minister is inconsistent in his attitude, particularly in view of his letter to the Victorian Trades Hall Council in which he stated he intended to see that there was no late shopping on any week day and that Saturday morning shopping was not abolished. In other words, the Minister took the stand that he intended to maintain the *status quo*. The Minister is inconsistent because at this late stage he has changed horses in mid-stream and now intends to introduce late shopping nights.

MR. ROSSITER.—It is "a" late shopping night.

Mr. FENNESSY.—This will be the old old story. If someone wants to change something, he first applies a little touch, but then keeps up the pressure. I believe it is the intention of the Minister to use this measure as a wedge for the purpose of introducing late shopping on other occasions. The next thing we will hear will be that there are to be late trading nights on the eve of Father's Day, on the eve of Mother's Day and perhaps on Easter eve.

Honorable members interjecting.

Mr. FENNESSY.—The reaction of members on the Government benches indicates that they believe that would be a good idea. All honorable members, and the community in general, can take it from the Opposition that this will be the first of many moves to extend trading hours. The people do not require any help from the Minister on this matter. Apparently, he has not received many approaches about this; the suggestion that there should be a late trading night on Christmas eve is his own and is directed towards breaking down existing conditions. Apparently, the Minister feels that he is more powerful than the wages board. Next, he will be telling the Judges of the Arbitration Commission that he knows more about the situation than they do. I am sorry for the Minister because power is going to his head. Let us get away from the consideration of Christmas; the purpose of this Bill is to introduce a late shopping night. The Opposition rejects the proposal, and will take the matter to a division.

Mr. R. S. L. McDONALD (Rodney).—The Country Party opposes the extention of trading hours proposed by the Bill, first, on the ground that it is premature. Victoria does not have the concentration of population to warrant extended trading hours. Our conditions are not like those in the United States of America which has a population of 200,000,000, and where late trading hours are common. To introduce extended trading hours here would merely break down existing trading conditions—or is it that the Minister intends that extended trading hours shall become general?

Mr. ROSSITER.—That is irrelevant.

Mr. R. S. L. McDONALD.—It is not irrelevant. One cannot have one's cake and eat it, too. Trading hours should not be extended at this time.

Mr. EDMUNDS (Moonee Ponds).—It is possible that the Minister has been approached on this subject, but I have been approached by traders in my electorate who oppose this measure. For small suburban traders who

operate in community shopping centres—particularly in areas where there are such establishments as Northland—this is a retrograde step. It would be of no benefit to the small trader to remain open for an extra couple of hours on Christmas eve. He would merely have to face additional burdens in providing services and paying wages, while most customers would be attracted to the larger shopping areas because of the "specials" offered there. The experiment of extending trading hours for the convenience of workers on the natural gas pipeline was a failure. There was much agitation to stop it. If, as a result of trading hours being extended by this Bill, the Minister received representations from small shopkeepers that they should be discontinued because of the burden imposed on them, would the Minister introduce further amending legislation? When the Minister replies to the criticism that has been levelled at this measure, perhaps he will make a statement about that.

Mr. WHITING (Mildura).—Mr. Chairman, if the clause is to be amended, I should prefer to speak when the amendment had been agreed to. Would I be in order in speaking to the motion "that the clause, as amended, be adopted?"

The CHAIRMAN (Mr. L. S. Reid).—The honorable members may speak on the clause and on the proposed amendment.

Mr. WHITING (Mildura).—I should make my position clear. In a division on the amendments proposed by the Minister, I should have to support them. The traders of Ouyen, a township some 70 miles from Mildura, want a late trading night prior to Christmas to bring them into line with Mildura, and, it was thought, Swan Hill. Under section 80A of the Labour and Industry Act—which allows special trading hours in holiday resorts—Mildura may have late trading hours for fifteen weeks in any one year. This year, the first three nights on which shops will be open late will be the 20th, 23rd and 24th December. The Mildura Chamber of Commerce is recommending that the late shopping night should be the 23rd December, that is, the last period of shopping before Christmas eve. As it happens, this falls into line with the amendment now proposed by the Minister.

The Ouyen Chamber of Commerce and the Shire of Walpeup, which includes the town of Ouyen, have suggested to me that a provision on the lines of clause 9 should be inserted in the principal Act. Throughout the whole of this year, I have corresponded with the chamber of commerce, the shire, and the Minister of Labour and Industry on this subject. The stage has now been reached that the amendment necessary to allow shops throughout Victoria to remain open until 9 p.m., for this one night prior to Christmas, has been proposed. I emphasize that the clause provides that shops "may" remain open until 9 p.m.

The traders of Ouyen do not wish to lose business to Mildura or to any other town. Robinvale, for instance, has now been declared to be a tourist area under section 80A of the Act. The Shire of Walpeup also wants shops in Murrayville to be allowed to remain open late on Christmas eve. The traders in other towns, such as Underbool, Sea Lake, and Manangatang would welcome this provision so that they may observe later trading hours on Christmas eve if they wish.

In Ouyen, the late shopping night will be treated as a gala occasion. Possibly, people from the metropolitan area will contribute to business in the town, and so help reverse the trend of business going to the city. Traders in small towns take pride in the service that they provide to people living in surrounding areas. They should not have to lose trade to larger centres where shops may remain open later than they do in a small town.

Mr. ROSSITER.—Would the shop assistants go on strike?

Mr. WHITING.—I believe that the shop assistants in places like Ouyen are as much in favour of the suggestion as are the traders and the people from the surrounding area. If the clause as proposed to be amended is defeated, a penalty will be imposed on traders in these small towns. Many honorable members may not be aware how many towns have qualified as tourist towns. I have already mentioned Mildura and Robinvale. Others, such as Echuca, Bairnsdale and Wangaratta, as well as many places on the River Murray, have also been declared to be towns in tourist areas.

The secretary of the Victorian Branch of the Australian Labor Party, Mr. Hartley, was recently running around the countryside loudly proclaiming that the Labor Party would be the salvation of wheat-growers and people in country towns. Here is a matter on which that party could assist those people. The wheat harvest runs on to Christmas and, if the weather is suitable, farmers invariably harvest on Christmas Day. The provisions in clause 9, as proposed to be amended, would be to the benefit of many people in wheat growing areas.

Some dissension has arisen on this matter because the Associated Chambers of Commerce have made contact with the larger chambers of commerce in the State to enlist opposition to this measure. The chambers of commerce are based in the metropolitan area and, again, this is evidence of the domination of city organizations over organizations in country areas. This is something which I cannot accept. I thank the Minister for his help and understanding of the problems I have raised with him. For those reasons, I shall support the clause and the amendment.

Mr. RING (Preston).—I could not listen to what has been said during this debate and not support the sound case advanced by the honorable member for Brunswick East. The Minister of Labour and Industry has been talking of things about which he knows nothing. He keeps criticizing the Trades Hall Council. Where did the move for this Bill come from? Obviously, it came from the Minister's bosses in the Golden Mile who want to attract trade to Northland, Chadstone shopping centre, and similar places. The Minister is out of step with the people who support his party. I shall read some of the correspondence which I have received on this matter. Swain's Shoe Store Proprietary Limited, which is one of the biggest stores in High-street, Preston, has protested against the proposed late shopping hours. In a letter to me dated 25th November, 1968, Mr. F. Swain stated—

> My company wishes to protest against the proposed late shopping on Christmas Eve.
>
> We feel that the inconvenience of arranging experienced staff for one night's shopping is unwarranted, and practically impossible on this particular night. The conditions in Ouyen are totally different and cannot be compared with those in Melbourne where most of the work force commence Christmas holidays on 19th December, therefore providing ample opportunity for shopping.
>
> We would appreciate strong protests being made against such a proposal.

Reference has been made to the chambers of commerce. However, these organizations are not in favour of the proposal. I received the following telegram at Parliament House—

> Please oppose Bill for extension shopping hours Christmas period . . . Preston Chamber Commerce.

Other people have also been in contact with me and have expressed their opposition to the Government's proposal. The shopkeepers in High-street, Preston, are not happy about this Bill because they believe it is the forerunner of things to come—it is the thin edge of the wedge. I support the honorable member for Brunswick East and reiterate the view of the Opposition that it will not have a bar of late shopping.

Mr. FENNESSY (Brunswick East).—The honorable member for Mildura stated that he supports the amendment because certain small shopkeepers in country towns in his electorate have asked him to endeavour to have the shopping hours amended to conform with the provisions contained in the Tourist Act. The success of their representations would alter the shop trading hours situation throughout Victoria. Representations have been made from only a small section of the community, and this does not justify the amendment of the principal Act to bring about an extension of late shopping hours. Members of my party oppose the amendment.

Mr. ROSSITER (Minister of Labour and Industry).—It is interesting to note that the honorable member for Mildura, who is a highly intelligent and responsible member of the Country Party, has disagreed with the majority view of his party. It will be interesting to see what happens when this measure reaches another place.

The Committee divided on the question that the word proposed by Mr. Rossiter to be omitted stand part of the clause (Mr. L. S. Reid in the chair)—

Ayes	26
Noes	38
Majority for the amendment ..	12

AYES.

Mr. Broad	Mr. Mitchell
Mr. Buckley	Mr. Moss
Mr. Clarey	Mr. Mutton
Mr. Cochrane	Mr. Ring
Mr. Divers	Mr. Ross-Edwards
Mr. Evans (*Gippsland East*)	Mr. Stoneham
Mr. Fennessy	Mr. Sutton
Mr. Floyd	Mr. Trewin
Mr. Ginifer	Mr. Turnbull
Mr. Holding	Mr. Wilkes
Sir Herbert Hyland	Mr. Wilton.
Dr. Jenkins	*Tellers:*
Mr. McDonald (*Rodney*)	Mr. Edmunds
	Mr. Trezise.

NOES.

Mr. Balfour	Mr. Reid (*Box Hill*)
Mr. Billing	Mr. Rossiter
Mr. Birrell	Mr. Scanlan
Sir John Bloomfield	Mr. Smith (*Bellarine*)
Sir Henry Bolte	Mr. Stephen
Mr. Borthwick	Mr. Stokes
Mr. Dixon	Mr. Suggett
Mr. Doyle	Sir Edgar Tanner
Mr. Dunstan	Mr. Taylor
Mrs. Goble	Mr. Templeton
Mr. Hayes	Mr. Trethewey
Mr. Jona	Mr. Vale
Mr. Loxton	Mr. Wheeler
Mr. MacDonald (*Glen Iris*)	Mr. Whiting
Mr. McKellar	Mr. Wiltshire.
Mr. McLaren	*Tellers:*
Mr. Manson	Mr. Smith (*Warrnambool*)
Mr. Meagher	Mr. Tanner.
Mr. Porter	
Mr. Rafferty	
Mr. Reese	

PAIR.

Mr. Lovegrove	Sir Arthur Rylah.

Mr. ROSSITER (Minister of Labour and Industry).—I move—

That the words "or Saturday" be omitted with the view of inserting the words "Saturday or Sunday".

The amendment was agreed to.

Mr. ROSSITER (Minister of Labour and Industry).—I move—

That, after the word "on", where second occurring, the words "the day preceding" be inserted.

The amendment was agreed to.

Mr. ROSSITER (Minister of Labour and Industry).—I move—

That the words "on a Sunday or Monday" be omitted with the view of inserting the words "on a Monday or Tuesday".

The amendment was agreed to.

The Committee divided on the clause, as amended (Mr. L. S. Reid in the chair)—

Ayes	38
Noes	26
Majority for the clause, as amended	12

AYES.

Mr. Balfour	Mr. Rossiter
Mr. Billing	Mr. Scanlan
Sir John Bloomfield	Mr. Smith (*Bellarine*)
Sir Henry Bolte	Mr. Smith (*Warrnambool*)
Mr. Borthwick	Mr. Stephen
Mr. Doyle	Mr. Stokes
Mr. Dunstan	Mr. Suggett
Mrs. Goble	Mr. Tanner
Mr. Hayes	Sir Edgar Tanner
Mr. Jona	Mr. Taylor
Mr. Loxton	Mr. Templeton
Mr. MacDonald (*Glen Iris*)	Mr. Trethewey
Mr. McKellar	Mr. Vale
Mr. McLaren	Mr. Wheeler
Mr. Manson	Mr. Whiting
Mr. Meagher	Mr. Wiltshire.
Mr. Porter	
Mr. Rafferty	*Tellers:*
Mr. Reese	Mr. Birrell
Mr. Reid (*Box Hill*)	Mr. Dixon.

NOES.

Mr. Broad	Mr. Mitchell
Mr. Buckley	Mr. Moss
Mr. Clarey	Mr. Mutton
Mr. Cochrane	Mr. Ring
Mr. Divers	Mr. Ross-Edwards
Mr. Edmunds	Mr. Stoneham
Mr. Evans (*Gippsland East*)	Mr. Sutton
Mr. Fennessy	Mr. Trewin
Mr. Floyd	Mr. Turnbull
Mr. Ginifer	Mr. Wilkes
Mr. Holding	Mr. Wilton.
Sir Herbert Hyland	*Tellers:*
Mr. McDonald (*Rodney*)	Dr. Jenkins
	Mr. Trezise.

PAIR.

Sir Arthur Rylah	Mr. Lovegrove.

Clause 10 (Repeal of provisions as to painting, &c., of interiors of bakehouses).

Mr. FENNESSY (Brunswick East). —Under the old Labour and Industry Act, supervision of the painting, and so on of interiors of bake-houses was necessary. The Opposition agrees that this supervision is already provided for under the Health Act and that section 124 is a duplication.

The clause was agreed to, as was clause 11.

Clause 12 (Repeal of provision as to demanding premium for employment of person under 21 years).

Mr. FENNESSY (Brunswick East). —Section 137 of the principal Act relates to apprenticeships in pharmacies, and involves a premium for the employment of persons under 21 years of age. Apprentices are no longer employed in pharmacies, therefore the section is unnecessary and ought to be repealed.

The clause was agreed to, as were clauses 13 and 14.

Clause 15 (Certificate of appointment of inspectors).

Mr. FENNESSY (Brunswick East). —This clause provides that every inspector shall be furnished by the secretary with a certificate of his appointment, which should be produced on demand to the occupier or person in charge of the building or place the inspector intends to enter or enters in the course of his duty under the Act. This is a necessary provision, and the Committee will agree that every inspector should be armed with an authority. When there was trouble with the bread industry, inspectors were not permitted by some owners to enter the factories. Once the authority is produced, no owner will be able to refuse the right of entry to inspectors from the department.

The clause was agreed to, as were clauses 16 to 18.

Clause 19 (Exceptions from provisions as to general closing hours).

Mr. FENNESSY (Brunswick East). —This clause provides that shops for the sale of aviary and cage birds and for the sale of acquarium fish shall be added to the Fifth Schedule. As the Committee knows, a certain number of shops included in the Fifth Schedule are permitted to trade outside the normal trading hours. The Opposition has always taken a stand regarding the extension of the number of Fifth Schedule shops. Today, it is gold fish and birds; tomorrow the Government might propose to include in the Fifth Schedule butchers, grocers and similar shops. The Opposition does not believe it is

necessary to include the two types of shops listed in the clause in the Fifth Schedule, and therefore opposes the clause.

The clause was agreed to.

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

MELBOURNE UNIVERSITY (COUNCIL) BILL.

This Bill was received from the Council and, on the motion of Mr. ROSSITER (Minister of Labour and Industry), was read a first time.

DOOR TO DOOR (SALES) (AMENDMENT) BILL.

This Bill was returned from the Council with a message relating to amendments.

Mr. G. O. REID (Attorney-General).—The two amendments which have been made in this Bill by another place were suggested by the honorable member for Brunswick West when this measure was under consideration in this House. Clause 3 of the Bill, which inserts a new sub-section (2) in section 3 of the principal Act, provides that when a vendor fails to give the purchaser certain documents, he shall be liable to a penalty. As the Bill was drafted, an offence was constituted only when the vendor failed to give two different types of documents to the purchaser. The honorable member for Brunswick West suggested that it should be an offence if either of the two documents was not passed on to the purchaser of the goods. I gave consideration to this suggestion and, as a result, appropriate amendments were adopted in another place. The first amendment simply inserts in the new sub-section the words "either of" so that it will be clear that a vendor who fails to give either of the two documents in question to a purchaser shall be guilty of an offence. I move—

That amendment No. 1 be agreed to.

The motion was agreed to.

Mr. G. O. REID (Attorney-General).—The second amendment is consequential on the amendment, which has just been adopted. I move—

That amendment No. 2 be agreed to.

The motion was agreed to.

LIQUEFIED GASES 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.

MEDICAL (ORGAN TRANSPLANTS) BILL.

The debate (adjourned from November 26) on the motion of Mr. Manson (Minister of State Development) for the second reading of this Bill was resumed.

Dr. JENKINS (Reservoir).—For a number of years, transplants of various organs from one person's body to another have been going on, but it was not until a few months ago when Dr. Barnard performed the world's first heart transplant operation in South Africa that the full implications of these procedures "hit" the ordinary members of the community, persons concerned with legislation and doctors concerned with the conduct and ethics of the practice of their profession. It was not until then that the true seriousness and implications of the situation were fully realized. Following the first heart transplant operation, there has been a spate of such procedures, the majority of them of questionable benefit to the individuals concerned or the community. Perhaps they have supplied some information for future progress in surgery of this type.

Earlier types of organ transplants, such as blood transfusions, have gone on for many years. There were, for example, corneal transplants in which the cornea was taken from cadavers and used for unfortunate people who

needed them. Just as with the major organ transplants, the transplant of a cornea had to be a process carried out almost at once. The corneal tissue can now be stored, under proper conditions, for long periods of time. Renal transplants have also taken place. Originally, renal transplants involved the use of kidneys donated by live persons. A kidney is one of those organs of which we are fortunate to have two, and a human being can get along with only one. It was easier to obtain from live persons kidneys that were to be used in transplants. Honorable members are familiar with the organization that is necessary to remove such organs promptly so that they can be used for unfortunate sufferers of renal disease.

With the advent of heart surgery, consideration is now being given to lung transplants and liver transplants. This is a most difficult surgery, and, from the moral and ethical points of view, it is the most difficult area in which to make a decision. The first decision which must be made before taking an organ from a cadaver is whether the person from whom the organ will be taken is dead. A number of attempts have been made to define the moment of death and the best that could be said in this respect is that the decision should be left to the discretion of the doctor who is attending the case. The Bill provides that the person who shall decide on the death of a donor must be someone who is not involved in the transplant procedure. It is difficult to envisage how someone can be divorced completely from the proceedings when the question of whether the transplant shall proceed depends upon his decision. This is one area which will require continual examination.

While members of the medical profession usually try to conduct themselves on the highest ethical principles, we have heard of human experimentation—often, it amounted to extermination—in the past carried out on the Continent with the excuse that it was advancing science and that the individuals concerned were, perhaps, less than human beings. Probably, some honorable members have examined some of the reports that were published after the second world war. Once one is involved in these procedures and once one has to make a decision that there is a time to take material from one body and transplant it into another human body, I am convinced that one could become callous to the conditions which could occur, and there may be increasing infringements on the rights of human beings to survive.

One medical practitioner in the community discussed this matter in the early stages and, in speaking of these ethical considerations, he made the remark that perhaps we might find that some mental institutions are being used as organ farms for donees. He was grossly misreported because he was reported as suggesting that this should occur—that the person who had no real knowledge of his environment could be used for this purpose. However, he was trying to point out that one could become so callous in having to make a decision as to where an organ came from that this situation could be reached. This is a matter which should concern all honorable members. We are faced with the proposition whether this legislation is worth while at present.

Initially, when it was mooted that transplants might be carried out in our hospitals, the Minister of Health sounded a note of warning and indicated that he might be prepared to consider certain action if this was done precipitously. At that stage I supported the honorable gentleman's attitude. Some criticism was made of the Minister to the effect that perhaps he was interfering with the practice of medicine and the doctor-patient relationship. In procedures of this type where death is certain to occur in one of the individuals, or life cannot continue, and the other is subject to grave risk, I believe the

Minister had the right to sound a warning. However, I am not so keen on the Bill which he presented to Parliament.

Members of the Opposition will not oppose the Bill but we wonder whether it will be really worth while. It is the result of an interim report from the National Health and Medical Research Council which attempts to solve some of the problems. This council is continuing its activities and I believe it has indicated that when it has completed its work and submitted recommendations, amendments may be necessary to this legislation—in fact, amending legislation may be introduced. For this reason, I wonder whether this measure will serve a worth-while purpose—whether at the moment the job is in fact only half done.

Certain aspects of the measure need clarification. The conflict of interest amongst medical practitioners is covered by the Bill. The consent of the relatives is also clarified. I suppose the measure serves those particular purposes. The whole business, particularly with the major organ transplants, is in such a state of flux that I wonder whether it will benefit a large number in the community. Is the cost of this "spare parts" surgery worth while when there is still so much to be done in the prevention of disease and deformity in the community? While I was in the United States of America, it was stated that one of the heart patients in New York survived only for a few days but the total cost of the surgery amounted to $US27,000.

One questions whether the transient benefit that might occur from this procedure justified the strain that was placed on the relatives, the patient himself, and the doctors concerned, because they become personally involved, and whether that sort of expenditure would not be better used in basic research for the prevention of disease. I raise these questions seriously. Perhaps people as a community, and medical practitioners as a profession, should ask whether the steps that are being taken are really worth while to the extent of benefitting the individual.

One thing that causes me concern is the type of publicity that accompanies these procedures. It is nauseating, and it disgusts the ordinary individual when human beings and human lives are dissected in public, not only in the press but by all the other media of mass communication. It fills me with disgust and Parliament should seriously consider placing a prohibition on it. One hopes that these mass communication media will establish suitable ethics to cover the situation.

Mr. B. J. EVANS.—You are an optimist.

Dr. JENKINS.—That may be so, but I mentioned a previous situation where familiarity could lead to callousness and contempt. I do not suggest that this is done deliberately by these people, but the repeated publicity of these cases acts as a safeguard against callousness and contempt.

The Opposition will not oppose this Bill, but it questions whether it is premature. It is hoped that the measure will assist in certain areas, but Opposition members look forward to a continuing examination of this whole field of major organ transplants, so that the community will not lose its conscience in this matter.

Mr. MITCHELL (Benambra).—The Country Party views this Bill either as something that is really harmless, impotent, inoperative and small, following the example of other States in Australia, or something which causes a good deal of apprehension. The honorable member for Reservoir has stated that the concept of organ transplants is not new. Cannibals have been doing it for years, but when the cannibal puts the missionary in the pot he is only adapting the missionary's organs to his own use.

Dr. JENKINS.—For a therapeutic purpose!

Mr. MITCHELL.—Now the boot is on the other foot and missionaries condemn cannibals for this practice, but the cannibals are saying to the missionaries, " We were right all the time ". This is nothing new. In Samuel Pepys's time blood was taken from animals and human beings and put into people's bodies, and as long as 25 years ago there were corneal grafts. The focus has been directed to it in latter days only because of two matters. First, we are not dealing with a non-vascular organ such as the cornea of the eye, but a vascular organ such as the heart or kidneys. Secondly, there is a time factor. When a kidney is removed there can be a wait of, perhaps, half an hour before it is placed in the recipient body, but with the heart it is literally a matter of minutes and virtually there are two lives at stake.

There are various aspects to be considered—medical, spiritual, ethical, and legal. Regarding the medical side, I realize that in the presence of the honorable member for Reservoir I am out of my depth ; nevertheless, there are two aspects as I see them. First, there is the mechanical side. There is very little in joining up the vascular system from the body which is receiving the organ and the organ itself. The difficulties and dangers arise in the chemical side of the body, which may reject the new organ. A splinter in the foot may cause festering, but it is not because of the actual lesion or laceration of the foot by the splinter ; it is the strange chemicals which the body does not like, and the white cells of the blood rush to repel the foreign body ; this causes the fester, which is only the polymorphonuclea leucocytes which have died in the battle to save the body from disease. The moment there is any form of human bodily differentiation, there is the strong possibility of the body rejecting a particular organ which has been brought from someone else.

The honorable member for Reservoir did not refer to the spiritual aspect, which loomed largely at the time of the corneal grafting Bill, and honorable members will recall that, with a view to ascertaining what the good men of religion felt about this aspect, the debate on the Bill was adjourned for 48 hours and a special committee of all parties was formed to meet the leaders of the various churches. After these gentlemen had examined the Bill, they felt there could be no objection to it. It must be realized that people have spiritual feelings in this matter.

We are only at the beginning of these procedures, which eventually will grow into a vast science the like of which the world of medicine has not seen, and care must be taken not to offend people's theological susceptibilities. The question of ethics was touched upon by the honorable member for Reservoir, but difficulties arise when the press wants sensational news. It will be recalled that when a woman in Queensland was about to give birth to quintuplets the press promised that her name would not be revealed, but the newspapers made the facts so clear by ancillary information that they really put a label on the woman. This sort of thing is difficult to control and some sort of watch should be exercised in this area to avoid any form of callousness. It must also be remembered that doctors under their Hippocratic oath are tightly bound regarding any form of advertising, but if they are able to receive some publicity and fame for having saved a life by a successful transplant I have a feeling that the information may leak out. The ethical side of the question is extremely hard to deal with.

Perhaps the most interesting point is the forensic-medical or legal side, and in this respect the Bill could be a thoroughly dangerous piece of legislation. From the speeches that have been made in another place and from what has been said by honorable members in this House, doubt

has been piled on doubt, and uncertainty piled on uncertainty. The National Health and Medical Research Council has not yet stated what it thinks of the matter, and there is the possibility that a Commonwealth conference of Attorneys-General will examine the forensic-medical side of this legislation. At present there is a state of confusion on the point of what could be a "green light" to murder. The Bill fails lamentably in that it does not define when a death occurs. This is a serious omission from the Bill because honorable members want to know when a person is actually dead. As Voltaire said—

> He who would argue with me must first define his terms.

When lawyers want to know whether a person is right or wrong, innocent or guilty, in a legal problem, they first seek definitions. It is like a key fitting into a lock. Doctors should not be led up the garden path. If this Bill is passed, as undoubtedly it will be, doctors may easily fail with transplants, and if there is a death they may be in trouble. The definition of murder commences with the words "unlawfully killing a reasonable creature". Is the procedure prescribed in the Bill lawful? Does the Act make the procedure lawful? However decent and skilled a doctor may be, does it lay him open to a charge of unlawful killing?

There is a great danger to the medical profession in this Bill in that they may go ahead in good faith, but if they cause the death of a person they may find themselves charged with murder. I cannot see that they are protected from a charge of unlawful killing because there is this lack of a definition in the legislation. It must be remembered also that there has been a change in the whole idea of when life passes from the human body. In the days of Lister if a person's heart stopped beating the doctor of the day said that he was dead; if he stopped breathing, he was dead.

Mr. SUTTON.—The theologians did not say that.

Mr. MITCHELL.—I am concerned more with the forensic medical side of things and I leave the theological aspect to the honorable member for Albert Park. It is well known that death is not just a momentary thing like a candle blowing out in the wind. It is quite a protracted process. These days various processes exist which were not available in the old days to prolong life and to defeat death. These days there is a heart failure and the man is apparently dead. However, in the old days he was dead. Today there is heart massage. In the case of failure of breath there is artificial respiration. The whole process is long and there is more uncertainty.

Take the case of the young girl Sheron Jackson, who was in the Corryong hospital. She was a brilliant young high school student who was hopelessly mangled in a motor smash. The doctor at the hospital told me she died twice when she was on the operating table. The doctor put up an incredible performance and the girl is alive today even though she is crippled from the waist down. I suppose the doctor could have said, "This girl is dead, why worry about her? Someone else wants a heart or a kidney, so let us take the heart and the kidney out of Miss Jackson and give them to other people." If that had been done instead of now setting an example of human courage and incredible fighting spirit, this girl would have been dead. If there had been a terrible rush to get her spare parts the world would have been deprived of a Christian example of the highest possible standard.

Honorable members can see how the whole question of when death occurs has changed. It makes us more emphatic on what we consider should be contained in the Bill. However, the Government is lamentably ignorant. What is the key definition to this situation? What is the keystone to the whole arch of this problem.

Mr. WILCOX.—What is that?

Mr. MITCHELL.—The Minister of Transport has just walked into the Chamber.

The SPEAKER (the Hon. Vernon Christie).—Order! The honorable member for Benambra should ignore interjections.

Mr. MITCHELL.—The Minister is entitled to an answer. It is the question of when death actually occurs and there is a lamentable omission and neglect of definition in proposed section 44A of the Bill. The Bill contains definitions of hospital, medical superintendent, relative and therapeutic substance, but there is no exact definition of when a person is deceased.

In the early days of the last century when there was a strong demand for bodies to forward medical knowledge we heard of the group called the resurrectionists. People would bury their relatives in the family churchyard and as soon as it was dark the body was dug up and sold to doctors who asked no questions. There was no orderly marketing in those days, probably because there was no Country Party, and the supply of bodies was insufficient to meet the needs of the medical profession. One or two commercial tycoons—they would have been Sir Arthur Warners if they had lived today—really got on to the problem. The firm of Burke and Hare started to murder people and the doctors who were desperate for bodies for research and accordingly would not ask questions were getting bodies which were still warm. Then a well known young lady was murdered in Edinburgh. She was well known for her ability to satiate certain moments of male tension and when her body appeared on the dissecting slab at the medical school everybody recognized her. The doctor concerned disappeared in disgrace, one of the men turned King's evidence and the other was hanged on 5th December, 1831.

The SPEAKER (the Hon. Vernon Christie).—I invite the honorable member to relate his remarks to the Bill.

Mr. MITCHELL.—That is the danger, Mr. Speaker. You have put your finger on the point. There is an urgent need for medical knowledge of transplants. We do not usually use the metaphor of doctors like vultures around the dying body stropping their scalpels on the soles of their shoes, but I am concerned that in the desire to help the human race a grave mistake may be made. I refer honorable members back to the case of the girl at the Corryong hospital and the point that there is an urgent need to do something that will help the community. Work done by the doctors in the early days of dissection was invaluable to the later race of doctors and the work of doctors today on organ transplants is invaluable, but we do not want history to repeat itself and people who could live for some months or perhaps years die before their time. The law of the land says quite definitely that they must not.

Except for those apprehensions which members of our party have as a result of a good deal of deep research into this matter we feel that the Bill should be passed. It does bring the laws of Victoria into line with the laws of other States, but it leaves many things in doubt. At the moment kidneys, hearts, lungs and pancreas are being transplanted and later on there will be a tendency to recover intestines, spleens, bones, marrow, muscles and brains. A human body may be walking around the streets of Melbourne rather like Robert Burns's axe which had six new heads and ten new handles. There has been a break through in medical science since the days of Lister, and the Country Party does not oppose the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Interpretation).

Mr. MITCHELL (Benambra).—On this question of definition, cannot something be adopted as a starting point? I realize as well as does the Minister the problems we are up against. It is a matter of acute difficulty. I should like to hear from the Minister whether something can be done to make an attempt to define when death actually occurs. I cite the case of Dr. Balcombe Quick, who was operating on a patient, and the anaesthetist said, " Mr. Quick, the patient is dead " to which Mr. Quick replied, " He is not at my end ". The retort of the anaesthetist was, " He is at mine. " The whole question is difficult, and I appreciate the difficulty of the Minister in defining the moment when life really can be said to have left a person. There was the case in Albury where a man was badly mangled in a glider accident and lived for four hours. I am trying to elucidate this point by giving examples. To my way of thinking this Bill will be inoperative and impotent unless there is an attempt made to define the moment when it can be said that a person is dead.

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

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

Mr. MANSON (Minister of State Development) .—I move—

That this Bill be now read a third time.

Mr. MITCHELL (Benambra).—There is one point in the Bill that I am not happy about and no reference has been made to it in the debate. It is the question of a man, during his last illness, expressing a certain request. This person is sick unto death and according to the Bill he can express a request that such organs as are needed for someone else can be taken from his body. I may be wrong in this regard and if I am the Minister can correct me, but this is an oral request and that is not good enough. Consideration should be given to expressing the request in writing because it will be too easy for some organization to say, " We will hack his kidneys out and use them for the blonde upstairs. " For the protection of all concerned this request should be in writing. An oral request is not enough.

Another thing which has been overlooked, I feel, is the mental state of the person who makes the request that a part of his body shall be used for therapeutic purposes after his death. Can this be done if a person is not of correct mental balance? In this State criminals cannot be hanged if they are thought to be mentally deranged. In Corryong there was the case of a man bitten by a snake, and the question was raised whether a dying man had the power to make a will, and, also, whether his mind was affected. This should be closely examined. A safeguard should be included in the Bill to ensure that a person must be of normal mental capacity at the time of making a request. I do not care for the idea of a person making such a request when, because of sickness or for some other reason, he is not in a normal mental state.

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

PESTICIDES (PROCLAMATIONS) BILL.

The debate (adjourned from October 29) on the motion of the Sir William McDonald (Minister of Lands) for the second reading of this Bill was resumed.

Dr. JENKINS (Reservoir).—The Opposition does not intend to oppose this Bill. In view of the fact that some of the operative proclamations have been in force since 1917, I accept the explanation of the Minister in his second-reading speech that it is indeed to be what might be called a tidying-up Bill. In view of the change in the chemical structures of insecticides, pesticides, vermin destroyers and weedicides, the provisions of this Bill are necessary. It is understandable that the situation should be

made much clearer to those concerned in the manufacture, use and distribution of these substances, because it is a matter which raises many wider issues, so far as the declaration of such substances into particular groups is concerned.

Over the years, a number of honorable members, including myself, have drawn attention to the concern that has been expressed with regard to the effects of these chemical groups. Members of the House have discussed the books, *Silent Spring* and *Man in His Environment*. There is a whole range of books devoted to the matter. Concern has been expressed at the altered ecology that has resulted from the use of these substances, and a pesticide committee has been formed to make recommendations on how the effects of the substances can best be controlled. The substances concerned are widely used throughout the community. The primary producer uses them in massive doses, and even the home gardener, with gay abandon, tends to double the recommended dose.

The *Australian* newspaper yesterday published a letter which commented on the cumulative effects of DDT. The letter states that the cumulative effects on a warm-blooded animal are not so important, although they do occur, but that the effects accumulate in a cold-blooded animal. One wonders what will be the overall effect of the accumulation of these substances, how much these chemicals are affecting our environment, and what will be the future that people will reap.

Mr. WHITING (Mildura).—The Country Party supports this Bill. As the honorable member for Reservoir has said, some of the proclamations were made many years ago, as far back as 1917. Some pesticides that are no longer in use are still on the list of proclaimed substances. The Country Party feels that there is no necessity for this. The Bill also contains a consequential mechanical amendment.

The Minister spoke of the use of pesticides in agriculture, but I believe the public generally are much more aware of the dangers of using these substances than previously. Perhaps that is due to the reading of books such as Rachel Carson's, *Silent Spring*, and Jamie L. Whitten's, *That We May Live*. I commend this book to honorable members. It is obtainable from the Parliamentary Library, and in chapter 5, under the heading "Are Pesticides a Hazard to Man?", the author writes—

> Still another study focused on fifteen people who had worked in a chlordane plant from one to fifteen years. Under constant but very small exposure to the insecticide, they showed no evidence of injury to any of their body organs. Since their exposure was greater than could be expected for users of the chemical, the investigators concluded that it presented little if any hazard when properly employed.

The words "properly employed" are the important ones, because it is from misuse that harm is caused. Honorable members may have been fortunate enough to see the television programme "Impact" which appeared on the national channel last Monday. It contained a complete coverage of the use of nerve gases throughout the world today and the horrifying effects of these compounds. It also showed some of the effects of 2-4-D and another weedicide known as picloram which was being used in an attempt to eradicate skeleton weed. Its effects are devastating; in fact, it poisons the soil for a very long period and is dangerous to people who inhale or absorb it in fairly large quantities.

I believe the Government must be constantly aware of the problems associated with the misuse of chemicals which are available for agricultural and other purposes; and any measure designed to tighten control is fully supported by the Country Party.

The motion was agreed to.

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

STOCK (ARTIFICIAL BREEDING) (AMENDMENT) BILL.

The debate (adjourned from November 27) on the motion of Sir William McDonald (Minister of Lands) for the second reading of this Bill was resumed.

Mr. TREWIN (Benalla).—This Bill proposes to amend the Stock (Artificial Breeding) Act, and the Country Party supports it. The measure is concerned with the development of scientific, modern aids which are used by man to assist in breeding improved strains of stock in a shorter period than was previously possible. This Bill permits the importation of semen for use in certain fields. Not long ago semen was illegally introduced from overseas in another State, and a great deal of panic was caused because of the possibility that exotic diseases could be introduced into Australia.

I am not sure whether even this Bill will ensure that all the features of quarantine will be adhered to. No doubt most of these provisions come under the Federal Department of Health, and Victoria can deal only with the particular features of the Act as it concerns the State. The Bill ensures that the sale and use of semen must, after having been collected from approved sires, be contained and recorded so that those who desire to use it on their herds may be assured that the semen is from approved animals. In Victoria there are certain groups of co-operatives which are using this method of insemination for the breeding of stock in an endeavour to raise the standard of their herds or flocks.

It must be agreed that the people who are so interested in the feature of artificial insemination are acting in the best interests of stock generally. Often in the past a sire has been imported into a herd because it had a pedigree that was considered to be of such a nature that it would improve the herd in a certain manner. The approved sires that the organizations or groups or co-operatives have had at their disposal have generally been approved for a certain reason. They have been approved because they were from a particular blood strain that will produce a greater quantity of milk in dairy herds or a higher testing for cream, or, in the case of a beef herd, a higher or quicker reproduction in units of weight. The breeders of such stock in Victoria are well to the fore in ensuring that their stock are improving to such a degree that they can see some future in their breeding methods.

Clause 4 makes provision in relation to unsatisfactory results of performance tests and for records of production to be considered before approval of a sire is cancelled. Recordings are made in minute detail and tests are carried out. If the sire is not producing satisfactorily or its progeny are not satisfactory, approval of the sire will be cancelled.

In Victoria and Australia interested persons desire to improve their herds. The importation of semen from overseas for the purpose of improving a herd or raising a breed up to a particular standard can be carried beyond the realms of appreciation. I consider that we in Victoria have at our disposal stock of a quality which is equal to that of any other country. From time to time, judges or stud masters from overseas visit this country and inform us that our breeding methods are sound and that our herds and studs or flocks compare favourably with flocks and herds overseas. The foundation of many herds and flocks came from overseas countries where the breeds were developed and evolved. Climatic conditions in this country have allowed further development and improvement. Furthermore, stud masters in Australia are well up in the use of modern techniques in relation to the development of cattle or sheep. You, Mr. Deputy Speaker, as one who is interested in the export of cattle, no doubt would desire to

have the best breed that is available in the world to start or improve a stud. The method that is adopted in Victoria in order to reproduce through artificial insemination the characteristics of a breed in which we are particularly interested, can be further developed and is being well managed. The Country Party supports the Bill.

Mr. EDMUNDS (Moonee Ponds).—The Opposition supports this measure which was fully debated in another place. From humble beginnings two or three years ago more than 200,000 animals are now being artificially inseminated annually. The Opposition is aware that strict precautions are taken to ensure freedom from disease in stock and that the transmission of genetic disease is controlled. This Bill primarily moves us to another stage of artificial insemination. It will permit control to be exercised over semen imported from the United Kingdom and European countries. As I understand it, the first batch of semen is expected to arrive in this country next year. It is important that health testing of this semen and particularly of the sires is maintained. It is also essential to ensure that stock standards in Victoria are maintained.

The point I wished to develop, briefly, relates to genetic standards. Within human beings it is a study that has been pursued for many years, and it is still not well known. I am somewhat concerned that some of the genetic standards of our stock could be lowered by the importation of semen from either Europe or the United Kingdom. I realize that we are aware of foot and mouth disease problems, but genetic diseases could cause the industry in Australia, and in Victoria particularly, a good deal of concern in the future. In-breeding has always been a great problem and recessive-type diseases could result from the lack of control.

I am well aware that the Chief Veterinary Inspector has the power to approve imported semen and with the consent of the Commonwealth Government can either refuse or approve the use of imported semen, but genetics is a very complex subject. I should like to be assured by the Minister that, in relation to artificial insemination with imported semen, this subject will be given adequate consideration by the Chief Veterinary Inspector. Great care must be exercised in the application of controls to ensure that our stock maintains its high level of quality. Side-effects from imported semen could involve all sorts of transmutations which in the long term could be detrimental to Victorian herds. Apart from those few comments, the Opposition supports the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 5 were agreed to.

Clause 6 (Certain persons may use semen for operation of artificial insemination).

Mr. TREWIN (Benalla).—Sub-section (1) of proposed new section 10 provides that a person shall not use semen for performing the operation of artificial insemination on any stock unless he is a veterinary surgeon or a person possessing the prescribed qualifications. I ask the Minister what are the prescribed qualifications and who determines whether a person is qualified.

Sir WILLIAM McDONALD (Minister of Lands).—The persons possessing the required qualifications are the persons to whom I referred in my explanatory second-reading speech as having been trained at Werribee. The qualifications are determined by the Department of Agriculture, and I should presume would be authorized by the Minister.

The clause was agreed to.

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

Sir WILLIAM McDONALD (Minister of Lands).—I move—

That this Bill be now read a third time.

Mr. EDMUNDS (Moonee Ponds).—I overlooked mentioning to the Minister that, although clause 5 provides for the Chief Veterinary Inspector to inform the importer or agent of the cancellation of approval for sale and use in Victoria of imported semen, there does not appear to be any penalty with respect to disobedience of or non-compliance with the order. Perhaps the Minister could examine this aspect at a later stage.

Sir WILLIAM McDONALD (Minister of Lands).—The aspect to which the honorable member refers is contained in the principal Act.

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

ADJOURNMENT.

DROUGHT RELIEF IN BENALLA SHIRE.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That the House, at its rising, adjourn until tomorrow, at half-past Ten o'clock.

The motion was agreed to.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That the House do now adjourn.

Mr. WILTON (Broadmeadows).—I have received a letter from a Mr. Berry, of Wangaratta South, who is concerned about drought relief. I am aware that the drought relief scheme has been terminated. Mr. Berry points out that, because his farm is within the boundaries of the Shire of Benalla, which was not declared a drought area, he received no drought relief, although farmers owning properties adjoining his, which were in the shires of Wangaratta or Oxley, did benefit. I inquired about this position from the Rural Finance and Settlement Commission and was informed that several similar situations had arisen because districts were declared to be drought areas according to municipal boundaries. The ridiculous position arose that farmers on one side of a road obtained drought relief and farmers on the other side received nothing. Drought does not observe municipal boundaries.

Mr. Berry estimates that, if his farm had been in a declared drought area, he would have received $350 as a grain subsidy. He used all his fodder and had to purchase grain. He enclosed with his letter a statement of rainfall figures which he claims he obtained from the weather bureau. That statement indicates that the autumn, 1968, rainfall for the Shire of Meredith, expressed as a percentage of the long-term average, was 99.4, yet that shire was declared a drought area. The autumn, 1968, rainfall for the Shire of Benalla, expressed as a percentage of the long-term average, was 71.7. Drought relief was requested for this area in April, 1968, but was refused, and a grain subsidy requested in September, 1968, was also refused. That statement further indicates that the autumn, 1968, rainfall for Hamilton, expressed as a percentage of the long-term average, was 89.7, and that was the centre of the drought in the hard-hit Western District.

If the figures are accurate, it is strange that Meredith was declared to be a drought area and that Hamilton, with 89.7 per cent. of its average rainfall, was declared to be a drought area, but Benalla was not.

Sir HENRY BOLTE.—Is the honorable member putting this case on behalf of his party, or on behalf of some individual person? Does he believe in what he is saying? If so, he should say so.

Mr. WILTON.—This correspondence was forwarded to the Leader of the Opposition, and I am raising the matter.

Sir HENRY BOLTE.—Do you believe it? Do you raise the matter on your own account?

Mr. WILTON.—I raise it with a view to bringing it to the attention of the Government. I intended to ask

whether the Government would examine this gentleman's case with a view to providing assistance. If the Premier wants to deny that the Shire of Benalla was not——

Sir ARTHUR RYLAH (Chief Secretary).—On a point of order, Mr. Speaker, surely the adjournment procedure cannot be taken advantage of by a member to use insinuating, offensive and political remarks. That is what the honorable member for Broadmeadows is doing. The capable member for Benalla obviously has not been consulted. If he had been, the honorable member for Broadmeadows would not be making political capital, as he is doing. Why did he select Meredith and Hamilton? It was for the obvious reason that the Premier represents Meredith——

Mr. WILTON (Broadmeadows).—I raise a point of order.

Sir ARTHUR RYLAH (Chief Secretary).—I am speaking to a point of order.

Mr. WILTON.—You are making a speech. Apparently, I have hit home.

Sir ARTHUR RYLAH.—Obviously, Meredith has been selected, because it is represented by the Premier, and Hamilton because it is represented by the Minister who had charge of drought relief. There is an offensive insinuation about this.

Mr. WILTON.—That is not far off the mark.

Sir ARTHUR RYLAH.—If you believe it, it just shows you——

The DEPUTY SPEAKER (Mr. L. S. Reid.—Order! The honorable member for Broadmeadows should raise the matter which requires the attention of the Government. I find it relevant, but the honorable member's time has expired.

Sir HENRY BOLTE (Premier and Treasurer).—I wish to reply to the honorable member for Broadmeadows, who has taken the opportunity to raise an issue about which he knows little—in fact, he knows nothing about it. I should like the letter tabled to become the property of the House. Is it supported by the honorable member and by his party? These are two points. I think the honorable member for Benalla will agree with me.

Mr. TREWIN.—I know all about it.

Sir HENRY BOLTE.—So do I. Of course, a juvenile comes in and presents this. The Government has known all about it for months. As for Meredith, I should like it known that I do not live in that subdivision, and the Minister of Lands does not live in the subdivision of Hamilton. Yet this inference has been raised.

Mr. WILTON.—It is you who puts the inference on it.

Sir HENRY BOLTE.—The Government will examine the honorable member's letter if he gives it to the House. Otherwise, it will be disregarded and dismissed in the same way as it has been raised, on a political basis.

The DEPUTY SPEAKER (Mr. L. S. Reid).—Order! The honorable member for Broadmeadows has referred to a letter, and his remarks will appear in *Hansard*. If the Premier desires that the letter should be tabled, he should move a motion to that effect.

Sir ARTHUR RYLAH (Chief Secretary).—By leave, I move—

That the honorable member for Broadmeadows be required to table the letter referred to by him, together with the supporting document.

Mr. WILTON (Broadmeadows).—Leave is refused.

Sir ARTHUR RYLAH (Chief Secretary).—I give notice that tomorrow I shall move—

That the honorable member for Broadmeadows be required to table the letter which he read to the House, together with supporting documents, from which he quoted.

The motion was agreed to.

The House adjourned at 7.10 *p.m.*

Legislative Council.

Thursday, December 5, 1968.

The PRESIDENT **(the Hon. R. W. Garrett)** took the chair at 10.45 a.m., and read the prayer.

EDUCATION DEPARTMENT

PYRAMID HILL SCHOOL.

The Hon. M. A. CLARKE (Northern Province) asked the Minister of Education—

In view of that fact that secondary classes at the Pyramid Hill school will be taken to Form IV. in 1969, will the Education Department supply the necessary class-rooms and facilities for the pupils to receive practical lessons in both science and domestic science?

The Hon. L. H. S. THOMPSON (Minister of Education).—The answer is—

Arrangements have been made for the provision of one portable science class-room for Pyramid Hill for 1969. It will not be possible to provide accommodation for domestic science at Pyramid Hill. Some instruction in this subject will continue to be provided at Boort High School.

CLASSIFICATION OF HIGH SCHOOL PRINCIPALS.

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

Is a new formula to be introduced for the classification of principals of high schools; if so, what are the details and when will reclassifications take place?

The Hon. L. H. S. THOMPSON (Minister of Education).—The answer is—

1. A new formula has been introduced.

2. Principals will be remunerated in accordance with pupil enrolment at their schools on the following scale:—

Minimum confirmed enrolment of 900 pupils, $8,750 a year.

Confirmed enrolment of between 600 and 899 pupils, $8,050 a year.

Confirmed enrolment of between 400 and 599 pupils, $7,550 a year.

Enrolment of fewer than 400 pupils, $7,250 a year.

3. Principals occupying these positions are currently being paid gratuities to raise their remuneration to the rates quoted above, but all positions will be advertised as soon as practicable.

MELBOURNE AND METROPOLITAN TRAMWAYS BOARD.

PERIODICAL TICKETS.

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

Further to his answer to question No. 7 asked in this House on the 3rd instant—(i) when and on what grounds did the Melbourne and Metropolitan Tramways Board reject the issue of periodical tickets; and (ii) on what did the Government request the Board's reconsideration of same?

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

(i) This question has been considered by the Board on a number of occasions over the past 30 years or so, but it has not taken action. Some reasons for this have been that it believes—

(*a*) Periodical tickets must be sold at a substantial discount to attract buyers.

(*b*) Experience generally in Australia and in the United States of America is that the cost of the discount is not offset by additional passengers sufficient to make up the reduced revenue.

(*c*) They are open to misuse causing further loss of revenue.

(ii) 26th November, 1968.

LA TROBE UNIVERSITY.

ESTABLISHMENT OF SCHOOL OF EDUCATION.

The Hon. M. A. CLARKE (Northern Province) asked the Minister of Education—

Does the Government wish La Trobe University to establish a School of Education in 1970; if so, will the Government provide the necessary funds in 1969 in order that preliminary planning for such school may commence, the suggested sum being $37,000?

The Hon. L. H. S. THOMPSON (Minister of Education).—The answer is—

Yes. The sum of $37,000 will be made available.

TRAFFIC COMMISSION.

PEDESTRIAN OVER-PASS AT MOUNT ELIZA.

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

(*a*) What was the cost of constructing the pedestrian over-pass for school children at Mount Eliza?

(*b*) What would have been the estimated cost of this work had it been planned in conjunction with the recent road reconstruction completed prior to the pedestrian over-pass?

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

(*a*) The estimated total cost is $35,000.

(*b*) Any variation in cost would have been marginal, and the estimated cost of constructing the over-pass in conjunction with the road works would have been in the range of $34,500–$35,000.

HOUSING COMMISSION.

STANHOPE ESTATE.

The Hon. M. A. CLARKE (Northern Province) asked the Minister of Agriculture—

Will the Housing Commission give urgent consideration to the erection of three additional houses on the Commission's Stanhope estate in order to assist the Stanhope Co-operative Dairy Co. Ltd. with its plans for continued expansion?

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

NATURAL GAS.

AVAILABILITY : PRICES.

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

(*a*) Will natural gas be available for industrial and domestic consumers by March, 1969?

(*b*) What will be the price of natural gas to—(i) large industrial consumers; (ii) small industrial consumers; and (iii) domestic consumers?

(*c*) If these prices are not known, what has caused the delay in announcing prices and when is it expected that the tariff schedule will be announced?

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

(*a*) It is anticipated that natural gas will be made available progressively from the middle of March, 1969, to industrial, commercial and domestic consumers in the reticulated area of Melbourne as each consumer is converted from manufactured gas. It is expected that the full conversion programme will take approximately eighteen months.

(*b*) The price of natural gas to industrial and domestic consumers has not been finalized.

(*c*) It is anticipated that natural gas tariff schedules will be made public by approximately mid-February, 1969.

ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY.

ANNUAL MAINTENANCE GRANTS.

The Hon. H. M. HAMILTON (Higinbotham Province) asked the Minister of Education—

(*a*) What were the annual maintenance grants paid to the Royal Melbourne Institute of Technology for the years 1966, 1967 and 1968, and what amount has been allocated for this purpose for the 1969 year?

(*b*) Has an officer of the Institute made a statement to the effect that the maintenance grant for the 1969 year will be reduced; if so and the statement is incorrect, will he take steps to prevent the publication of such false and misleading statements by officers of the Institute?

The Hon. L. H. S. THOMPSON (Minister of Education).—The answers are—

(*a*)	1966	$3,204,202	
	1967	$3,581,729	Increase $377,527
	1968	$3,790,000	Increase $208,271
	1969	$4,204,000	Increase $414,000

(*b*) I take it that the honorable member refers to a statement attributed to the principal of the Royal Melbourne Institute of Technology (Brigadier P. P. Jackson) reported in yesterday's *Age*. Brigadier Jackson has informed me that at no stage did he make any statement to the effect that the maintenance grant for 1969 would be less than for 1968. He was concerned at the mis-reporting, and yesterday wrote a letter to the newspaper concerned correcting the error and providing a statement of what he did actually say.

MELBOURNE HARBOR TRUST LAND BILL.

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

That this Bill be now read a second time.

Some of the detail of this Bill is a little intricate but, in general, it deals with an area of greatly increasing activity in the port of Melbourne known as Coode Island, where container wharves are being erected to handle traffic that is expected to commence in about March next year.

The Bill is concerned primarily with providing road and rail access to the container wharves. It deals 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. 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 Pty. Ltd., and Mobil Oil Australia Ltd., 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 Ltd.

Portion 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 under 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., which 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 be read as the lessor. It simply transfers the land into the name of the Melbourne Harbor Trust Commissioners as lessor and 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 is a strip 85 feet wide between the existing southern alignment of Footscray-road and the northern boundary of the land to be vested in the Commissioners. This

strip of land would eventually have formed part of Footcray-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, 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 to enable transport of containers. The rail link is to be provided within a strip of land 65 feet wide immediately south of and abutting the 85-ft. 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 have been 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 the 1st January, 1969, thereby allowing the legal terms of tenure of the licences to expire. 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 to which I have already referred, 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.

In regard to 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.

Ultimately all the land in Crown section 1 C, Parish of Doutta Galla, will 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. All arrangements have been made. This Bill will sort out the legal position and give the Trust control over this area, which will contribute in a large way to the development of the port of Melbourne and, in particular, the container terminal.

On the motion of the Hon. G. J. O'CONNELL (Melbourne Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, December 10.

NATIONAL PARKS (LITTLE DESERT AND MOUNT RICHMOND) BILL.

The debate (adjourned from December 3) 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. TRIPOVICH (Doutta Galla Province).—This Bill will be welcomed by many people at Kiata, an area where I used to live, because it provides for the reservation of additional land on what is known as the Kiata-Lowan sanctuary reserve.

One must commend the Government for making this reservation and the one at Mount Richmond. I have previously referred to the need for differentiation between tourist centres, national parks and sanctuaries.

I do not wish to be deemed a "knocker" in relation to international tourists coming to this country, but I was impressed by a challenge which was thrown out by the world chairman of the Tourist Association at a conference of tourist organizations held at the Southern Cross Hotel approximately two years ago. He challenged organizations assembled to say what Australia had to induce people from all over the world to come here, and, in particular, what Victoria had to attract them. Sydney has its harbour bridge and the opera house, but beyond that, what has Victoria got? This gentleman said that it was no good talking to him about sandy beaches and wooded parklands, and that Australia must have something that would attract the visitors.

There are many attractions in this State, but most of our tourist revenue will be obtained from our own people who camp on parklands or tow trailers around Victoria and possibly from New South Wales. There must be a differentiation between bird sanctuaries, national parks and tourist centres. A flora and fauna sanctuary must be strictly controlled because, as I have pointed out previously, there are more than 200 species of the most delicate types of flora and fauna in this country. Australia has no carnivorous animals, but it has many small marsupials which are very delicate creatures. With the population growth and a creeping into these centres by tourists, many of these small delicate animals are being wiped out because, due to their shyness, encroachment of civilization into their natural habitats drives them back into areas where they cannot live. I have raised this matter before because I consider that sanctuaries should be provided which people are permitted to visit only under supervision.

In the case of national parks, it is not sufficient to say that 90,000 acres or 300,000 acres of land have been reserved for this purpose. The land is reserved so that it will not be developed or encroached on, but that in itself does not make the area a national park; a lot of work must be done on the various areas. Consideration should be given to reorganizing the National Parks Authority. I do not criticize Dr. Smith or the Authority, because the small financial allocation of $100,000 a year does not enable the Authority to do much towards developing national parks.

The Forests Commission is an authority with some money, a tremendous amount of experience and staff fitted for the task. It is just as interested in national parks as is the National Parks Authority. Obviously if tourist centres are to be developed, they must contain something for tourists to see, and facilities for camping must be provided. In addition a measure of control should be exercised over these areas.

During the debate on another Bill in this House yesterday, my Leader referred to the problem of beer cans at football matches. The most common ornament at many tourist centres is the beer can. Not only do parents derive great pleasure from consuming canned beer, but their children enjoy playing "kick-the-tin" with the empty cans. I pay tribute to the Minister of State Development, the Honorable James Manson, for his dedication to national parks and also to the work performed by his Department in this regard. I commend the Government on its proposal to set aside further areas as national parks, particularly, the Kiata Lowan Sanctuary. Although it was stated in another place that the Mallee hen is found only in north-west Victoria, this rare bird also exists in various centres throughout Australia. In

some areas, it is known as the "thermometer bird" because, like a turtle, its eggs can be hatched with the warmth from the soil.

A tribute has already been paid to Mr. Keith Hateley, who has shown tremendous interest in this area from his early boyhood days. He has lived in the area all his life. Upon his return from the second world war, this gentleman purchased what was known as Holland's store and, since then, his interest in the Mallee hen has been unquenched. This bird is unique because it is hatched underground. Within half an hour of its hatching, the chick can run; within an hour, it can run so fast that no member of this House would be able to catch it; and within 24 hours of its being hatched, although it cannot fly, it can flutter above the ground for 30 or 40 feet.

The Labor Party supports the Bill. Land may be reserved for three purposes: First, as sanctuaries into which, generally speaking, people are debarred from entering; secondly, as tourist centres, where people can enjoy themselves under some form of control; and, thirdly, as tourist centres, which will attract people from other States and which will display some of the best parts of the State. Victoria abounds with tourist attractions. In Gippsland, for example, there are many beautiful areas, and the Western District, where there are many lakes as a result of volcanic eruptions in the past, embraces many tourist attractions worthy of preservation.

The Hon. A. R. MANSELL (North-Western Province).—The Country Party also supports the Bill. I agree with much of what Mr. Tripovich said. There is nothing wrong with the ideals of the National Parks Authority or with its personnel. Its big problem is a shortage of finance. No authority can function effectively unless adequate finance is available to it. Each year, more national parks are being proclaimed, but the financial allocation to the National Parks Authority has not been increased to any great extent. Unless our national parks are fenced, throughtless people will drive through them without any consideration for the preservation of native bird and plant life. Certain people take a delight in shooting anything that is in sight. Frequently, they shoot kangaroos, emus, and possums, and even Mallee hens. Farmers in the north-west of the State often see Mallee hens when they are harvesting their wheat crops. These birds like to follow the harvesting machines and gather wheat. Many people, however, will go to no end of trouble to shoot Mallee hens because they are enjoyable to eat. It is of no use the Government gazetting additional areas as national parks unless they are fenced. People are not supposed to enter the Wyperfield National Park, but fires have occurred in this area causing tremendous damage. I have travelled through the Hattah National Park where there are many kangaroos, emus and other forms of wildlife. People can enter this park from various places. The careless dropping of a lighted match or cigarette butt in areas of this type could lead to a terrible loss of valuable flora and fauna. Greater attention should be given to this aspect of the preservation of our national parks.

Mr. Tripovich suggested that to allow of their proper development national parks should be under the control of the Forests Commission. In many respects, this is a good suggestion. After all, in many of these areas there is much valuable timber which the Commission wishes to keep in proper condition. The Minister of State Development and Cabinet should give consideration to this suggestion.

This measure proposes two additions to existing national parks. It is many years since I visited the Mount Richmond National Park. My colleague, Mr. Mitchell, knows this territory very well, and I shall allow

him to deal with it. The Little Desert area comes within the province which Sir Percy Byrnes and I represent. I know this area intimately. I agree with the Minister of Agriculture and Mr. Tripovich that Mr. Hateley has performed wonderful work in this area for many years. He has spent a good deal of money and devoted much time to the preservation of native plant and animal life in this important area. We must ensure that Mallee hens are protected. Frequently, I have seen dead Mallee hens on the side of the road. It is essential that sanctuaries should be provided to enable this rare species to be preserved.

The name " Little Desert " is a misnomer; it is not really a desert. In fact, it is beautiful country. Honorable members who visited the Little Desert area in the spring would be amazed at the scenery and the wonderful flora in the district. In some of the poorer areas, there are magnificent flowers which are so small that they can be seen at their best only through a magnifying glass. Every effort should be made to preserve the plant life in this area.

The Little Desert area is not large —it consists of only 2,000 acres—but it is valuable. Some of the area could be used for land settlement. No doubt in time, when it becomes urgent to produce more food, some of this land will be developed for food production. The map in the schedule to the Bill reveals that two areas of land are joined by a narrow corridor. I do not know the value of this small strip of land. Is it considered necessary to set aside this small strip of land to enable the Mallee hen to travel from one section to the other? For the information of honorable members, I point out that the Mallee hen is a wonderful bird and, in many respects, human beings would do well to study its habits and habitat.

The Country Party supports the Bill, but I ask the Government to give serious consideration to making more money available for the preservation of the great natural assets of Victoria. I commend the Government for its appointment of Mr. Keith Hateley as a national park ranger in this territory.

The Hon. C. A. MITCHELL (Western Province).—Briefly, I wish to support the remarks of Mr. Tripovich and Mr. Mansell. I feel we are making a big mistake in declaring large areas as national parks when no control will be exercised over them. I agree with previous speakers that these areas would be better controlled by the Forests Commission. In my area at present, the Commission is burning off winter and early spring growth, thereby protecting the forest areas and the flora and fauna within them. Action of this type would prove beneficial in the national park areas of the State. Unfortunately, however, thousands of acres of our national parks are not treated in this way, with the result that they are serious fire hazards and breeding places for vermin. Furthermore, adjoining farm properties suffer because of this state of affairs. We cannot afford, as is done in other countries, to clear all our country. Once a bulldozer has been used for clearing purposes, the land is finished for all time so far as flora and fauna are concerned. I support the Bill, but ask the Government to give consideration to the matters that have been raised during the debate.

The Hon. H. M. HAMILTON (Higinbotham Province).—This apparently small Bill is one of the most important that has come before Parliament for a long time. It represents another step in the preservation of our national heritage, which, as previous speakers have said, must be preserved. Succeeding generations will point the finger of scorn at us if we fail in this duty. The reservation of the two areas covered by the Bill is important, but of more importance is the Government's indication that it proposes ultimately to establish a large national park of some 80,000 or 90,000 acres

in the Little Desert area, and that a substantial area will be reserved as a national park in the Lower Glenelg area.

The first national park in Victoria was established in the Ferntree Gully area in the 1880's. At that time, when the State's population was small and much of its area not settled, the importance of national parks was not realized. The present Government must receive credit for taking the first positive step in this direction in 1956, when the National Parks Authority was established. Even if they did not meet him, honorable members will remember the late Crosbie Morrison and his wonderful radio talks on our flora and fauna. Mr. Morrison played an important part in pioneering the establishment of national parks but, unfortunately, he did not live long enough to see his work come to fruition.

Within the memory of people as young as I, there has been an intrusion of civilization into the national habitat of our flora and fauna. I can remember, as a boy in the country, watching colonies of platypuses in the river within a couple of miles of the centre of the town. Nowadays, in most parts of Victoria, it would not be easy to find a platypus colony. The same comment can be made about bird life. Recently, in an area where, as a boy, I saw large numbers of native birds, I had to go deep into undeveloped country to find any. These conditions have been brought about in a period of 20 or 30 years.

There are three main reasons for the existance of national parks, first, the conservation of our heritage; secondly, the preservation of species which are in danger of extinction; and, thirdly, the making of scientific studies in the areas concerned. Australia is unusually rich in flora and fauna of distinctive types; much of it is unique. Since 1960, because of the activities of the white man, seven marsupials have become extinct and 35 marsupials and 11 rodents are in danger of extinction. Some 300 plants have been designated as rare species. This is a large number of species of flora and fauna to be in danger. I commend the Government for its positive moves to correct the trend. At present, some 371,000 acres are reserved for national parks in Victoria.

The Hon. J. M. TRIPOVICH.—That does not protect our flora and fauna.

The Hon. H. M. HAMILTON.—I agree, but the establishment of national parks is the first move.

The Hon. M. A. CLARKE.—But there must be a second and third move.

The Hon. H. M. HAMILTON.—Members of the Labor Party and the Country Party have drawn and are drawing attention to the fact that more money is needed to bring the establishment of national parks to its logical conclusion. I point out that, at this stage, as more land is being subdivided, moves are being made to prevent encroachment on further valuable, natural areas. I agree that there is need for more to be done, but I commend the Government for showing a real interest in this matter.

The Hon. I. A. SWINBURNE (North-Western Province).—I did not intend to take part in this debate, but I could not allow the remarks of Mr. Hamilton to go unchallenged. He has shown a complete ignorance of national parks in Victoria. It is true that the National Parks Authority was set up by the present Government, but I remind Mr. Hamilton that the Leader of the House, the Minister of Agriculture, has been on the committees of management of national parks probably for longer than he has been a member of the House. Since 1951, I have been a member of the committee of management of the Mount Buffalo National Park. This committee has existed under the Lands Act for 50 to 60 years. I believe that when the committee operated under the control of the

Lands Department it achieved a lot more success than has been the case under the present Authority.

I am pleased that last week the Minister in charge of national parks stated that he would re-examine the position to determine whether the Authority should be reconstituted. I do not point the bone at anyone, but I emphasize that the authority is not working satisfactorily. The last Country Party Government introduced into Parliament a Bill designed to bring the administration of national parks and the supervision of tourism under one control, but the Government was defeated before the measure was enacted.

The Hon. H. M. HAMILTON.—How many additional areas did that Government reserve?

The Hon. I. A. SWINBURNE.—There are many reserves all over Victoria. The records of the House will show that I moved an amendment to a Bill, which was accepted, to declare many areas as national parks. They had to be declared and set out in a schedule to ensure that, when the National Parks Authority took over their control from the Lands Department, the Forests Commission, or any other authority, it could accept responsibility for them. It is of no use simply declaring tracts of land to be national parks. Some people seem to think that is all that has to be done. As previous speakers have pointed out, a national park is no good unless it has an effective committee of management and rangers to take care of it. I assure Mr. Hamilton, that, over the years, the Lands Department and the Forests Commission have shown respect for our flora and fauna.

The area to which this Bill relates is, at present, mythical. A blanket is being thrown over a piece of country which must be surveyed before a national park is established. I do not agree with Mr. Mitchell that control of the area should be returned to the Forests Commission. There should be an efficient National Parks Authority. It is not true that no burning off operations or poisoning are carried out in national parks. For example, they are carried out at Mount Buffalo. On Friday of this week representatives of the Forests Commission, the Country Fire Authority, the committee of the Mount Buffalo National and representatives of the National Parks Authority will meet to amend or add to the plan for burning off. Mount Buffalo National Park is probably unique in that, during the dangerous periods of the year some 500, 600, or 700 people who are living in the park must be protected. Special fire tracts are constructed and particular areas are burnt off each year. Burning off is carried out outside the National Park area in forest and Crown land to protect certain parts of the park because they contain a particular species of timber, and so on.

The present Authority is a part-time body. Its members are heads of Departments who are already overworked and who do not have the time properly to apply themselves to the general problems of national parks and have no chance of understanding local problems. These people meet once a month, or once every two months. The Authority should consist of persons who have the ability and time to deal with the problems. Mr. Mansell and other members have already referred to the need for sufficient finance being made available so that our national parks may be effectively protected. I have lived next to a national park for 40 years and, despite having suffered all the disabilities which go with the location—vermin entering my land, and so on—I strongly support national parks.

Mount Buffalo National Park, which comprises 26,900 acres, is one of our largest national parks. However, much of it has been seen by very few people. A few bushwalkers have seen much of it, but possibly some parts have never been entered by anyone. A national park is of no use

unless people can enjoy it. Access roads must be provided and walking tracks must be created, so that people can get to places where flora and fauna exist. Of course, these things cost money. The "bug-hunters" are welcomed in national parks. They are given special privileges to record species of flora and fauna, so that arrangements can be made for their protection. If something rare is found on Mount Buffalo, the committee must see that it is protected.

To protect these resources properly trained rangers are necessary, but these men receive no assistance in their work. Mount Buffalo National Park has a good ranger, but I was told at the weekend that he has had to buy, at his own expense, books to assist him to define and declare various species. On other occasions, members of the committee have paid for these things out of their own pocket. This is wrong; the facilities needed by rangers should be provided by the Authority. The committee of which I am a member was working before the National Parks Authority was created, and it will continue its work, but an efficient and practical National Parks Authority, provided with adequate finance, is needed.

The declaring of areas is, to some extent, a waste of time, because, unless facilities such as I have indicated are provided, the only persons who will take an interest in the areas will be from the Forests Commission or the Lands Department. The Government should not declare any further areas as national parks until it has taken action of the type that has been suggested. The Government is not able to look after the existing areas properly. If it is to accept the glory for declaring national parks, it should also accept responsibility for them.

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).

The Hon. R. J. HAMER (Minister for Local Government).—I thank honorable members for the strong support they have given to this Bill and, perhaps more importantly to the principle of setting aside national parks while there is still time. This attitude reflects a rising tide of concern that the assets of the State shall be preserved and conserved for future generations. No honorable member would quarrel with the view that the time to act is now. Fortunately, 20 per cent. of the State is still unalienated and the opportunity remains to preserve what has to be preserved, to make decisions on the land which is still Crown land, and then to set it aside for the best possible purposes. Admittedly, this Bill is only a first step, but at least it is a reservation forever of the land concerned. It places this land, so to speak, under the direction of Parliament, because once the Bill has been passed the land can never be used otherwise unless Parliament authorizes it. The land will be made a permanent reservation, and any proposal to change this will have to come to Parliament.

A number of suggestions have been made concerning what is obviously the next step—the proper management and control of the areas set aside. I do not propose to traverse them, but will convey them to the Minister in charge of national parks, who recently indicated that and whole structure and functions of national parks are under review. This results, in part, from the great increase in the number of national parks which have been set aside recently, and those which may be set aside in the future. Although we in Australia may think we have plenty of space, its unique animals, birds and other forms of wildlife and their habitat are subject to extinction unless they are protected now.

Whether or not the Forests Commission should enter into the control of the area is not a matter for discussion under this Bill, but I pay

tribute to the Forests Commission and the Lands Department for the steps taken in the early days to preserve the heritage which we now enjoy. A question was raised concerning the strip of land between two parts of the park in the Lowan area. I am not sure about the real purpose of that strip and whether it is intended to provide a sort of traversing line for animals and birds, especially the Mallee fowl. It may be required for the use of the ranger.

The Hon. A. R. MANSELL.—There is a road there and a boundary through a farm.

The Hon. R. J. HAMER.—That is so. Certainly the strip provides access for rangers and such people, but I am not sure whether it is also intended to benefit the wild life. If it is, it may not be wide enough.

Mr. Tripovich raised the question of tourism, which is more than closely connected with this Bill. My view, which no doubt is shared by many honorable members, is that the unique wild life in the area is the sort of thing that will bring people from overseas, but more importantly from interstate and from the cities and towns in Victoria. Our wild life must be protected, if only as a tourist attraction. I cannot think of many other things which would of themselves attract people from beyond Sydney or Perth, but if the wild life is protected people will visit the area, The Sir Colin Mackenzie Sanctuary at Healesville is an example of this.

The Hon. SAMUEL MERRIFIELD.—Some privacy must still be maintained for the wild life.

The Hon. R. J. HAMER.—That is so, and Mr. Merrifield's comment brings me to the subject of the increase in national parks. Some are retained for the sake of the inhabitants—the wild life—and others are kept for scenic reasons. The Mount Buffalo National Park achieves the dual purpose of protecting the wild life and allowing people to enjoy the scenery and snow sports.

The Hon. I. A. SWINBURNE.—It has been zoned into areas, too.

The Hon. R. J. HAMER.—I am suggesting that there is a need to classify national parks in this way, so that some can be well protected and preserved, and limited access may be provided whilst others are open to enable the public to enjoy the scenery. The constructive suggestions that have been made in the course of the debate will be passed on to the Minister.

The Hon. A. R. MANSELL (North-Western Province).—In regard to the strip of land between two parts of the park, I notice a road is shown on the schedule. I am not objecting to it, but I should like to know why this is being done, because the road is situated between grazing and farming land and the narrow strip referred to. If the idea is for the strip to be a buffer for the road, that may be all right, but if that is not so vermin may breed there or fire may spread. Sometimes accidents which occur on farm land cause fires. I wish to know whether the purpose of the strip is protective.

I should also like to know where the money is to come from to cover the expenses of Mr. Hateley, the ranger. At present very little money is available, and rangers have to improvize in all sorts of ways. Sometimes field naturalists assist with working bees. Mr. Hateley has been doing this work for many years in the smaller area, and it is worth while to visit the area and receive some education from Mr. Hateley and his colleagues concerning it. Does the Government intend to provide extra finance to provide some remuneration for the work?

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—I thank the Minister for his assurance that he will convey to the Minister in another place the

suggestions that have been made, but I hasten to assure the Committee and the Minister that my suggestion concerning the Forests Commission was on the basis that a sum of only $100,000 had been allocated to the National Parks Authority. That body should be given financial and other facilities to carry out its task and properly discharge its functions.

The Hon. R. J. HAMER (Minister for Local Government).—The only information I can give Mr. Mansell concerning the strip of land is that it was private property lying between two pieces of Crown land which will now form the park. The land was acquired by the former committee of management of the sanctuary, presumably because it considered that the land would be of value to the park—in what way, I am not clear. I can see some advantage in having a connecting road, but I am not sure whether it will be of advantage to the wild life.

The Hon. J. M. TRIPOVICH.—Is it included on the basis that it was offered to the committee of management?

The Hon. R. J. HAMER.—It was previously owned by the Bridgewater family. It might have been purchased at a low price, but certainly some funds were provided by the committee of management.

The Hon. A. R. MANSELL.—Was this done before the Bill was drawn up?

The Hon. R. J. HAMER.—Yes.

The Hon. A. R. MANSELL.—I should like to know how it is proposed to pay the ranger.

The Hon. R. J. HAMER.—I understand that the ranger has already been appointed. He will be remunerated as such and has been given charge of this area, which is his own area. He will not act in an honorary capacity, and further funds will be required to enable him to manage the park properly.

The Hon. A. R. MANSELL (North-Western Province).—I welcome the appointment of the ranger, but the sum of $100,000 is being spread widely. The Government is not spending sufficient money on existing parks and I urge the Government to make more money available to the National Parks Authority to enable it to carry out its work properly.

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

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

PERPETUITIES AND ACCUMULATIONS BILL.

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

That this Bill be now read a second time.

It deals with two of the most intricate and complicated fields of the law, and I do not propose to try to describe to the House the rule against perpetuities and that against accumulations. If I did the House would not rise before Christmas. Fortunately, the Bill is strongly supported by two authorities whom no one could really doubt. The first is the Chief Justice's Law Reform Committee, which comprises representatives from all branches of the law—the Judges, the magistrates, the universities' law schools, solicitors and barristers—who made the original suggestions which form the basis of the Bill. After the measure had been introduced into another place it was referred to the Statute Law Revision Committee for a thorough review. As usual, that committee brought down a comprehensive and clear report in October of this year, in which it made certain suggestions for changes in the Bill. All but one of these have been included in the measure.

This is a piece of law reform which members of the legal profession have sought for a number of years. Similar reforms have been taken in England, in Western Australia and in New Zealand, which is a persuasive authority in its favour. Both rules derived from the Judges. They were never

made by Parliament in England. Originally the rule against perpetuities was developed in the context of land, and later it was applied to all forms of property. It was an attempt to hold a balance between the right of an owner to dispose of his property as he thought fit and the interests of future generations in the use and enjoyment of that property. It was really an attempt to make sure that an owner—usually when making his will—did not tie up his property into the indefinite future and so restrict the use which could be made of it.

The courts in England gradually began to resist settlements into the remote future and formulated this Judge-made law, now called the rule against perpetuities, which rendered void any attempt at disposing of land in a way that tied it up for a period which was set out as being an existing life, plus 21 years thereafter. It has been found that this rule has a number of disadvantages, one of which is that it takes no account of probabilities and can render void any disposition of property if there is any possibility that the vesting of the interest could take effect beyond the period which the law allows. It does not even matter that the property does in fact vest within the period if it could by possibility vest outside. Another point is that the rule takes no account of child-bearing age. Because it takes account of all possibilities, the rule assumes that a woman of 80 years of age is capable of bearing a child. This is an example of the morass that can occur if the rule is applied strictly without regard to nature.

This led that eminent committee, the Chief Justice's Law Reform Committee, to go into the question and to make the detailed proposals which appear in the Bill. The Statute Law Revision Committee also recommended minor changes in the Bill, but I do not propose to take the House through the intricacies of this aspect of the law.

The second proposed change relates to the law against accumulations which tried to prevent people ordering accumulations of income over long periods into the future. I believe it started with a settlement made by a man called Peter Thellusson, a wealthy Englishman, who directed that a substantial part of his estate be tied up for a long period of time. There were actually fears that, with the compounding of interest, the English economy might be affected.

The Hon. M. A. CLARKE.—It was to the extent of £10,000,000 sterling.

The Hon. R. J. HAMER.—That would not affect the economy of Great Britain today. However, this action led to the rule against this kind of disposition. It is thought that the rule is not now required, and both committees have recommended that it be abolished. The Bill does exactly that. If honorable members desire further information, I refer them to the excellent report of the Statute Law Revision Committee. If difficult questions of law arise during the debate, I ask that honorable members give me notice of them.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—The recommendations made by the Statute Law Revision Committee have been incorporated in the Bill by the Government. I was a member of the committee which examined this measure, and it was most difficult for a layman to understand. I pay a sincere tribute to the Parliamentary Draftsman, the Chief Justice's Law Reform Committee and witnesses who appeared before the Statute Law Revision Committee, not only for explaining this very technical and difficult legal procedure, but also for explaining it in such a way that the layman could understand it. I was pleased to hear the commendation by the Minister of the report of the Statute Law Revision Committee. If the report is as good as the honorable gentleman said, this was because of the language used and the time spent by witnesses who appeared before the committee. Members of the Labor Party

believe the Bill will achieve what is desired in regard to the two points with which it deals, and therefore we support it.

The Hon. M. A. CLARKE (Northern Province).—Members of the Country Party support the Bill, which effects reforms in the rule against perpetuities and abolishes the rule against accumulations. It was an extremely interesting exercise for the Statute Law Revision Committee to look into this legal problem. When I did my law course at Oxford University, this subject was a difficult hurdle to clear. If one examines the Bill one can see that the subject is still shrouded in legal language which the ordinary layman cannot appreciate or understand.

I also appreciate the remarks of the Minister about the Statute Law Revision Committee. Members of that committee spent a lot of time and effort in producing the report, which gives the gist of what is recommended in the Bill. Members of the Country Party approve of the Bill, and consider that it should be passed in its present form.

The motion was agreed to.

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

ROAD TRAFFIC (CROWN LAND) BILL.

The debate (adjourned from December 3) 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).—This small measure proposes to extend to two other groups of persons the right to apprehend motorists who commit traffic offences. It extends to officers appointed by the Albert Park committee of management and to persons who look after Treasury-place the power to apprehend motorists who park their vehicles in the wrong places and at the wrong time. Officers of many authorities already have this right. If I remember correctly, it was once proposed in this House that this power be extended to tram drivers and others, to apprehend motorists at tram stops, and so on. From memory, I think that proposal was rejected. This is a similar extension.

The Opposition does not oppose the measure, but it trusts that the officers concerned will not abuse this power. There is always a danger in giving power of this type to officials. The giving of power to people who are not used to it, enabling them to apprehend people or force them to do something, often leads to petty officialdom ; however, knowing both the bodies concerned, I think that the power will be exercised correctly and wisely.

The Hon. M. A. CLARKE (Northern Province).—I am sure that, since I first entered the Parliament, the Minister for Local Government has become well aware that I am opposed to the parking of motor vehicles on roadways. I consider that the money devoted to the construction of roads should be for the benefit of flowing traffic and should not be used merely for parking. I firmly believe that the solution to the parking problem lies in the provision of off-street or off-road parking facilities, but this is something that the Government does not seem to realize. Overseas this method is widely used. I know that the Minister examined the problem when he was abroad during the winter, and I have studied it with great interest.

This comparatively small Bill does not achieve very much, apart from empowering officers of the Albert Park committee of management and those who look after Treasury-place to control traffic, but it endorses the principle that cars can be parked on roads for a fee. The Country Party does not oppose the measure, but believes that the principle itself is not good. The sooner that parking facilities are provided off roads and streets, whether it is in Albert Park,

Treasury-place, Bourke-street or anywhere else, the better. I do not subscribe to the view that expensive streets should be constructed merely for stationary vehicles . The roads are meant for traffic, and unless they are free to be used by traffic, our towns and cities will be just as choked as they are in England and the United States of America.

Perhaps my remarks are a little wide of the subject of this debate, but I feel that the Bill embraces an infringement of a principle in which I believe. I trust the Government will not give too much encouragement to people who park on roadways for a fee to benefit a certain body—in this instance the Albert Park trustees.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6369 s. 4).

The Hon. R. J. HAMER (Minister for Local Government).—In my opinion, Mr. Clarke is quite right in much of what he says, but I think he has under-estimated the effort which is now being made in three directions in connexion with off-street parking. First, there is the creation of shopping centres where all customers, most of whom come by car, are supplied with parking space off the roadways. Secondly, very extensive parking areas are being provided behind existing shopping areas, which, in the old days, were situated along street frontages.

The Hon. W. M. CAMPBELL.—They cost a tremendous sum.

The Hon. R. J. HAMER.—That is so, but the shopkeepers contribute by the payment of special rates. It is a form of protection of their investment. Thirdly, there is the requirement, which I think is widespread, that off-street parking facilities shall be provided under new buildings and that parking stations should be off the streets. The Melbourne City Council intends to have one parking station for 500 cars in every city block, and it is well on the way to achieving that objective. I agree with Mr. Clarke that off-street parking is an absolute necessity, in view of the fact that the number of cars on our roads is increasing by about 5 per cent. per year.

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.

LOTTERIES GAMING AND BETTING (PENALTIES) BILL.

The debate (adjourned from November 21) on the motion of the Hon. V. O. Dickie (Minister of Health) for the second reading of this Bill was resumed.

The Hon. G. J. O'CONNELL (Melbourne Province).—The proposals in this Bill confirm what I have been saying in this Chamber for many years—that, so far as penalties, fees and charges are concerned, this Government is a " 100 per cent. increase " Government. This Bill proposes to increase penalties for the offence of keeping and using premises for betting, and for the offence of street betting. The measure also imposes heavier penalties on " tipsters ".

Since the introduction of legalized off-course betting, the incidence of illegal betting has been substantially reduced. This has been due to two principal factors—first, the general desire of people to bet lawfully rather than unlawfully; and, secondly, increased police activity. The gimmick now is to bet legally with the Totalizator Agency Board.

It was estimated that prior to 1960, the year in which the Totalizator Agency Board was established, the number of lane bookmakers in the metropolitan area was in excess of

200. I should say that this is a conservative estimate. At one time, bookmaking activities were carried out in almost every lane and behind almost every hotel. If that figure of 200 were doubled, I believe it would still be an under-estimate. This form of betting has now been suppressed.

A perusal of *Hansard* reveals that, in 1967, 54 people were charged with street betting and were fined sums ranging from $250 to $1,000 and, in 1968, eighteen persons were charged and fined the same amounts. In 1967, five persons were convicted for betting with illegal bookmakers and in 1968 three were convicted. Each was fined between $10 and $20. The Chief Commissioner of Police has advised the Government that the small illegal bookmaker has virtually disappeared, but it is becoming increasingly difficult to detect the larger bookmaker who has a selected clientele and whose turnover in bets is substantial. This man is able to offer his clients special discounts on losing bets, as he has no turnover or other taxes to pay. The amount of police time involved in detecting this type of operator is quite substantial, and prosecuting him is fraught with difficulties. Invariably, magistrates impose the minimum penalty of $250, which is out of all proportion to the bookmaker's holdings. The Chief Commissioner has reported that there have been several instances of such bookmakers holding more than $10,000 a day. These are bookmakers who use the telephone for betting transactions. This practice should not be permitted. I ask: Does the Government intend to increase penalties in order to cover the deficiencies of staff in the Gaming Branch and its inability to detect these offences? This Branch is undermanned; between 1957 and 1965 it comprised 22 members, but the number has been reduced to eighteen. Perhaps an increase in the staff of this Branch would help to solve the difficulty.

Provision is made by the Totalizator Agency Board for telephone bettors. Perhaps provision should also be made for registered bookmakers to transact business by telephone; they would still have to pay 2 per cent. turnover tax on metropolitan meetings and 1½ per cent. on country meetings. I commend this point to the Minister for consideration. The Government never fails to increase penalties, but in many cases it does not increase services for the benefit of the people.

I turn now to the subject of tipsters. Provision is made concerning newspaper, television and radio tipsters, who give a lot of advice to punters, some of which is good. These gentlemen are what might be called legal tipsters. The illegal tipster advertises, and some " mugs " fall for his advice. One has to buy a newspaper in order to obtain a code and another newspaper in order to read the code and obtain the tip. I do not know what the Minister can do about this practice, nor whether it is illegal or not as it is done through the newspapers. Another type of tipster is the man who operates on the racecourse and tries to put the punter on the right track. Of course, this individual tips a number of horses in the one race and therefore must tip the winner. If discovered he is escorted from the course by the course detective.

In general, members of our party agree with the provisions contained in the Bill. Illegal betting must be stamped out. The Totalizator Agency Board is doing a good job, and statistics indicate that it is being well supported. Revenue from it is received by the Government for the Hospitals and Charities Commission, which is a worthy cause, and the racing clubs.

So far as penalties are concerned, it seems to me that what were formerly maximum penalties will in future be minimum penalties. Clause 4 provides that for any offence following a second offence, a person convicted shall be liable to

imprisonment for a term of not less than three nor more than twelve months. In view of the other monetary penalties that are provided in the Bill, I see no reason why a monetary penalty should not be imposed in this instance. Then it would be up to the magistrate to impose the appropriate penalty. Members of the Labor Party support the Bill.

The Hon. I. A. SWINBURNE (North - Eastern Province).—Mr. O'Connell is the authority in this House on the subject of betting, but I am not in that category. Members of the Country Party did take some part in the debate on the original legislation which established the Totalizator Agency Board and which has resulted in the suppression of starting-price bookmakers. While this type of illegal betting has disappeared, apparently a further problem has arisen because some persons are indulging in an illegal practice of giving advice for which they obtain certain commissions without paying tax. Many people are optimistic because they believe they can tip which horse or dog will win a particular race. On perusing the columns of the newspapers on occasions I have come to the conclusion that many of the tipsters are as competent in this field as I would be, and I know nothing about the subject. Some persons sell booklets and guides to form. All of these people are contravening the provisions of the Act.

In the past, the penalties for illegal betting and tipping have not been sufficiently high. The main purpose of the Bill is to increase these penalties, so that it will not be profitable for persons to indulge in illegal practices. In the past several years, the tendency has been to increase penalties to place them more in line with present-day money values. In this case, most penalties have been doubled for a first offence, but for a second offence the penalty has been increased by only 50 per cent.

Clause 4 relates to increases in penalties for the publication of information concerning betting. A person who is convicted for a third or subsequent offence will be faced with a gaol sentence. I believe that if this activity is to be wiped out the penalties must be severe. If a person is convicted for a third or subsequent offence, he should have been wise enough to cease his activities before he risked the possibility of going to gaol. The Country Party offers no objection to the proposed increases in penalties. It has been suggested that betting has increased since the establishment of Totalizator Agency Board agencies. I do not know whether that is so, but at least the present system has got rid of the unsavoury activities of starting-price bookmakers and has brought betting out into the open. It would be almost impossible to stop people from having a bet. Almost everyone takes a ticket in a lottery or similar competition from time to time, and I approve of this so long as it is done in the open. I see no reason why this Bill should not receive a speedy passage.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 3 were agreed to.

Clause 4 (Increase in penalties for publishing information concerning betting, &c.).

The Hon. G. J. O'CONNELL (Melbourne Province).—I point out that no penalty is provided in section 40 of the principal Act which this clause amends. It is fairly drastic, therefore, that for a third or subsequent offence a person will be liable to a term of imprisonment of not less than three nor more than twelve months. I think an alternative penalty of a fine of $2,000 should be provided. I agree with Mr. Swinburne that a person who realizes that he will be sent to gaol will probably not commit a third offence, but as the Government is always seeking to obtain more revenue, the Minister might consider

inserting a penalty of $2,000 for a subsequent offence, which would be double the maximum of $1,000 for a second offence.

The Hon. V. O. DICKIE (Minister of Health).—The penalties set out in clause 4 have been adopted from section 74 of the Act, but have been doubled. Paragraph (c) of section 74 provides that for a subsequent offence an offender is liable to imprisonment for a term of not less than three nor more than twelve months. The Bill adopts this penalty, but the monetary provisions in section 74 have been altered.

The clause was agreed to.

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

LABOUR AND INDUSTRY (MISCELLANEOUS PROVISIONS) 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 amend the Labour and Industry Act 1958 with respect to a number of miscellaneous matters. There is no general underlying principle in the measure. It is essentially a Committee Bill and the only practical way to approach it is to take each clause in turn and discuss it separately.

Clause 2 repeals sub-section (5) of section 15 of the principal Act which deals with administration of the Department of Labour and Industry. Sub-section (5) provides that the Minister may, for the purposes of the Act, divide Victoria into such districts as he thinks fit and allot or assign one or more districts to one or more inspectors of factories and shops. At one time, when Victoria had a small population and few inspectors of factories and shops, and Ministers were not as busy as they are today, it might have been appropriate for Ministers to engage in matters of routine administration, as this matter obviously is. However, this is no longer the case; the Chief Inspector of Factories and Shops is responsible to the permanent head of the Department for the administration of a large force of inspectors and, subject to the permanent head, changes the disposition of this force as and when required. This is an appropriate arrangement and therefore it is proposed that sub-section (5) of section 15 shall be repealed.

Clause 3 deals with the constitution and powers of wages boards, as set out in section 20 of the principal Act. Sub-section (2) of that section empowers the Governor in Council to appoint wages boards for trades, or branches or groups of trades, to extend the powers of any wages board, to transfer the powers of one board to another, and to abolish any board which has been deprived of all its powers. However, there is no power to abolish a wages board without having first conferred all its powers on some other board or boards. Consequently there are at present some twenty boards which have been defunct for years but which are still constituted by Order in Council because there has been no power to abolish them. These boards are defunct mainly for one of two reasons—either they were appointed for trades which are now obsolete, or there are Federal awards which now cover all the employees. Of the former type examples are the Tramway Conversion Board, which was constituted to determine wages and conditions of employment for persons employed on the conversion of our tramway system from cable power to electric power; the Bottle Covers Board, which was appointed for the trade of making straw covers for bottles, which some honorable member may still remember; the Coal Miners Board; and the Gold Miners Board.

As examples of trades which are now entirely subject to Federal awards, I mention the Brewers Board, the Flour Board, the Industrial Life

Assurance Canvassers Board and the Tramway Board. In order that this dead wood can be cut from the healthy tree of the wages board system, it is proposed to amend section 20 to allow the Governor in Council to abolish a wages board without having first transferred its powers to some other board or boards. In addition, clause 3 proposes a further amendment of section 20 to make it clear that the Governor in Council has power to vary the powers of a wages board. Such powers have been varied from time to time, but there appears to be some doubt whether the Act at present permits the variations of the powers of a single board, as distinct from the adjustment of powers between two or more boards. The proposed amendment will make the situation quite clear.

The purpose of clause 4 is to amend section 45 of the principal Act with regard to the taking of appeals to the Industrial Appeals Court in respect of determinations made by wages boards. At present, an appeal may be taken by either a majority of employer members or of employee members of the wages board concerned or by an association of employers or employees concerned. Representations have been made to the Government over some years—in this case by employer interests—to amend the Act to allow appeal proceedings to be taken by additional classes of persons. These could be a minority of the association concerned, or a group of persons who are not members of the association, or an individual person, whether a member of the association or not. It is accepted that it is desirable to ensure that a remedy is available to a minority party in appropriate cases, and therefore, it is intended to permit appeals to be taken by individual persons, whether employers or employees, but only by leave of the court. It is thought desirable that any such person should first have to obtain leave of the court in order that the business of the court may not be disrupted by the taking of frivolous appeals.

Clause 5 amends sub-section (1) of section 46 of the principal Act which, to put the matter simply, provides that where a person who is prosecuted for failing to pay proper wages raises the defence that the relation of employer and employee did not exist, the case is to be transferred from the Court of Petty Sessions to the Industrial Appeals Court, which shall deal with it. There are two apparent reasons for this: First, complex questions of law may be involved and, secondly, it is intended to discourage the taking of this defence without proper grounds. It has been brought to notice, however, that the transfer provisions do not apply to cases of failure to pay annual holiday pay or long service leave pay, although the same principles would apply in these cases. The amendment proposed to section 46 to extend the application of its provision to any failure to make any payment required by the Act, is intended to remedy this position.

Clause 6 is included in the Bill to resolve any uncertainty under sub-section (5) of section 47 of the principal Act, which deals with the jurisdiction of the Industrial Appeals Court in appeals from convictions of Courts of Petty Sessions for offences against the Act. Sub-section (5) provides that the court "may confirm, reverse or mitigate the decision of the Court of Petty Sessions". It appears from this that an appeals court may reduce the amount of a fine imposed by the lower court, but may not increase it. It is usual nowadays to allow a court of appeal to either increase or reduce the amount of a fine, and it is therefore proposed to amend the sub-section so that the Industrial Appeals Court may "confirm or reverse" the decision and "mitigate or increase any penalty" of a Court of Petty Sessions.

The Hon. V. O. Dickie.

I propose to deal with clauses 7, 8 and 11 together, as the reasons for including these clauses are the same. The provisions of the principal Act with which they are concerned all specify particulars to be provided in factories of what are now commonly referred to as " physical working conditions ". Section 56, which clause 7 amends, specifies certain particulars of ventilation to be provided. Section 63, for which clause 8 substitutes a new section, empowers the Minister to require seating to be provided for female employees, whereas section 126, which clause 11 amends by replacing with a new section, empowers the Minister to require the provision of a large range of amenities. Although these provisions for Ministerial orders to be made have been in the Act since 1953, I do not know of any case in which an order has been made ; during his term of office as Minister of Labour and Industry, no application has been made to the Minister for an order. However, this is not the main cause of concern in this matter. It is quite an important matter, involving relationships between the States and the Commonwealth, and I propose to spend a little time explaining it.

Since Federation, constitutional issues of the respective jurisdictions of the States and the Commonwealth have always loomed large in the areas of the law within the administration of Departments of Labour, but perhaps they have loomed somewhat larger in recent years. In particular, the States have been concerned at the erosion of their constitutional powers which has occurred by the inclusion of provisions concerning certain matters in awards made by the Commonwealth Conciliation and Arbitration Commission under the Conciliation and Arbitration Act. In most cases, I think, these would not have been arbitrated decisions, but would have been incorporated in awards as the result of agreements reached between the employer and employee organizations which are parties to the awards.

The particular matters with which the States have felt the most concern are, first, what I have already called " physical working conditions " and which may also be called " safety health and welfare provisions " and, secondly, provisions concerning apprenticeship in the skilled trades and the administration of apprenticeship systems. The fact is that this Parliament may legislate on these matters, but the will of the Parliament may be set at nought by the process of representatives of employer organizations and trade unions getting together, making an agreement, and having it either registered as an agreement under the Commonwealth Act or incorporated in a Federal award made under that Act.

Discussions have been taking place more recently between the States and the organizations of employers and employees in the Federal award field, and those organizations have informed the State Governments that the principal reason for their preference for inclusion of such provisions in Federal awards was to obtain uniform conditions among the States. The States were invited to attempt to obtain a greater degree of uniformity in their laws concerning these matters, and I am pleased to say that the several State Governments have taken this up and are actively engaged, through the medium of periodic conferences between State Ministers of Labour, in pursuing standardization in appropriate areas. The first area to be investigated was that of physical working conditions in factories and, in a relatively short space of time, agreement was reached concerning quite a wide range of matters in this area. The employer and employee organizations have been informed that it is intended to give effect to these agreed matters and also to pursue further the possibilities of standardization in other areas.

So far as Victoria is concerned, it is proposed to introduce the standard conditions that have been agreed upon, so far as this is practicable, by means of regulations made under the Labour and Industry Act. The amendments proposed to be made by means of clauses 7, 8 and 11 are simply to enable these matters to be prescribed by regulation. I shall be pleased to take the opportunity to inform the House from time to time of further progress that might be made by the States in their attempt to conserve their jurisdiction in these matters.

Clause 9 relates to shop trading hours, as prescribed by section 80 of the principal Act. As honorable members are aware, the Minister of Labour and Industry has during this year, on the submissions of the Victorian Trades Hall Council, undertaken a comprehensive study of retail trading hours with respect to the possible substitution of one late shopping night each week for Saturday morning trading. The conclusion was overwhelming that the vast majority of people desired that Saturday morning shopping facilities should be retained. A considerable number would have preferred to have a late shopping night in addition, but the Government decided not to alter the present situation. However, representations have been made that the Act should be amended to allow one late shopping night just before Christmas, as is the case in some other States. Accordingly, it is proposed that section 80 shall be amended to permit shops to remain open until 9 p.m. on the second last full shopping day before Christmas Day in any year.

Clause 10 repeals section 124 of the principal Act. The reason for this is that the cleaning and painting of interiors of bakehouses is essentially one of public health and is now covered by the Food Premises Regulations made under the Health Act, and it is thought desirable to repeal section 124 in order to avoid duplication of legislation.

Section 137 of the principal Act, which prohibits the demanding of premiums for employing young persons, subject to the provisions of the Servants Registry Offices Act 1958 is repealed by clause 12. It will be recalled that the Servants Registry Offices Act 1958 was repealed last year and I am sure that it will be agreed, upon examination, that the provisions of the section, as they once applied to premiums payable for apprenticeship in chemists' shops and otherwise, need no longer be retained in this legislation.

Clause 13 also deals with a matter which is now obsolete. Section 171 of the principal Act provides that the Minister may certify that any manufacture, plant, process or labour used in factories is dangerous and thereupon the Governor in Council may make regulations to decrease or prevent the danger. Since that provision was included in the Act, the regulation-making provisions of section 206 have been extended, so that there is now no need for the retention of the Ministerial certification required by paragraph (*b*) in subsection (1) of section 177. It is therefore proposed to repeal that paragraph. This will also resolve uncertainties that have arisen from time to time whether a particular regulation has been made under section 177 or under section 206.

Clause 14 amends section 180 of the principal Act, which prescribes penalties for certain offences connected with the failure to guard dangerous parts of machinery. These offences are those arising out of Division 1 of Part IX. of the Act and carry penalties which are higher than the general penalties provided in section 205. However, some offences relating to the failure to guard dangerous parts of machinery arise out of regulations made under section 206 of the Act, which is not in Division 1 of Part IX. and the higher penalties prescribed by section 180 do not therefore apply to these cases. It is thought that similar penalties ought to apply in all cases of this

kind, irrespective of the particular section of the Act giving rise to it. It is proposed to amend section 180 accordingly.

Clause 15 relates to the powers and duties of inspectors under the Act, as set out in section 186. Sub-section (2) of that section provides that, on applying for admission to any place, an inspector shall, if required, produce his certificate of appointment. Instances have occurred where an inspector has been refused entry, on the grounds that it is necessary for him first to make an application for admission and then to have that granted by the occupier of the place concerned. In order to clarify the position, and to ensure that an inspector is able to enter premises without undue delay, sub-section (2) has been redrafted in an appropriate manner.

Clause 16 contains an amendment of section 191 of the principal Act, which is concerned with the procedure to be followed in taking proceedings for offences against the Act. Sub-section (2) provides that proceedings may be taken by any member of the Police Force or by any inspector "and may in the absence of the informant be conducted before the court by any other member of the Police Force or any other inspector". Thus it was intended that, if the informant happened not to be in the court at the time, the case could be conducted by some other officer. However, one unexpected effect has been that, if the actual informant is in the court, no other officer may conduct the proceedings. It is sometimes necessary for an officer other than the informant to conduct the proceedings—for example, if there is a large number of cases to be heard, the court may split and two prosecuting officers are therefore required instead of one. It is therefore proposed to amend the section to permit some officer other than the informant to conduct the proceedings in any case.

Clause 17 is included because of difficulties that have arisen in practice in connexion with section 196 of the principal Act. Sub-section (1) states that, where the occupier of any premises is charged with an offence against the Act—

> he shall be entitled upon information duly laid by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge.

Both magistrates and solicitors have commented upon occasions that the Act does not prescribe procedure by which the defendant may have the other person brought before the court. It is therefore proposed to amend sub-section (1) to make it clear that the normal requirements to obtain Ministerial authority to proceed, and to proceed within a given time after the commission of the alleged offence, will not apply in these cases, and that the means of bringing the alleged actual offender before the court will be by summons.

In discussing clause 5, I explained that section 46 of the principal Act requires the transfer of certain proceedings from Courts of Petty Sessions to the Industrial Appeals Court where the defence is raised that the relationship of employer and employee does not exist. The penalties to be imposed by the court upon a conviction under transferred proceedings are prescribed in sub-section (2) of section 200 of the principal Act. It will be seen that the penalties in such a case are substantially higher than would be the case if a conviction were recorded in the lower court; in particular, the penalty for a first offence is not less than $100 and not more than $200, compared with the penalty of not more than $50 in the lower court. The Industrial Appeals Court has brought it to my attention that in its opinion the minimum of $100 is unduly harsh and that the court has sometimes been reluctant to convict for this reason. It is therefore proposed in clause 18 that the minimum penalty shall be repealed and the

amount of the penalty in any case shall be left to the discretion of the court, subject to the maximum of $200 for the first offence.

Finally, clause 19 makes some minor additions to the Fifth Schedule to the principal Act, which is that in which are listed the classes of shops which are not required to be closed at any time. Representations have been made to the Minister by the Victorian Bird Dealers Association with respect to the sale of aviary and cage birds and by the Aquarium Fish Importers Association with respect to the sale of aquarium fish in which it has been indicated that by long-standing custom many, if not most, sales do in fact take place during the week-end. I think it should be apparent that, if the Government attempted to enforce the existing law, so as to close down these places except between 9 a.m. and 6 p.m. on week days and 9 a.m. and 1 p.m. on Saturdays, the trade would thereby be destroyed. For this reason, it is proposed to add these two minor classes of shops to the Fifth Schedule. I commend the Bill to the House.

The Hon. ARCHIBALD TODD (Melbourne West Province).—When proposed legislation which deals with the Labour and Industry Act is before the House, the Opposition examines it closely, because, to be quite frank, the Government is suspect in connexion with that Act. This has been demonstrated by some of the Government's previous actions, which have whittled away conditions which were gained after many years of agitation. The Opposition proposes to proceed with the debate immediately after the luncheon break.

The sitting was suspended at 1.5 p.m. until 2 p.m.

The Hon. ARCHIBALD TODD.—Prior to the suspension of the sitting, I pointed out that before measures are debated in this House members of our party subject them to careful examination because we are always suspicious of Government proposals to amend the Labour and Industry Act. This measure is no different from some previous measures ; it is like the curate's egg—good in parts but rotten in others. I agree with the Minister who stated that this is a Committee Bill, and I shall reserve most of my comments until the appropriate clause is reached in Committee.

It has taken many years to bring the Department of Labour and Industry up to the standard which the trade union movement considers necessary to enable the Department to deal with the responsibilities allotted to it. From time to time, because of the lack of inspectors, difficulty has been encountered in policing certain sections of the Act. Recently, a gentleman who had been convicted on a number of occasions for breaking the law in a particular industry, received some publicity in the Melbourne newspapers. Now he is heralded as a great ambassador for this country, and is establishing the same kind of business elsewhere. I doubt whether he will find, in the country to which he is going, a Department working on lines similar to those followed by the Department of Labour and Industry.

Nevertheless, our party considers that certain portions of the Bill are steps in the right direction. There is always a nigger in the woodpile, however, and invariably the nigger emerges. When the appropriate clause is dealt with in Committee, our party will state its reasons for opposing it.

The Hon. I. A. SWINBURNE (North-Eastern Province).—This Bill is appropriately named the Labour and Industry (Miscellaneous Provisions) Bill. As Mr. Todd said, it is essentially a Committee Bill. Its provisions cover a wide ambit and relate to wages boards, terms and conditions of employment, and hours of shopping. Members of our party agree with most of the provisions. In the main, they provide for the better working of factories under the jurisdiction of the Department of

Labour and Industry. It is unnecessary for me to go through the provisions individually because they were adequately explained by the Minister. All of the provisions, other than that which relates to hours of trading, meet with the approval of members of the Country Party, and I shall have more to say on that subject in Committee.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Abolition of wages boards).

The Hon. ARCHIBALD TODD (Melbourne West Province).—This clause does not appeal to members of the Opposition because it will allow the Minister to abolish wages boards which, in his words, are defunct. If that is the sole purpose of the proposed amendment, the word "defunct" should appear in the Bill. As the clause is drafted, the Minister will be given wide powers in relation to the abolition of wages boards. Why should the Minister alone have the power to decide which boards shall be abolished and which shall continue to exist? It may be that the functions of some wages boards overlap or are not used, but I consider that the word "defunct" should be included, so that honorable members will be aware which wages boards are to be dealt with. After all, every worker who is not covered by a Federal award is subject to the control of a wages board. Members of our party object to this clause because it is capable of too wide an interpretation, although it is claimed that it is designed to deal only with boards that have become defunct.

The clause was agreed to.

Clause 4 (Relating to appeals).

The Hon. ARCHIBALD TODD (Melbourne West Province).—Members of our party are opposed to this clause because it opens the gate to such an extent in regard to protests to the Industrial Appeals Court that any individual who is slightly dissatisfied with a wages board determination may appeal to the court and claim that the determination should be reheard. On occasions, wages board determinations are delayed for a considerable time, and dissatifaction arises between the parties involved.

Under the amending provision, an individual person will be able to appeal to the Industrial Appeals Court in reference to a determination by a wages board. The Labor Party believes that the existing law is quite satisfactory in this regard. Whenever the Government endeavours to enact a provision of this type, it fails to state why it is necessary. If it could quote instances in which individual persons had suffered injustices because of some inadequacy in the legislation, my party would perhaps adopt a different attitude concerning this provision. However, it is not good enough for the Government simply to say that the employers want this amendment. If the employers make recommendations to the Government for certain amendments to the legislation, the Government should approach those who would be affected by their adoption with a view to ascertaining their views. The Opposition is not satisfied with the Government's explanation for this provision.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—The Minister of Health should supply some explanation for this amending provision, which has been inserted in the Bill at the instigation of the employers. Why did the Government not restrict the right of appeal by individual persons to the employers?

The Hon. G. W. THOM.—That would be more undemocratic than this proposal.

The Hon. J. M. TRIPOVICH.—It is obvious why the Government has included this provision in the Bill.

The Hon. W. M. CAMPBELL.—The provision states that an appeal will be heard only with the leave of the court.

The Hon. J. M. TRIPOVICH.—On what grounds would the court test an application? Section 45 of the principal Act provides that a majority of the representatives of the employers or a majority of the representatives of the employees on a wages board, or any association of employees or organization of employees, may appeal to the Industrial Appeals Court in respect of a determination by a wages board. It is proposed by this clause to grant the right of appeal to any person who may be dissatisfied with a wages board determination. Whenever a determination is made by a wages board, even though the union concerned may support it, there are always individuals who are dissatisfied with it. In future, if one dissatisfied employee appeals against a determination, the implementation of the determination could be held up for some months.

Under paragraph (*aa*) of subsection (1) of section 45, the Minister is empowered to intervene on behalf of anyone who feels concerned in relation to a determination. Hence, if a body of persons feels dissatisfied regarding a determination, they could apply to the Minister who could intervene on their behalf. Why should not the law remain as it is? There have been no representations from the unions for an amendment of this type. My industrial experience over many years leads me to be suspicious of an amendment which is inserted in a measure simply because it is sought by the employers. I urge the Government to retain the existing law, which provides ample protection for the employers.

The Hon. V. O. DICKIE (Minister of Health).—Section 45 of the principal Act relates to appeals to the Industrial Appeals Court in respect of wages board determinations. Under this section, a majority of the representatives of the employers or a majority of the representatives of the employees on a wages board, or any association of employees or organization of employees concerned, may submit an appeal concerning a determination to the Industrial Appeals Court. Mr. Tripovich stated that the Labor Party was always suspicious of amending legislation which emanated from the employers. The Government believes that minorities, irrespective of whether they are employers or employees, should have the right of appeal to the court. In order that the work of the court will not be disrupted by its having to hear frivolous complaints, appeals by minorities will be permitted only by leave of the court. I appreciate the attitude adopted by the Labor Party concerning this proposal, but the Government believes it is worth while and therefore should be retained in the Bill.

The Hon. ARCHIBALD TODD (Melbourne West Province).—The Labor Party's attitude is not always suspicious of employers. However, the Government has given no valid reasons for the inclusion of this provision in the Bill. If the Minister had cited instances in which persons had suffered an injustice under the existing set-up, Opposition members would have examined this proposal in a different light. However, we believe that any provision which has worked satisfactorily should be left alone.

The Hon. W. M. CAMPBELL (East Yarra Province).—I support the Minister of Health on this proposal. Obviously, there is a vast difference between employers and employees in relation to this question. All honorable members will agree that the majority of employees are represented by unions, but this does not apply to hundreds of small manufacturers throughout the State, who are not represented by organizations such as the Chamber of Commerce or the Chamber of Manufactures. The Government believes that these

people should be empowered to appeal to the Industrial Appeals Court concerning a wages board determination which will affect them. These people are in the minority. If it is fair enough to include individual employers in this proposal, it is also fair enough to include individual employees. It would be unfair to give an employer greater rights than an employee.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—Mr. Campbell's argument astounds me. I should like him to explain why, after providing that the majority of representatives of employers or employees may appeal to the Industrial Appeals Court, paragraph (*aa*) of section 45 of the Act provides—

> The Minister at his discretion or pursuant to inquires instituted by the Department or to representations made to him by any association of consumers of goods or any body of persons appearing to the Minister to have a bona fide interest in the operation of the determination or part thereof appealed against may on behalf of the State of Victoria after having given to the registrar notice in writing of his intention so to do intervene in the public interest in any such appeal and may appear by counsel.

If one manufacturer wanted representation and believed that his existence or his interests would be prejudiced by a determination agreed to by a Chamber of Manufactures—they do not agree to too many without consulting as many employers as they can—he would take action.

The Hon. W. M. CAMPBELL.—The chamber consults only its members.

The Hon. J. M. TRIPOVICH.—I agree. Members of the Labor Party tell every employee that it is in his interests to be a member of a union, and similarly, trade organizations try to convince employers engaged in that trade that their interests will be best served by joining an association. Of course, some people are extremely difficult to convince. Some employers and employees are prepared to ride on the backs of those who fight for their interests in the courts, and, to take the benefits. The trade union movement has a name for these people—I do not know whether the employers have.

If employers wish to make representations, the organization or the manufacturer concerned has the right to approach the Minister and state his case. If, after consideration, the Minister believes the interests of the organization or the manufacturer would be prejudiced, he can then act. This is an easier operation than for a person to go to court and seek leave to be heard. On what ground is the test to be made? If the individual wants the Minister to intervene, the Minister can require him at least to state a *prima facie* case to justify intervention. The Minister can test it before it gets to court.

The employers desire this provision to allow a disgruntled minority, following a decision by the majority, to step in and stop the operation of the wage determination. The Government, which knows very little about employees' requirements at any time, suggests that it will be all right so long as both employers and employees are covered. It is prepared to allow a disgruntled employer to hold up a determination. The Labor Party opposes the clause.

The Hon. J. W. GALBALLY (Melbourne North Province).—I have listened very carefully to the debate. It is not for me to unravel the inscrutable actions of the Government in proposing to amend a provision that now appears in the Act. If a person has a grievance or considers that the public interest is at stake he need only go to the Minister or the Department; the Minister will examine the matter and decide whether intervention is the proper course of action. Apparently, the Government is not satisfied with the provision that has been in the Act for a long while, and it wants to allow any person to intervene merely by leave of the court.

After all, this clause deals with appeals and not with proceedings *de novo* through the wages board. It provides that any person, without having to show a proprietary interest or a public interest, merely by leave of the court, may intervene. There is no definition of the conditions under which leave may be granted. On reading the clause, a Judge will merely grant leave because Parliament has not included certain conditions. If the Government wishes to amend the provision, it should follow the lines suggested by Mr. Tripovich, namely, that the appellant should be an association of consumers of goods or any body of persons with a *bona fide* interest in the operation of the determination or part thereof. The court could then look at the case and decide whether the person seeking leave had a *bona fide* case or came within the Act. Otherwise, any person in the community could appeal, merely by being granted leave to do so. By what standards will the court grant leave unless those standards are specified?

The Hon. W. M. CAMPBELL.—Is it specified so far as the Minister is concerned?

The Hon. J. W. GALBALLY.—Yes. The section states that the Minister shall exercise his discretion. The Minister would not exercise a capricious discretion; he would exercise a judicial one.

The Hon. W. M. CAMPBELL.—Neither would the court be capricious.

The Hon. J. W. GALBALLY.—I am not suggesting that it would. The Minister intervenes at his discretion which no doubt will follow consultation with the Department and so on, an order pursuant to inquiries instituted by the Department, or representations from an association of consumers of goods or any body of persons appearing to the Minister to have a *bona fide* interest in the operation of the determination or part thereof. The conditions are fair enough and seem to cover all the people that Mr. Campbell had in mind. I can understand the honorable member suggesting that it is difficult to move a Minister—there have been some in this State who have been hard to move. A Minister can hear a case and say, "Thank you very much" but do nothing. I appreciate that a person may have a good case. A few years ago, there was the case of an unfortunate widow at Mildura, and the Minister of Lands would not move until the court threatened to send the sheriff to arrest him.

If the Government wants to widen the provision so that any person may intervene, proper conditions under which the court may grant leave should be laid down. Employees will not use the provision because over the centuries they have learned that, taken singly, they have no voice.

The Government ought to consider what has been said. If the Minister intervenes only for the reasons stated in the Act, why should not a person have to satisfy the court that he has a *bona fide* interest in some way. I am sure that the Government will not want to include something in the statute whereby a Judge can say to a person that all he needs is leave to intervene because the Act does not require any proof of interest. The person could stultify a determination for weeks. After all, this relates to an appeal against a determination made by a wages board, and the applicant would come in at the superior court level. Under those circumstances, it is all the more important that he should not be able to start *de novo* without showing proper interest.

The Hon. V. O. DICKIE (Minister of Health).—For a start, Mr. Galbally was making a good case but suddenly he found that he might have been arguing against himself. The honorable member referred to the Minister's discretion and then went on to say that there could be a Minister who was hard to move, and so forth, if an injustice was being done. This would be wrong. The Government

believes this provision is a fit and proper one, and that an individual should have these processes available to him.

The Hon. J. W. GALBALLY.—I agree with that, but, before a court grants him leave, he should have to show good cause.

The Hon. V. O. DICKIE.—Undoubtedly, the Minister believes there is good reason for this provision to be included in the Bill and, on my reading of what I have before me, I think the Government is doing the right thing in adhering to the proposed new sub-section.

The Hon. W. M. CAMPBELL (East Yarra Province).—In answer to Mr. Tripovich and Mr. Galbally, I, too, believe in what the Minister has said. I firmly believe that the court would undoubtedly use its discretion before it granted any particular employer or employee leave to appeal. This is fair enough because a wages board covers a variety of conditions under which persons may be employed. It is fair to say that some conditions laid down by a wages board may be perfectly all right for a large manufacturer but, for an employer with one, two or three employees, they may be virtually economically impossible.

The Hon. J. M. TRIPOVICH.—You want to have two determinations.

The Hon. W. M. CAMPBELL.—As Mr. Tripovich knows, because of their sizes, smaller companies are normally given special consideration in regard to working conditions. Appeals may be made in regard to a matter of this nature, not necessarily relating to salaries or annual leave. It may be on many other grounds.

The Hon. ARCHIBALD TODD.—Name a few of them.

The Hon. W. M. CAMPBELL.—Members of the Labor Party claim to be well versed in industrial matters, and if Mr. Todd cannot think of other grounds for appeal, I do not know how he got here. I suggest that the court would use exactly the same discretion as would the Minister. It is my belief that it is proper for the discretion to be in the hands of the court rather than in the hands of the Minister of the day.

The Hon. J. W. GALBALLY (Melbourne North Province).—Mr. Campbell's argument is good, but unless Parliament defines the powers of the court it falls to the ground. I suggest that the words "any association of consumers of goods or any body of persons appearing to the court to have a *bona fide* interest in the operation of the determination or part thereof may be granted leave to appeal" should be inserted. I do not see anything wrong with this proposal.

Under the Government's proposal, a person can go to court and when he seeks leave to appeal, does not have to say who he is, what he represents, or what interests he serves. He does not have to define his status, and, as the Act is silent, the Judge would grant leave. The provisions which relate to the Minister should be applied to any person or organization which seeks leave to appeal. There should be cordial industrial relations in this State, and this seems to be a reasonable approach to the problem. I am making a sympathetic suggestion to the Minister. If he wants to consider the matter I will not persist but, if he does not, I shall have an amendment drawn.

The Hon. V. O. DICKIE (Minister of Health).—The Minister of Labour and Industry has thoroughly considered this matter. I realize that, in legal terms, Mr. Galbally can throw some doubt on the possibility of the amendment to the Act doing what is intended. My assessment of the situation is that the section, as amended, will make adequate provision in the future—if there has not been in the past—for minorities to have the same right as the majorities, either employers or employees. It is

an extension of democratic rights to extend the right of appeal right down to the individual concerned. For those reasons, the Government intends to retain the present wording of the clauses. If Mr. Galbally wishes to pursue his amendment, the clause can be postponed, to enable him to have it drafted.

The clause was postponed.

Clauses 5 to 7 were agreed to.

Clause 8 (Occupier to provide sitting accommodation for females as prescribed).

The Hon. ARCHIBALD TODD (Melbourne West Province).—Members of the Labor Party agree that the occupier of a factory should provide sitting accommodation, as prescribed, for female employees. In preparing the Bill, the Minister could have gone much further and made provision for other requirements of female employees. There have been disputes in many factories between the trade union organization and the employer about the number of toilets available to women. The obligation to provide toilets, as well as sitting accommodation, should be written into section 63 of the Act.

The clause was agreed to.

Clause 9 (Late shopping at Christmas).

The Hon. ARCHIBALD TODD (Melbourne West Province).—My party is completely opposed to this clause, which provides that shops may remain open until 9 p.m. on the day preceding Christmas eve or, in certain circumstances, on the Friday preceding Christmas Day. It has been alleged that a member of the Government expressed the opinion, when speaking about late shopping hours that, "It only affects shop assistants, anyhow", as if they were a section of the community which should not be considered at all. My daughter is employed as a shop assistant and has been a member of the Shop Assistants' Union for many years. As a result, I am well aware of some of the disadvantages under which shop assistants work. Instead of employees being attracted to the work, they are leaving it because they have to work five and half days a week, and now the Government wants them to make them work at night as well. The conditions under which men and women and even girls work should be understood. Many of them do not have the opportunity to take lunch before 2 p.m.

The Government has chosen the approach of the festive season to introduce this provision which would place a further burden on shop assistants, who would have to work from 9 a.m. until 9 p.m. or perhaps 10 p.m. This is a backward step, which the Labor Party opposes. Many sections of the community enjoy excellent working conditions, and similar conditions should not be denied to shop assistants or anyone else working in the retail industry. The clock should not be turned back. No one requires this extra shopping time during the period before Christmas. Many industries close for holidays on the day before Christmas eve, or even earlier, and people can then do their Christmas shopping.

This provision represents a fraudulent excuse to put a wedge into the door of shopping hours, in an endeavour to establish permanency for late shopping. The Government will never listen to the shop assistants. It claims that a survey has been made and that most people want shops open on Saturday mornings. I am not sure that they do. The Government panders to the selfish in the community but the Labor Party will not agree to the shop assistants being put on the cross. The Opposition opposes the clause.

The Hon. I. A. SWINBURNE (North-Western Province).—The Country Party opposes this clause. No evidence has been presented to members of my party that late night shopping should be State-wide. Late shopping provisions work satisfactorily in areas which have been declared

to be tourist areas. It is possible that requests were received from traders in towns close to tourist centres for such a provision as is contained in this clause. The Country Party has made a survey but has found little support for the proposal. My home town is adjacent to towns which have late trading concessions, but even there the proposal in the clause is not acceptable. Apparently, traders in only one area in the north-west of the State want this provision applied. It is the principle which the Country Party opposes. Friday night shopping was cut out many years ago, and there is no need for it to be reintroduced. Surely, while shops are open on Saturday morning, most people have the opportunity to do all their shopping.

The Committee divided on the clause (the Hon. G. J. Nicol in the chair)—

Ayes	14
Noes	17
Majority against the clause	3

AYES.

Mr. Byrne	Mr. Gross
Mr. Campbell	Mr. Hamilton
Mr. Chandler	Mr. Thom
Mr. Dickie	Mr. Thompson.
Mr. Fry	
Mr. Gleeson	*Tellers:*
Mr. Granter	Mr. Houghton
Mr. Grimwade	Mr. Hunt.

NOES.

Mr. Bradbury	Mr. Mitchell
Sir Percy Byrnes	Mr. O'Connell
Mr. Cathie	Mr. Swinburne
Mr. Clarke	Mr. Todd
Mr. Galbally	Mr. Tripovich
Mr. Hewson	Mr. Walton.
Mr. Knight	*Tellers:*
Mr. Mansell	Mr. Elliott
Mr. Merrifield	Mr. McDonald.

PAIR.

Mr. Hamer	Mr. May.

Clause 10 was agreed to.

Clause 11 (Facilities for Employees).

The Hon. ARCHIBALD TODD (Melbourne West Province).—I apologize for remarks I made earlier in connexion with the provision of amenities for female employees, as I note that clause 11 provides ample safeguard for the necessary facilities to be insisted upon by the Department of Labour and Industry. The principal objectives of the trade union movement in this regard appear to have been safeguarded in the manner in which the Opposition believes they should be, and this clause is welcomed.

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

Postponed clause 4—

After sub-section (1) of section 45 of the Principal Act there shall be inserted the following sub-section:—

"(1A) Without in any way derogating from the provisions of sub-section (1) any person may, with the leave of the Industrial Appeals Court, within fourteen days after the making of a determination by a Wages Board in the manner prescribed by the general rules made under this Division appeal against the determination or part thereof to the Industrial Appeals Court."

The Hon. J. W. GALBALLY (Melbourne North Province).—I move—

That, in proposed new sub-section (1A), after the word "may" the words "if he satisfies the Industrial Appeals Court that he has a special interest in the operation of a determination or part thereof and" be inserted.

The purpose of the amendment is that, instead of leaving the matter at large, any person may appeal against a determination if he satisfies the Industrial Appeals Court that he has a special interest in the operation of a determination or part thereof and obtains leave of the court. That any person may get leave of the court is leaving it pretty wide. It will be seen that, first, the Minister at his discretion may intervene or pursue inquiries instituted by the Department. A person may go to the Minister and get him to intervene. If the Minister declines to do so, that person, provided he satisfies the Industrial Appeals Court that

he has a special interest in the operation of a determination, may apply for leave of the court. That is a reasonable approach to the matter.

The Hon. V. O. DICKIE (Minister of Health).—When this clause was first opposed I took the opportunity of again reading section 45 of the principal Act. Although it was stated that individuals supposedly had a right to go to the Minister, paragraph (*aa*) of sub-section (1) of section 45 reads—

> The Minister at his discretion or pursuant to inquiries instituted by the Department or to representations made to him by any association of consumers of goods or any body of persons appearing to the Minister to have a *bona fide* interest . . .

No provision is made in regard to representations by individuals, but provision is made for an association or a body of persons. This provision comes down to the rights of the individual, and the court will decide whether an appeal is frivolous or not. Full protection is provided so that people will not take appeals just for the sake of appealing. Whereas this section of the Act makes no provision for the individual, the amending clause in the Bill does, and it is believed that the court, with its powers, has the right to decide whether an appeal is frivolous or not. Therefore, the Government intends to retain what is in the Bill and the proposed amendment must be rejected.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—I am sorry to hear the Minister make that statement. A person who seeks leave to intervene might have taken no part in the original hearing. Wages tribunals consist of three representatives of employers, who do not represent a unanimous view, and three representatives of employees, who also do not represent a unanimous view, together with an independent chairman, and the chairman has a casting vote. He is actually a committee of one, with three advisers from each side. Having made a determination, an individual may lodge an appeal to the Industrial Appeals Court. The chairman of the court may then say, "You had a right to appeal to the employer organization, or the employee organization, as the case may be, and to state your views in relation to the attitude that was determined by either of those organizations. Why did you not do it?" The person may then say, "I do not have to belong to the organization". This man can stand outside the employer or employee organization and not spend a cent. If the determination suits him he may take advantage of it, but if it does not suit him he may appeal to the court.

If the Government introduces that type of legislation it will destroy much of the harmony that exists between employers and employees. I am astounded that the Government has not produced one instance of dissatisfaction with wages tribunals as they now exist. All the Government can say is that, for some time, employer organizations have requested this provision. The Minister should report progress, because he does not seem to know the situation. The Government is acceding to requests from employer organizations because employers feel that if a decision goes against their interests they can find some disgruntled fellow in the industry who will lodge an appeal, and spend a few dollars on the case.

The Hon. W. M. CAMPBELL.—The employees may do the same.

The Hon. J. M. TRIPOVICH.—Of course they may. All that this Bill seeks to do is to look after the employers' interest and disrupt wage tribunals for no apparent reason. I ask the Minister to provide one instance where there has been dissatisfaction. The Government is silent. It is acceding to something that has been worked out by the employer organizations, which have encouraged the Government to introduce this legislation, but the Government's case is hypocritical.

The Committee divided on Mr. Galbally's amendment (the Hon. G. J. Nicol in the chair)—

Ayes	9
Noes	22
Majority against the amendment ..	13

AYES.

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

NOES.

Sir Percy Byrnes	Mr. Hunt
Mr. Campbell	Mr. McDonald
Mr. Chandler	Mr. Mansell
Mr. Clarke	Mr. May
Mr. Dickie	Mr. Mitchell
Mr. Fry	Mr. Swinburne
Mr. Gleeson	Mr. Thom
Mr. Granter	Mr. Thompson.
Mr. Grimwade	
Mr. Gross	*Tellers*:
Mr. Hewson	Mr. Bradbury
Mr. Houghton	Mr. Hamilton.

Postponed clause 4 was agreed to.

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

LIQUOR CONTROL (AMENDMENT) BILL.

The message from the Assembly relating to an amendment suggested by the Council on the consideration of the Bill in Committee was taken into consideration.

The House went into Committee for the further consideration of the Bill.

Postponed clause 2, including the amendment suggested by the Council as made by the Assembly, was agreed to.

The Bill, including the amendment suggested by the Council as made by the Assembly, was reported to the House with amendments, and passed through its remaining stages.

TOURIST 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. D. G. ELLIOT (Melbourne Province).—This Bill means well, but whether it will turn out that way is problematical. The Government is most adept at introducing measures of this kind. They are grandiose in their conception, but turn out to be pricked balloons.

The Hon. G. J. O'CONNELL.—They go flat.

The Hon. D. G. ELLIOT.—That is so. Every time a Bill relating to tourism is introduced into this House a great deal of interest is shown and members push the parish pump. Everyone wants to speak. It is like advertising ; the amateurs, who think they know a lot about it and in fact know nothing, come in. Mr. Thom is now trying to interrupt my speech ; he is in the category to which I have just referred. On Bills relating to tourism, Mr. Thom rises in his place with alacrity and tells the House about the beauties of fishing off the refinery pier in Corio Bay. He is prepared to take visitors from within Victoria, interstate or overseas, on a conducted tour of the wonders of Kardinia Park and to meet the oldest living president of the Victorian Football League. Mr. Thom is a parochial man.

The PRESIDENT (the Hon. R. W. Garrett).—I do not think Mr. Thom is referred to in the Bill.

The Hon. D. G. ELLIOT.—He is interrupting my speech. Then we have the Minister of Health, who is popularly known as the "Baron of Bacchus Marsh". He invites you to listen to the music of his valley, and "How Green is my Valley" is to be heard on many occasions. Whenever there is a meeting at the Bacchus Marsh racecourse, which is at present in a moribund

state, the Minister will take you on a conducted tour of the toilet facilities there, a tour which I am sure would be enjoyed by overseas visitors.

One never goes to Swan Hill without having a chat to Sir Percy Byrnes. Sir Percy loves his area of Swan Hill, Nyah West, and the extra territory such as Boundary Bend, but when I told him of the beautiful folk museum and of the paddle steamer, which I think is called the *Gem*, at Swan Hill on which one can enjoy a magnificent meal with wine, Sir Percy said that nobody goes to those places because they cost too much. This is parochialism raising its ugly head. The people who should support anything of a local nature, which is worth while are the local people. We have Mr. Hunt with his chooks; and Mr. Cathie invites everyone to go to the Mornington Peninsula, to the beautiful bayside beaches.

The PRESIDENT (the Hon. R. W. Garrett).—I assume Mr. Elliot can connect this discourse with the Bill?

The Hon. D. G. ELLIOT.—Mr. President, I am referring to the beauty spots of Victoria.

The PRESIDENT.—I thought you were referring to members of the House.

The Hon. D. G. ELLIOT.—They represent those areas, Mr. President; and, from the tourism point of view, they put forward the virtues of those areas.

The PRESIDENT.—I suggest that the honorable member deal with the purpose of the Bill.

The Hon. D. G. ELLIOT.—Is this a gentle chiding or a direction, Mr. President?

The PRESIDENT.—It is merely a suggestion, Mr. Elliot.

The Hon. D. G. ELLIOT.—Mildura is a major tourist area and the "mighty Mansell of Mildura" welcomes with open arms visitors to the "City of Sunshine", who can with comfort get into the grip of the grape with gregarious growers, or munch an orange if that is their desire. Mildura has an average of between 130,000 and 135,000 visitors each year and, on a *pro rata* basis, is probably the most popular centre in Victoria.

I have often been on a fly-swatting tour with Mr. May and Mr. Hewson in the magnificent area of Gippsland which they represent. I met them on one occasion at Walhalla. That is a magnificent little place, but mine host at the hotel says enough money has been spent there already.

My remarks have been calculated to illustrate that one can talk from now until kingdom come about the virtues of particular areas; of how beautiful Wilson's Promontory is, and how it should be developed; of what could be done with the Otway Ranges; of the development of East Gippsland; and of how we will get people to those places. It is obvious that in order to get people to visit those areas comfortable accommodation must be provided and an imaginative publicity campaign launched. Publicity is something which has been singularly lacking in connexion with tourism in Victoria for a number of years. To coin a phrase, the amount of tourist coin which leaves this State is amazing; as a matter of fact, it should be alarming to anyone interested in tourism.

I think one of the first points to be considered by the Minister for Tourism is that we should not only publicize our areas in a professional fashion, but also do something about providing accommodation in all of the areas which, potentially, could become tourist resorts.

It could be argued that Wilson's Promontory is a sanctuary and ought to be preserved, but when one visits the Promontory one realizes that, as was envisaged a few years ago, five or six acres of land could be easily excised for the establishment of a chalet or hotel. The area would then be much more attractive to tourists.

People who live and work in the Latrobe Valley are fearful for their future, so far as industry is concerned,

and they wish to receive reassurance in that regard. I consider that Yallourn could become a tourist resort. The State Electricity Commission has a fine hotel there and there is a magnificent lake, a fine golf course, bowling greens, and tennis courts. In addition, the town is only a stone's throw from magnificent beauty spots in the Gippsland area. The same could be said about the potential of Mount Buffalo, which has not been developed nearly as much as it could be. I have heard whispers that, in the near future, money is to be spent on the development of the area and it is to be hoped that this will become an established fact and not merely a figment of someone's imagination. As for the city, what do we have? There are Captain Cook's Cottage, Como House, the Royal Botanical Gardens and the new Victorian Arts Centre.

The Hon. G. J. O'CONNELL.—The Richmond golf course.

The Hon. D. G. ELLIOT.—Yes, the Richmond golf course. For wining and dining, Melbourne has a variety of restaurants, which would compare favourably with those in cities overseas; but there must be a gimmick to attract tourists, particularly overseas tourists, to the city. The Southern Cross Hotel is a first class international hotel, and there are others which are almost its equal; but when one considers the number of Americans with a great deal of tourist coin who could be attracted here, and the fact that there are not five hotels in Australia which are of really international standard, it is obvious that much has to be done in this direction.

I do not know whether it is by direction or not but, as I have mentioned before in this House, the Tourist Development Authority adopted the practice of making small handouts to areas such as Echuca, and even Colac—although I do not know what for—and the money is probably used to build a toilet block in a local park or recreational area or to turn out a four-colour pamphlet concerning places of interest nearby; but where do people stay when they visit those areas, and what do they do there apart from taking a casual look at them?

This policy is in complete contrast to that which is adopted by other countries. It might be argued that we do not have the finance to permit us to fully exploit tourism as it is exploited in Europe and the United States of America. I point out to honorable members, however, that, coming closer to home, there is no country in which tourism is more professionally sold than New Zealand. New Zealand advertisements on television, in the press and on radio in Australia are wonderful to see and hear, and I give New Zealand full marks for its promotion of tourism. Only this morning I rang Air New Zealand, on behalf of the committee on which it is my pleasure to serve, to ascertain what arrangements could be made for a visit to New Zealand in the month of February. I was immediately given the name of the Commissioner of Tourism and the address of the New Zealand Tourist Commission in Melbourne, and assured of full co-operation and encouragement for any party which wished to visit that country. I was also assured not only of air fares on a party basis, but also of specific accommodation at a specific rate calculated to encourage party travellers, and I was furnished with a complete itinerary which listed concession fares. For example, if one wants to take a Starlight flight, which would involve flying during the night to Christchurch, Wellington or Auckland, one receives a reduction of $40 on the air fare. That kind of encouragement, together with genuine professional selling, has resulted in tourism being one of New Zealand's main industries.

For those reasons, I sincerely suggest that the Tourist Development Authority, which is now to be merged into the Ministry of Tourism, should indulge in "king hits" rather than follow the policy of making very small handouts to particular areas. It is obvious that large sums of money

will be available to the Ministry, and I suggest that the Ministry should carefully select several areas of the State for development. Yallourn, when the "W" station is introduced, will have little or no air pollution. It is set in a magnificent area and provided with every facility. As I have said before, Wilson's Promontory, Mount Buffalo, the Western District along the Great Ocean road, and perhaps some other areas could be selected for intensive development by the Ministry. If sufficient finance can be made available, and particular areas concentrated upon, the Ministry should be able to do a really worth-while job. I hope that the Ministry will not turn out to be a paper tiger, but will be given teeth with which to attack the problems facing it.

The Opposition sounds a note of warning: The Ministry should not approach its task lightly. It should not carry out its task in a piecemeal fashion, but should select four or five areas for intensive development and make them into first class attractions, not only for Victorian people, so that their money will remain in the State, but also for visitors from interstate and overseas. The Ministry must provide a real reason for visitors wishing to go further than Sydney when they come to Australia.

I agree with Mr. Tripovich that we must have sanctuaries, but these must not be confused with tourist areas. There are areas classified as national parks which are crying out for tourist development. Let us not talk about this—let us do something about it. The Opposition supports the measure.

The Hon. I. A. SWINBURNE (North-Eastern Province).—This Bill is designed to establish a Ministry of Tourism to replace the existing Tourist Development Authority. The present eight members of the Authority will be replaced by the Ministry, and provision is made for the appointment of a director, an assistant director and other officers. I believe this is a good move. When speaking to a Bill relating to national parks, I said that the Government might have in mind taking similar action in regard to the National Parks Authority. The Tourist Development Authority gained a certain amount of experience and set the pattern for development of tourism, and the establishment of the new Ministry is a wise step.

Victoria is fortunate to obtain the services of Mr. Maurice Harkins as the new director of tourism; he is probably a world figure in the field of tourism. I know of no one more capable of filling this position than Mr. Harkins. He is an exceptional man. Over the years, he has walked over most of Victoria, into some places where many of us would never think of going. He is conversant with all the beauty spots, with the problems of development peculiar to each area, and also with the benefits that are to be gained from the development of these areas. It was a pleasure to be associated with him in my district as a member of the National Parks Authority; his advice, assistance and co-operation have always been welcome. I am pleased that he is to occupy the position of director under the Minister. The proposed Ministry is probably as good as could be found in any other State in the Commonwealth.

There has been much airy-fairy talk about tourism, and in my opinion the Minister laid too much emphasis on jumbo jets and was not sufficiently down to earth. Mr. Elliot, in his speech, got down to the real kernel of the problem. It is essential that Victoria's natural resources should be developed and that amenities and services should be provided for tourists, 90 per cent. of whom are local people. As members who have visited overseas countries will realize, most tourists spend only two or three days in each country. When jet aircraft fly into Tullamarine or Sydney, tourists will stay only a few days and then move on to other countries. Much of the development that has

been referred to will benefit possibly only a few hotels, such as the Southern Cross, and perhaps some of the bus lines will gain from international tourists. However, the majority of Victorians in tourist areas will not obtain any substantial benefit from international travellers.

Every effort should be made to cater for local tourists ; tourist areas should be developed so that tourists within Australia may be catered for. It has been said that the Tourist Development Authority was interested mainly in the provision of caravan parks and toilets. This assertion may be true up to a point. It is essential that caravan parks and other amenities should be provided for the use of persons who are travelling through Australia. That is the starting point and the backbone of tourist development. In most tourist areas there are dead spots in the year when not much activity occurs—from after Easter until the middle of June, and again in October and November. Apart from those periods, most tourist resorts have a busy time. Provision must be made for all types of tourists.

I recall that when the alpine regions were first being developed a prominent man who established a commercial lodge in the Alps informed me that he was satisfied that the only way to make such a lodge pay was to open it for so many weeks and close it for the rest of the year. The position has changed since those days. The Falls Creek area is attracting quite a number of people in the summer months as well as in the snow season. One could not find a more enjoyable atmosphere in which to have a good rest. The Mount Buffalo Chalet has two busy periods in the year—over the Christmas period through to Easter and again in the snow season. It is difficult for a person who provides accommodation in a tourist area to make his investment pay all the year round. In many places the proprietors depend on casual visitors, such as commercial travellers, who do not really come within the ambit of tourism. Many retired people prefer to visit tourist areas at times other than the busy season, and they help to keep the tourist resorts going. Victoria must accept the challenge and provide facilities for international visitors ; otherwise, one of the other States will obtain the benefit. I hope that when the Tullamarine airport is open for business adequate services will be provided to attract tourists to Victoria. There are many beauty spots within a day's drive of Melbourne and, as I pointed out previously, most international tourists do not stay very long.

As Mr. Elliot said, one could speak about tourist areas for a long time. The first step is to develop areas which have the best potential. The second step is to organize and plan for the future so that, as transport facilities improve, it will be possible to make tourist attractions readily available to international visitors.

The Bill is practically a redraft of the existing Act. It sets up the Ministry of Tourism, under the control of the Minister, and provides for the appointment of the director of tourism and such other officers as are necessary. Finance will be provided from the Tourist Fund, which consists of money that is made available by the Country Roads Board. All the property which was previously vested in the Tourist Development Authority will be vested in the Ministry.

Our party is concerned about clause 23, which does not go far enough. We intend to submit an amendment, when this clause is dealt with, in Committee to ensure that the director of tourism shall be the master of his ship. At first, I thought the Ministry of Tourism would be a separate Department with control over its own destiny, with the Minister in charge. However, amazingly enough, it is to be merely an appendage of the Premier's Department, as the Tourist Development Authority is. I do not know why the Government did not have sufficient courage to set up a new Department and provide it with

funds and responsibility. Under the proposed set-up it will be faced with the same problems that have faced the Tourist Development Authority.

It is evident in this case that the Secretary of the Premier's Department does not want it to slip from his control. If a new officer is required in the Ministry of Tourism, what will be the procedure? It will be necessary for the director, Mr. Harkins, to submit a recommendation to Mr. Coulthard, who will make a submission concerning the appointment to the Public Service Board. Everything will be all right if Mr. Coulthard agrees with Mr. Harkins concerning the appointment but, if he does not do so, he will be able to submit his own nominee and the director will be chopped off at the ground, as it were. Surely, the Government does not really believe that the proposed Ministry should be attached to the Premier's Department. During the Committee stage, I propose to move an amendment which will empower the director to be the master of his own ship, so to speak. I hope honorable members will accept my amendment.

Departments which operate under the jurisdiction of a Minister of the Crown should be empowered to manage their own affairs. Consequently, I believe that the director should be the responsible person to submit recommendations for staff appointments to the Public Service Board; they should not go through the Premier's Department. If my amendment is not accepted, this measure will simply have the effect of removing from office the existing eight members of the Tourist Development Authority; it will not set up a Ministry of Tourism at all. In other words, the new tourist Department will function simply as an appendage to the Premier's Department. I do not wish to be critical of Mr. Coulthard, who is an efficient and courteous officer, and is always helpful to members in relation to matters affecting the Premier's Department. There must be some reason why the Government proposes that the new authority shall be tied to the Premier's Department. With the reservations that I have expressed, my party supports the Bill.

The Hon. G. W. THOM (South-Western Province).—It is pleasing that the House agrees with the principles of the Bill. I believe Victoria is on the verge of big development in relation to tourism. I disagree with Mr. Swinburne, who states that the advent of jumbo and supersonic aircraft will not have a tremendous impact on our tourist industry; I believe they will. With the advent of faster aircraft, many people who previously would not have considered visiting Australia will come to this country. In fact, people from Europe and other countries will be induced to make round tours with Australia included in their itineraries. We must have the organization for handling more tourists. Generally speaking, tourists spend only two or three days in the one place, after which they move on to a new locality. There will be a complete change in the way in which people will tour Victoria. The use of small, light aircraft conveying people to central areas, from which they will be taken on ground tours, will become commonplace.

Victoria's tourist attractions are scattered all over the State. One of the attractions of this country is its air of spaciousness, which is something different from the castles, museums, art galleries, and so on in European countries. Greater emphasis should be placed on the development of our tourist areas, particularly those which offer something a little different.

The Hon. J. M. TRIPOVICH.—Geelong is a nice place, but the scenery on the road to Geelong is not very interesting.

The Hon. G. W. THOM.—I agree with Mr. Tripovich that the road journey from Melbourne to Geelong is one of the most boring trips in the State, which is a disadvantage so far as tourism is concerned. Tourists who visit Melbourne and who wish

to spend three days here could be taken on short plane trips to such places as Grovedale and Alexandra from where they could visit local tourist attractions. In the north-east of the State, which is represented by Mr. Swinburne, and at Lakes Entrance, which is in Mr. Hewson's province, there are many beautiful resorts.

During my recent visit overseas, I noted that the Governments of Malta and Singapore were particularly conscious of the need for developing the tourist industry as a means of plugging the gap in the economy which will result from the withdrawal of the British forces. In Malta, tremendous incentives are being provided to enable hotels to be built with a view to attracting additional tourists. Similar action is being taken in Singapore. This Bill will set the pattern for development far beyond the development that can be envisaged at present. I wish the Minister, whoever he may be, every success in endeavouring to get tourism in Victoria " off the ground ".

The Hon. J. M. WALTON (Melbourne North Province).—I support Mr. Elliot's remarks, particularly in regard to the development of the major tourist areas in Victoria. The expenditure of small sums of money at various places will achieve very little; it may provide improved facilities for the local tourists, but it will not attract overseas people to this country. Only attractions such as the Sydney Opera House, the Melbourne Arts Centre, Central Australia, the Gold Coast and 20 or 30 other places of this type, will encourage tourists from overseas. An influx of tourists to this country would increase the nation's earning capacity and improve our overseas funds which, in some directions, are declining. It has recently been stated in the newspapers that in the near future there will be over-production of many primary products, which will make it difficult for Australia to sell its produce overseas. Tourism is one means by which added income could be gained for this country.

With the introduction of larger and faster aircraft, people can travel around the world in a matter of hours. The world is becoming smaller day by day! As a result, many people who previously might not have considered visiting Australia will do so in the future. Undoubtedly, as the standard of living in the countries to the north of Australia improves, more tourists will come here from that area. We must do our utmost to encourage tourism. Although we have some attractions, such as Central Australia, our wildflowers and so on, these could not be compared with the Grand Canyon, which attracts many people to the United States of America. Even in India, where some inconvenience must be tolerated by tourists, attractions such as the famous Taj Mahal lure people to that country.

Large numbers of tourists are attracted to New Zealand, partly because of the splendid publicity which is provided concerning that country. Possibly, we could combine with New Zealand in an effort to induce tourists to tour New Zealand and the east coast of Australia in the one trip. Visitors to this country will wish to inspect our natural beauties, as well as man-made structures, such as the Melbourne Arts Centre and the Sydney Opera House. In The Hague, an attraction known as the Madurodam—Holland's miniature city—draws many tourists to that city. This attraction is an area about the size of a football ground, which is surrounded by an embankment. It encloses working models of various aspects of the life of the country. I refer to working models of churches, buildings, airfields, football fields, and so on. Because tourists are charged an admittance fee, this tourist attraction, which is managed by private enterprise, is self-supporting. The Ford Motor Company could have models of its cars racing around

a road circuit. The cost of implementing a similar scheme in this State is not beyond the realms of financial possibility. Tourism is important to our country. Some people seem to think that earning money by way of overseas investment or exporting our products is more important, but I believe tourism is of equal importance. In the years to come, the industry will almost be second to none.

I had not intended to speak on the Bill until I heard Mr. Elliot making suggestions that were in line with my own thoughts. The State should not fritter away the few funds devoted to tourism on somebody who might want to travel from Melbourne to Mildura. Really great things must be done if we want to make overseas people visit Victoria and recommend their friends to visit this State.

Although I am a little afraid that the new Ministry of Tourism may be like the Consumers Protection Council and a few other bodies which have been established under window-dressing legislation introduced by the Government from time to time. I am prepared to wait and see what happens. I wish the Ministry of Tourism the best of success.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—Earlier today, when the House was dealing with the National Parks (Little Desert and Mount Richmond) Bill, certain of my comments might have been more applicable to this measure. I do not intend to restate them. For some years, I have been a member of a voluntary body known as the Develop Victoria Council. The council has received many requests from country towns for ideas that may attract tourists to their areas. Whenever a member of the council visited the towns to ascertain what they had to sell to visitors, those which had done very much over the past twenty years to encourage tourism could be counted on one's fingers.

The type of tourist that I envisage is not the international visitor who will stop off at Melbourne and perhaps see only Melbourne and the provincial cities. We want to build up a decentralized population in country areas. As tourists, we seek people from our own State who, with the development of the affluent society, tend to live in flats, work from Monday to Friday, and then travel in cars and trailers to spend their week ends in the open spaces. I ask the Minister whether Mr. Harkins will be the director of tourism.

The Hon. V. O. DICKIE.—Yes.

The Hon. J. M. TRIPOVICH.—He is a very commendable person. Unfortunately, he has not been receiving full co-operation from many towns when he has sought material for incorporation in brochures to publicize various country centres. When I was employed by the railways, I lived in many parts of the State and attended a number of meetings convened to discuss the development of particular towns. The only ideas that the meetings could come up with were bacon factories, butter factories and the development of some rural industry. Tourism has been left to private people who have perhaps developed an area as a caravan park with very little encouragement from the rest of the town.

The Hon. M. A. CLARKE.—Some local newspapers, such as the Kerang paper, have been very prominent.

The Hon. J. M. TRIPOVICH.—I commend those publications and I thank Mr. Clarke for the information.

The Hon. I. A. SWINBURNE.—I think you will find that the position has changed over the past four or five years.

The Hon. J. M. TRIPOVICH.—I hope it has because my experience has been that when the towns have been asked to reveal what they have to sell, it is the first time that they have even thought about it. I do not

want to mention too many centres because I might miss some out, but Shepparton and Wangaratta have really pushed themselves into the tourist field. The small town of Bright is another that has been active in selling its tourist attractions.

The Hon. M. A. CLARKE.—The people of Bright have taken the risk of spending a lot of money and they are now reaping the rewards.

The Hon. J. M. TRIPOVICH.—That is so. Many people, including some of my friends, spend Christmas and other holidays at Bright. The improvement of the town's facilities has created great happiness for the holiday-makers.

I wish Mr. Harkins every success in his new position as director but, with the meagre financial allocation, we will probably finish up with only a few toilet facilities that did not exist before, and maybe a slightly better standard of caravan park. This is not enough. Mr. Elliot referred to New Zealand where the Government subsidizes the building and extension of hotels. The White Heron Motels are of international standard.

The Hon. M. A. CLARKE.—Loans have been made to hoteliers.

The Hon. J. M. TRIPOVICH.—The money provided is repayable. Perhaps Mr. Harkins could investigate that matter and the Government could sympathetically consider the recommendation arising from the investigation. These are the types of facilities that are necessary today. A Ministry of Tourism will succeed only if it receives the co-operation of the country towns. When a person arrives in Melbourne on a Sunday, where can he go for information concerning tourist attractions?

The Hon. M. A. CLARKE.—In continental towns bureaux operate continuously.

The Hon. J. M. TRIPOVICH.—If a person goes to Ballarat, Bendigo or anywhere else, is there a central place where he can be informed of what there is to see? Facilities such as these are needed.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Interpretation).

The Hon. V. O. DICKIE (Minister of Health).—There is much that I could say on the matters that have been raised during the debate on this Bill. As a former Minister in charge of tourist activities—under the Act, I was purely the nominee of the Premier who was the actual Minister in charge of tourist activities—I fully agree with everything that has been said on the Bill. It is refreshing to know that the exciting matter of tourism is being approached on a completely non-political basis. All honorable members can see the potential of tourism and want to do the right thing for its development.

I agree with Mr. Tripovich that towns have to sell themselves. Wonderful tourist attractions exist in Victoria, but the position can be summed up by the old adage "familiarity breeds contempt". When one lives with attractions and sees them every day, one loses sight of the fact that they may be of great interest to somebody else.

The Lerderderg and Werribee gorges are situated near Bacchus Marsh, just 34 miles from Melbourne. A census of the townspeople would probably reveal that only about one in 100 has been to the Lerderderg gorge.

When I visited London twenty years ago, I arrived on a Saturday night. On Sunday morning, I went to see the changing of the guard. That afternoon, I met some friends and when I told them that I had

seen something I had wanted to see all my life—the changing of the guard—they replied that they had never seen it. These people lived within a quarter of a mile of Buckingham Palace, yet I had travelled 12,000 miles and I saw this spectacle on the first day I was there. This comes back to the old " made in Australia " attitude—that the imported product was better than the local product.

We hear about overseas tourist attractions, such as the magnificent Eiffel Tower, the Grand Canyon, the Empire State Building, and the Taj Mahal. They are wonderful sights to see, but Australia still has attractions for the international visitor. It is necessary to divide tourists into three categories—international, interstate and local. On the international basis, I think primarily they come to see Australia and are happy with what they see. They are not even slightly interested in whether we have some fantastic attractions such as the Barrier Reef and the snow fields. If I were to undertake a world trip, I should like to visit Peru. I have not the faintest idea of what I would see in that country but there would be the capital city and the country side.

The interstate tourist creates competition between States. Victorians realize the supposed attractions of Queensland, particularly the warm weather. For the last three winters, I have been to Queensland on holidays and rain has confined me to barracks on each occasion. Basically, tourism comes back to the local traveller who moves around the State. These people benefit themselves and their families by getting away from the normal routine of work and home, and they assist the towns where they spend money. One could speak on this subject for hours. We all have our own ideas. I agree with everything that has been said on this Bill, and I assure honorable members that I will bring all that has been said to the notice of the Minister. It is excellent that we approach an exciting era of tourism as a concerted force.

The clause was agreed to, as were clauses 3 to 22.

Clause 23—

For the purpose of exercising any powers or performing any duties under the Audit Act 1958 or the Public Account Act 1958 the Director shall be deemed to be the permanent head of the Ministry.

The Hon. I. A. SWINBURNE (North-Eastern Province).—As I indicated during the second-reading debate, the Country Party will seek to amend this clause to ensure that the director shall be the permanent head of the Ministry in fact, and shall control recommendations about staff. The Ministry should not be a mere appendage of the Premier's Department, as it would be if the clause were not amended. If a separate Ministry is to be established, it should be established properly, so that the Minister is captain of the ship and the director controls the crew. The director should be able to recommend to the Public Service Board which applicant for a position on his staff should be appointed. As the clause stands, the director would have to make his recommendation to the secretary of the Premier's Department, and there is no guarantee that the person he recommended would be recommended to the Public Service Board. Enough problems are created by public servants transferring from one Department to another. A person goes to a Department to see an officer he saw only a few weeks before, only to find that he has been transferred. That is bad enough at any time, but if the director cannot make recommendations direct to the Public Service Board, the position will be worse. Therefore, I move—

That, after the expression " Audit Act 1958 ", the expression " the Public Service Act 1958 " be inserted.

The Hon. D. G. ELLIOT (Melbourne Province).—The Labor Party supports the amendment proposed by Mr. Swinburne. Mr. Maurice Harkins is a dedicated director of the Tourist

Development Authority. It would be unfair, particularly because of his responsibilities to the Minister, if he were hampered in carrying out his duties.

The Hon. V. O. DICKIE (Minister of Health).—I believe that, ultimately, the Government will accept the principle behind the amendment. Before becoming the Minister concerned with tourism, I did not know a great deal about it, but I have since had the opportunity to realize the potential of the industry and to assess what is needed. I should like to see young people entering this field to make a career in it, so that they become acquainted with all the commercial organizations such as hotels and so on associated with tourism. It appeared wrong to me that people should come to the field of tourism from other Public Service Departments with no knowledge of the industry. It was obvious that at some time the position would be rectified. The Bill is a step in the right direction. It creates a Ministry of Tourism. In addition, it provides for both a director and an assistant director, so in that way there will be a line of succession. The principles behind the amendment were fully considered by the Government, which believed that, at this stage, the problems should be dealt with step by step. Eventually, the Ministry of Tourism will be detached from the Public Service. It must consist of men who make a career in the field and who enter it at the age of seventeen or eighteen years, wanting to become Director of Tourism. However, after full consideration, the Government decided that the provision in the Bill was the best solution at present. The Government does not accept the amendment.

The Committee divided on Mr. Swinburne's amendment (the Hon. G. J. Nicol in the chair)—

Ayes	14
Noes	11
Majority for the amendment	3

AYES.

Mr. Bradbury	Mr. O'Connell
Mr. Cathie	Mr. Swinburne
Mr. Elliot	Mr. Tripovich
Mr. Hewson	Mr. Walton.
Mr. McDonald	
Mr. Mansell	*Tellers:*
Mr. May	Mr. Mitchell
Mr. Merrifield	Mr. Todd.

NOES.

Mr. Dickie	Mr. Hamilton
Mr. Fry	Mr. Houghton
Mr. Gleeson	Mr. Thompson.
Mr. Granter	*Tellers:*
Mr. Grimwade	Mr. Campbell
Mr. Gross	Mr. Hunt.

PAIRS.

Sir Percy Byrnes	Mr. Hamer
Mr. Clarke	Mr. Byrne
Mr. Galbally	Mr. Chandler
Mr. Knight	Mr. Thom.

The remaining clauses and the schedule were agreed to.

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

FISHERIES BILL.

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

That this Bill be now read a second time.

In the spring sessional period last year, the Fisheries (Amendment) Act was passed by this Parliament to provide for the more effective management of the fishing industry. That legislation introduced a new licensing system for persons engaged in commercial fishing. The most notable features of the 1967 Act were that it—

(*a*) introduced a system of commercial licences to enable fit and proper persons to fish generally or to fish particularly in the barracouta or abalone fisheries or to take fishing bait for sale ;

(*b*) introduced a licensing system whereby boats registered under the Fisheries Act 1958 may be employed to take crayfish for sale or to dredge for or take scallops in Port Phillip Bay for sale ; and

(*c*) established a fund to be applied towards scientific, sociological, technological and economical research upon Victorian and adjacent commercial fisheries.

In the course of the debate on that Bill it was indicated that, following the passing of the Fisheries (Amendment) Act 1967, the Government would introduce a complete modernization of the Fisheries Act having regard to the major and rapid changes which have taken place in the fishing industry. The Bill now before the House is a complete re-enactment of the Fisheries Act 1958 retaining the licensing system introduced by the Act in 1967, and extending that licensing system to include additional aspects of the commercial fishing industry.

I shall refer first to the additional commercial fishing licences introduced by this Bill. Clause 13 provides for two commercial fishing licences in addition to those provided in the 1967 Act, namely, a processor's licence and a marine harvesting licence. The processor's licence will entitle the holder to clean, cook, preserve, pack or otherwise prepare or process on the premises specified in the licence fish for sale by other persons from other premises. This licence will enable the Director of Fisheries and Wildlife to exercise greater control over the hygienic handling of fish in the processing plants, and to more effectively control the taking of undersized fish, particularly scallops.

The marine harvesting licence will entitle the holders to harvest for sale aquatic weed or vegetation from the area described in the licence. Vegetation in shallow waters provides the principal grounds for fish breeding, and if these waters become depleted of aquatic weeds and vegetation it could ultimately have a serious effect on the fish population.

The annual fee for a processor's licence will be on a graduated scale—

(*a*) a body corporate not being a trading society registered as a co-operative—$250 ;

(*b*) in the case of a co-operative registered to promote the interests of fishermen—$100 ;

(*c*) in the case of a partnership, a fee calculated at the rate of $25 for each partner but not exceeding—

(i) $100 where each of the partners is the holder of a master fisherman's licence or an abalone licence.

(ii) $250 for all other partnerships ; and

(*d*) in the case of an individual —$50.

The annual fee for a marine harvesting licence is $100. Sub-clause (2) of clause 13 extends the present provisions of the Act with respect to a master fisherman's licence. It requires a person to be licensed as a master fisherman in order to use any commercial fishing equipment. Under the Bill a person who has been engaged in the fishing industry as a commercial fisherman for a period of at least fifteen years and who is an age or invalid pensioner or a totally and permanently incapacitated pensioner under any Commonwealth Act can obtain a master fisherman's licence at a concession fee of $10. The amendment will enable old and incapacitated fishermen to retain their interest in the industry.

The Fisheries (Amendment) Act 1967 also provided for the introduction of two new types of licences with respect to registered fishing boats. It empowered the Minister to licence any registered fishing boat to be used—

(*a*) for the taking of crayfish for sale, and

(*b*) for dredging for or taking scallops in Port Phillip Bay for sale. Clause 14 of this Bill extends those provisions to enable the Minister to issue a shark licence or trawl net licence with respect to a registered fishing boat. The shark licence will entitle the owner to employ the boat in taking shark by the use of long lines or nets otherwise than in any bay or inlet of the sea. The trawl net licence will entitle the owner to employ a boat otherwise than in any

bay or inlet of the sea in taking fish by the use of Danish seine nets, trawl nets, lampara nets or purse seine nets. The annual licence fee for a shark licence will vary from $50 to $200, depending upon the length of the boat.

The Government is aware that a substantial number of professional fishermen fish for crayfish in season and shark at other times, and often their fishing periods over-lap. The fee for a shark licence could be as much $200 and the fee for a crayfish licence up to $300. Sub-clauses (2) and (3) of clause 15 provide a concessional fee to permit the owner to use the boat in the other fishery.

Sub-clause (7) of clause 14 entitles the current owner of a registered fishing boat engaged immediately prior to the passing of this Bill in the taking of shark for sale by the use of long lines or nets or the taking of fish for sale by means of Danish seine, trawl, lampara or purse seine nets, to be granted a licence upon application and payment of the appropriate fee. The proviso of this sub-clause also amends the "licence of right" provisions of owners of registered fishing boats under the Fisheries (Amendment) Act 1967. Under that Act, a boat engaged in fishing in the scallop or crayfish industries immediately prior to the 19th December, 1967, is entitled to be granted a crayfish licence or scallop licences. The proviso enables the owner of the boat to obtain a new boat and to have that new boat licensed as of right in lieu of the old boat.

Under the Fisheries (Amendment) Act 1967, all licence fees for commercial fishing licences are paid into the Fisheries Research Education Extension and Development Fund. For easier reference, in this Bill the fund is called the Fisheries Research Fund. Pursuant to sub-clause (3) of clause 19, the moneys in the fund will be applied for or towards the cost of scientific, economic or other research upon and the management and development of Victorian commercial fisheries and adjacent commercial fisheries, including any matter referred to in clause 44 of this Bill which has application to commercial fisheries. The fund may also be applied to publication of results and findings of research pragrammes and towards the costs of providing extension and education to fishermen.

The costs of administering the fund, together with the costs of enforcing the provisions of the Act relating to the licensing of commercial fishermen, will be met by the annual payment to Consolidated Revenue of such sum as the Governor in Council by Order published in the *Government Gazette* determines but not exceeding 10 per cent. of the amount collected in any year for payment into the fund.

Sub-clause (2) of clause 18 refers to "reciprocity" in relation to the registration of boats registered in other States. Fishermen in the crayfish, scallop and shark fisheries of Victoria, New South Wales, South Australia and Tasmania are often itinerant. Sub-clause (2) of clause 18 enables any fishing boat registered in another State and licensed in that State for the purpose of taking crayfish or shark for sale or taking fish for sale by means of Danish seine, trawl, lampara, or purse seine nets if it was engaged in such fishing in Victorian waters immediately prior to the 19th December, 1967, to be licensed in Victoria without fee for the purpose of carrying on that type of fishing.

This is part of an agreement between the administrations of the various States that crayfish, shark and trawl net licence fishermen shall not be required to pay high registration or licence fees in more than one State of the Commonwealth. This provision does not extend to scallop fishermen because there is need to restrict the number of fishermen in that fishery. A licence without fee will enable a fisherman from another State to fish in Victorian waters only

for the same purposes and with the same equipment as he is enabled to do in the waters of his home State. If he desires to fish in Victorian waters for additional purposes and with the use of additional equipment, he can take out an extended licence on the payment of a fee.

I shall refer now to the important new matters which are contained in the Bill. Sub-section (1) of section 17 of the Fisheries Act 1958 prohibits angling in waters vested in or under the management of the Melbourne and Metropolitan Board of Works, the Ballarat Water Commissioners, the Geelong Water Works and Sewerage Trust and any other waters which may be proclaimed for the purpose. Because of this provision, the Fisheries and Wildlife Branch has been concerned with the policing of those waters. The effect of sub-clause (2) of clause 21 of this Bill will be that in future the responsible authority will have to prohibit angling by its own by-laws or regulations and enforce those by-laws or regulations.

Clause 25 requires any person who forms and creates a fish habitat for clams, oysters, mussels, scallops, abalone, crayfish, prawns, yabbies, eels, fishing bait, bass, mullet, estuarine perch, or salmon to first obtain a fish culture permit. This permit may be issued for periods of up to ten years at a fee of $200 for each year of the permit. Provision is made for refunds for surrendered permits. Sub-clause (3) of clause 25 contains a statutory requirement that before the Chief Secretary can issue a fish culture permit with respect to Crown Land adjacent to a shore or with respect to any Crown Land in Victorian waters, the applicant for the permit must first obtain the consent in writing of the Minister of Lands. Under sub-clause (4) of clause 25 the applicant is also required to publish a notice in a daily newspaper in the prescribed form of his intention to apply for such a permit. The notice must be published at least 28 days before lodging the application, and an objector to the grant of the permit must be given reasonable opportunity to be heard.

After service of a show cause notice, the Minister may cancel a fish culture permit where it appears to him that the holder of the permit has not taken proper measures for the cultivation of the area or that a natural habitat is being so stripped or otherwise mismanaged that the production of fish from that habitat has been reduced to such an extent as to threaten its destruction.

In the administration of the Act and to ascertain whether or not the provisions of the Act or the regulations are being observed, any inspector or any officer of the Branch authorized in writing by the Minister may pursuant to clause 48 enter at any reasonable time upon lands or waters or into any tent or into any building or structure other than a dwelling house for the purposes specified in the clause—for example, inspecting or searching for any fishing equipment or fish or for surveying any land for the purposes of the Act, and so on. Clause 48 also authorizes any inspector or member of the Police Force at any time, without a warrant, to search any parcel, packet, bag, box, receptacle, boat or vehicle whatsoever, or any factory, processing establishment, market, shop, store or other trade premises for fish or fishing equipment. Sub-clause (7) of clause 49 empowers the court, where it is satisfied that the boat was used in connexion with an offence, to cancel any licence, registration, permit or other authority issued in relation to that boat.

Clauses 63 to 68 relate to the poisoning or polluting of waters containing fish. Clause 63 provides that it will be an offence for any person to discharge or cause to be put or discharged into any waters containing fish any matter or thing prescribed for the purposes of the clauses or which is likely to render the waters poisonous or injurious to fish, spawn, spawning grounds or food for fish.

The penalty for the offence will be a maximum of $500 or imprisonment for six months. This provision will not apply to a servant or agent of the State Rivers and Water Supply Commission who uses poisons in accordance with specifications furnished in writing by the Director of Fisheries and Wildlife for clearing or maintaining channels and drains under the control of the Commission. The Director is also empowered to consent to the use of poisons in Victorian waters for eradication of weeds.

Sub-clause (3) of clause 63 provides an exemption from the provisions of sub-clause (1) for the Vermin and Noxious Weeds Destruction Board, its servants or agents in respect of the use of poisons for eradication of vermin or noxious weeds from Crown lands where those poisons are used in accordance with specifications previously furnished in writing by the Department to the Director of Fisheries and Wildlife.

Under the provisions of the Vermin and Noxious Weeds Act 1958, the owner or occupier of land is required upon notice from an inspector to effectually destroy and suppress all noxious weeds growing or being upon the land. The penalty for failing to do so is an amount not exceeding $100.

The Director of Fisheries and Wildlife has informed me that some herbicides and many pesticides are toxic to fish, even in minute quantities. In these circumstances, it is reasonable to expect persons using these substances to act in a responsible manner.

Sub-clause (4) of clause 63 provides a statutory defence to any charge of putting or discharging into waters containing fish any prescribed poison or substance likely to render those waters poisonous or injurious to fish if the defendant has acted with reasonable precaution. This sub-clause provides that it shall be a defence, in any proceedings for offences against sub-clause (1) of clause 63, if the defendant proves that having taken all reasonable precautions against committing an offence he had at the time no reason to suspect that he had committed an offence or that the offence arose from causes beyond his control and that in either case he had otherwise acted innocently.

The defendant is also required to give certain information to the police or an inspector of fisheries when properly called upon and to give notice to the informant not less than seven days before the proceedings that he intends to avail himself of the protection.

Inspectors and other authorized persons may enter upon any land or building for the purpose of taking samples for analysis from any effluent being discharged into water containing fish or from any waters containing fish, spawning grounds, spawn or food of fish. The procedure to be observed in taking samples is set out in clause 64. The samples will be analyzed by an official analyst appointed by the Governor in Council.

The court is empowered, by clause 67, at the request of either party to any hearing and, on being satisfied that there are special circumstances, to cause a further part of the sample to be sent to an official analyst who is not an officer of the Fisheries and Wildlife Branch.

Clause 68 enables the Minister, by notice, to direct any person to cease putting or discharging directly or indirectly into water containing fish, any matter or thing which is likely to render the waters poisonous or injurious to fish, spawning grounds, spawn or food of fish. The penalty for refusing or failing to comply with that notice is a maximum of $1,000 or to imprisonment for twelve months.

Where it appears to the court in any proceedings that any package, bag, tin, drum or other container has written or printed thereon a statement to the effect that the package, bag, &c., contains any matter or thing prescribed to be a poison for the purposes

of section 63 the statement shall be prima facie evidence that the package, bag, &c., contained or contains that poison.

Clause 72 provides that in any proceedings for offences charts published or supplied by the Admiralty or by any naval force of Her Majesty shall be evidence of any matter that is apparent thereon or of any distances calculated therefrom. The clause also provides that for the purpose of making calculations any bearing taken by an inspector by compass or any distance, height, or depth observed or calculated by an inspector by any mechanical, electronic or sonic device or scientific instruments shall be evidence of any distance, height or depth.

Also in accordance with the clause, in any proceedings the statement of an inspector that any place is a place referred to in any regulations made under the Act shall be prima facie evidence that the place described is the place referred to.

Provision is made in the Bill for the establishment by the Governor in Council of children's fishing reserves where it will be an offence for any person over sixteen years of age to angle. The Governor in Council may also set aside waters for experimental purposes. Pursuant to clause 82, the Governor in Council may make regulations on a wide variety of matters relating to fishing. I commend the Bill to the House.

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

It was ordered that the debate be adjourned until Tuesday, December 10.

MOTOR CAR (FURTHER AMENDMENT) BILL.

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

That this Bill be now read a second time.

It is one of the omnibus type of motor car Bills introduced into the House from time to time and covers a variety of topics. Copies of the explanatory notes have been circulated to honorable members who are interested in the measure, and at this stage it might be appropriate if I outlined the main changes proposed. By clause 2 it is proposed to amend sub-section (1) of section 3 of the principal Act to include fishermen in the definition of primary producer for the purpose of concessional rates for motor car registration fees. Under the proposed definition fishermen will now be eligible for the same concessions as apply to agriculturists, horticulturists and graziers. It is also proposed to amend the definition of private trailer to exclude a bulk bin. This will have the effect of exempting bulk bins from registration fees. At present agricultural implements are exempt, and there is no reason why bulk bins should be subject to registration.

Section 6 of the principal Act is amended by clause 3 in regard to the cancellation of the recording of proprietors under hire-purchase agreements. At present considerable difficulty is experienced in obtaining this cancellation because it is first necessary to obtain the signature of the proprietor. This involves a great deal of complicated administrative work. Under the proposed amendment the Chief Commissioner of Police will have the power to send out a show cause notice, and if there is no reply within fourteen days he can cancel the proprietor's registration.

Clause 4 amends sub-section (1) of section 7 in regard to apiarists. It would appear that bees are widely spread through the State. At present beekeepers do not receive the same concessions on the registration of trailers as do others engaged in primary industry because they operate beyond the 15-mile limit. It seems unreasonable to apply this limit to a beekeeper, and it will be deleted by the proposed amendment. The amendments contained in clause 5 are consequential drafting amendments and make no change of substance.

Sub-section (2c) of section 21B is amended by clause 6. The amendments change the procedure to be adopted relating to the offence of not forwarding a fee and stamp duty on the acquisition of a motor car. Honorable members are aware that additional fees are paid on initial registration and on the transfer of registration. The amendments improve the procedure for demanding payment of the fees.

Clause 7 adds important new subsections to section 22B relating to probationary drivers. In future a probationary driver will be obliged to carry a "P" plate on the car which he is driving during the first twelve months of his licence period. In addition probationary drivers will be forbidden to exceed a speed of 50 miles per hour and shall be liable to a penalty of $100 if they commit such an offence. The Fourth Schedule is amended by clause 13 to permit automatic cancellation of a probationary licence if a probationary driver is found guilty of the offence of exceeding 50 miles per hour.

Section 26 of the principal Act is amended by clause 8. Where a licence has been cancelled, a Court of Petty Sessions has power to endorse the licence. In practice this is seldom done, and it is considered that a new administrative procedure is desirable. Accordingly, in future a Court of Petty Sessions will be obliged, where a licence to drive a motor car is cancelled or suspended, to require the holder of that licence to report to a specified police station.

Clause 9 amends section 33 to change the permissible width of a motor car from 8 feet to 8 feet 2½ inches, in accordance with a recommendation made by the Australian Transport Advisory Council. The penalties included in section 81 of the Act are increased by clause 10. For the offence of careless driving, the increase in penalty is from $20 to $100 for the first offence, and from $50 to $250 for a subsequent offence.

Section 90 is amended by clause 11 to give extended power to officers of the Country Roads Board to prosecute for a breach of the load regulations inside the metropolitan area as well as outside it. The penalty provided in section 93 in regard to unroadworthy vehicles is increased by clause 12 to $100. Previously it was $40 for a first offence and $100 for a second offence.

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 10.

SUPERANNUATION (AMENDMENT) BILL.

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

That this Bill be now read a second time.

This measure is extremely complicated and difficult to follow and would make an excellent exercise for a matriculation candidate in calculus. Because of the nature of the system which has to be implemented in the first place and the nature of subsequent changes the legislation becomes extremely complicated. The Bill deals with a number of unrelated and semi-related matters and therefore I shall discuss it clause by clause.

The first clause of substance is clause 2, which refers to the non-application of the Bill to certain married women as a result of the establishment of a married women's superannuation fund. These people will no longer be admitted to the State Superannuation Fund. However, the clause specifies that the change does not apply to a married female officer at present contributing to the fund. Strangely enough, at present a number of married women are in the

State superannuation scheme. I understand that some of them are in the Railway Department. They are contributors under a special arrangement arising from the fact that they are maintaining a sick husband. In future, married women will contribute to a special fund and not to the State Superannuation Fund.

Clause 3 deals with the rights of persons who are temporarily superannuated because of ill-health. At present these persons can return to the Service and are encouraged to do so by the Government Medical Officer. If, however, a 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. Clause provides that any such additional units shall not be taken up for three years after return to the Service.

Clause 4 refers to the rights of contributors with less than twenty years' prospective service. Many people join the service after the age of, say, 45 years. Some of them have had temporary service prior to that, and under certain circumstances the Board may recognize that service. Under the Act, however, if a person decides to retire early—for example, at the age of 60—his temporary service is not counted. The Bill rectifies that anomaly. Clause 5 proposes to increase the minimum period of service from 20 to 30 years. This brings the scheme into line with many schemes conducted by private enterprise.

Clause 6 deals with the right of officers who are appointed for a term of years, and grants them special superannuation rights. Legal doubts have been cast on the rights of such officers when their appointments are not renewed. This clause provides for such officers to be paid lump sum payments of three and one-half times the contributions they have paid. This means that the Treasurer will pay into the fund two and one-half times the amount of their contributions.

Clause 7 of the Bill provides that an officer over the age of 50 years with fifteen years' service who resigns will receive a refund of the actual amount of contribution he has paid, or a reduced, deferred pension. The deferred pension will be calculated according to the provisions of clause 5 of this measure. This provision is similar to that in the British public service pension scheme. I understand that it will be welcomed by all members of the Public Service.

Clause 8 relates to a different situation—the case in which an officer has become ill and is no longer adjudged to be fit for re-employment —in the Teaching Service, for example. She may be quite capable of engaging in other employment or of being self-employed, but, despite that, she would receive a pension for life. This clause provides that such a pensioner can be offered employment, but this is not always possible, having regard to female salaries in the Public Service. It is proposed that if the person is under 40 years of age and is found fit for employment in a positon under the Superannuation Act, the Board would be able to offer the officer concerned a lump sum equal to five years' pension to terminate its liability if no suitable employment can be offered. The person concerned would be under no obligation to accept such an offer.

Clause 9 slightly alters the name of the Board. For "The Superannuation Board" it substitutes "State Superannuation Board of Victoria". This was considered to be desirable to distinguish it from superannuation boards in other States. I commend the Bill to the House.

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

It was ordered that the debate be adjourned until Tuesday, December 10.

ADJOURNMENT.

EDUCATION DEPARTMENT: NEW CLASSIFICATION SYSTEM FOR HIGH SCHOOL PRINCIPALS.

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

That the Council, at its rising, adjourn until Tuesday next, at Two o'clock.

The motion was agreed to.

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

That the House do now adjourn.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—I apologize to the Minister of Education, but I find difficulty in framing a question. Perhaps the Minister could advise me on a matter concerning teachers' appointments under the new formula that has been introduced for the remuneration of principals of high schools. I am pleased that it is proposed to establish a senior high school in my district. There are many high schools with enrolments of more than 900 pupils. Will the principals be classified on what should be the normal attendance at the school, or will vacancies be filled by teachers classified as A, B, C or D under the present formula? Will the new system lead to considerable fluctuations in transfers of principals? Members of our party have strong objection to the frequent changing of headmasters after short intervals, as has occurred in the past. If the operation of the new formula will lead to uncertainty and frequent changes of headmasters as a result of the number of confirmed enrolments, I should like the Minister to re-examine the proposal.

The Hon. L. H. S. THOMPSON (Minister of Education).—The main aim of the Teachers Tribunal was to prevent the same number of transfers in the future as there have been in the past by principals moving from one school to another to obtain promotion or due to the fact that the school became too large for a principal on a particular classification. There have been examples of as many as five changes of headmaster or principal at the one school in a period of seven or eight years. The sole aim of the new system of classification is to introduce greater stability of staffing so far as principals are concerned. I imagine that in the transition period there will be some difficulties, but once the appointments have been made to those schools, I envisage a far greater degree of stability than there has been in the past. For example, a principal would start off as a D class principal at a school; he would stay with the school and his salary would increase as the school population grew; whereas in the past, as soon as the school population increased, the principal's position had to be advertised and someone senior in the list would replace the headmaster at that school. Once the initial appointments have been made, I can see much greater stability than hitherto, but there will be some difficulties in the transition period next year.

The motion was agreed to.

The House adjourned at 5.51 *p.m., until Tuesday, December* 10.

Legislative Assembly.

Thursday, December 5, 1968.

The SPEAKER **(the Hon. Vernon Christie)** took the chair at 11.8 a.m., and read the prayer.

PERSONAL EXPLANATION.

STATEMENT IN DEBATE.

Mr. WILTON (Broadmeadows).—Mr. Speaker, I desire to make a personal explanation. Last night, on the motion for the adjournment of the

House, I raised a matter concerning drought relief as a result of correspondence which I had received from a person living in the Shire of Benalla. I quoted from a table which accompanied the letter. In accordance with the notice of motion on the Notice Paper in the name of the Chief Secretary, and the usages of this House, I am quite happy to lay the table from which I quoted on the table of the House, but as I did not quote from the letter I do not feel obliged to lay it on the table. If the Chief Secretary wishes to examine the letter I shall be quite happy to make it available to him, but I am not prepared to lay it on the table of the House.

Sir ARTHUR RYLAH (Chief Secretary).—By leave, I appreciate the explanation given by the honorable member for Broadmeadows. I had the distinct impression that the honorable member had quoted from the letter. If he did not specifically read the words of the letter, he summarized its contents, and he had it in his hand. In view of the explanation that the honorable member has given, I suggest that when the notice of motion standing in my name is called, by leave of the House, it be deferred so that I may examine the situation.

Mr. WILKES (Northcote).—By leave, I am prepared to assist the Chief Secretary in disposing of his notice of motion now rather than having it deferred until later this day.

The SPEAKER (the Hon. Vernon Christie).—There may be no debate on the notice of motion.

Mr. WILKES.—I am merely offering to assist the Chief Secretary by giving him a transcript of what the honorable member for Broadmeadows said in the Chamber last night. I am sure that if the Chief Secretary had the opportunity of reading it he would agree with the authenticity of the personal explanation made by the honorable member for Broadmeadows. Then the House could proceed to dispose of the notice of motion at the appropriate time rather than defer it.

NOTICE OF MOTION.

Sir ARTHUR RYLAH (Chief Secretary).—By leave, I desire to defer the notice of motion standing in my name on the Notice Paper until later this day.

ESTIMATES.

The House went into Committee of Supply for the further consideration of the Estimates of Expenditure for the year 1968-69.

PARLIAMENT.

BALANCE, $482,655.

Mr. HOLDING (Leader of the Opposition).—There are several matters appertaining to the functioning of Parliament and the Parliamentary Library to which I desire to direct the attention of the Premier. Although all honorable members must feel proud of the level of service extended by the Library staff, there is one library facility which, through no fault of the staff, is substantially lacking. I refer to the provision of an adequate press-cutting service. From time to time, honorable members rely heavily upon newspaper extracts which deal with matters in which they are particularly interested.

As a result of action by the Premier, both the Country Party and the Opposition have the services of highly qualified research officers. Their job is to carry out research, and they are paid comparatively high salaries for doing that; but research does not involve sitting down and endlessly cutting out newspaper articles. At present a great deal of the time of honorable members and others is occupied in this simple operation.

I suggest that to have a research officer engaged in a scissors and paper exercise is an uneconomic usage of his training and capacity; similarly, to have the Library staff engaged on this task would be an

uneconomic usage of their skills. An economic way of handling this situation would be to appoint people to the Library staff, even part time, to provide a press-cutting service, available to all parties, under the direction of a librarian or research officer. The persons appointed could extract and file press cuttings which would be readily available to all honorable members. If this were done it would save a great deal of the time of honorable members and, in the long term, save much expenditure by the State, having regard to the fact that honorable members and highly-skilled research officers would be enabled to devote additional time to other more important matters.

A service such as I have suggested properly comes within the ambit of the Parliamentary Library. In the Commonwealth Parliament an extensive press-cutting service is in operation. There should be one central repository for press cuttings, which would be available to honorable members when required. It would represent a considerable extension of Library facilities and be of great practical benefit to members. I commend that thought to the Premier.

Mr. McLAREN (Bennettswood).—In October of last year I made a submission to the Library Committee concerning one or two matters, including the matter raised by the Leader of the Opposition. I agree that a press cutting service should be established for the benefit of research officers. In the latest report in connexion with the library of the New South Wales Parliament, entitled *Legislators and Their Library*, which is a report on relations in 1967-68, a section deals with research services, and it discusses developments which have taken place. I understand that our Librarian, Mr. Parkes, has visited the New South Wales and the Federal Parliamentary Libraries. A press-cutting service such as has been suggested by the Leader of the Opposition would be invaluable to members who now have to keep their own cuttings.

I should like to comment briefly on a submission I have made to the Chief Secretary in connexion with the Copyright Act and the necessity for bringing within the scope of that Act a requirement that a copy of any publication produced in Victoria should be provided in the Parliamentary Library as well as in the State Library. Difficulties may be encountered in doing so, but I am of the opinion that it is necessary to review the copyright law so that the Parliamentary Library may be supplied with publications produced in this State. In 1966-67, in New South Wales, where there is an Act governing this matter, there were 990 acquisitions, and in 1967-68 there were 794 acquisition. They were supplied free of charge to the Parliamentary Library.

The allocation of $5,300 to our Parliamentary Library is inadequate for its requirements, especially in view of inflated prices for books, and I suggest that the amount should be increased. I think also that there should be displays in Parliament House of some of the very valuable documents which are contained in the Library. Documents which are of historical importance and interest to the people of Victoria could be exhibited in Queen's Hall; for example, in view of current interest, the Batman Deed, which is at present in the La Trobe Library, might be displayed.

Sir HERBERT HYLAND (Gippsland South).—I strongly support the suggestion of the Leader of the Opposition concerning the availability of press cuttings to assist research officers. Whether or not honorable members agree with the Premier's political philosophy, it must be conceded that he has been most generous in providing facilities for honorable members. He has never stinted any party in this regard. When I was appointed Leader of the Country

Party, the then secretary had a lot of press cuttings which had been collected by my predecessor in office. I asked my secretary whether the previous Leader had really read them, and she said that he read them occasionally, but that they were not of much use to him because she had not had the time to put them in order. Something along the lines suggested by the Leader of the Opposition would be of great assistance to all members.

I wish to complain about the lighting in the Parliamentary Library. Although the Library is magnificent, the lighting is very poor. I am able to read without glasses, but I know that many honorable members are not able to do so. To read in comfort, books and other documents must be taken to the far side of the Library where two little lights have been installed. I suppose they are better than nothing, but having regard to the other facilities and services of the Library they are completely inadequate. A report from the lighting section of the Public Works Department should be obtained by the Premier to enable him to decide how the lighting can be improved.

The lighting in this Chamber was very poor when the Premier became a member of Parliament, but they have been improved to such an extent that they are now excellent. Mr. Bob Tynan is an excellent maintenance engineer who does a very good job in looking after the hundreds of miles of cable—that is no exaggeration—which make up the Parliament House circuits. Honorable members would be amazed to see the circuit drawings. I should like the Premier to obtain a report from lighting experts. This is an amenity that members of Parliament can reasonably request; and it should be remembered that if one does not ask, one will not receive. In conclusion, I strongly support the suggestion of the Leader of the Opposition, and also consider that something should be done to improve the lighting in our magnificent Library.

Sir JOHN BLOOMFIELD (Malvern).—I support the remarks of the honorable member for Gippsland South in regard to the lighting in the Library. First, I commend Mr. Speaker's action in regard to the north room. The lighting there has been improved out of all recognition. It was so bad that I made a personal application to Mr. Speaker, and within two or three days the lighting had been rearranged and is now satisfactory. So far as the main room is concerned, the seating arrangements are such that it is almost impossible to have good lighting. The seats are facing the light, and it is practically impossible to read when the daylight has gone. If the seating were arranged and more seats provided for visitors in that room, perhaps the lighting could be improved with little additional expense. I am pleased to have the opportunity of expressing gratitude to the Speaker for the improvement that was carried out so rapidly in the north room.

Mr. TURNBULL (Brunswick West).—In previous years, copies of *Hansard* were delivered to members' homes on Saturday morning. This was convenient, and assisted members in their Parliamentary duties. Since the House has been sitting on Thursdays, copies of *Hansard* have not been delivered until Monday, and honorable members do not have the opportunity to read the reports before the House meets again on Tuesday.

Mr. WHEELER.—It is only in the past couple of weeks that delivery has not been made on Saturday.

Mr. TURNBULL.—I am not complaining—in fact, I compliment the Government Printing Office on the fact that previously copies of *Hansard* were available on Saturday. It is highly desirable, if it is at all possible, for members to receive their copies on Saturday morning.

Mr. FENNESSY (Brunswick East).—The honorable member for Brunswick West may not have been present when the Speaker raised the subject of the non-delivery of *Hansard* on Saturdays. In fairness to the Speaker, I point out that he explained that he had contacted the Postmaster-General's Department and had been informed that under the new system which has been instituted *Hansard* is regarded as second-class mail and will not in future be delivered on Saturday. Like the honorable member for Brunswick West, the Speaker stated that he found the non-delivery on Saturday an inconvenience. However, the honorable gentleman stated that he intended to take the matter further with a view to deliveries being made on Saturday.

Sir HERBERT HYLAND (Gippsland South).—On many occasions previously I have referred to the inadequate seating and the lack of a proper amplifier system in this Chamber. Although there are twelve Ministers, the secretary of the Cabinet and two former Ministers, only eight seats are available on the front bench. However, that is the Government's lookout. In regard to the question of an amplifier system, all honorable members who have travelled overseas know that in every other Parliament a proper amplifier system is provided. My hearing is not as good as it used to be, and at times I find it difficult to hear what is being said. Although the Treasurer has been generous enough in some directions, the honorable gentleman is influenced by officers of the Public Works Department and others.

When honorable members assemble for the day's sitting, the Premier and the Deputy Premier have to sit at the table because no other seating is available for them. Surely the Government can afford to provide sufficient seating for all Ministers and to install a proper amplifier system. The microphone that is available on the table is not worth tuppence. I ask the Treasurer to have the acoustics of this Chamber investigated. Huge sums of money are expended on buildings to house public Departments; heads of Departments seem to be able to persuade the Government to erect luxurious buildings, in one of which the air conditioning alone has cost the sum of $750,000. I urge the Government to consider my requests.

Mr. WILKES (Northcote).—I agree with the honorable member for Gippsland South. Large sums of money are being spent on this building for the improvement of office accommodation, and so on, but if one wishes to obtain a drink of water one has to go to a toilet.

Mr. WILCOX.—Go into the bar!

Mr. WILKES.—Not all members desire to do so. Drinking fountains should be installed at suitable places within the building. I do not know how visitors obtain a drink of water. It would be a simple matter to install two or three drinking fountains about the premises, and I ask the House Committee to consider this point.

Mr. WILTSHIRE (Syndal).—The question of payment in lieu of long service leave has been raised previously, and some action should be taken in this regard. I believe that when long service leave is due the person concerned should take it or lose the privilege. The deferment of long service leave results in a higher payment being made eventually, and this costs the State a considerable sum.

Mr. ROSSITER.—Do you mean officers of Parliament?

Mr. WILTSHIRE.—I am speaking about long service leave in general. An amount of $11,880 is mentioned in this Division. I am speaking of the principle of deferring long service leave, the purpose of which is to allow a person to take a rest

and come back refreshed. Long service leave should be taken when it is due or should be lost to the person concerned. The honorable member for Brunswick East has mentioned this point previously. If it is deferred, the officer's salary should be pegged as at the time it was due, so that he will not obtain any advantage from the deferment. If this were done, the State could be saved a considerable sum of money.

Mr. GINIFER (Deer Park).—When I was first elected to Parliament copies of *Hansard* were available to members on Saturday morning outside the housekeeper's quarters. In view of the non-delivery of copies on Saturday morning, I suggest to the Treasurer that if the books are available to be mailed on Friday evening it should be possible for some copies to be supplied to each party room, so that interested members could obtain copies on the Saturday morning.

Now that water is no longer a political problem, I suggest that the facilities in Parliament House could be improved. Some time ago, the Premier criticized city dwellers for not putting plugs in basins when they washed their hands. I ask whether some plugs can be made available for the basins in Parliament House.

Mr. FENNESSY (Brunswick East).—I realize that it is traditional for members to cross the floor of the House during a division. This movement creates a jumble and members have to go either behind the Speaker's chair or through the small space at the end of the table.

Mr. RAFFERTY.—Who calls for these divisions?

Mr. FENNESSY.—I believe in democracy and divisions are worthwhile. By the same token, any member who has visited some of the State Houses of Parliament in the United States of America will have seen the system used for divisions there. A board is set up at one end of the House with the names of the electorates listed. Beside each name there is a light and when a division is called the members press a button. If this system were instituted in this Chamber, the table officers could simply count the numbers for a division in a short space of time without having the jumble that occurs in this Chamber at present. I offer the suggestion for the consideration of honorable members.

The vote was agreed to.

PREMIER.

BALANCE, $482,655.

Sir HERBERT HYLAND (Gippsland South).—On many occasions I have referred to departmental replies to matters raised by members in Parliament. Members should receive replies from the Departments concerned.

Sir HENRY BOLTE.—You always get one from the Premier's Department.

Sir HERBERT HYLAND.—Yes, and from one other Department, but the rest do not give any reply.

Mr. WILCOX.—I should like to know which Departments.

Sir HERBERT HYLAND.—The Railway Department for one.

Mr. WILCOX.—Can you give an example?

Sir HERBERT HYLAND.—The Minister for Transport is having a lot to say, but I have always fought for the rights of members of Parliament. If members cannot fight for their rights, they might as well get out. If the Premier's Department and one other Department can provide replies, why cannot all Departments do it? Parliament should not be run by a bureaucracy. Members are told that they cannot do this or that; that they cannot place a question on the Notice Paper because it is too long and Mr. Speaker will not allow it. One wonders who is running Parliament—the Government, Mr. Speaker, or somebody else. If a member does not

fight for his rights, he will get nowhere. During my long period of membership, I have fought for the rights of members, but at times I have not received much support.

An officer should be appointed in the Premier's Department to read *Hansard*, like the late Mr. Jack Meagher used to do, extract the various references and forward them with a note from the Premier requesting the Department to reply to the member direct on the matter raised. If this were done, members would get somewhere. We blow our bags talking about 101 different things and, if no reply is received, we are just beating the air to no avail. Fortunately, the present Premier looks after the interests of members of Parliament. I can recall one Country Party Premier who did not concern himself with the interest of Parliament. I do not see why the system to which I have referred cannot be re-instituted. With the many hundreds of thousands of public servants on the payroll, surely one or even two more will not break the Treasury.

Mr. HOLDING (Leader of the Opposition).—In relation to the State Film Centre, I should like to raise for the consideration of the Premier and of the Committee what seems to me to be an urgent need to extend to a considerable degree the activities of the centre and to restore to Victoria and to Melbourne its legacy as one of the film centres of the world.

The *American Encyclopedia* says that the world's first feature film was Edwin Porter's "The Great Train Robbery", a western made in 1903. But in fact the world's first feature film was screened in the Melbourne Town Hall on the 13th September—three years previously. Not only was it the first major story film the world had ever seen, but it was in color—having been hand-tinted frame by frame. The film was called "Soldier of the Cross" and it was an antique attempt at making what was the first great biblical epic. The records of the day indicate that the scenes were spectacular and that 600 extras were used, including martyrs being burned at the stake and others being stoned to death. Apparently, the scenes were so realistic that the town hall audience of 4,000 people were stupefied. The budget for this film was $1,200.

It is a matter for regret that since that time in Australia and Melbourne, which was amongst the first pioneers of the film industry, the situation has been allowed to develop whereby the film industry is in a parlous state and Melbourne can make no real claim of being true to its legacy or to its traditions in this matter.

When it comes to selling a State or a nation, there is probably no more important medium in the world than the film industry. When asked to name two or three towns in the United States of America, many people first mention Hollywood, not because of that city's cultural life, but because it is known as the world's film centre. It is interesting that in attempting to sell New York, Mayor Lindsay has gone to a great deal of trouble, energy and expense to relocate major sections of the film industry in that city.

It is important for the Government to consider the future of the Australian film industry as such, and I am parochial enough to want that industry to be developed in Melbourne. One simple method by which this could be done would be to set up a film bank within the State Film Centre. The bank would lend money at reasonable rates of interest to production companies for particular film projects. Such banks operate in many countries of the world, notably in Great Britain, West Germany and the Scandinavian countries. They generally lend only a percentage of the money required for a project—usually a maximum of 50 per cent. After a while, as the loans are repaid, the banks become completely self-perpetuating.

No significant development of the film industry in Australia can occur unless Government assistance is provided. Although not a great deal of money would be involved, the bank should be sponsored by the Government, and private enterprise should be invited to participate in its promotion. The amount of money being spent by large private enterprise concerns in various aspects of commercial film making for television runs into millions of dollars a year. Many large manufacturers and enterprises would be willing to assist in a project of this kind.

For years, local films were treated with some disparity by the local populace, but this is no longer the case. With the tremendous development in television, locally produced films have shown that they are more than capable of holding their own with overseas productions. In fact, I understand that films like "Homicide" enjoy a high position in the ratings. At present, Victoria has six major film companies—I use the term "major" in a qualitative sense —mainly concerned with producing films for television.

Frankly, it disturbs me that the feature films which are now being made in Australia are being produced in Sydney and not in Melbourne. That city is taking over Melbourne's mantle of the 1930's, and is becoming Australia's film capital. Major studios have been built in Sydney, and overseas producers are doing more and more filming in that city. Melbourne will be screening a succession of films made in New South Wales. One may ask, "Does it matter?". Personally I believe it does. It is not only a question of aesthetics or cultural standards ; it is a question of big business.

Film is unquestionably the most potent promotional force and medium available to the community. No other medium attracts such vast world-wide audiences. A city with a film industry has a permanent exposition. While the world's fair concept is enormously valuable and focuses a huge amount on its sponsoring city, it lasts only months and then fades slowly from memory. But a film industry keeps a city in the spotlight for a longer period. Hollywood is an excellent example of that.

I am sure honorable members will agree that the Tullamarine development is important because it will keep Victoria on the jet map. At the same time, if we allow Sydney to capture the Australian film industry a valuable source of noticeability will be lost to Melbourne and to Victoria. We will also lose a valuable source of income because cinema, in terms of export earnings, has been considered to be one of America's most important industries and even a modest film industry in Australia would earn its keep in foreign income.

In conjunction with the State Film Centre, the Government ought seriously to consider establishing a film bank. Such a bank could operate with approximately $1,000,000 for a start. I believe a lot of that money would be available from large private concerns. If the Premier finds himself in the situation where he can say, quite properly, that there are far more important matters on which to use the present income, then it is not inappropriate to consider the imposition of some small form of entertainment tax on films currently being shown in Melbourne. The average price of a ticket at city theatres is between $1.50 and $2, and in suburban theatres between $1 and $1.50. If a 5 per cent. entertainment tax were imposed—5 cents to 10 cents a ticket — the return would be $500,000 a year. That could hardly be described as a steep imposition. It would be a proper imposition because most of the films being shown in Melbourne theatres have been produced overseas. Many countries throughout the world have used a form of entertainment tax to subsidize and finance the development of their own film industries.

If the Government were to adopt a proposition like this, in approximately two years, without any imposition on existing revenues, the State would be able to have a film bank ready to operate and lend sums of money. Then film producers would be attracted to Melbourne because the money would be here. It would be a proper way of determining the way in which the industry was run and of deciding matters of local content. Several years ago, a couple of highly-trained and well-known film producers were prepared to make a film about the life of Ned Kelly. Such a subject may not appear to everyone as being particularly cultural, but I believe Ned Kelly probably has more to commend him to the children of our community than some of the legendary heroes of the west. Many of our local historical and colourful figures could compete more than favourably with the western heroes that our children see today. An amount of $40,000 was needed to finalize the proposed production. The film producers had raised most of the money themselves, but they needed further finance to commence production. They formed a local company and were going to film in Victoria. The project did not proceed because of a lack of a small amount of money. When compared with the large sums of money spent on film production overseas, it is chicken feed.

If a film industry were created, some of the best and younger film producers of the day would be attracted to Melbourne. Together with those already here, over a period of time, these producers could make Melbourne the film centre of the nation, and establish an international reputation for themselves, for Victoria, for Melbourne and for Australia. This would be important to dispel some of the views held overseas about Australia. A great deal of energy and capacity is available to the people of this State.

The Government ought to consider the proposal that I have submitted. It would be a simple administrative matter, and I believe it would have the support of all sections of the community. If a film bank were established and film producers were attracted to produce films of high quality, the world would be shown many of the things that are happening in Australia today. We would be taking a great step forward in promoting and exporting our own culture and traditions, and creating an understanding about our community overseas. If the Premier accedes to my suggestion, he will have the ready support of all members of the Opposition.

Sir HERBERT HYLAND (Gippsland South).—The activities of the Soil Conservation Authority are not publicized sufficiently. A small circular is distributed now and then, but I should like the Authority to publish a document to show everybody in the community what it does. If the Authority's activities were publicized and advertised, country people would know how to conserve the soil that is now being washed away. When one looks at the Yarra river, one always gets the feeling that it contains many tons of good soil that has been washed into the stream.

The Treasurer has probably referred to the Public Service Board my recent statements about salaries for Government chauffeurs attached to the Premier's Department motor pool, but I have not yet received a reply. These chauffeurs are permitted to work a certain number of hours' overtime and sometimes they are paid for it and at other times they are not. The officer in charge of the pool does his best to share the overtime between the drivers, but the Public Service Board should examine the situation. I have raised this matter previously and I shall continue to raise it until something is done. The Board should do the fair thing by these men who drive V.I.P.'s and therefore have to be first-class men, and keep their cars

clean and in proper order. They are allowed to work something like 100 hours a month overtime.

Admittedly, they are paid overtime, but it should not be forgotten that they have to work for it. When I was in business, I would not tolerate such a situation with my employees. An employee should be paid for every hour of overtime that he works. An officer in the Premier's Department could keep a record of the hours worked and he would be able to assess whether the car was being used unduly and Government money was being wasted. It must be six weeks since I last raised the matter and I should like to receive a reply from the Board. These men are entitled to a better deal than they have been receiving.

Dr. JENKINS (Reservoir).—I relate my remarks to determinations by the Public Service Board of wages and conditions for employees in State mental institutions. A considerable amount of unrest exists amongst the employees and most of this arises from the role that the Board plays in hearing their claims and deciding what conditions shall apply. There has been a long history of delay in respect of such claims and there has also been a lack of positive response to the claims. In comparison with wages paid to employees in general hospitals, which are covered under a hospital wages board, those of employees in mental institutions are lower. It must be a case of the Public Service Board dragging its feet in dealing with these considerations.

Anomalies have occurred in regard to penalty rates, whereby the more skilled persons working in these institutions are in fact receiving lower penalty rates than other employees in the institutions. In view of the continuing story of discontent and dissatisfaction, I am wondering whether the wages and conditions of employees in mental institutions should be taken away from the Public Service Board and placed under a separate wages board.

Mr. TURNBULL (Brunswick West).—It is time that the functions of the Audit Office were extended to include an annual audit of the books of public companies.

Sir HENRY BOLTE.—This has nothing to do with the Estimates.

Mr. TURNBULL.—If the Audit Office were granted more money for salaries and general expenses, the Auditor-General could examine the accounts of public companies. In recent years, many companies have caused great trouble to shareholders and the public. I understand that in the United Kingdom the accounts of public companies are under Government scrutiny.

Mr. MCLAREN.—You want to socialize the companies.

Mr. TURNBULL.—Accountants and auditors have not come out of inquiries into companies very well. The Board of Trade scrutiny of companies in the United Kingdom was introduced long before the Labor Government took office there. It has been necessary for a long time, perhaps because of the size of public companies there. It would be of great benefit to the investing public of Victoria if the Audit Office's functions were extended to examine the affairs of other than Government organizations.

The vote was agreed to.

CHIEF SECRETARY.

BALANCE, $22,585,727.

Sir HERBERT HYLAND (Gippsland South).—The Government should allow the Government Insurance Office to become a wholehearted and full-blooded insurance company competing with other insurance companies, instead of being in the position of having to accept the dregs of the business which other companies will not take. This suggestion has been made on dozens of occasions. The State Motor Car Insurance Office does a good job in relation to the insuring of Government motor cars

and, if it can do as well with ordinary insurance, then good luck to it. If the Government Insurance Office were allowed to compete for general insurance, insurance charges would be kept down, with benefit to everyone in the State.

Mr. LOVEGROVE (Sunshine).—I ask whether the Government has given any consideration to bringing up to date the amounts payable for workers compensation. It is some years since the rates of compensation were fixed and they are now inadequate to compensate injured workers adequately. In addition to the cost of living having increased greatly since compensation rates were fixed, there has been a number of wage and salary increases and increases in certain charges which enter into the cost of workers compensation. At the first opportunity, the Government should introduce into Parliament a proposal to bring up to date and make more generous the amounts payable to workers receiving compensation for accidents.

Sir HERBERT HYLAND (Gippsland South).—I happened to be the Chief Secretary when the Snobs Creek Fish Hatchery was established under the Fisheries and Wildlife Branch. I understood that, as well as breeding trout for release in the streams of the State, the hatchery would breed types of fish which could be raised in farm dams. Nothing has been done about that. I fear that I am beating the air on this matter and I do not expect any reply. If anything has been done, I should like to know what it is ; if nothing has been done, I should like to know whether there is any intention to breed fish for farm dams so that farmers may obtain fish when they want them.

Almost 21,000,000 fish bred at Snobs creek have been released into streams, so surely time and expense can now be directed to breeding fish for farm dams. When the dams flood, the fish would escape from the dams and enter the streams, but that should not cause any difficulty. I ask the Chief Secretary to say what is being done about this. A relative of mine, who is a keen amateur fisherman and has won many trophies, recently told me that, if it were not for the Snobs creek hatchery, there would be almost no fishing in Victorian streams today. The hatchery has done a wonderful job in stocking streams, but it should now do something about providing fish which could be sold to farmers to keep in their dams.

Mr. WILKES (Northcote).—Because of the interpretations given to the Act, the difficulties its administration creates for the Social Welfare Branch are paramount and detract from the principle that the interest of the child concerned should have first consideration. For the first time in Victoria, the power to arrange adoptions is limited. The Act provides that only the Social Welfare Branch and voluntary agencies, approved by the Chief Secretary, may arrange adoptions.

In an article in the *Herald* of the 27th September last, Isabel Carter referred to an interview with the Senior Medical Social Worker at the Queen Victoria Hospital, and went on to point out that a muddle resulted from the provisions of the Act—which was sponsored by the Government. As she said, undue strain is placed not only on the Social Welfare Branch but also on private agencies. The Government gives nothing to private agencies which do the work relating to adoptions. For some strange reason, most families who want to adopt a baby prefer to go to private agencies such as religious organizations and hospitals than to the Social Welfare Branch. Section 8 of the Act provides that the welfare and interests of the child concerned shall be regarded as the paramount consideration, but this is being overlooked through no fault of the Social Welfare Branch. The legislation has two glaring faults, resulting from the

failure to build into the legislation adequate provisions to ensure proper standards, finance and facilities in private agencies, and failure to realize the increasing burdens the Act would place on the Social Welfare Branch. The regulations provide that the principal officer of a private agency, if unwilling to act on a particular adoption, may refer the child for adoption to the Director-General of Social Welfare.

Sir HERBERT HYLAND.—Why is that?

Mr. WILKES.—If a private agency does not wish to handle an adoption, it can refer the matter to the Director-General of Social Welfare because, under the legislation the Social Welfare Branch must accept the responsibility. Many atypical babies are referred to the Social Welfare Branch. Babies with physical disabilities, babies of mixed racial origin, babies with a family history of mental illness, and so on, are generally referred to the Branch. Some of these children are quite unsuitable for adoption and others are extremely difficult to place. This produces two major effects: First, the babies must be accommodated somewhere, and secondly, those babies that are unsuitable for adoption must be made wards of the State.

Sir HERBERT HYLAND.—Or they are put in the Children's Cottages at Kew.

Mr. WILKES.—That is so. The Act makes no provision for a holding centre to accommodate the babies for whom the Branch is responsible. Consequently, many of them are accommodated in public hospital nurseries, which cost $147 a week, thereby causing embarrassment to hospital administrators. The article written by Isabel Carter for the *Herald* on 27th September of this year draws attention to this situation but, owing to her lack of understanding of the situation, she blamed the Social Welfare Branch for it. The Branch is not entirely to blame for the position because the Act, as drafted, means that adoptions must be administered in this way.

In view of the fact that there are no Social Welfare Branch holding centres for babies, the babies must be accommodated all over Melbourne, which entails a vast amount of travelling time for the social work staff in order to discharge babies from these widespread agencies.

Regulation 14 provides that private agencies must have special facilities for babies during the pre-adoption period, but hospitals have made no special provision for this purpose and the regulation is not enforced. In fact, private agencies should not be approved unless they provide such facilities. If proper facilities were available at these agencies, the Social Welfare Branch would be relieved of some of its burden in this sphere.

The number of adoptions arranged by the Department has trebled in the past three years but, more importantly, has doubled in the past twelve months. Despite the increased burden on the Foster Care and Adoption Section of the Family Welfare Division, the 1968 Budget has provided for no extra staff for the section.

Social workers concede that, so far as adoptions are concerned, the problems are increasing. Many parents are now rejecting the Social Welfare Branch and concentrating on private agencies which, unfortunately, do not receive financial assistance from the Government to ensure that proper standards are maintained. Approval of a private adoption agency does not carry any type of Government subsidy, despite the recommendation of the Child Care Survey 1962-64 that the Government should subsidize private agencies.

In answer to a question asked by me concerning this matter on Wednesday, 13th March of this year, the Chief Secretary stated that the question of subsidies was being considered

by a special inter-departmental committee of the Social Welfare Branch and Treasury officers set up to examine staffing needs and priorities within the Branch. Only portions of the committee's report have been made available. There has been no suggestion that this expert panel will recommend the provision of additional money by the Government for adoption purposes. It is clear from the 1968 Budget provision that this committee did not discuss the Adoption and Foster Care Section, but concentrated on the Youth Welfare and Prisons Divisions and the Family Counselling and Children's Homes Sections of the Family Welfare Division.

The ever-increasing population and the increased number of ex-nuptial births means that either the Social Welfare Branch Adoption Section must be greatly expanded or private agencies must be subsidized to enable them to keep up with the demands for adoption services. If the private agencies are unable to meet increased demands, the Social Welfare Branch will continue to receive an increasing number of requests, which will mean that still more babies will choke up the nurseries of private agencies. At present 83 per cent. of all adoptions are arranged by private agencies so that, if they withdrew from the field, the Social Welfare Branch would become flooded and many of the children would end up in institutions.

Mr. WHEELER.—That is why the Social Welfare Branch Adoption and Foster Care Section was set up.

Mr. WILKES.—I am pleased that the honorable member for Essendon is interested in this matter. It is laudable that private adoption agencies should exist to assist the Government, but why should the Government turn its back on them when they handle 83 per cent. of all adoptions in Victoria? Surely, the Government should assist these agencies by means of a subsidy.

The Catholic Family Welfare Bureau claims that it can adopt out 300 children a year for the same cost as it takes to keep 25 children in foster care or ten children in the Catholic Babies' Home. It costs the State $13 a week to keep a child aged under five years in a babies' home. To keep 300 children in babies' homes would cost approximately $2,000,000 a year. Thus, it is clearly cheaper for the State to subsidize voluntary agencies than to pay to keep children in institutions, quite apart from the fact that family care is more beneficial for the child. There are 21 private adoption agencies and, if each one were subsidized to the extent of the yearly salary of one social worker—approximately $5,000—this would cost the Government $105,000. During the Budget debate, I submitted a proposition to the Government concerning the provision of assistance to widows. On that occasion, my proposal, if adopted, would have cost the State $175,000. The cost of subsidizing public adoption agencies to the extent of the yearly salary of one social worker would be only $105,000.

The grant of such a subsidy to private agencies would tend to raise the standards of adoption practice. The present Act does little to ensure standards. Regulation 21 provides that the principal officer shall be a qualified social worker or a person who satisfies the Minister concerning his experience in adoption work. The result of these regulations is that many private agencies are using untrained people to arrange adoptions, their only claim to experience being that they have been in the adoption field for a long time. An old hand at anything is not necessarily a good hand, and many of these agencies are using methods of practice that belong to the nineteenth century.

The Act provides that approval of an agency can be withdrawn, but honorable members know from the replies furnished to questions asked

in this Chamber on 13th March of this year that the approval of no private agency has been revoked or suspended. Before granting approval of an agency, the Minister is supposed to take into account the agency's suitability for adoption work and the staff and facilities it offers. So far as can be ascertained, approval has been given without adequate investigation of the agencies and very little, if any, policing of standards of work takes place. This problem is causing a great deal of embarrassment to the Social Welfare Branch. It could be overcome simply and, in my view, very cheaply.

The private agencies could be the nerve centre for adoptions in Victoria. However, they should be able to submit propositions to the Government in respect of their inadequate financial position. After all, they are handling 83 per cent. of adoptions in this State. The Government does not even pay the legal expenses associated with adoption by private agencies and, as the Attorney-General will realize, the legal expenses can be formidable. If, for example the Catholic Family Welfare Bureau handled 300 adoptions in one year and it was obliged to meet the legal costs involved, this would represent a considerable amount of expenditure that could well be applied to another field of work within the framework of the organization.

The Government should give serious consideration to the matters which have been submitted to it, not only by the Opposition, but by the private adoption agencies themselves. If my suggestions were adopted, the Social Welfare Branch would not be confronted with the embarrassing situation which exists today. If the Government refuses to take appropriate action, the private adoption agencies will be forced to refer more adoption cases to the Social Welfare Branch simply because they will not be in a position to handle them.

Mr. Wilkes.

Mr. EDMUNDS (Moonee Ponds).—Up to date no positive statement has been made by the Government on when a start will be made on a new building for the National Museum on land reserved for that purpose in the Domain. Considerable concern is being expressed about the status of the museum and the future of the present building. The construction of the new Victorian Arts Centre has made some space available to the museum in which it can display its collection, but it is essential that more space should be provided. The only way in which this can be achieved is by constructing a new building. The museum is restricted in displaying its collection by the lack of space. In addition, insufficient funds are made available to it. The small amount allocated in these Estimates is ludicrous. The lack of funds is preventing the staff from carrying out the programme in which it is engaged.

If it was necessary to construct a new centre in which to display the art treasures of the State, and to prevent overcrowding it is equally necessary to adopt a positive approach to the construction of a new building for the National Museum. The only practical answer to the difficulties facing the National Museum is the construction of a new building in the Domain in the immediate future. However, the Government has made no positive statement on this point. I do not even know whether plans for the new building are in existence, but it is essential in the interests of this important activity that something should be done urgently.

The vote was agreed to.

LABOUR AND INDUSTRY.

BALANCE, $738,561.

The vote was agreed to.

The sitting was suspended at 12.52 *p.m. until* 2.4 *p.m.*

EDUCATION.

BALANCE, $86,720,652.

Mr. HOLDING (Leader of the Opposition).—I bring to the attention of the Parliament—it should not be necessary to bring it to the attention of the Government—the grave crisis at the Royal Melbourne Institute of Technology. If a financial crisis affecting any institution in this State could be described as purely Government created and sponsored, this is it. At page 4, when referring to technical education, the Martin report states—

> The welfare of the individual and of society provide obvious grounds for an enlarged national commitment in education. It is both realistic and useful to regard education as a form of national investment in human capital.

At page 129, the report states—

> The importance of technical colleges in the system of tertiary education in Australia cannot be over emphasized. In some States these institutions have, in the past, often failed to command sufficient support from educational authorities. At this stage in Australia's development from a primary producing country to one which is becoming industrialized rapidly, it is important to develop to the maximum all institutions which provide education in the technologies.

Recent press reports summarize a course of events over a considerable period. From them, it is apparent that the failure of the Victorian Government to provide adequate finance for the Royal Melbourne Institute of Technology is really a failure to appreciate the values laid down in the two statements from the Martin report which I have read. The institute—which, after all, is the pivotal point of the structure of the Victoria Institute of Colleges — has had to drop 35 courses, including the teaching of advanced diploma subjects. There is to be no full-time first-year diploma course instruction this year. Students who wish to commence courses will have to be of matriculation standard, instead of leaving standard which is the normal prerequisite for entry to the institute. It is expected that because of the restrictions 250 students will be denied entry to the first year course at Royal Melbourne Institute of Technology.

As reported in the *Age* of 4th December, the principal of the Institute, Brigadier P. P. Jackson, explained the limitations which have been imposed upon the staff. Both staff and classes are subject to substantial restrictions. The financial restrictions will not allow this year's level of activity to be maintained, much less supported. I emphasize that point because it is important. The present level of activity at the Royal Melbourne Institute of Technology will not be maintained next year. One is entitled to ask why it has become necessary to restrict classes, to impose considerably greater work loads on teachers, and to restrict staffing. By its handling of the fiscal problems of this very important educational institution, the Government has created a situation in which the present level of educational activity will not be sustained in the next financial year.

I shall not read all the newspaper reports on this subject. They go back to October of this year, when the situation first became apparent. One merely has to examine them to realize the desperate plight in which the institute finds itself. In the light of this the fact that both Brigadier Jackson and Mr. Wood have made a number of public statements about the situation, one is entitled to say that the Government should have been in a position clearly to state to the people of Victoria what it would do. Instead, today's *Age* reports that—

> The Minister of Education (Mr. Thompson) yesterday called for reports on the dropping of 35 courses at the Royal Melbourne Institute of Technology next year.
>
> He said that he had asked the Royal Melbourne Institute of Technology for a report on the proposed changes, which he had not heard about until yesterday.

I do not know what is going on in the Education Department, but there is no way in which a responsible Minister doing his job would not have been aware of the acute financial crisis at the Royal Melbourne Institute of Technology. Yet, there must be severe and alarming cut-backs at the major technology institution of this

State. I point out that this has occurred only after months during which public statements have been made. Over recent weeks, all members of Parliament have received many letters from students and parents, who are gravely concerned about the situation. After all this has taken place, we are told that the best the Minister of Education can do is to call for a report. What is needed is not another report; what is needed is positive financial support from the Government to maintain the Royal Melbourne Institute of Technology.

The lowest basis on which this support is necessary is that which is needed to enable the institute to be maintained at the existing level of efficiency. Of course, any Government which had properly planned for the requirements of the institute would be in a position to point to the current situation, to what was to happen next year, and to what the position was years ago, and show that there were progressive and extensive trends of development. It should be unnecessary for any member of this Parliament to make a plea for urgent financial support for the institute from the Treasury just to maintain the existing level of service, but that is what is involved.

The crisis is a State Government-created crisis. It is difficult to know whether to allot the blame to the Minister of Education or to the Treasurer. The decisions which limit the activities of the Royal Melbourne Institute of Technology are, ultimately, decisions taken within the Treasury. What has been the response of the Treasurer to the comments on this matter, of which he knew months ago? His first attack was to imply, in the *Age* of 28th August, 1968, that there was mismanagement at the Royal Melbourne Institute of Technology. No evidence of this was adduced and no facts were produced. There was just the automatic response of the Treasurer to a situation which he felt that he could not handle fiscally—he handled it politically, first, by making a general, completely unsupported and unsubstantiated allegation of mismanagement against the Royal Melbourne Institute of Technology. That of course was denied, and it was also denied by Brigadier Jackson.

Mr. RAFFERTY.—Was it denied by Mr. Wood?

Mr. HOLDING.—I will talk about Mr. Wood. This was the second political card in the hands of the financial gambler who occupies the Treasury of this State. He made an unsubstantiated allegation of mismanagement which was denied, and his second attack was not directed at the Royal Melbourne Institute of Technology itself. The Treasurer was unable to support his first allegation, so he put his hand into the bucket and proceeded to throw political smears over Mr. Wood, who is publicly acknowledged to be a man who has given a great deal of time and energy to education in this State, and a great deal of energy to the Royal Melbourne Institute of Technology. This level of political performance by the Premier is typical of some of the performances recently seen in this Chamber, and it is typical of the honorable member for Glenhuntly that no matter how outrageous, how unjust, or how unprincipled these allegations are, he is one of those members of the Liberal Party who, if they hear a dirty joke, look to the Premier for approval before they allow themselves to laugh.

It is interesting to note that, when this unsubstantiated and unprincipled attack was made on Mr. Wood, he was immediately defended by members of the council of the Royal Melbourne Institute of Technology, who do not necessarily share Mr. Wood's political views in respect of any aspects of this Government's policies. The implication in the aside made by the Assistant Minister of Education is that no man should hold office in what is, after all, an honorary position unless

he agrees 100 per cent. with the policies of the Government. If any man, as a result of his political philosophy or attitudes, happens to disagree with the views of the Assistant Minister of Education, or of the Premier, or of the Liberal Party, that disqualifies him from appointment. It does not matter what service he has given to education or other areas in the State; unless he is prepared to run along with the attitudes and principles of the Liberal Party he will be subject to attack if he does his duty by the institution he represents. If any allegation is to be made about mismanagement at the Royal Melbourne Institute of Technology, or about Mr. Wood's role there, the Assistant Minister of Education, or the Minister of Education should have the guts and capacity to stand up in Parliament and make his allegations instead of adopting a practice which seems to have become favoured by the Premier recently, when he makes a statement and then runs away from it.

Mr. TAYLOR.—That is a distorted picture.

Mr. HOLDING.—The honorable member should be careful. At this stage, the Royal Melbourne Institute of Technology closely examined its position and operation, and Brigadier Jackson made a clear statement inviting the Premier to substantiate his allegation. Presumably that could have been done if there was some area of inefficiency operating at the Royal Melbourne Institute of Technology, and it would have been proper for the Premier to point it out so that it could be rectified. But nothing has occurred, except a series of spurious allegations which have added nothing to the situation.

Mr. WILCOX.—I have known Mr. Wood for many years.

Mr. HOLDING.—Then you would know that he is a man of high character who has done a great deal for education in this State.

Mr. WILCOX.—He has been involved in politics all his life.

Mr. HOLDING.—That is so, and so have honorable members of this House. If the Minister wants to say that Mr. Wood has used his position at the Royal Melbourne Institute of Technology to advance his political attitudes the honorable gentleman should support that serious allegation in Parliament. It is as simple as that. To extricate itself from the difficulties which have arisen in respect of the Royal Melbourne Institute of Technology, the Government has become careless with people's reputations and is prepared to misinterpret the situation.

Mr. TAYLOR.—What are the councils for?

Mr. HOLDING.—Councils are not appointed to pay lip service to the policies of the Government and slobber all over the Premier in the same way as some Ministers. I shall now refer to the procedure of estimating amounts for current expenditure at the Royal Melbourne Institute of Technology. The manner in which the system works is that council of the Royal Melbourne Institute of Technology prepares estimates for the Victoria Institute of Colleges and these estimates are worked on by the institute. The estimates are submitted to the Commonwealth Advances Committee on education, which makes recommendations to the Commonwealth Government. Under the State Grants Act 1967, the Commonwealth then offers a maximium grant to each State, which must be met on the basis of $1 from the Commonwealth and $1.85 from the State, plus fees paid to the institution.

The first question which must surely have arisen when the estimates of current expenditure by the Royal Melbourne Institute of Technology for the triennium 1966-1969 were submitted to the Victoria Institute of Colleges was: What was the relationship which existed between submissions made by the Royal Melbourne Institute of Technology in its

projections of its own development, and how did those figures compare with the ultimate submissions made by the Victoria Institute of Colleges? I would not be far wrong if I suggested to the Assistant Minister of Education that the estimates given by the Royal Melbourne Institute of Technology for its projected development were substantially slashed between when they emerged from the Royal Melbourne Institute of Technology and when they emerged from the Victoria Institute of Colleges. That raises the question whether that cut back made on the estimates was due to State Government influence on the Victoria Institute of Colleges, or arose out of an objective assessment by the Victoria Institute of Colleges taking into account the needs of other colleges.

If the Victorian Government is serious about advancing technological education, it should be prepared to meet all reasonable estimates of expenditure, including the increases which would be necessary to develop the Royal Melbourne Institute of Technology to a standard higher than the present and in line with the recommendations of the Martin report. In relation to the crisis at the Royal Melbourne Institute and the figures for expenditure, there are two main points—first, the problem of the deficit which will result in the largest overdraft in the history of the Royal Melbourne Institute of Technology, and, secondly, the Victorian Government's evasion of its financial responsibility by relying on Commonwealth grants to meet a large part of the Royal Melbourne Institute of Technology's expenditure.

On the deficit problem, at present the institute estimates that its deficit at the end of the year to be more than $466,000. This will completely alter the financial position of the Royal Melbourne Institute of Technology. On the 1st January, 1968, the institute had a credit of approximately $243,000, but it expected to finish the year with an overdraft of approximately $222,000 at 31st December, 1968. The highest overdraft the Royal Melbourne Institute of Technology has had in previous years has been in the vicinity of $120,000. The Government has now increased by $55,000, its allocation to the institute for 1968, and this would have the effect of reducing the expected overdraft to $167,000. Whilst this does not appear to be a great deal more than the previous overdraft, it must be remembered that the institute started the year with a credit of approximately $243,000, and it also imposed restrictions on expenditure during 1968.

Until that picture emerged it was clear that, unless the Royal Melbourne Institute of Technology was to go further into the red, it had to impose further restrictions. It is palpable political dishonesty for the Minister of Education to be now calling for a report when he knew, or reasonably ought to have known months ago, that the only alternative facing the Royal Melbourne Institute of Technology was to go further into the financial mire or impose restrictions. Yet the honorable gentleman asserts that the first he heard of the restrictions was in the past few days. It was a question of the institute going further into the red or making restrictions. The pressure on the Royal Melbourne Institute of Technology was such that restrictions had to be imposed, and the Minister knew this, or reasonably ought to have known it. The only way in which this crisis can be resolved is by the State Government making a substantial grant to the Royal Melbourne Institute of Technology. It is laughable for the Minister to be calling for a report on this situation.

The restrictions that have been proposed are serious and must harm not only the Royal Melbourne Institute of Technology, but also the

whole concept of the Victoria Institute of Colleges. If the Government does not alter its financial planning and attitude, the Victoria Institute of Colleges will become nothing more than a technological institute which keeps pressure off the universities and confers degree of abysmally low standards. The Opposition has continually warned the Government that the concept under which the Victoria Institute of Colleges is working will result only in the granting of degrees which are worthless unless its standards are high, its teaching is first-class, and its degrees are recognized as carrying high training, merit and quality.

The fiscal attitude of the Treasurer has already severely harmed the Royal Melbourne Institute of Technology, which is a central factor in the structure of the Victoria Institute of Colleges. If the Victoria Institute of Colleges is restricted, how will its operations ultimately be affected? What will be the position if it is turned into a second-rate degree conferring institution? This is the very thing that the Opposition has warned the Government about.

One of the reasons why the Royal Melbourne Institute of Technology is in its present plight is that when the Commonwealth Government provided substantial grants to it, the State Government used that occasion to lower the level of its fiscal support. Prior to 1967 all Government grants to the Royal Melbourne Institute of Technology came directly from the State Government. In 1966 the Victorian Government granted it a sum of $3,135,226. In 1967 the total Government grant for maintenance was $3,507,146. If one simply looks at the figures one sees that between 1966 and 1967 there has been an increase in the grant of approximately $400,000.

The CHAIRMAN (Mr. L. S. Reid). —Order! The honorable member's time has expired. If no other honorable member rises in his place the Leader of the Opposition will be granted an extension of time of fifteen minutes.

Mr. HOLDING (Leader of the Opposition)—I thank the Committee for its courtesy. An analysis of these figures indicates that of the $3,507,146 granted in 1967, $848,560 came from the Commonwealth Government. Therefore, in 1967 the actual contribution of the State Government was $2,658,856, and this means that between 1966 and 1967, as a result of the Commonwealth Government adopting the practice of making grants to the Royal Melbourne Institute of Technology, the State Government saved approximately $1,000,000. In that situation one would have thought that the least the Victorian Government would do would be to maintain its grant to the Royal Melbourne Institute of Technology at the existing level and that whatever money came from the Commonwealth Government would have been sufficient to allow quite dramatic developments to take place at the Royal Melbourne Institute of Technology. What in fact the State Government did when the Commonwealth Government made a contribution in this field was to reduce the State's grant to the institute.

That is the heart of the problem. Given the increasing demand for technological training and the fact that many students unable to gain admission to universities were turning to institutions like the Royal Melbourne Institute of Technology, it was inevitable that the Institute could not develop and expand to meet the responsibilities placed upon it. The policy of the State Government to refuse to heed this situation and the policy of the Treasurer to use, quite deliberately and cynically, the grants that came from the Commonwealth Government as the occasion to restrict grants from the State Government have now caused the very

severe restrictions which are being self-imposed by the Royal Melbourne Institute of Technology.

This Parliament and the parents of students at that institute are entitled to ask what the Government intends to do about the situation which is directly attributable to the fiscal policies of the Treasurer. Up to date all we have received from the Treasurer have been unsupported allegations of mismanagement and completely unwarranted political attacks upon a distinguished member of the community, Mr. Wood. What has the Minister of Education had to say? The best he could do was to call for a report. It is like closing the stable door after the horse has bolted. The Minister is confronted with restrictions and cut-backs and students are told that they cannot attend this important technological institute, but what does he do? He calls for a report! He ought to have known about this for months. What is the Treasurer doing? He is remaining silent.

Let it be stated clearly and unequivocally in this Parliament that the crisis at the Royal Melbourne Institute of Technology is primarily fiscal. It is a crisis which is the deliberate result of the policies of the Treasurer of this State. The Government, having created this problem at this important technological institution, has a duty to resolve it. There should be no talk about calling for a report. What is desperately needed is an injection of a considerable sum of money into the Royal Melbourne Institute of Technology to enable it at least to maintain existing standards. It is bad enough that progress cannot be made; but it is a backward step to allow an important technological institute to reach the stage where it is unable to maintain in 1969 standards equivalent to those which applied in 1968.

An objective assessment of the position in 1968 indicates that many of the members of the staff and of the council of the Royal Melbourne Institute of Technology were gravely concerned about the existing standards. They believed a good deal could be done to improve them, and the Government was conscious of this. Instead of an improvement in standards there is to be a cut-back and a financial crisis. This miss can be laid at the door of the Treasurer, and possibly at the door of the Minister of Education, who has been unable to give the sort of protection an important technological institute ought to have. I trust that the Assisant Minister of Education, on behalf of the Government, will make a full and forthright statement to the Committee on the problems confronting the Royal Melbourne Institute of Technology and in so doing I hope he will not call for reports which will simply reiterate the problems. He should put forward proposals which will provide effective remedies.

Mr. WILKES (Northcote).—I would be interested to learn whether Government supporters have received telegrams from various State schools in their electorates asking them to explain the Government's attitude towards retrospectivity in the latest salary increases granted to teachers. Members of the Opposition have advised the schools in their electorates that this is solely the responsibility of the Government which we have been attempting to get rid of since 1955 and that we would be pleased to have their support in doing so.

Later I shall read a letter I received from Mr. Schubert, the general secretary of the Victorian Teachers' Union. He has been fair in his approach to this matter, and if there has been any unfairness it has been by the Government. The only Government statement on this matter was made by the Premier, who referred to the financial burden that would be imposed on the State if retrospectivity were granted.

Mr. ROSSITER.—The Tribunal did not recommend retrospectivity.

Mr. WILKES.—I am aware of what the Tribunal said, and I am aware of what the Premier said. For the benefit of back-bench supporters of the Government I shall read what Mr. Schubert said in his letter.

Mr. JONA.—We know what Mr. Schubert said.

Mr. WILKES.—It will not hurt honorable members to listen to it again.

Mr. DUNSTAN.—It is only repetition.

Mr. WILKES.—Fancy the honorable member for Dromana talking about repetition, when Parliament never hears from him in relation to teachers, trade unionists or anybody else. He is not prepared to stand up to anybody in this Chamber except himself. I am attempting to ascertain where the injustice lies in this case.

I shall read the letter that I received from Mr. D. P. Schubert, the general secretary of the Victorian Teachers' Union. Dated 28th November, it states—

The Victorian Teachers' Union is most concerned at Cabinet's decision rejecting claims for a retrospective salary increase.

As you are no doubt aware, the Teachers Tribunal has no power to make retrospective salary awards.

Because of the many and prolonged delays during 1967, the union asked the Premier towards the end of that year to grant retrospectivity when an award was announced. The Premier indicated he would consider any recommendation made to him by the Teachers Tribunal. The Teachers Tribunal, as then constituted, early this year made such a recommendation for retrospectivity to 1st January, 1968, of any award determined.

Following the announcement of the award on 18th November, 1968, Cabinet has refused to grant any measure of retrospectivity.

Consequently we seek your support to change this decision, and to gain some measure of salary justice for teachers.

For your information, a summary of events over the last two years is printed below:—

Whether or not it bores the honorable member for St. Kilda or the brilliant back-benchers of the Liberal Party, I intend to read the summary. It states—

14/12/66 . . . Application from Victorian Teachers Union to Teachers Tribunal for hearing of a general salaries claim.

14/2/67. . .Letter from Teachers Tribunal to Victorian Teachers Union "not willing to hear a general salaries claim at the present time".

22/2/67. . . Letter from Victorian Teachers Union to Teachers Tribunal requesting amplification of "at the present time" and requesting an indication of whether the Tribunal would hear a claim during first term and, if so, at approximately what time in first term.

27/4/67 . . . Letter from Teachers Tribunal to Victorian Teachers Union "not willing to hear a general salaries claim in first term . . ." "Consideration will, however, be given to the hearing of a claim at an early date thereafter". The Tribunal asked for an indication of the approximate time the Victorian Teachers Union would require to present its case.

28/4/67 . . . Letter from Victorian Teachers Union to Teachers Tribunal expressing concern at no hearing in first term and indicating that at least three days would be required for presentation of case.

28/6/67 . . . Letter from Victorian Teachers Union asking for determination of a time for hearing.

4/7/67 . . . Letter from Teachers Tribunal to Victorian Teachers Union stating "it is likely that the claim will be heard in September next but a firm decision will be made after the election of a teachers representative on the Tribunal".

18/8/67 . . . Mr. D. R. Brown ceased duty as teachers representative on the Tribunal.

24/8/67 . . . Mr. J. Harris commenced duty as teachers representative on Tribunal.

8/9/67 . . . Letter from Teachers Tribunal to Victorian Teachers Union again asking for confirmation of time expected to present case and also asking for number of representatives who would be involved in the presentation and asking for an early reply.

12/9/67 . . . Letter from Victorian Teachers Union to Teachers Tribunal giving information requested.

6/10/67 . . . Mr. L. Garlick, chairman of Tribunal, went on a month's sick leave.

18/10/67 . . . Letter from Victorian Teachers Union to Teachers Tribunal asking for a definite and early date for the hearing.

20/10/67 . . . Letter from Teachers Tribunal to Victorian Teachers Union stating "the fixing of dates has been delayed through the absence of the chairman on sick leave. However, arrangements will be made for the hearings to commence not later than one month after the chairman's resumption of duty".

Is it any wonder that teachers want to know why they were denied retrospectivity, having regard to the history of delays in the matter.

Mr. JONA.—Would you give it?

Mr. WILKES.—I would give nothing to the honorable member for Hawthorn, whom I challenge to rise and say that teachers are not entitled to retrospectivity. I defy him to tell teachers in the schools within his electorate that he does not think they are worth it. His views may be accepted or rejected by teachers in schools in his electorate, but I challenge him to state his views in this Chamber so that teachers will know where they stand. The teachers know where I stand, for they have already been advised. Mr. Schubert's letter continues—

3/11/67 . . Mr. L. Garlick, chairman of Tribunal, had his sick leave extended to 31/12/67.

10/11/67 . . . Victorian Teachers Union wrote to Tribunal enclosing table of events, indicating it was submitting request to Premier for retrospectivity and asking for Tribunal support.

13/11/67 . . . Victorian Teachers Union interviewed Premier and outlined above events and delays and requested: "That because of the circumstances which have arisen during 1967 to prevent the Teachers Tribunal from hearing a claim for the general revision of salaries, an undertaking be given that any revised award made from the hearing of such claim be retrospective to 1/7/67."

The Premier said "this was a matter for the Tribunal to make a recommendation to me if they considered a determination had been delayed because of circumstances beyond their control".

What would be circumstances beyond their control? Surely the delays—in many instances, deliberate—in 1967 constituted a situation in which the fact that the salary claim was not being heard was solely the responsibility of the Tribunal. No industrial union and no industrial court would tolerate the treatment that was meted out to members of the Victorian Teachers' Union. It is just as well that a more dignified approach to wage fixation is adopted by authorities other than tribunals in this State, because this situation would not be accepted by employers or employees. The letter continues—

14/11/67 . . . Victorian Teachers Union wrote to Tribunal outlining discussion with Premier and repeating its request of 10/11/67 for support of the Victorian Teachers Union approach to the Premier on the matter of retrospectivity of any award.

13/2/68 . . . Discussions with the Tribunal re:

(*a*) finalizing a date for the presentation of a salaries claim;

(*b*) reiterating the request that the Tribunal recommend to the Premier that any award made be retrospective.

26/2/68 . . . Tribunal informed Victorian Teachers Union that "the Teachers Tribunal will recommend to the Premier that any variation to salaries should be made retrospective to 1/1/68."

6/3/68 . . . Victorian Teachers Union discussion with Tribunal. The chairman, Mr. Garlick, said he had submitted his resignation to the Minister.

14/5/68 . . . Tribunal advised Victorian Teachers Union that "the Premier has recently been advised that the Tribunal recommends that any variation in salaries . . . should be made retrospective to 1/1/68."

That is vitally important, because it demonstrates that a recommendation had been made.

Mr. DIXON.—Then a new Tribunal was constituted.

Mr. WILKES.—I am coming to that.

Mr. DIXON.—Have we been wasting our time?

Mr. WILKES.—At one time the honorable member for St. Kilda was an advocate for the teachers.

Mr. DIXON.—I still am.

Mr. WILKES.—But what happened? He joined the Liberal Party, became a member of Parliament and is now no longer an advocate for the teachers. He is an advocate for the Liberal Party. The summary continues—

15/5/68 . . . Tribunal reconstituted, new chairman appointed.

The previous Tribunal had said, "Yes, we will recommend retrospectivity from 1st January, 1968", but that was ignored, and the circumstances surrounding the previous Tribunal's decisions were not investigated. I make no accusation, but merely say

that it was a strange attitude for a newly constituted Tribunal to adopt. The statement continues—

17th to 20/6/68 . . . Salary claim submitted.

8/10/68 . . . Letter from Tribunal stating that "the Tribunal is pressing forward with the salary award and it is confidently hoped that the determination will be published in the near future".

18/11/68 . . . Award announced.

19/11/68 . . . Victorian Teachers Union deputation to the Premier re retrospectivity. Sir Henry said he would make a recommendation to Cabinet on this matter.

25/11/68 . . . Announcement that Cabinet has rejected submissions re retrospectivity.

After reading this historical summary we hope you will agree that our case is a just one.

After hearing that summary of the repeated delays which have taken place in this matter, everyone must agree that the teachers have a case for retrospectivity. The previous Tribunal recommended retrospectivity, even if only from the 1st January, 1968. It is not difficult to appreciate what happened. The Treasurer reported to the Cabinet and, despite the large sums of money that are wasted, stated that the State could not afford to make retrospective payments. The Minister of Education, who is easily satisfied, has said "That is all right with me".

I suppose it is an illustration of the Minister's god-like admiration for the Premier. However, although it is the view of the Government that there should be no retrospectivity, it is the business of the Opposition to ensure that, in the interests of education in this State, a fair deal is given to teachers, as well as to all other wage earners. Teachers are entitled to the same consideration as is extended to other members of the community.

I emphasize that, to the detriment of teachers, the present Tribunal completely ignored the recommendations of the previous Tribunal.

I received a letter from the Technical Teachers' Association of Victoria, which stated—

Dear Member of Parliament,

At a stop work meeting of technical teachers held at Ormond Hall on Monday, 2nd December and attended by over 2,000 teachers, the following resolutions were either unamimously or overwhelmingly carried.

(i) "That this meeting protests against the injustice of the State Cabinet in rejecting any retrospectivity for the recent Teachers' Salary Award."

(ii) "That the Technical Teachers' Association of Victoria call upon technical teachers to strike from and including Wednesday, February 5th, 1969, if retrospectivity to the date of hearing of the claim (11/6/68) has not been granted and that the Victorian Secondary Teachers Association and the Victorian Teachers Union be asked to co-operate to at least the extent of asking their members not to staff schools."

Mr. DIXON.—Do you support that action?

Mr. WILKES.—This state of affairs has been created by the Liberal Party—not by the teachers—because of its profound stupidity. When one mentions the word "strike" in this State, there is a general shiver through Government members. They always attempt to introduce red herrings if a worker wants to strike to make his position clear. In the twelve years that I have been a member of this House some of the most outrageous utterances have been made by members of the Government. They never thought they would see the day when Government employees were forced to take direct action because of the treatment meted out to them by the Government and the Teachers Tribunal. No doubt the teachers are prepared to accept the umpire's decision, but in this case it is not the umpire's decision. According to the honorable member for St. Kilda, it is a simple matter to establish a new tribunal and to forget about what the previous tribunal recommended—all in the one year. The

letter from the Technical Teachers' Association of Victoria states that the following resolution was also carried:—

(iii) "That the State Government apply the total amount of money lost by teachers due to this stop work meeting to a Scholarship or Scholarships for Aboriginal children."

Judging by the interjections from members of the Liberal Party, they believe no one else is sincere. The letter further states—

My association regrets having to take such action as stop work but believes they have explored all other avenues open to them.

I am, therefore, to humbly request your support in seeing that such an injustice as no retrospectivity of the new salary award for teachers is not allowed.

In light of the Premier's and Minister of Education's statements that no recommendation on retrospectivity was made by the Teachers Tribunal we have approached the Tribunal again urging their support in making a recommendation to Sir Henry that the salary award should be retrospective to 11th June, 1968.

May I take the liberty of pointing out that a number of people in another State instrumentality have just received retrospectivity to June this year.

Does the Government intend to permit a situation to develop which makes flesh of one and fowl of another?

Your assistance in seeing that justice is carried out for many of your constituents would be appreciated by teachers throughout the State.

Is the Government going to allow to develop a situation as serious and critical as a stop-work meeting or stop-work action by teachers who, in the eyes of the Opposition, have no other redress in the circumstances?

Mr. ROSSITER.—They have an independent tribunal.

Mr. MEAGHER.—Tailored to their requirement!

Mr. WILKES.—Opposition members know more about the Tribunal than does the Minister because it was a Labor Government which established the Tribunal.

Sir HERBERT HYLAND.—It was a Country Party Government.

Mr. WILKES.—The Country Party Government was supported by the Labor Party in establishing the Teachers Tribunal. The present Government allowed the Tribunal to be reconstituted. Of course, it was reconstituted at the request of the teachers, who had been asking the Government to do so for a number of years. If the Government is prepared to allow stop-work action to be taken in February, it cannot blame the teachers because it is at fault. The parents of school children can blame only the Government for this situation. Some sympathy should be extended to the teachers in view of the sad history of their applications for salary increases over the past two years. I suggest to the Government that, unless it revises its decision, the critical situation that exists in relation to education will worsen before the beginning of the school year in 1969. I recommend to the Government to re-examine the decision of the Tribunal and equate the decision of the previous Tribunal to the needs of the teachers and their claim for retrospectivity.

Mr. JONA (Hawthorn).—Honorable members have listened to one of the most irresponsible speeches on education that have ever been given in this House. It is perhaps rivalled only by some of the more irresponsible remarks by the Leader of the Opposition. The Deputy Leader of the Opposition has put the case for his party. I shall sum up his case in three respects. First, the honorable member has clearly indicated that his party rejects the findings of the Teachers Tribunal. Secondly, in his concluding remarks, the honorable member indicated that the thinking of his party in regard to the reconstitution of the Tribunal has been reversed and that the Opposition is now opposed to the reconstituted body. Thirdly, and more importantly, as the spokesman for his party, for the first

time since the Tribunal's award was given, the honorable member has stated that the Labor Party supports the strike action that is proposed by the teachers. Even members of the Opposition have a duty to adopt a more responsible attitude in this Parliament. I challenge the Leader of the Opposition to state whether the Labor Party, if it formed the Government, would make the Tribunal's award retrospective.

Mr. HOLDING.—I have already spoken in this debate.

Mr. JONA.—In the absence of a clear answer on that point, honorable members may take it that the Opposition endorses the Government's action, but is making political capital out of something which it realizes is outside the control of responsibility of the Government, having regard to the expressed findings of the Tribunal.

Mr. DIVERS.—What is your opinion?

Mr. JONA.—My opinion is shared by all members of the Government party, and I shall state it later. I wish to refer to what the Tribunal had to say at the conclusion of the statement which accompanied the award. I invite members of the Opposition to listen, because obviously they have not read it. It states—

> Reference is made to the claims for retrospective application of the determination. On the 26th February, 1968, the Tribunal, as then constituted, informed all teacher organizations 'that the Tribunal will recommend to the Premier that any variation in salaries, under the Teaching Service (Classification, Salaries and Allowances) Regulations, should be made retrospective to the 1st January, 1968.' Subsequently a recommendation was made.

That is where members of the Opposition stopped in their reading. The statement continues—

> Having regard to the bases on which this determination has been made, the Tribunal has decided to make no supporting recommendation to the Treasurer on this matter.

I have been led to believe that teacher organizations were in fact surprised at the generosity of the Tribunal's award because they did not expect the Tribunal to take retrospectivity into consideration. In fact, the teachers are gaining considerably as a result of the award having been made on this basis. If it were to make the award retrospective, the Government would clearly be going against not the spirit of the Tribunal's award in this case, but the direction of the Tribunal. This would be an act of irresponsibility which perhaps only the Leader of the Opposition would be prepared to undertake.

In view of the Tribunal's comments the Government has decided that the award, whilst not being made retrospective, should nevertheless take into consideration that the $1.35 Arbitration Commission increase should apply to teachers on the same date as it was granted to the Public Service, namely, the 3rd November, 1968. This action was taken in the spirit of the Teachers Tribunal award. The Government's refusal to make the Tribunal's award retrospective is not only consistent with the recommendation of the Tribunal but also represents the action of a responsible Government. If I were the Leader of the Opposition I should remain silent on the question of payment to the Teaching Service because everyone now knows that the Leader of the Opposition is the only member of this Parliament whose wife does not believe he is worth the money he earns in his Parliamentary job. I believe this would make the Leader of the Opposition an incompetent person to debate the merits or demerits of an award by the Teachers Tribunal.

I now wish to examine the determinations of the Teachers Tribunal since 1960. In that period there have been about twelve increases, which have amounted in all to something over $40,500,000 for a full year. These increases have included not merely basic wage adjustments, but a number of general provisions, including margins flow-ons, total wage flow-ons, the first phase of equal pay and

the latest general revision of salaries in November, 1968. The Labor Party has made its position clear in this debate.

Mr. DIVERS.—When are you going to make your position clear?

Mr. JONA.—I have done so. I believe this award has taken into consideration the fact that retrospectivity was not to apply. That point is clearly expressed in the final paragraph of the award made by the Tribunal. The honorable member for Gippsland South has asked me to repeat it, and I shall do so because this has not appeared in the press. I do not know whether the teachers have been informed on this matter but, obviously, the Deputy Leader of the Opposition has either not been informed, or does not understand it. The statement, which accompanied the Tribunal's determination is as follows:—

> Having regard to the bases on which this determination has been made—

That is clear. In other words, before the award was made, the Tribunal took into consideration a particular aspect—

> the Tribunal has decided to make no supporting recommendation to the Treasurer on this matter.

It is futile my prolonging the debate, because the position is clear. In conclusion, I challenge the Leader of the Opposition to state in this Chamber or to the people of Victoria whether he supports the proposed strike action of technical school teachers or other teachers on this issue. Furthermore, I invite the Leader of the Opposition to state whether he rejects the findings of the Teachers Tribunal. If the honorable member replies in the negative to this question, I should like him to explain the last statement accompanying the Tribunal's determination. Finally, I invite the Leader of the Opposition to state definitely whether his party wholeheartedly supports the present constitution of the Teachers Tribunal, and whether it is prepared to accept the findings and recommendations which it makes.

Mr. GINIFER (Deer Park).—I propose to reply to some of the futile arguments of the honorable member for Hawthorn. The Labor Party supports the policy of an independent Teachers Tribunal. It also supports the proposition that if the Tribunal is completely independent it should be empowered to declare whether its salary awards shall be made retrospective. Obviously, if we are to support the principle of an independent Teachers Tribunal, this aspect must be taken into consideration. From an examination of the recent determination handed down by the Tribunal, it is possible to read into it conclusions which support my argument. If it is considered by all honorable members that the Teachers Tribunal should be completely independent, the Teaching Service Act should be amended to indicate clearly that the Tribunal is empowered to do certain things, including the granting of retrospective salary increases.

Mr. WILTON (Broadmeadows).—It was interesting to hear the honorable member for Hawthorn striving desperately to take some of the heat off the Premier and place it on the Leader of the Opposition. The honorable member asked whether the Labor Party supported the principle of an independent Teachers Tribunal, and whether it supported the proposed strike of certain teachers. As the honorable member for Deer Park clearly pointed out, the Tribunal is not empowered to deal with the question of retrospectivity — that is a matter for the Government. In considering the question of retrospectivity, the teachers' organization which is involved in this pending dispute — there is no strike at this stage, although I understand from the newspapers that it is possible there will be one at some future date — has reached a certain decision.

The honorable member for Hawthorn is attempting to besmirch the Labor Party and the Leader of the Opposition. I should like to ask him what action the Government proposes to prevent the strike. The only statement published in the press concerning the matter has been the Premier's abusive utterances directed at the teachers concerned which will not contribute towards a solution of the problem. The spurious and juvenile arguments of the honorable member for Hawthorn had no impression on the Opposition. Of course, honorable members have become accustomed to the honorable member submitting arguments that contain no substance. It would be regrettable if the present situation were allowed to drift along without the Government attempting to find a solution to it. Surely, the Minister of Education or the Assistant Minister could negotiate with the teachers on this question around the conference table.

The Government, which recently reconstituted the Teachers Tribunal, was not prepared to empower the Tribunal to grant retrospectivity in relation to pay increases. If the Government wishes to control this aspect of wage fixation, it should accept the responsibilities that go with it. The high-handed attitude adopted by the Premier, who has made derogatory comments concerning a most important section of the community, will not improve the situation. The Assistant Minister of Education would agree that teachers are responsible persons, who discharge their responsibilities satisfactorily. The only heat that has been engendered in this matter so far has emanated from the Premier and the honorable member for Hawthorn.

I now wish to refer to the proposed senior high school at Broadmeadows, concerning which some controversy has arisen.

Mr. JONA (Hawthorn).—Mr. Acting Chairman, I rise to a point of order. I am not sure what the honorable member for Broadmeadows proposes to say, but it appears to me that his remarks relate not to Division 38 —salaries, general expenses and other services relating to education — but to the general subject of education.

The ACTING CHAIRMAN (Mr. Suggett).—I am not sure what the honorable member for Broadmeadows wishes to raise, but he should confine his remarks to the division which is under discussion.

Mr. WILTON (Broadmeadows).—I presume my remarks will be in order, Mr. Acting Chairman, under the heading "Other services" but I am sure that in your customary, fair-minded manner, you will inform me if they are irrelevant.

Mr. ROSSITER.—How do you relate senior high schools to " Other services "?

Mr. WILTON.—There has been a tremendous amount of controversy over the establishment of a senior high school.

Mr. ROSSITER (Minister of Labour and Industry).—I rise to a point of order. The establishment of a senior high school does not come within the ambit of " Other services ".

Mr. HOLDING (Leader of the Opposition).—On the point of order, Division 38 deals with education—salaries, general expenses and other services. " General expenses " cover some twelve items, including travelling, books, publications and the other items listed. " Other services " include scholarships, subsidies to holders, free places and about 21 other items. The facilities and conditions under which teachers work are clearly matters relating to " other services " because, if a general description could be given to item Nos. 1 to 24 of Division 38, it would be that they relate to subsidies to pupils and general conditions under which teachers operate. In respect of a special high school, all sorts of special facilities will need to be provided.

Mr. WHEELER.—The school is not even there.

Mr. HOLDING.—It does not matter whether the school is there or not—half of the Liberal Party members are not here. I submit that if one wanted to discuss, for example, visual education or training libraries, one could do so under this division because all this equipment will be installed at special high schools, for which special allocations will have to be made.

The ACTING CHAIRMAN (Mr. Suggett).—I find no point of order.

Mr. WILTON (Broadmeadows).—If the Minister had contained himself a little longer and allowed me to develop my theme, he would not have taken the point of order. The establishment of a senior high school in Broadmeadows has been seriously discussed, and recently the Minister advised me by letter that the special high school would be ready for 1971. I am concerned about the conditions that will prevail in the existing six high schools in the area which will become junior high schools and will feed the senior high school with pupils. I am sure that the honorable member for Essendon is also concerned about this matter.

Mr. ROSSITER (Minister of Labour and Industry).—I must rise to another point of order. I question whether the honorable member is on sound ground in discussing senior high schools under this division of the Estimates. The question of the establishment of a senior high school does not come within the ambit of the division.

The ACTING CHAIRMAN (Mr. Suggett).—I find no point of order. In support of my ruling, I quote the following from the seventeenth edition of *May*, at page 766:—

> The administrative action of a Department is open to debate, but the necessity of legislation and matters involving legislation cannot be discussed in Committee of Supply.

The honorable member is discussing the administrative action of the Department and so I find in his favour.

Mr. WILTON (Broadmeadows).—Unless the Government takes immediate steps, conditions at existing high schools will be chaotic, especially if a senior high school will not be established until 1971 to absorb some of the students who now attend these schools. In those circumstances, the facilities will be strained beyond what ought to be accepted in this community as reasonable. In this connexion, I refer to library facilities, teaching aids, recreation and toilet facilities.

We are almost into 1969 and, according to a letter received as recently as last Monday from the Minister of Labour and Industry, who is the Assistant Minister of Education, it is not expected that the senior high school will be ready for occupation before 1971. In the meantime, the school population will not remain static. Enrolments will increase and the existing facilities will be further strained. Students attending these schools will suffer a disadvantage which they should not have to suffer, and which those attending other secondary schools throughout the State will not suffer. Competition between students for scholarships and free places at universities is so keen that students need every assistance that modern teaching science can provide. If they are forced to receive their secondary education in overcrowded schools, they must be placed at a disadvantage. This is unfair and it is the responsibility of the Government to take whatever action is necessary to prevent the situation from deteriorating.

The Minister has also indicated in correspondence that if another junior high school is needed the Government will consider taking the necessary action. I assure the honorable gentleman that it will be needed, but where it will be sited I do not know. The existing high schools in the area will be grossly overcrowded next year and hopelessly overcrowded by 1970.

It will be necessary for the Government to act early in 1969, and I hope that the Minister of Education will take action in sufficient time to prevent the overcrowding which the local people are fearful will develop within the next twelve months.

It is appreciated that a high school cannot be built in five minutes. I hope that a lot of portable class-rooms will not be shoved into the schools and the student population increased beyond a reasonable level, because this would not be fair to the schools, the staff and the students.

On a recent tour of the Western District, I inspected the Hamilton High School and I was appalled at the disgraceful conditions existing there. The people who invited me to inspect the school were most concerned. They informed me that the main building was 47 years old and was hopelessly inadequate for use as a modern secondary school. Some rearrangements have taken place in regard to the siting of Bristol aluminium class-rooms. I was informed that in the summer time, the temperatures inside the class-rooms were oppressive.

The ACTING CHAIRMAN (Mr. Suggett).—Is the honorable member now discussing buildings?

Mr. WILTON.—I am discussing the conditions within the school.

The ACTING CHAIRMAN.—I think this matter could be more appropriately discussed under the loan application Bill.

Mr. WILTON.—I have no intention of transgressing your ruling, Mr. Acting Chairman. Suffice it to say that I was most perturbed at what I saw at Hamilton. I consider that many of the parents who spoke to me had a just grievance.

Mr. ROSSITER.—Did you advise the local member that you were in the area?

Mr. WILTON.—I will be quite happy to support the local member in pressing for some improvements at that school, because they are long overdue.

Mr. SCANLAN (Oakleigh).—I rise to a point of order. The honorable member for Broadmeadows has already been warned by you, Mr. Acting Chairman. The Committee is aware that he spends all of his time looking after electorates other than his own. The honorable member should be brought back to the division under discussion.

The ACTING CHAIRMAN (Mr. Suggett).—The honorable member for Oakleigh has expressed a point of view; he has not raised a point of order.

Mr. WILTON (Broadmeadows).—I assure the honorable member for Oakleigh that the Labor Party recognizes its responsibility, as Her Majesty's Opposition, to take an interest in the State as a whole. Its members intend to do that, regardless of whether this meets with the honorable member's approval.

The ACTING CHAIRMAN.—The honorable member should not be provocative.

Mr. WILTON.—I shall not pursue that matter any further. I know that both the Minister of Education and the Minister of Labour and Industry are aware of the situation at Broadmeadows. There have been at least two deputations on this matter and they have been fully supported by all local members. I invite the Minister of Labour and Industry to treat the matter seriously, as we do.

Mr. GINIFER (Deer Park).—Toilets for female teachers in schools, particularly primary schools, should be included in any plans for new buildings. On the 17th October, I suggested in this House that, when the infant wings at primary schools were being planned, consideration should be given to the installation of toilets for women teachers; that when the original part of a school is built, the

staff room and toilets for both men and women are included; and that when an additional wing to house infants is built, it seems to be the practice not to provide toilet facilities for women teachers in the new wing. As a result of my mentioning this matter, I received a letter from the Assistant Minister of Education, in which he said—

> I refer to the recent debate in the Legislative Assembly during which you raised several matters in relation to construction—

Mr. ROSSITER (Minister of Labour and Industry).—I raise a point of order. The honorable member for Deer Park is reading from a letter from me about the construction of primary school buildings. That construction is financed from loan funds. I cannot see how the matter relates to revenue.

The ACTING CHAIRMAN (Mr. Suggett).—The honorable member for Deer Park should indicate in which way his remarks relate to planning rather than to the construction of buildings.

Mr. GINIFER (Deer Park).—The final sentence in the Minister's letter will clear up the position. The honorable gentleman informed me that it is current policy to include an internal toilet for women teachers when the second wing of a primary school is being built. Under the arrangement under which two Ministers are involved in the administration of the Education Department, the Minister of Labour and Industry, as Assistant Minister of Education, is responsible for planning. I suggest that, in his letter to me, the Minister conceded the point I made. Yesterday, I directed a question to the Minister of Education with respect to the building extensions currently being undertaken at Avondale primary school. The Minister's reply seems to be inconsistent with what the Assistant Minister said in his letter. I may have misconstrued the answer and I direct the attention of the Assistant Minister to the matter in order that he may say whether I have made a mistake or a mistake has been made within the Department. In his reply to my question, the Minister said that, as existing toilets for women teachers at the Avondale school were adequate, additional toilets were not included in the current extension. I leave the matter at that.

Mr. FLOYD (Williamstown).—I have spoken briefly to the Minister of Education about this matter, but I now ask whether it is possible for the Education Department to install burglar alarms at schools. Most school committees have used much of their own time and money to provide assets such as television sets, tape recorders, and so on, at schools. I have a letter from the Altona High School which indicates that, on the average, there is a burglary there once a month. Schools are easily burgled because they are unattended during the weekend.

Mr. ROSSITER.—There are resident caretakers at many.

Mr. FLOYD.—That is so, but not at all schools. In any case, a resident caretaker cannot be expected to be on duty for 24 hours every day. I am making no criticism of the Department. I merely ask that the Minister give consideration to the installation of burglar alarms at schools. On occasion, I have asked that lights be installed at schools, and that request has been met. Lights deter people from breaking into buildings. The Altona High School has a good advisory committee, but when it applies to the Department for a subsidy or assistance to install burglar alarms, it is told that the regulations prevent their being supplied. The Government shows wonderful generosity to education—40 per cent. of State finances are allocated to it. The Government is frightened of the teachers, of the students and the marchers in Bourke-street. Would it not be possible for it to give consideration to the hard-working committee of the Altona High School,

which creates no fuss, but which requests that its assets be protected by burglar alarms?

The vote was agreed to.

ATTORNEY-GENERAL.

BALANCE $3,882,781.

Mr. WILKES (Northcote).—I raise a matter of collusive tendering, which must be of concern to the Attorney-General. If what has happened is not collusive tendering, it borders upon it. The Northcote City Council called for tenders for the supply of 1,100 volt and 11,000 volt paper insulated cable on the 12th November, 1968. Its advertisement indicated that the closing time for tenders was at 12 noon on Monday, 2nd December, 1968. The specification provided—

> The work covered by this specification shall include the manufacture, testing, supply, delivery and maintenance in every way complete, in accordance with and subject to this specification, the annexed schedules and general conditions of contract, of the following size and quantities of paper insulated cable :

The specifications then set out three items. The first tender opened was from Gilbert Lodge and Company, the name of the cable manufacturer was Olympic, and for item No. 1 the tender price was $2,070, for item No. 2, $2,070, and for item No. 3, $1,464—a total of $5,604.

The ACTING CHAIRMAN (Mr. Suggett).—Order! I find it hard to relate the honorable member's remarks to the Estimates for the Attorney-General.

Mr. WILKES.—I seek your guidance, Mr. Acting Chairman. The Attorney-General is responsible for the Act which refers to collusive tendering. If I cannot raise this matter now, when can I raise it? I do not want to leave my remarks on this matter incomplete.

The ACTING CHAIRMAN.—Does the honorable member for Northcote suggest that the Attorney-General should investigate this matter?

Mr. WILKES.—I do, Mr. Acting Chairman. I shall not take more than a few minutes. Tenders were also received from Lawrence and Hanson, Warburton Franki, Middendorp Electric, and Sun Electric. In each case, the cable manufacturer was stated to be Olympic and the tender price for the first item was $2,070; for the second item, $2,070 ; for the third item, $1,464; and the total price was $5,604. Five tenders for the supply of these items to the Northcote City Council were identical in every detail. I do not know if it is correct, but I have been advised that it is possible that all of the companies are associated with the cable manufacturer, Olympic Cables. If they are subsidiaries of the company, obviously, one tender would have been enough. Why should there have been five tenders from five subsidiaries of the one manufacturer? This makes a mockery of what the Government is trying to do, although I give the Government credit for endeavouring to eliminate collusive tendering. The Attorney-General should examine this situation in the interests of local government and of manufacturers. Why should the manufacturers waste money in preparing five identical tenders?

Mr. TURNBULL (Brunswick West).—Under Division 44 which refers to rent control, I point out that in my electorate, which includes parts of the cities of Brunswick and Coburg, rents of houses and flats have risen excessively. I know of instances in which it is beyond the economic competence of people to pay the rents which are being demanded in those areas. In most cases, the people concerned are widows or deserted wives with children. They must be housed, but there are not sufficient units available from the Housing Commission to enable these people to be accommodated by the Commission. They are compelled to live in old, broken-down houses which seem to have come into the hands of a particular

type of person who acquires a number of such premises. The landlord fails to repair these houses to make them fit and habitable for decent people to live in. Consequently these landlords are extracting from the less fortunate sections of the community rents which are extremely excessive. It is time that there was a more accessible and easy method by which it could be ensured that these people pay a rent in line with the economic value of the premises, and are provided with some means of protection from eviction.

There is also a new type of flat accommodation now appearing in the suburbs of Coburg and Brunswick, for which the rents appear to be excessive having regard to the capital cost of the units. When the improved capital value of these units is estimated for the purpose of the Melbourne and Metropolitan Board of Works rates, it is related to the net annual value, which is the amount of rent received. It seems that the Board's rate is somewhat excessive as it flows from the high rents that are demanded from tenants by a particular type of landlord.

I suggest that the Attorney-General should consider providing a more fluid and accessible type of rent control, and that some controls be exercised on behalf of these people who are being evicted from their homes. The economic position of people who move into these premises is depressed by the high rents they are required to pay. Consequently they may have to move somewhere else. If the landlord is offered a higher rent by another party, of course, he gives the tenants the usual one month's notice. If the people do not move out, the landlord takes them to court and apparently the court does not grant any extension. The notice to quit is given, and after the period of one month elapses the people have to go; where to, I do not know.

No doubt the Attorney-General will be extremely sympathetic to these people, but it is of no use merely being sympathetic. Something must be done for them. I trust that the honorable gentleman will have some regard to what I have said and provide some means by which these people can protect themselves. I am not suggesting that this protection should be made available in respect of premises which are occupied by middle-class or elite people, but I do suggest the poorer classes are entitled to a better deal in regard to both rent control and eviction.

The vote was agreed to.

TREASURER.

BALANCE, $16,967,334.

The vote was agreed to.

LANDS AND SURVEY.

BALANCE, $2,008,939.

Mr. B. J. EVANS (Gippsland East).—Under Division 54, I refer to a matter of administration that comes within the purview of the Minister of Lands. It relates to the provision of drought relief in East Gippsland, which has also had some effect in portion of the Shire of Swan Hill. On several occasions during the past few weeks I have endeavoured to obtain clarification from the Government on the actual provisions made to assist those people who are suffering from the consequences of drought in the State. I have raised this matter twice on the adjournment of the House and the Minister has made the same reply. This week I also asked simple straight-forward questions of the Minister in this Chamber and hoped to receive answers in a similar vein. Instead, I was given an answer covering six foolscap pages, from which it is most difficult to obtain a clear picture of the situation relating to drought relief.

One of the startling facts which emerged from the answer given by the Minister is that virtually the whole of this State is still declared a drought area. The reply included a list, comprising two foolscap pages,

detailing shires throughout the State which are still declared drought areas. This provides some indication of the mess—it can be described in no other way—that the Administration is in at present. Many of the statements made in the Minister's reply are confusing. The Minister seems to have been more concerned with scoring off the Federal Treasurer —who apparently does not think much of the State Government's Administration if statements published in the daily press are to be believed—than answering the questions I posed. I am not particularly concerned with the differences of opinion between the Minister and the Federal Treasurer, but I am concerned for the people in my electorate. I am also concerned that the Government is so lacking in its administration that it is impossible for me to obtain a clear-cut answer to the questions I raised.

Mr. WHITING.—Does the Federal Minister know the answers?

Mr. B. J. EVANS.—I prefer not to answer that interjection. I have made inquiries on my own behalf and have endeavoured to find out the answers that I expected to receive from the Minister. It has taken some time to track down this information. So far as the drought areas in East Gippsland are concerned, the only concessions that are available to people there are those which the Railway Department makes available at any time to any individual landowner who finds himself in difficulty through what might be termed some form of natural disaster. The Railway Department has a permanent arrangement whereby a landowner can obtain a certificate from a Lands Department officer in his district to indicate that his property is suffering adverse effects as a result of failure of natural feed, shortage of water, or the ravages of drought, fire, flood, or grasshoppers. If a landowner obtains such a certificate, the Railway Department makes a freight concession of 20 per cent. of the normal freight charge. A more complicated system of concessions applies to the transport of livestock for agistment. If the distance the stock is transported is less than 95 miles, no concession is made; from 96 miles to 153 miles the concession is $17.90 a truck; and beyond 153 miles the freight rate charged is the full rate less 30 per cent. So far as I can ascertain these are the only concessions which are actually in force now to assist people in drought-affected areas.

In answer to questions, the Minister of Lands has indicated that people in financial difficulties may receive carry-on finance by way of a loan from the Rural Finance and Settlement Commission if they should need it. This is one of my complaints about the finance made available during the recent drought. The landowner had virtually to be broke before he was eligible to receive assistance. I register my protest at the failure of the Lands Department to get down to earth on this problem. It is an urgent problem and one on which the people concerned want to know what the Government proposes to do. I hope it will be possible for the Lands Department to make a clear and concise statement on the assistance that is available now. If it cares to do so it might also give a clear-cut indication of what will be available if the Commonwealth Government decides to provide financial assistance. At present there is confusion and I register my protest at the lack of Government action.

The vote was agreed to.

PUBLIC WORKS.

BALANCE, $4,441,552.

The vote was agreed to.

LOCAL GOVERNMENT.

BALANCE, $427,286.

Mr. GINIFER (Deer Park).—I direct the attention of the Committee to one aspect of weights and measures administration. Some facets of the administration of the Health Act are

under the control of the Local Government Department. When amendments to the Health Act or regulations made thereunder are contemplated, the proposed amendments are circulated by the Department of Health to municipalities for comment. I suggest that when amendments to the Act or regulations relating to weights and measures are proposed, the Local Government Department should adopt the same policy and circulate the draft amendments to municipalities whose weights and measures inspectors are responsible for the administration of this legislation so that their comments can be considered before the legislation or regulations are finally prepared. This could result in objective criticism which could be of benefit to the people of this State.

The vote was agreed to.

MINES.

BALANCE, $665,328.

The vote was agreed to.

AGRICULTURE.

BALANCE, $4,394,187

Mr. TREWIN (Benalla).—Officers of the Department of Agriculture are carrying out excellent work in actively assisting farmers in many spheres of agriculture and I commend them for their efforts. However, during the past twelve months, and particularly in the areas severely affected by the drought, it was noticeable that some farmers who had taken the advice of agricultural extension officers to the extreme found that they were overstocked. The extension officers had given advice after carrying out experiments in certain districts to determine the productivity of an acre of land in varying areas. However, under different conditions from those under which the experiments were conducted it is normal for the stock to become undernourished. In their efforts to obtain every pound of wool they possibly can from an acre of land, in the past the agricultural extension officers have encouraged farmers to overstock, but not all farmers took this advice. A balance has to be arrived at.

The Department, in indicating the carrying capacity of an acre of land, should inform the farmers that the results of experiments are to be used only as a measuring stick. With the encouragement which had been given and the desire, because of the low wool prices, to bring about a certain result from an acre of land, many farmers found during the drought that they were in an embarrassing position. I am not making this complaint against the agricultural extension officers ; I merely want to suggest to the Department that when these experiments are carried out and the farmer is given the opportunity of trying out the conclusions arrived at, it should also issue a warning that the results were obtained under above-average, average or below-average conditions. Seasonal conditions determine what can be taken from the land and a balance has to be struck somewhere. In the pamphlets issued as a result of the research work, the Department should convey this warning so that the inexperienced farmer will know that the information he is getting has been determined under certain conditions.

A wool firm now employs a full-time extension officer to advise Collins-street farmers how to produce at a certain level. The Department trains extension officers in its agricultural colleges and in other spheres. Extension officers should be obliged to indicate what can be produced from the land under certain conditions. The effects of the recent drought should be used as a conclusive indication of the extent to which the Department should allow its extension officers to release information on the results of experiments. In looking back over the past twelve or eighteen months it is important to consider that, whatever the conditions were or wherever the farmer was located, invariably the worst-affected farmers followed the

advice of the extension officers, but not necessarily extension officers of the Department of Agriculture. In making this statement I may be leaving myself open to criticism but in assessing what had been placed before me, and also in looking around the State, I came to this conclusion.

Mr. WILTON.—I draw attention to the state of the House.

A quorum was formed.

The vote was agreed to.

HEALTH.

BALANCE $33,010,746.

Dr. JENKINS (Reservoir).—Concerning Division 72, Health Administration, I wish to direct attention to a matter I have raised before regarding the role of the Hospitals and Charities Commission, the regulations that control the registration and conduct of private hospitals, and the inspection of such private hospitals to ensure that they comply with the regulations. I have previously directed attention to the fact that the inspections of such hospitals are quite ineffective and that many defects in connexion with the provision of facilities exist. This has been illustrated by the actions of the employee organization which has raised certain matters in recent months.

Earlier this afternoon, the House was given, in expertise, a lesson on the Teaching Service by the honorable member for Hawthorn, but I think that his expertise in that field is as good as it is in the hospital field. As is recorded in *Hansard* at page 1332 of issue No. 8, speaking to the motion for the adjournment of the sitting on the 29th October, the honorable member dealt with a particular hospital which had been the subject of a complaint and, obviously not having investigated the situation, he condemned complaints about private hospitals in the broadest possible terms. In doing this, he did a great disservice to private hospitals in Victoria because while a proportion afford less than the proper facilities, a high proportion effectively carry out their functions.

Mr. JONA.—I did not condemn complaints. I said that there was a proper body to handle them.

Dr. JENKINS.—The honorable member for Hawthorn stated—

> Unless some corrective action is taken by the Minister, the public will soon lose confidence in our system of private hospitals because of unsubstantiated allegations by the employee body.

Does the honorable member for Hawthorn accept the fact that two proprietors in one institution were classified as bad credit risks, that one of them has repeated convictions in relation to starting-price book-making, and that the female proprietor has been convicted of keeping a brothel? This is the sort of area that the honorable member is trying to protect and defend.

On a number of occasions, the Opposition has raised matters in relation to various private hospitals. In referring to homes for the aged, we have suggested that the character of proprietors should be taken into consideration. We now suggest that this should be done with regard to proprietors of private hospitals as well, and that this should be the responsibility of the Hospitals and Charities Commission and its inspectorial staff. If a blood pressure machine is not supplied, or if there is no suction apparatus which, although it does not need to be used on the instruction of a doctor, should be used by a nurse to remove obstructions by fluid, and so on, does the honorable member for Hawthorn suggest that allegations made by the employee organization are unsubstantiated? How far has he investigated the position? Food is another facility which should be policed by the Hospitals and Charities Commission. One allegation was that a No. 5 chicken was supplied to feed 24 patients. I suggest that that would be rather less than the honorable member himself needs for proper nutrition. Dietary requirements should be laid down.

These are some of the matters that have occurred in a section of private hospitals. The Government, through

the Commission, is failing to ensure that patients are given proper care and facilities and that institutions are conducted by reputable persons. Another matter is that it is high time that hospitals had to be accredited. It is common practice in many advanced countries for a hospital to be required to provide certain facilities and equipment, and then it receives accreditation to a certain standard. To ensure that the requirements are met, the hospitals are inspected by hospital authorities and physicians and surgeons. If this were done, a safeguard would be provided. I repeat that the inspections of our private hospitals are not effective at present, and this damns the decent private hospitals within the State. It is brought about by the fact that the regulations are so ancient that they are ineffective. They should be updated. The Government stands condemned by the fact that matters such as this are raised.

Mr. LOVEGROVE (Sunshine).—Referring to Division 75—maternal and child welfare — I wish to point out the inadequacy of the medical-dental services for school children. On the 15th September, 1965, I asked a question of the Minister of Education, for the Minister of Health, about the personnel and functions of the dental committee which was appointed to consider the shortage of dentists. This appears at page 63, Vol. 279 of *Hansard*. On behalf of the Minister of Health, the Assistant Minister of Education, who is now Minister of Labour and Industry, supplied details of the personnel of the committee. It comprised a number of gentlemen, distinguished within the medical profession, and it was headed by Dr. J. H. Lindell. The Assistant Minister also stated, in answer to the question, that the functions and powers of the committee were—

2. (i) To inquire into the affairs of the Dental Hospital and the Dental School as they affect—

(*a*) the admission of students to the dental course, including the number and quality of the students presenting, and means which might be adopted to increase the number of admissions, and consequently the number of graduates;

(*b*) the number of dentists required to fill the Victorian need, and means whereby the need will be met;

(*c*) the best use to which the space and facilities now provided at the Dental Hospital might be put;

(*d*) relationships at present existing between the Faculty of Dental Science, the Dental Hospital and other organizations or institutions, including the dental profession and the Royal Melbourne Hospital, and means whereby these associations or affiliations may be cemented.

(*e*) apportionment of teaching and service costs between the university and the Dental Hospital for the present, and for the future;

(*f*) any other matters which the committee considers are relevant.

(ii) As a result of such inquiries, to report—

(*a*) on the steps which should be taken to meet the immediate problems;

(*b*) on the planning required to meet the long-term requirements of the State.

3. The committee has met on six occasions to date. It has received submissions from 36 organizations and individuals, and will continue to meet frequently until its report is complete.

Since that time there has been a deterioration in the dental health service available to children, and there are numerous complaints from different State schools concerning its inadequacy. On the 26th April of this year, the Sunshine municipal council wrote to me concerning the training of dental nurses. The letter reads as follows:—

At the last meeting of the council I was instructed to request that you and other Parliamentary representatives of this municipality press in Parliament for a system of training of dental nurses to be implemented in Victoria on the lines of the New Zealand and South Australian systems to staff school dental clinics and mobile units to extract and fill teeth of school children and to carry out minor dental work.

The first point I make is that the City of Sunshine has already made a suggestion with regard to this matter. In July last, I was approached by the school committee and mothers' club of the Tottenham North State School, No. 4703, because it was claimed by

the school that, according to a visiting medical officer, the school had a higher percentage of children with bad teeth than any other school in Victoria. The school is in an area consisting mainly of Housing Commission and Railway Department homes. Some thousands of parents, mainly in the low-income group, reside there and most of the young children of the district attend the school. I think that 90 children, or 20 per cent. of the school population, had bad teeth.

I inquired of the Education Department and was directed to the Department of Health, which advised that although a complement of 43 dentists was required to carry out the work in schools, only 32 could be obtained and that this prevented the Department from extending the dental service to the Tottenham State School. I advised the school committee that it was expected that the Dental Advisory Committee —the committee to which I referred in my question in the House three years ago—would report to the Minister the result of an investigation it had conducted, and that it was hoped that a long-term solution to the problem would be in sight, but that this would not improve matters in the short term.

The honorable member for Deer Park asked a question concerning the inadequacy of dental services for children in the western suburbs. In view of the deep interest he has taken in this subject, apparently he is in some ways in a similar position to myself. The nearest point at which the children who attend schools in the Sunshine area may obtain dental treatment is the departmental depot in Geelong-road, Footscray. This depot is not designed to handle the children from the outer western suburbs ; it is fully occupied looking after the children in the Footscray district and can treat children from schools in the Sunshine district only in cases of acute emergency.

Following inquiries from the Education Department and the Department of Health, I wrote to the Minister of Health on the 26th August, as follows :—

Dental treatment at Tottenham North State School No. 4703.

Last month I received a complaint from the mothers' club (supported by the school committee), at the above school, and it was alleged that, of approximately 450 children at the school, at least 20 per cent. (over 90 children), had bad teeth. The school received a medical visit in April.

I met the mothers' club and received reports from various parents that there were inadequate dental services available in the district, and that except in cases of emergency, their children had to wait from three to six months for treatment, from either Footscray or the City Dental Clinic. I confirmed these reports with the head master, and then made inquiries from the Education Department. Following these inquiries, I wrote a letter to the mothers' club on July 19th, copy of which is attached for your information. The information in this letter summarises the advice I received.

I pointed out that the school concerned is in an area largely occupied by people from the low-income group, and that dental treatment is a big drain on their limited financial resources. I asked the Minister to give the matter consideration with a view to obtaining relief for the children at this school. The Minister did give the matter considerable attention. However, owing to general financial circumstances over which his control was limited, and owing also to the fact that the Department cannot obtain dentists—they can make much more money in private practice and are not willing to work for the salary paid by the Department—the Minister sent me the following letter, dated 5th September :—

I refer again to your letter of 26th August, 1968, in which you made representations on behalf of the mothers' club of the Tottenham North State School No. 4703 concerning the School Dental Service.

As you are no doubt aware every effort is being made to provide a dental service for as many children in the State as possible.

Schools in the metropolitan area are allocated from the districts surrounding each of the three school dental centres; St. Kilda-road, Melbourne, Geelong-road, Footscray, and Nicholson-street, North Fitzroy, in such numbers as to permit the

children to be examined and treated on a basis as close to annual as possible. The only effective way of maintaining a health dental condition in children is by means of regular visits.

Unfortunately, poor dental health is common to many schools and the need for dental attention is most urgent in those regions remote from any form of dental practice. Consequently, the efforts of the School Dental Service are concentrated in these areas.

With the present staff available it is impossible to plan any extensions in the metropolitan area at present. The staff of this division is already fully occupied and could not cope with other children no matter how deserving financially. There is at present no alternative relief to the problem confronting schools unable to obtain the service of the School Dental Service.

The Minister was quite frank about the situation. He admitted that he is confronted with a difficult situation. Although the Department is authorized to employ dentists, it cannot obtain sufficient, for the reasons I have stated. The dominant consideration is probably the financial limitation placed upon the Department.

I wish to read a reply to a question which was asked in the Legislative Council by the Hon. I. R. Cathie, one of the representatives of South-Eastern Province. I understand that I may do so as a result of a ruling given by Mr. Speaker earlier this session. The official organ of the Victorian Council of School Organizations, *School Bell*, for July, 1968, contains a report of a question asked by Mr. Cathie in regard to school medical examinations. It states that the Honorable V. O. Dickie, Minister of Health, replied—

In the past, three routine medical examinations of the child were attempted during his school life. The growth of the school population placed a strain on the school medical service similar to that on Education Department resources. It was not possible to include new schools on school medical service schedules. By 1965—

I direct attention to the fact that 1965 was the year to which I referred originally in which the dental advisory committee began its investigation of this problem—

there were 176,000 children in schools not visited by the school medical service, and it was expected that this number would rise by about 20,000 per annum.

It is now thought better to concentrate on a thorough medical examination in grade 1 in the presence of the parent, and to omit repeat examinations of apparently healthy children later in school life. Checks are made later on children found to need medical attention, and on those whose teachers suspect that their education is retarded by untreated illness or defect.

The Minister made some further observations, which I shall not read because they are lengthy, but I think I have quoted sufficient to indicate that the Minister is aware of the difficulties confronting his Department and is conscious of the fact that this problem is becoming worse every year.

According to the *Herald* newspaper of the 9th September, this year, the Minister suggested that something should be done to cover the cost of teeth; he said that dental costs should be covered by a health insurance scheme. The Minister made other suggestions in regard to the importance of health services generally. This statement appears in the *Sun News-Pictorial* of the same date—

Mr. Dickie said he hoped to introduce a special dental Bill in Parliament soon.

He would be guided by the report of the Advisory Committee he appointed two years ago to investigate dental health services. An interim report from the group was due soon.

I do not wish to detain the Committee. I ask the Government to make available sufficient finance to enable the Minister to provide school dental and medical services for Sunshine and other districts.

Mr. B. J. EVANS (Gippsland East).—I was interested in the comments of the honorable member for Sunshine in regard to the proposition to train dental nurses for school services. It is pleasing to hear one of the planks in the policy of the Country Party, which was expressed at the last election, receiving support from the honorable member for Sunshine. I hope it continues to filter down until finally it reaches the Government. Then perhaps some action may be taken in this regard.

I refer to the question of allowances paid to trainee mothercraft nurses. Several months ago, I received a letter from a woman in my electorate directing attention to the fact that her daughter, who was undertaking a mothercraft training course at an institution in the city, received an allowance of only $2 a week during her training. I took the matter up with the Minister of Health, pointing out that I considered this payment inadequate. In his reply the Minister, to my surprise, seemed to think that this payment was adequate. In fact, he went to the extent of claiming that this payment of $2 a week enabled country girls to take advantage of the opportunity to receive this training. The Minister seemed to overlook the fact that in many cases it would take a trainee six or eight weeks to save the train fare home to see her parents. As many girls start this course at an early age, it is only natural that the parents should like to see them at least occasionally during the fifteen months of the course.

Following a certain amount of publicity on this matter, I have learnt a great deal more about this subject, which convinces me that the matter requires further examination. The question hinges round whether these girls are students or employees. This argument has been going on for some years—in fact, as far back as 1961. I understand that, at that time, the Hospitals and Charities Commission was represented in a deputation to the relevant wages board when objection was raised to trainee nurses being made the subject of an award. The basis of the objection was that the Commission could not afford to pay any form of award and that, if an award was made, some homes would have to close down. It is unfortunate that the Government should adopt that attitude without suggesting an alternative.

I wish to state some figures which should help the Government to decide whether these girls are in fact employees or trainees, and in any event whether they ought to be receiving more than they are at present. I emphasize that these allowances are paid by the respective institutions. It will be obvious from the figures that these institutions have no chance, within their own resources, of paying more than the present allowances. The only way out of the difficulty is for the Government to institute some form of bursary.

Sir JOHN BLOOMFIELD.—Do you mean the Commonwealth Government?

Mr. B. J. EVANS.—I am not so sure that the Commonwealth Government is the only Government that could assist. There is not a great number of these trainees. According to my calculations there are some 270 in the State, and I do not think it would break the Government to make them a reasonable allowance.

On investigation, I found that there is a variation in the allowances paid by the various institutions. At the Berry-street home there are 28 trainees who receive $3 a week. There are 40 babies in this institution. The trainees work 40 hours a week and do 74 per cent. of their lectures in their own time. At Bethany, Geelong, the are nineteen trainees who receives $3.25 per week. There are 26 babies in this home. The trainees work 44 hours a week and do 75 per cent. of their lectures in their own time. At Grey Sisters there are seventeen trainees who work a 40-hour week and receive $1 a week. They attend 50 per cent. of their lectures in their own time. There are seventeen babies in this home. At the Methodist Babies Home, there are 23 mothercraft trainees who receive an allowance of $3 for a 40-hour week and who attend 50 per cent. of their lectures in their spare time. At St. Gabriel's there are nineteen trainees, who receive $2.50 a week. There are twenty babies at this home. The trainees work a 40-hour week and do 30 per cent. of their lectures in their own time.

The St. Joseph's Home, where there are 100 babies, employs 60

trainees, who receive $2.50 for a week of 40 hours, and undertake 50 per cent. of their lectures in their own time. A total of 42 trainees care for 47 babies at the Presbyterian Babies Home. They receive $3 a week for 40 hours' work, and 30 per cent. of the lectures which they attend are given in their own time. At the Queen Elizabeth Home there are twenty trainees who receive $1 a week for 48 hours and spend 50 per cent. of their time in lectures. There are nineteen babies at this home. Finally, at Tweedle, there are 29 trainees who receive no allowance. In fact, I understand that they pay for their training. They work a 40-hour week but do not attend lectures in their own time. It is understandable why they should receive no allowance because this home is conducted more in the nature of a school than the other homes to which I referred.

At all of the homes to which I referred, there is a total of 270 mothercraft nurses caring for 300 babies. From an examination of the Estimates, it is apparent that an amount of only $72,000 will be provided towards infant welfare centres and mothercraft training centres. That is all the money that the Government contributes for the care of some 300 babies, of whom about 50 per cent. are wards of the State. It is a fairly cheap way of getting labour to look after these babies!

There is a long waiting list of girls who are anxious to undertake training as mothercraft nurses. I do not suggest that there is any harshness associated with the training of these people, but a labourer is worthy of his hire and those who perform work that is valuable to the State should receive an appropriate allowance for it. Possibly, something in the nature of a bursary would be the most suitable way of assisting trainee mothercraft nurses.

A great deal of concern exists among the officials of the Mothercraft Nurses' Association at the attitude of the secretary of the Hospital Employees' Federation. Apparently, this organization persuades many of these young girls that they are obliged to become members of the union, and they are virtually being driven to joining because resignations from the girls will not be accepted. I ask the Government to consider whether something could be done to prevent these girls, who receive little remuneration, from being imposed upon by swift-talking union officials. This is a matter of great concern to the girls. The Mothercraft Nurses' Association points out definitely that it has no connexion with the federation and that the trainees are not expected to become members of that organization. I trust that the Government will give this matter proper consideration.

Dr. JENKINS (Reservoir).—I support most of the remarks of the honorable member for Gippsland East in relation to trainee mothercraft nurses, although I disagree with him concerning the manner in which the current situation evolved. There is a parallel with the general nurses who, in the last century and early in this century, paid a premium to do general nursing training. When the nurses asked for improved conditions and some wages, they were told that the financial structure of the institutions in which they served could not bear additional expenditure. The nurses failed because they were weak and unorganized and the leaders in the profession were too conservative. The same sort of argument is used today in relation to trainee mothercraft nurses. There are only 270 mothercraft nurses, hence they cannot exert much pressure upon the authorities for improved working conditions. It is ridiculous that these girls should be expected to carry out the necessary work for babies for which they receive only $1 or $2 a week.

I do not know that the bursary system, as suggested by the honorable member for Gippsland East, is the answer to the problem. The

bursary system has not worked satisfactorily in connexion with the training of kindergarten teachers. Unless a trainee kindergarten teacher receives a bursary, she must undergo her training on a very low weekly amount. If the community had a conscience, it would see that these girls worked under suitable conditions and received adequate remuneration during their training periods.

I wish to refer now to mental hygiene. Recently, I received a letter from a member of the Federal Parliament who has received letters from several patients in mental hospitals claiming that they should not be detained in such institutions. He freely admits that, in the majority of cases, the patients concerned have probably been properly certified and that they are being detained in the institutions both in their own interests and in the interests of the public. However, he asked what avenues existed for ascertaining whether a patient in a mental institution was being unfairly detained. Members of the Statute Law Revision Committee who, during their visit to New Zealand, saw the ombudsman there in action, noted that he investigated cases of this type and effectively handled a number of these situations.

Legislative provision is made for official visitors to mental institutions to investigate these cases, but patients do not always know of their rights in this regard. Patients can also ask for a re-examination by the Chief Medical Officer of the Mental Health Authority to see whether they should be detained in an institution. I wonder whether a more simple procedure could be laid down for ascertaining whether a person is being wrongly detained. The Act provides that patients can send letters to members of Parliament, which letters shall be delivered unopened, but how do patients know that they are entitled to do this? I have a letter from a mental patient who claims that his wife signed a request for his certification and that he was put in a mental institution forcibly by the police. He claims there is no reason for his detention; he had previously been in Royal Park after he had gone bankrupt. How can these matters be checked? After all, doctors are not infallible and they admit that, like all other human beings, they can make mistakes. Some additional safeguards should be provided to ensure that patients are not wrongly detained in mental institutions.

I wish to raise several other matters relating to mental health. The Coroner's inquest on the recent fire at the Kew Mental Hospital indicated that the type of ward in which the patients were sleeping was a major reason for the fatalities which occurred. How many wards of this type still exist? Recently, I inspected a similar small ward, which accommodated 28 elderly people, many of whom were not very mobile. The building was constructed of highly inflamable material similar to the material used in the portion of the Kew Mental Hospital that was recently burnt down. It is a matter of urgency that wards of this type should be emptied and not used until adequate safety precautions and fire prevention measures have been taken.

A person who enters the various mental institutions in Victoria is immediately impressed with the antiquity of the buildings that are being used. Some are more than 100 years old. I pay a tribute to the staff at these institutions who do their best to keep the buildings clean and to brighten them up by the application of paint. However, nothing can hide the fact that the buildings are out of date. We are entitled to expect from the Government, through the Mental Health Authority, planning which envisages the replacement of these old buildings. The Beechworth Mental Hospital is 101 years old. Although the buildings have been freshly painted, they are most unsatisfactory. A person who jumped on the floors in some of the buildings would be reminded of a trampoline. Water enters the building through leaks in the roof. The staff endeavour to keep the buildings clean and comfortable,

but structures of this type have outlived their usefulness. Having regard to the staff shortages in mental institutions, the long hours of duty worked by the staff and the extra duties imposed upon them, it is obvious that while the over-all planning of the Mental Health Authority visualizes the establishment of modern psychiatric institutions, insufficient is being done to improve the deplorable conditions which exist. It is time that a positive move was made to improve facilities for the staff and patients in mental hospitals.

The vote was agreed to.

FUEL AND POWER.

BALANCE, $22,989.

The vote was agreed to.

RAILWAY CONSTRUCTION.

BALANCE, $47,992.

The vote was agreed to.

TRANSPORT.

BALANCE, $13,366.

Mr. TREWIN (Benalla).—The whole sphere of operations of the Ministry of Transport should be examined. The rail system has developed the State, and the road system has been improved with finance obtained from motorists by way of petrol tax, registration fees and special road levies. Today, the systems are breaking down. Because of a poor wheat harvest last year, the railways have incurred a large deficit. The increasing numbers of motor cars on the roads is causing traffic congestion on all sides. Under section 92 of the Commonwealth Constitution, the State is placed in the farcical position that it cannot obtain its just road dues from some road transport operators.

The Ministry of Transport should be divided, and one Minister should be made responsible to Parliament for the Railway Department and another Minister should be made responsible for the administration of road transport. The railways transport produce from all corners of the State to the central areas and shipping facilities. Specific problems are associated with the railways. Passenger services extend all over the State and endeavours are being made to encourage people to use them. The Government is also trying to relieve the congestion on our roads, especially in the metropolitan area. The Minister of Transport is fighting against himself when he tries to bring about an equal distribution of the transport systems in the State.

Section 92 of the Commonwealth Constitution allows the Victorian Railways to extend 100 miles if necessary, but at least 40 miles, into New South Wales to transport produce from that State. In the interests of the producers in the area, and also in the financial interests of the railways, the State accepts this situation. For road transport, the River Murray is the line of demarcation. The pipelining of gas from Gippsland is another mode of transport, as are the power lines which transmit electricity from Yallourn to the metropolitan area. If the Minister is to be responsible for all modes of transport, why cannot these groups be brought under the Ministry of Transport?

Again, one system is fighting against the other. At hearings of the Transport Regulation Board with respect to the issue of new licences or the extension of an existing commercial operation, the railway advocate explains the position of the railways. On one occasion, the railway advocate told me that I was there only for political reasons. Other forms of transport include the tramway system operated by the Melbourne and Metropolitan Tramways Board which again comes within the administration of the Ministry of Transport. Responsible and efficient men are at the head of the railway and the tramway organizations.

It is time that the road and rail operations were placed under different administrations. Traffic chaos

exists in Melbourne. When I drive along the Hume Highway, I often see officers of the Mobile Traffic Branch of the Police Department, the Transport Regulation Board, and the Country Roads Board, each carrying out their respective functions. The work of one group overlaps that of the other. One checks weighbridges and another examines log books. For efficiency, good management and a better development of all the transport systems in the State, the administration of road and rail transport should be divided. The State could have a Minister in charge of motor transport, and some of the Government middle-benchers are capable of filling the post. Millions of motor cars are registered, and their numbers will increase.

Day after day, great concern is shown for the tragedies that occur on the road. Which Minister is responsible for this? Is it the Minister of Public Works, the Chief Secretary, or the Minister of Transport? They are all endeavouring to do something to alleviate the situation, but what are they achieving? There should be separate Ministries for the different forms of transport.

The ACTING CHAIRMAN (Mr. Wheeler).—I find the honorable member's comments very interesting, but the matter that he is pursuing requires legislation, which is not within the ambit of a Supply debate.

Mr. TREWIN.—I presume the amount of $13,636 is for the administration of the Minister's office. This amount will pay for only a few phone calls, a couple of typists and someone to open the door when the Minister comes along. It is time that the transport operations were examined with the view of conditions being evolved to suit the year 1968; the present conditions would be suitable for 1938!

Mr. LOVEGROVE (Sunshine).—I support the remarks of the honorable member for Benalla, and I desire to ask the Minister of Transport certain questions. A few years ago, a metropolitan transportation survey was made and the fruits of the investigation were given to the Minister with the view, I believe, of instituting traffic reform, including transport control. I understand that the question of co-ordination lends itself to some speculation. First, I ask the Minister when the fruits of the investigation conducted into metropolitan transportation will be made apparent in either the form of legislation or administrative reform.

Secondly, I should like to know what body or bodies are responsible for synchronizing traffic lights through Melbourne and what body or bodies are responsible for combining the traffic light system with manual control of traffic at intersections. Most honorable members are aware that at peak periods the traffic light system in Swanston-street becomes inadequate and that cars bank up in Swanston-street right across Bourke-street and sometimes across Collins-street. Apparently the lights are failing to control the traffic. At each intersection there is a combination of lights and manual control by policemen. Drivers are confused when the lights indicate one thing whilst opposite directions are given by policemen.

I should also like to know who is responsible for deciding at what intersections at certain times during the week-end traffic lights will not operate and the bodies which decide the intersections at which the normal traffic lighting systems are replaced by flashing lights.

The ACTING CHAIRMAN (Mr. Wheeler).—I advise the honorable member that the matters of traffic lights and traffic control generally are under the Chief Secretary's Department. The Minister of Transport has no jurisdiction over those matters.

Mr. LOVEGROVE.—I thank you, Mr. Acting Chairman, for answering my question. You have put your finger on the very core of this problem. If you have been correctly advised, a most ridiculous situation exists. After an exhaustive

and extensive inquiry into metropolitan transportation, the Minister of Transport is unable successfully to regulate transport in Melbourne because there is a division of functions. His Department is unable to decide anything dealt with by the Traffic Commission, which, as everyone knows, has become an authority in itself. The Commission is so used to being defended in this Chamber by whichever Minister is responsible for it that it does as it likes. It does not care what the travelling public thinks; it relies on what are called traffic counts.

In Nicholson-street, in Melbourne, Carlton and Fitzroy, on some Saturdays and Sundays traffic lights do not operate at some of the busiest and most dangerous intersections while, at other intersections where there are almost no hazards, traffic lights continue to operate. The Minister of Transport should take cognizance of the answer the Acting Chairman has given to one of my questions. The honorable gentleman should endeavour to co-ordinate the functions of his Ministry with those of the Chief Secretary's Department to remedy the lack of proper traffic control in Melbourne.

Mr. WILCOX (Minister of Transport).—I am sorry that I did not hear all of the comments of the honorable member for Benalla. What I heard him say led me to believe that his remarks were made to assist the Ministry of Transport in its work. I appreciate the interest of the honorable member for Benalla, or that of any other honorable member, in this work. The transportation problems which the Government and the community face are becoming greater.

Mr. B. J. EVANS.—How many people are employed? The vote is only $13,636—there could not be more than two.

Mr. WILCOX.—This is something which I would be more than pleased to discuss with honorable members at an appropriate time, although there would not be much to discuss, as the Ministry of Transport itself consists of only a small group. The constituent authorities—if they can be so described—are substantial and much of the work in connexion with transport problems is undertaken by them.

Under the auspices of the Ministry of Transport, a passenger services co-ordination committee has been set up. It comprises representatives of the Transport Regulation Board, the Railway Department and the Tramways Board. This is quite new. Another new organization will be a transport information centre which will begin to operate next year. In the operation of this centre, private bus operators will join with the three authorities I have mentioned. These are some of the things being done, and progress is being made in tackling the problems.

The honorable member for Sunshine has had the position of the Traffic Commission, for which the Chief Secretary is responsible, explained to him. I simply say two things: So far as the Chief Secretary is concerned, there is always the fullest co-operation between his Department and my Ministry on any matter which should be dealt with jointly. Although I am not directly aware of it, I understand that, under the sponsorship of the Chief Secretary a committee was recently formed to examine the problem of traffic lights to which the honorable member adverted.

The task of compiling the plan and report on metropolitan traffic problems which has been undertaken by the Metropolitan Transportation Committee is a mammoth one, but considerable progress has been made. I hope, before this year is out or early in the new year, to make an announcement which will clearly indicate when the report will be available.

The vote was agreed to.

FORESTS.

BALANCE, $1,664,926.

Mr. STONEHAM (Midlands).—The matter to which I am about to refer is of utmost gravity and so important

to the State of Victoria that, at any other time during the session, it would warrant a motion for the adjournment of the House. If a satisfactory reply to what I shall say is not made, it may still be necessary for that course to be adopted next week. On the 31st October, when the State Forests Loan Application Bill was before the House, I referred to the fact that the Forests Commission was confronted with a situation arising from a bitter conflict between the Commission and the Treasury. I pointed out that the Commission would probably be forced to retrench its essential staff which, at this time of the year, should be augmented to permit the Commission to strengthen its organization to combat the menace of bush fires in Victoria this year.

All honorable members recall what happened in Tasmania last year when heavy loss of life and damage amounting to millions of dollars occurred, and what happened more recently in New South Wales, first on the south coast, and, since I spoke on the 31st October, in the Blue Mountains and other areas close to Sydney. Victoria has just passed through the driest period in its history. Last year, the Forests Commission was forced to spend substantial sums of money in combating the bush-fire menace, and in most cases it was very successful in its efforts. Since then, there has been a phenomenal rainfall. At this time last year, no one would have predicted that every reservoir in the State would be overflowing or almost full at this time. As a result of the rain, there is a lush growth of grass throughout Victoria. In most parts of the State that I have seen the growth is almost without parallel.

With the sudden onset of very hot weather, there could be freak fire hazard conditions, posing problems greater than those which the New South Wales Government has had to face recently. This matter is causing great concern. This is revealed in the annual report recently made by the Forests Commission, and the public utterances of the Minister of Forests and the chairman of the Forests Commission in the past few days. They are concerned at the failure of the Treasury to provide adequate finance for the Commission to carry out its most essential responsibilities. The honorable member for Essendon knows from his own experience of the attention which the Committee of Public Accounts gave to the finances of the Forests Commission. They are in a most regrettable jumble because of money coming from the Forestry Fund, loans, and the vote. At page 8 of its 1967-68 report, in referring to the Committee of Public Accounts, the Commission stated—

> The Commission draws attention to the concluding sentence of the committee's report, i.e., "Your committee are of the opinion, irrespective of what action is taken in relation to the Forestry Fund, that the financial burden imposed in providing adequate fire protection for such a vast area of the State should be met by the State and not by the fund".

It is not necessary for me to take up the time of the Committee in justifying the statement of the Committee of Public Accounts or the action of the Commission in repeating it. The whole community has an interest in the forests of this State, not only the people who contribute to the Forestry Fund, such as sawmillers. Every inhabitant of Victoria has a stake in seeing that the Commission is equipped properly, with respect to latest techniques and equipment, and also to staff. Today, I particularly direct attention to staffing, because of the statements by the Minister and the chairman of the Commission that, despite the possibility that it will be confronted with one of the greatest fire menaces ever in Victoria, they are reluctantly contemplating the dismissal of staff. At page 7, the report states—

> As well as the problem of static and potentially declining revenue, the Forestry Fund is assailed with escalating costs of labour and materials. The salient fact is that the fund's capacity to finance the maintenance and improvement of State forests is dwindling. The Commission has reviewed the nature of all activities charged

to the fund and has concluded that there is every justification for redirecting charges from Forestry Fund to Loan Fund for certain items of expenditure, e.g., motor transport used on capital works, research and investigations. Such a proposal would obviously require an increase in loan allocations.

Two other factors have contributed significantly towards the drain on the fund. The first of these is the vastly increased cost of fire fighting, largely by reason of the employment of techniques involving aircraft, transport, radio communications and bulldozers, much of which (other than radio) is on hire. Accommodation of these costs became impossible under the conditions which assailed the State last summer when, in the face of a fire danger unequalled in this State since the summer of 1938-39, the Commission was involved in expenditure in excess of $520,000 for fire fighting and was totally unable to finance such an effort from the fund. Normal annual outgoings under this item lie between $150,000 and $200,000.

It should be remembered that the Committee of Public Accounts recommended that this activity should not be financed from the fund, but by the State. That should be done by making money available either by loan, or through the vote that we are now discussing, which should be much greater than it is. This year, the Commission should have $1,000,000 available for fire fighting. The report continues—

The second factor is the practice developed by the Treasury in recent years of requiring the Commission to contribute moneys from the Forestry Fund for vote supplementation. The Commission is of the opinion that such procedure is contrary to the intention of Parliament as expressed by sub-section (3) of section 30 of the Act. The Treasury demands from the fund not only a substantial proportion by way of contribution to general expenses, but in addition almost the whole of the annual escalation in the cost of those items. The contribution drawn from the fund to supplement General Expenses items in 1967-68 amounted to $141,939.

The Forests Commission has the responsibility of preparing adequate measures to deal with the summer fire hazards, but the Treasury is forcing the Commission to adopt measures contrary to the recommendations of the Committee of Public Accounts, and most certainly contrary to the interests of the State. I do not say that the Treasurer is personally responsible, but he must answer to Parliament. The Forests Commission, particularly with the Country Fire Authority alongside, is capable of mounting a great effort to meet the fire hazard, but the necessary finance must be provided. I should not like to be the Treasurer of this State or the Minister of Forests if we should experience a dreadful holocaust in the forests during the coming summer and it could be proved that, because of lack of staff, which the Commission has asked for and which is absolutely necessary, this most vital facility was refused. I hope the Minister can assure honorable members that greater progress has been made in this regard than he indicated to the press a few days ago. If the Treasurer is in the Chamber he should inform honorable members before Parliament rises what treatment the Forests Commission is to receive from the Treasury in the provision of these absolutely essential facilities.

Mr. MEAGHER (Minister of Forests).—It is true that the Forests Commission has faced financial difficulties in maintaining adequate staff for the fire-fighting season. This is not a unique position in this State, and other Departments are experiencing similar difficulties. It is also true, as I announced in the press recently, that I had apprised the Treasury of these difficulties and of the need for further funds with which to meet the problem. The Commission has warned that if it is not given further funds it may have to retrench some employees. I assure the Committee that virtually the only retrenchments have been of the casual labour force that was employed on drought relief work, and six men from the sirex squad whose services were no longer required. Apart from ordinary retirements, no other retrenchments have been made.

I am happy to inform the Committee that I have been advised that the Treasurer, in response to my request, has made $120,000 immediately available to ensure that further retrenchments will not be made. I am confident that the Commission can handle possible outbreaks of fire in the coming summer season.

The vote was agreed to.

WATER SUPPLY.

BALANCE, $6,845,450.

The vote was agreed to.

STATE COAL MINE.

BALANCE, $45,218.

The vote was agreed to.

RAILWAYS.

BALANCE, $51,291,042.

Mr. B. J. EVANS (Gippsland East).—During the recent debate on the Railway Loan Application Bill my colleague, the honorable member for Benalla, endeavoured to raise a matter on my behalf and was informed that it should be brought forward during the debate on the Estimates. I recently received from certain people in business in Bairnsdale a copy of a letter addressed by them to the chairman of the Railways Commissioners which reads—

Once more I have taken more than I can stand regarding damaged goods sent per rail.

Please do not write back to me giving the usual platitudes. The whole railway system is a disgrace and yourself as head of the system should hang your head in shame.

In almost every consignment of stock we receive there is damaged stock, some of which must be done with intent.

At my earliest opportunity I am going to investigate ways of getting road transport back in the business.

I am sending a copy of this letter to Mr. Bruce Evans, our local member, and will pursue all avenues I can locally to gain a fair deal for ourselves and the road transport group.

In a covering letter to me, these people said—

Please find enclosed copy of a letter sent to Commissioner of Railways.

Almost every consignment we get per rail is damaged often beyond repair. I am sure that we are not the only ones to be dissatisfied with the system and I for one would like to see road transport back in the business. If and when I get time I intend to see how many people agree with me.

Neville and I would appreciate any help and comments you may be able to give.

The people concerned are veterinary surgeons operating in Bairnsdale, and it will be appreciated that the goods to which they refer have many different uses. They may be of a fragile nature and contain various serums that might even be dangerous if damaged, although no doubt these items would be sufficiently protected. I have mentioned these letters to illustrate the frustration experienced by many people in country areas because of the poor service provided by the Railway Department, particularly when in many cases they are prevented from using any other transport service. It does not matter how bad the service may be or how frequently goods are damaged, they have no alternative but to use the railway service.

Mr. WILCOX.—Have you a letter from the constituent?

Mr. B. J. EVANS.—I have.

Mr. WILCOX.—Why did you not send it to the Department?

Mr. B. J. EVANS.—Not much purpose would be served by sending it on to the Minister. His reply would probably be, "If you can refer to a particular case, I will fix it up".

Mr. WILCOX.—Would that not be a fair thing?

Mr. B. J. EVANS.—I do not agree. No transport system can operate on the basis that it does not matter how much damage is done, because if people put in claims they will be attended to. In many instances consignees are waiting on goods, and if they do not receive them when they are required equipment may be out of action. A veterinary surgeon may be waiting on special instruments required for an operation on an animal, but in the meantime the

animal could die. It would not matter whether an adjustment was made by the Department afterwards. The point is that people want service at a particular time, but the Railway Department is not providing it.

I direct attention to this matter to demonstrate the frustration of many people in country areas, particularly those in business, because of the inadequacy of the railway system. It is time that a thorough inquiry was made into the activities of the Department. The railway system could and should be providing a service to the community, but it is not doing so.

The vote was agreed to.

The resolution agreed to in Committee of Supply was reported to the House and adopted.

WAYS AND MEANS.

The House went into Committee of Ways and Means.

Sir HENRY BOLTE (Premier and Treasurer).—I move—

That towards making good the Supply granted to Her Majesty for the service of the year ending on the 30th day of June, 1969, the sum of $237,884,483 be granted out of the Consolidated Revenue of Victoria.

The motion was agreed to, and the resolution was reported to the House and adopted.

APPROPRIATION BILL.

Leave was granted to Sir Henry Bolte (Premier and Treasurer) and Sir Arthur Rylah (Chief Secretary) to bring in a Bill to carry out the resolution of the Committee of Ways and Means.

Sir ARTHUR RYLAH (Chief Secretary) brought in a Bill to apply a sum out of the Consolidated Revenue to the service of the year ending on the 30th day of June, 1969, and to appropriate the Supplies granted in this and the last preceding session of Parliament, and moved that it be read a first time.

The motion was agreed to, and the Bill was read a first time, and passed through its remaining stages.

SUPPLEMENTARY ESTIMATES FOR 1967-68.

The House went into Committee for the further consideration of the motion of Sir Henry Bolte (Premier and Treasurer) that a sum not exceeding $4,802,703 be granted to Her Majesty on account for or towards defraying services for the year 1967-68, as printed in the Supplementary Estimates.

The motion was agreed to.

The resolution was reported to the House and adopted.

WAYS AND MEANS.

The House went into Committee of Ways and Means.

Sir HENRY BOLTE (Premier and Treasurer).—I move—

That towards making good the Supply granted to Her Majesty for the service of the year 1967-68, the sum of $4,802,703 be granted out of the Consolidated Revenue of Victoria.

The motion was agreed to, and the resolution was reported to the House and adopted.

CONSOLIDATED REVENUE BILL (No. 2).

Leave was granted to Sir Henry Bolte (Premier and Treasurer) and Sir Arthur Rylah (Chief Secretary) to bring in a Bill to carry out the resolution of the Committee of Ways and Means.

Sir ARTHUR RYLAH (Chief Secretary) brought in a Bill to apply out of the Consolidated Revenue the sum of $4,802,703 to the service of the year 1968-69, and moved that it be read a first time.

The motion was agreed to, and the Bill was read a first time, and passed through its remaining stages.

LABOUR AND INDUSTRY (MISCELLANEOUS PROVISIONS) BILL.

This Bill was returned from the Council with a message relating to an amendment.

It was ordered that the message be taken into consideration next day.

TOURIST BILL.

This Bill was returned from the Council with a message relating to an amendment.

It was ordered that the message be taken into consideration next day.

LIQUOR CONTROL (AMENDMENT) BILL.

This Bill was received from the Council with a message relating to amendments.

Sir ARTHUR RYLAH (Chief Secretary).—The amendments made by the Legislative Council to this Bill are as follows :—

1. Clause 1, sub-clause (1), lines 7-8, omit "shall come into operation on a day to be fixed by proclamation" and insert "the several provisions of this Act shall come into operation on a day or on the respective days to be fixed by proclamation or successive proclamations".

2. Clause 4, omit this clause.

3. Insert the following new clause to follow Clause 3 :—

'AA. Section 33 of the Principal Act is hereby amended as follows :—

(*a*) In sub-section (1) omit "the holder of a wholesale liquor merchant's licence or";

(*b*) In sub-section (1) for the words "wine or spirits" (where twice occurring) there shall be substituted the words "wine spirits cider perry or mead";

(*c*) At the end of sub-section (1) there shall be inserted the following sub-section :—

"(1A) Notwithstanding anything in the last two preceding sections the Commission may on the payment of the prescribed fee grant to the holder of a wholesale liquor merchant's licence a permit authorizing him subject to such terms and conditions as the Commission thinks fit and as are specified in the permit to supply gratuitously liquor on such part or parts of the premises as is or are specified in the permit to clients of the holder and authorizing the consumption on such part or parts of those premises of the liquor so supplied.";

(*d*) In sub-section (2) for the expression "sub-section (1)" there shall be substituted the expression "sub-sections (1) or (1A)"; and

(*e*) In sub-section (3) for the expression "sub-section (1)" there shall be substituted the expression "sub-sections (1) or (1A)".'

Among other things they fix the day to be proclaimed whereby any section of the legislation can be brought into effect. This is of fundamental importance to canteens in Gippsland. The amendments also deal with a number of local problems which have arisen over wine and spirit tastings, and I do not think members of the Opposition or of the Country Party will oppose them because they are in accordance with the policy of the Bill. Therefore I move—

That the amendments be agreed to.

The motion was agreed to.

NOTICE OF MOTION.

Sir ARTHUR RYLAH (Chief Secretary).—By leave, I withdraw the Notice of Motion standing on the Notice Paper in my name.

ADJOURNMENT.

MALLACOOTA: CLOSURE OF ENTRANCE —POLICE DEPARTMENT: ARRESTS IN ST. KILDA.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

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

The motion was agreed to.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That the House do now adjourn.

Mr. B. J. EVANS (Gippsland East).—Today a public meeting was held at Mallacoota concerning the closure of the entrance. I have just received the following telegram :—

Public meeting 50 business men residents and fishermen Mallacoota today expressed alarm at partial closure Mallacoota entrance. Resolution called on Government Departments urgent action and assistance to reopen entrance and complete deep sea concrete ramp as an urgent safety measure. Your personal attention is requested. Stanistreet honorary chairman.

This has been a matter of concern for some time at Mallacoota particularly to the abalone fishermen operating from the port. The people concerned have been anxiously awaiting the completion of a ramp at Bastian Point which will enable boats to be launched without having to negotiate

the entrance out through the lake. Apparently the situation has become critical, a public meeting has been called, and it has passed a resolution calling for urgent Government action. I direct this matter to the attention of the Minister of Public Works as one of urgency.

Mr. HOLDING (Leader of the Opposition).—I desire to raise a matter concerning the administration of the Police Force and I ask the Chief Secretary to give it consideration. Recently in the press it was alleged—I do not know how accurately—that a policewoman was posing as a prostitute for the purpose of apprehending gutter crawlers. When the relevant Bill was being considered by the House, honorable members were concerned with the problems confronting women, particularly in the electorate of the honorable member for St. Kilda, who found themselves being accosted during the normal course of their daily affairs by men who were engaging in what is known as gutter crawling. Parliament legislated to make it an offence for any male member of the community to engage in that practice.

I make it clear that I am relying only on press reports and I do not know how accurate they are. In one case, it was reported that a defendant, who was subsequently convicted, was sitting in his car in a street in St. Kilda when he was approached by a female person who invited him to participate in sexual relations for a fee. Subsequently, this female turned out to be a member of the Police Force.

I feel that it is objectionable that female members of the Police Force should be asked to operate in this way. This method of operation is contrary to the spirit of the debate and the spirit of Parliament when the Bill was being considered. Honorable members were concerned with the problem of men who were engaging in gutter crawling for the purpose of interfering with respectable women going about their normal affairs.

I can appreciate the problems that may face the Vice Squad in enforcing the legislation, but there does seem to be a distinction between that situation and that of a man who is sitting in his car and who is actually invited in such a way that if he says "Yes" he is guilty of an offence. It may well be that if the policewoman had not extended the invitation, the man might not have attempted to accost anybody. I ask the Chief Secretary to inquire into the matter and ascertain whether the press reports are correct and, if they are, to consider the advisability of continuing this practice, both in fairness to female members of the Police Force and to the attitudes which were expressed by honorable members when the Bill was passed.

Sir ARTHUR RYLAH (Chief Secretary).—At this stage, I shall not comment on the matter referred to by the Leader of the Opposition. From press reports, I understand that a man appeared before the St. Kilda court yesterday, and immediately following a decision, an announcement was made by counsel for the person involved that he intended to appeal.

Mr. HOLDING.—I was not dealing with that particular case.

Sir ARTHUR RYLAH.—If the Leader of the Opposition is relying on a report that appeared in a certain weekly newspaper today, I suggest that the report may well be exaggerated. I shall certainly make some inquiries, but I think the Leader of the Opposition will find that the facts are entirely different from those which he has presented to the House.

I have not previously heard of the problem referred to by the Deputy Leader of the Country Party. I shall take it up with the Minister of Public Works and I hope we can give the honorable member an early reply. Perhaps the honorable member will table the telegram which is the subject of his complaint.

The motion was agreed to.

The House adjourned at 6.20 *p.m., until Tuesday, December* 10.