2. When the hearings were held?

3. Which magistrate heard the case?

4. Whether it was recommended within the department that an appeal be made against the magistrate's dismissal of the case; if so, on what grounds and why the appeal was not proceeded with?

5. If he will lay on the table of the Library the files relating to this case?

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

1. Two charges were laid. These were—

(1) Failing to pay Louise O'Brien wage rates as prescribed by the determination of the Industrial Appeals Court made in connection with a determination of the Clothing and Footwear Shops Board.

(2) Failing to pay in advance to Louise O'Brien the payment for an annual holiday period of three weeks which was taken in July, 1974.

2. The hearing was commenced on 11th December, 1976, and adjourned to 21st December, 1976.

3. Mr. N. J. Fitzgerald, S.M.

4. No.

5. The file may be inspected by the honorable member at the office of the department by arrangement with the secretary.

Legislative Council.

Tuesday, November 22, 1977.

The PRESIDENT **(the Hon. W. G. Fry)** took the chair at 3.53 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE.

HEALTH COMMISSION.

The Hon. B. P. DUNN (North Western Province): Can the Minister of Health advise the House whether the Chairman of the Health Commission has yet been appointed, and, if so, who is the appointee? If not, when does the Minister expect to be in a position to make an announcement on this matter?

The Hon. W. V. HOUGHTON (Minister of Health): The Chairman of the Health Commission has not yet been appointed. I assure the honorable member that as soon as he is appointed a public statement will be made. I expect that to occur in the near future.

ALBURY–WODONGA DEVELOPMENT CORPORATION HOMES.

The Hon. N. B. REID (Bendigo Province): Is the Minister for State Development and Decentralization aware of an article which appeared in the *Border Morning Mail* of 11th November, in which the rent charges to employees of the Albury–Wodonga Development Corporation living in corporation-owned homes are criticized? Can the Minister advise the House the basis on which these rentals are calculated?

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): I am pleased that Mr. Reid has raised this matter. I am aware of an article which appeared in the *Border Morning Mail* on 11th November, and I direct the attention of the House to the somewhat lurid headlines of that article—"Albury–Wodonga Development Corporation Staff Home Rent a Scandal—MLC." In part the article stated that Mr. Bradbury had said that the rents being charged were appalling. "This is a shocking scandal," Mr. Bradbury said. I hate to interfere with a good story but for the sake of the record sometimes one has to do that. The facts are these: Towards the end of 1973, the Commonwealth Government purchased eight homes in the Albury–Wodonga area to facilitate recruitment to the Albury–Wodonga Development Corporation. These homes were later sold to the corporation after it had been established.

In April of 1974 the Albury–Wodonga Ministerial Council considered the tenancy arrangements applicable to public servants of the Commonwealth, New South Wales and Victorian Governments and decided that the arrangements applying to the New South Wales

public servants were the most appropriate. For uniformity, the criteria applying to public servants in New South Wales as laid down by the New South Wales Public Service Board, were applied.

It is a measure of the programme's success that some eighteen families have occupied these houses in the past three years. It is also appropriate to advise the House that since the staffing level of the corporation has now been finalized, these homes will be sold when they become vacant.

HOUSING COMMISSION LAND PURCHASES.

The Hon. H. A. THOMAS (Melbourne West Province): I ask the Chief Secretary: Why did the answer by the Minister of Housing on 25th September, 1973, in relation to the purchase of land at Sunbury and what the commission intended to do with it, differ so greatly from the evidence given under oath at the inquiry? I shall read the question and the answer that I received. I asked—

> Has the Housing Commission purchased any land in Sunbury area; if so (i) where; and (ii) when does the commission propose to build?

The answer was—

> At present the Housing Commission is negotiating to purchase land in a number of areas. Other than the purchase of land in Pakenham, no finality has been reached in those negotiations.

In the *National Times* of 14th November, 1977, at page 16 the following appeared—

> Final approval was given by the Premier on 13th August, 1973 to the purchase of land at Sunbury.

The Hon. V. O. DICKIE (Chief Secretary): The answer given at the time was factual. If Mr. Thomas is basing his question on what might have appeared in the *National Times*, I would rather that all this information be given at the appropriate place, the inquiry, and I am certain this matter will be fully dealt with at that inquiry.

SALMONELLA IN EGG PULP.

The Hon. S. R. McDONALD (Northern Province): I address to the Minister of Health a question relating to the introduction into Victoria in recent weeks of egg pulp infected with salmonella. Have all the infected supplies been found and destroyed? Can the Minister say whether, in the end, he received complete co-operation from the company or the companies involved, and can he identify the companies to the House?

The Hon. W. V. HOUGHTON (Minister of Health): Yes. We cannot be 100 per cent sure, but we are almost certain that we have seized all the egg pulp involved. In relation to co-operation, it was not the manufacturer but the distributor of the product in Victoria who was concerned. Undoubtedly, he faces financial loss, and at first was not completely co-operative in indicating where the supplies could be seized, but this problem was overcome and we located the supplies and seized them.

The name of the manufacturing company, which is located in Griffith, New South Wales, escapes me for the moment, but I will inform the honorable member of it.

RICHMOND CITY COUNCIL ACCOUNTS.

The Hon. H. M. HAMILTON (Higinbotham Province): Can the Minister for Local Government inform the House whether the annual accounts of the Richmond City Council have been qualified by the auditors over the past two or three years? If so, what is the nature of the qualification, and what steps are being taken to rectify the irregularities?

The Hon. A. J. HUNT (Minister for Local Government): The annual accounts of the Richmond City Council have been qualified in each of the past three years—perhaps for a little longer. The qualifications relate to

various matters, one of which concerns the dispute between the council and Protean Enterprises Pty. Ltd. which, I understand, is the subject of current litigation.

WHEAT FREIGHT RATES.

The Hon. K. I. WRIGHT (North Western Province): I direct a question to the Minister representing the Minister of Agriculture. Is the Minister aware that the yield of wheat in Victoria this year is expected to be only a little more than half the average? Will the Government consider not increasing wheat freight rates this year?

The Hon. W. V. HOUGHTON (Minister of Health): Yes, we are aware of that fact. The matter of freight rates for wheat sent by rail is really a subject for the Minister of Transport and the Minister of Agriculture. Perhaps it would be better if Mr, Wright made contact with those Ministers directly, or put the question on notice.

ALLEGED INTIMIDATION OF STOREMAN AND PACKER.

The Hon. J. A. TAYLOR (Gippsland Province): Is the Chief Secretary aware of the happenings on the Melbourne wharves recently where a member of the storemen and packers union was allegedly pistol whipped for refusing to pay the compulsory donation of $10 to the strike fund for the Latrobe Valley strikers, and of the threat to his wife and family if he reported the matter to the police? If the Minister is not aware of this, will he have investigations carried out to see if the allegations are true?

The Hon. V. O. DICKIE (Chief Secretary): I am not aware of the matter raised by Mr. Taylor, but I will certainly have the necessary investigations made.

VERICAST (AUST.) PTY. LTD.

The Hon. W. A. LANDERYOU (Doutta Galla Province): Will the Minister for State Development and Decentralization be prepared to table, or to make available to me, the files associated with the loan by the Victorian Development Corporation to Vericast (Aust.) Pty Ltd. or, alternatively, Vericast Pty. Ltd.?

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): The House will realize that there is a degree of confidentiality concerned with loans made by the Victorian Development Corporation and it is not the practice to make the files public. However, I invite the honorable member to meet with me at a mutually convenient time when this matter can be further discussed.

ADVISORY COUNCIL FOR INTER-GOVERNMENT RELATIONS.

The Hon. A. J. HUNT (Minister for Federal Affairs): By leave, I move—

That there be laid before this House the report of the Advisory Council for Inter-Government Relations for the year ended 31st August, 1977.

The motion was agreed to.

The Hon. A. J. HUNT (Minister for Federal Affairs) presented a report in compliance with the foregoing order.

It was ordered that the report be laid on the table.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) BILL.

The Hon. A. J. HUNT (Minister for Local Government), by leave, moved for leave to bring in a Bill to amend the Local Government Act 1958 and to repeal section 74 of the Health Act 1958.

The motion was agreed to.

The Bill was brought in and read a first time.

PAPERS.

The following papers, pursuant to the directions of several Acts of Parliament, were laid on the table by the Clerk—

Police Service Board—Determination No. 280.

Public Service Board—Report for the year 1976–77.

National Parks—Report of the Director for the year 1976–77.

Statutory Rules under the following Acts of Parliament—

Architects Act 1958—No. 336.
Dentists Act 1972—No. 335.
Health Act 1958—Nos. 333 and 334.
State Savings Bank Act 1958—Nos. 330 and 331.
Vegetation and Vine Diseases Act 1958—No. 332.

Town and Country Planning Act 1961—

City of Knox Planning Scheme 1965—Amendments Nos. 123A and 125A, 1977 (two papers).
Shire of Werribee Planning Scheme 1963—No. 41, 1977.

Town and Country Planning Board—Report for the year 1976–77.

Tramways—Report and statement of accounts of the Melbourne and Metropolitan Tramways Board for the year 1976–77.

Zoological Board—Report and statement of accounts for the year 1976–77.

STATUTE LAW REVISION BILL (No. 2).

The debate (adjourned from October 11) on the motion of the Hon. Haddon Storey (Attorney-General) for the second reading of this Bill was resumed.

The Hon. HADDON STOREY (Attorney-General): The House will recall that when I introduced this Bill I pointed out that it intended to deal only with the correction of printing and other errors in various Acts and not to deal with questions of policy or substance. I moved that the Bill be referred to the Statute Law Revision Committee so that it could consider it and ensure that it complied with that description. The Statute Law Revision Committee has now reported to the House, and, as Mr. Grimwade has interjected, it is the excellent report that one would expect of that committee. I commend the Bill, but point out that a number of minor corrections need to be made. I propose, when the Bill is in the Committee stage to move amendments to accord with the recommendations of the Statute Law Revision Committee.

The Hon. D. M. EVANS (North Eastern Province): The Statute Law Revision Committee has examined the amendments in this Bill which are generally minor, as the Attorney-General stated. The committee referred to minor corrections in spelling and transcribing relating to various laws. I wish to draw to the attention of the House the earnest argument and debate which took place in the Statute Law Revision Committee on whether the word "recognizance" is spelt with an "s" or a "z". Either spelling is acceptable according to the various dictionaries we consulted, and yet it is necessary to make alterations for the purpose of total conformity. That is the degree of detail with which the Committee examines legislation, including this Bill. The National Party has no objection to the Bill and believes it is a machinery matter which should be proceeded with.

The Hon. J. W. GALBALLY (Melbourne North Province): I apologize to the House that earlier, like Bassanio in the *Merchant of Venice*, my mind was tossing on the ocean, and so I forgot this simple measure which is of a type that comes before Parliament every year to deal with minor misprints and so on in the statutes. I give the Bill my blessing.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Acts to be amended and repealed).

The Hon. HADDON STOREY (Attorney-General): There are about 23 amendments to this Bill, details of which I have circulated. The amendments give effect exactly to the proposals of the Statute Law Revision Committee, and with the concurrence of the Committee, I shall move all the amendments together. The reasons for the amendments are set out in the report of the Statute Law Revision Committee, which I am sure all honorable members have read and agree with.

I move—

Clause 2, sub-clause (2), page 1, paragraph (*a*), line 16, omit "47" and insert "48".

Clause 2, sub-clause (2), page 1, paragraph (*b*), line 17, omit "53, 54, 57 and 58" and insert "54 and 55".

Clause 2, sub-clause (2), page 1, paragraph (c), line 18, omit "48" and insert "49".

Clause 2, sub-clause (2), page 1, paragraph (*d*), line 19, omit "49" and insert "50".

Clause 2, sub-clause (2), page 1, paragraph (*e*), line 20, omit "50" and insert "51".

Clause 2, sub-clause (2), page 2, paragraph (*f*), line 1, omit "51" and insert "52".

Clause 2, sub-clause (2), page 2, paragraph (*g*), line 2, omit "52" and insert "53".

Clause 2, sub-clause (2), page 2, paragraph (*h*), line 3, omit "55" and insert "56".

Clause 2, sub-clause (2), page 2, paragraph (*i*), line 4, omit "56" and insert "57".

Clause 2, sub-clause (2), page 2, paragraph (*j*), line 5, omit "59" and insert "58".

Clause 2, sub-clause (2), page 2, paragraph (*k*), line 6, omit "60" and insert "59".

Clause 2, sub-clause (2), page 2, paragraph (*l*), line 7, omit "61" and insert "60".

Clause 2, sub-clause (2), page 2, paragraph (*m*), line 8, omit "62" and insert "61".

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

Schedule.

The Hon. HADDON STOREY (Attorney-General): The amendments proposed to the schedule have been circulated and the reasons for them are fully set out in the report of the Statute Law Revision Committee. I move—

Schedule, page 3, item 8, third column, omit "Constitution Act" and insert "The Constitution Act".

Schedule, page 3, item 15, fourth column, omit "Court" and insert "Courts".

Schedule, page 4, item 16, omit this item.

Schedule, page 4, item 24, fourth column, omit "item 16 (*a*)" and insert "item 7 (16) (*a*)".

Schedule, page 4, after item 24 insert—

'24	6284	*Land Act* 1958	In section 1 for the expression "Part I.—Crown Lands Generally ss. 3–229" there shall be substituted the expression "Part I.—Crown Lands Generally ss. 3–228".'

Schedule, page 5, after item 33 insert—

'34	8154	*Pay-roll Tax Act* 1971 ..	In section 9 (9) for the expression "on behalf of the employer" there shall be substituted the expression "with respect to the employer"'.

Schedule, page 6, item 50, third column, omit "(Contributors)" and insert "(Contributions)".

Schedule, page 6, item 57, omit this item.

Schedule, page 6, item 58, omit this item.

Schedule, page 6, item 61, fourth column, omit "4 (*a*) (ii)" and insert "4 (c) (iv)".

The amendments were agreed to, and the schedule, as amended, was adopted.

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

MAGISTRATES (INTERSTATE ENFORCEMENT BILL.

The debate (adjourned from November 15) on the motion of the Hon. Haddon Storey (Attorney-General) for the second reading of this Bill was resumed.

The Hon. R. J. EDDY (Thomastown Province): The Opposition does not oppose this measure. At first glance it appears to be complicated, but that is not so. Legislation was enacted in 1965, and was adopted in other States, which made the directors of a corporation, that is the owner of a commercial goods vehicle, liable to the same obligations as the corporation. It was effective in ensuring that road charges were paid.

There was a test case before the High Court in this matter and the court decided by a majority that the

law of a State could not impose an obligation on a person not resident within the State simply because he was a director of a company that operated a vehicle in the State. This has led to directors of "straw" companies registering their companies in a State other than the State in which the directors are resident, thereby avoiding the road taxes of Victoria. The reason for this Bill is to overcome that problem.

The bigger companies are paying road taxes and the "$2 companies" are evading these taxes. This device was common with directors operating from South Australia; they had no direct connection with the company and were operating unfairly against other transport operators. If a company that was convicted had no assets, it evaded road taxes because the vehicle it operated was owned by the wife of the driver, or by a finance company. This legislation is necessary in all States so that it imposes on every person who is a director of a transport company an obligation to ensure that these charges are paid.

The Bill is also necessary to protect the revenue of the State, and to ensure that the law applies to everyone engaged in interstate transport. As I said, the Labor Party offers no objection to the Bill.

The Hon. S. R. McDONALD (Northern Province): My party supports the Bill. It sets out to close a loophole which has been evident in the Commercial Goods Vehicles Act over a number of years and which came about because of a decision of the High Court some years ago.

I was interested in what I thought was the low-key or low-profile explanation by the Minister, because if one had not listened to him carefully one would not have realized that this measure had wide ramifications. The transport industry in Victoria is in a chaotic situation because persons and companies who obey the law are penalized or disadvantaged compared with companies which, by use of various stratagems and loopholes, evade the payment of road maintenance charges.

In its annual report the Victorian Road Transport Association is quite clearly concerned about the operation of the so-called "straw" companies which have established themselves interstate, and which register vehicles interstate. These companies have nominal or small assets. Quite often the directors are not directly associated with the operation of the company, and by using these devices they avoid the payment of road tax. The association points out on page 5 of the report that it is opposed to this over-all situation. It states—

> We reiterate that we are a responsible industry prepared to pay our fair share to both the construction and maintenance of roads but any tax levied should be equally applied to all road users who would naturally pay according to their individual use of the roads.

I do not think anyone would disagree with that point of view.

An amendment to the Commercial Goods Vehicles Act is proposed in the Bill. This matter was referred to by Sir Henry Bland in his report of the Board of Inquiry into the Victorian Land Transport System in 1972. I will not go into it in detail, but Sir Henry Bland pointed out major defects in the Commercial Goods Vehicles Act. He said that the proportion of the tax which was colletcted had diminished to 70 per cent. Officers of the Country Roads Board and the Transport Regulation Board have stated to me that the proportion could be considerably lower than the 70 per cent mentioned by Sir Henry Bland.

In recent years there has not been a great increase in revenue from the road maintenance tax under the Commercial Goods Vehicles Act. In 1968–69 it amounted to $9·73 million and in 1976-77 it was estimated at $16·7 million. The revenue derived from that Act has not escalated to the same degree as revenue collected under the Motor Car Act, which has increased

threefold in the same period. The Government should examine whether the Commercial Goods Vehicles Act is achieving its purpose and whether it would not be better to eliminate it entirely and arrange to recoup the same amount of revenue through motor registration. That would overcome one of the other disadvantages of the existing system, which is the cost of collection.

The Bill amends the Magistrates (Summary Proceedings) Act, and as a result of interstate agreement it names in schedule four reciprocal Acts; one each from New South Wales, Queensland, South Australia and Western Australia. I should like the Minister to indicate during the Committee stage the degree of commitment from the other States. I believe the South Australian Government may not be enthusiastic about this proposal because of the dozens, or hundreds, of companies based in Naracoorte and other South Australian towns, and this Bill will reduce the number of vehicles registered in South Australia. Therefore, South Australia may have more to gain by retaining the present system. I ask the Minister to outline what agreement or commitment there is, not only from the South Australian Government, but also from all the other States mentioned in the schedule.

The Bill in principle sets out to ensure that when a conviction is imposed on a director of a "straw" company, a court in another State can enforce a conviction. This is not a new principle. It has been in the Magistrates (Summary Proceedings) Act for some time, and it will now extend to the collection of road tax.

I shall raise another matter with the Minister on clause 5 in the Committee stage. My party believes that at present a transport operator or an operator of a vehicle with a carrying capacity of more than 4·1 tonnes and who obeys the law is disadvantaged. The Bill is a genuine attempt by the Government to close this undesirable loophole. I am not convinced that it will be 100 per cent successful, but this will be seen only as time passes. My party supports the Bill.

The Hon. D. M. EVANS (North Eastern Province): I also support the principle that this Bill attempts to put into operation. I agree with the concern expressed by Mr. McDonald relating to the need for the co-operation of the other States to ensure that this legislation works. Of particular importance is the attitude of the South Australian Government, which has been putting pressure on the Victorian and New South Wales legislation simply by making it so much cheaper for an operator to register in South Australia. In South Australia, an operator can register his vehicle for about $200 whereas in Victoria the registration fee is something like $800, plus $450 for a licence and an additional permit fee of $15 for each load, which means that intrastate operators within Victoria could be up for $4,000 or $5,000 a year whilst the South Australian operator would pay only $200. Accordingly, immense pressure is being exerted on operators who operate within the Victorian law and make their just contribution to road charges.

The purpose of the Bill is to recoup some of the cost of road maintenance from those people who use the roads. Naturally, the intention of those who register outside of the State is to operate as cheaply as possible. One alternative means which has been suggested of getting road transport operators to contribute their fair share, without necessarily increasing registration fees, of road maintenance charges is a levy on fuel. Immediately such a tax is mentioned, one becomes a little nervous, because already the Federal Government imposes a Federal tax on diesoline and petrol. When the tax was first imposed, it was intended that the moneys obtained would be devoted to road maintenance and road construction.

The Hon. D. G. CROZIER: Not much of it comes back now.

The Hon. D. M. EVANS: That is the point. Although the tax is still collected, it is now regarded as a general tax providing funds for consolidated revenue and only portion of it is returned to the States for roadworks. Unless a watertight guarantee were provided that any further tax that was collected would be devoted entirely to roadworks, it would be a wrong principle to adopt.

The Hon. H. R. WARD: It depends on whether you have a parish outlook or a national outlook.

The Hon. D. M. EVANS: I do not say whether it should be used within this State or outside the State, but at least the funds should be used on the roads. Petrol tax should be devoted entirely to road purposes and not diverted to any other purpose because this is not being honest or responsible. I hope Mr. Ward and I agree on that point.

Road transport operations in Australia are uncontrolled at present because of the freedom allowed by section 92 of the Australian Constitution. This has led to tremendous competition in the road transport field. Anybody who can get sufficient finance can purchase a truck on hire purchase—I realize there may be some restrictions commercially—and can set himself up in business. Many people who believed they could use their initiative by setting up in business and buying a truck have found that, when business gets tight, they have to cut their prices to obtain work. To keep within those cut prices, they have had to forgo necessary maintenance on their trucks or drive for longer hours themselves. Neither of these factors contributes to safety on the roads.

At least some of the accidents involving semi-trailers have resulted from these basic causes. Any means by which the road transport industry can be brought under greater control will assist road safety and certainly will assist road operators to meet their equitable share of road construction maintenance charges, both in Victoria and in other States. I know that this matter has exercised the mind of the Minister of Transport because I have been involved in deputations to the honorable gentleman on the subject.

I hope this proposed legislation is successful but I have the same doubts as those expressed by Mr. McDonald. Perhaps it is a move in the right direction and will take us some way along the road towards achieving the objective which the Bill and the Minister's second-reading speech set out.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (New section 107A).

The Hon. HADDON STOREY (Attorney-General): I thank honorable members for their contributions to the second-reading debate. All parties are agreed that there is a problem in this field of interstate transport which needs to be resolved. I thank Mr. Eddy, Mr. McDonald and Mr. Evans for their support of the Bill as one way of attempting to prevent the evasion of road taxes. Both Mr. Eddy and Mr. McDonald pointed out that those road users who pay their rates are in effect helping to subsidize those who avoid them by this device. The query by Mr. McDonald whether the Commercial Goods Vehicles Act is really necessary is well worth consideration. I think the purport of his comments was that, in the absence of anything else, it was necessary but that there might be other and better ways of achieving the same result. That matter comes within the jurisdiction of the Minister of Transport, and I am sure that he will give consideration to the thoughts expressed.

Mr. McDonald also asked what Victoria's position is with the other States. This Bill arose from an agreement between the States to introduce

such legislation. My understanding is that South Australia, although somewhat hesitant at first, agreed to be part of this Australia-wide exercise. I have not been involved in the direct dealings, as has the Minister of Transport, and therefore I cannot take the matter any further than that.

I notice that in clause 1 (3) it is provided that the Act shall come into operation on a date to be fixed. This Act could be effective only if all other States adopted it. If the other States were not to pass mirror legislation, then I imagine that this Act would not come into operation because it would not be effective. I hope I am right in saying that all States; including South Australia, have agreed to adopt similar legislation. I have noted the remarks of Mr. Evans. Again, these are matters for the Minister of Transport, and I will ensure that they are brought to his attention.

During the second-reading debate, I raised with the Clerk the wording of proposed new section 107A (1) which provides, *inter alia*—

> Where under a conviction or order of the reciprocating court made in the exercise of its summary jurisdiction a fine is payable by a body corporate in respect of proceedings under a law of another State or Territory specified in Schedule Three and it is alleged that one or more directors of that body corporate normally permanently or temporarily resident in Victoria.

It appeared to me that a verb was missing in line 7. Accordingly, I move—

> Clause 2, page 2, line 7, after "corporate" insert "is or are".

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 3 and 4.

Clause 5 (Amendments to No. 8731).

The Hon. S. R. McDONALD (Northern Province): I seek some advice from the Minister on the clause, which repeals section 173 of the principal Act. That section provides that the Acts referred to in Schedule Three are amended. I realize that the Acts listed in the schedule were amended by section 173 but, for the layman, it is rather difficult at a later stage to understand what went on, particularly if the section is later repealed. Apparently, the Bill proposes the removal of Schedule Three and the substitution of another Schedule Three. I query why the other schedule was not left in, and why this Bill proposes an additional schedule.

The Hon. HADDON STOREY (Attorney-General): I think I understand the point. This is one of the magical devices that Parliamentary Counsel come up with from time to time, which is quite justifiable. Once a Bill is passed and becomes law, if it contains a clause amending any other Act, then that other Act is thereby amended. The section of the new Act which amends the other Act has done its work and does not need to remain in existence any longer.

From time to time, Parliamentary Counsel take the opportunity of removing the dead wood which, having done its work, no longer serves any good purpose. In this case, there was the opportunity of substituting these new Acts in Schedule Three and this is done in sub-clause (4). The first part of the clause relates simply to the removal of a section which has done its work and no longer needs to remain in the Act.

The clause was agreed to.

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

MARINE (PILOTS SUPERANNUATION) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. D. G. CROZIER (Minister for State Development and Decentralization), was read a first time.

WYCHEPROOF LAND BILL.

This Bill was received from the Assembly and, on the motion of the

Hon. W. V. HOUGHTON (Minister of Health), was read a first time.

PAY-ROLL TAX BILL (No. 2).

The debate (adjourned from October 25) on the motion of the Hon. V. O. Dickie (Chief Secretary) for the second reading of this Bill was resumed.

The Hon. D. R. WHITE (Doutta Galla Province): The Opposition does not oppose the Bill. However, I point out that it is not pleased with the steps the Government has taken. It has not gone nearly far enough on this issue. It would have been well within the financial limitations placed on the Government to have taken greater initiatives aimed at reducing this iniquitous burden on employers and industry, as have been taken in other States.

In his speech on the Budget for the financial year 1977–78 the New South Wales Treasurer, reported at page 8669 of the New South Wales *Hansard,* said—

> We have therefore decided to grant New South Wales employers a full rebate of pay-roll tax on the wages paid to young people during their first year of employment.

If New South Wales can take that initiative, a similar initiative would have been well within the scope of this Government if it had been truly concerned about the plight of unemployed young people in Victoria. Of course, it is not concerned about them and it is fortunate that the issue will soon be taken out of its hands because on 10th December there will be a new Federal Government and pay-roll tax will be abolished. That will be a great relief to industry and to the young unemployed.

The PRESIDENT (the Hon. W. G. Fry) Order! It is in order for the honorable member to mention Federal elections and Federal measures but he should not continue to refer to them.

The Hon. D. R. WHITE: Yes, Mr. President. It is important that some steps should be taken to relieve the plight of unemployed young people in Victoria. The best method of taking those steps is to abolish pay-roll tax because, as everyone knows, it is iniquitous and inflationary and it adds 5 per cent to the pay-roll bill of employers. Its removal, as advocated by the Opposition, would mean that for the same pay-roll bill an employer could hire an additional employee for every twenty workers employed at present. It is also important to point out that such action is within the scope of this Government.

As that relief will not be available to Victorian employees unless the Australian Labor Party is successful on 10th December, I look forward to the result of the Federal election so that we can get rid of this iniquitous tax once and for all. The loss of revenue occasioned by its removal will be met by not implementing certain suggestions made in the last Federal Budget.

I reiterate that the Opposition is not opposed to the Bill but it considers that the Government has not gone far enough. Other States have been able to take measures to provide some relief for employers in the private sector that will mean greater job opportunities for the young unemployed, but the result of the Federal election on 10th December will mean the abolition of pay-roll tax.

The Hon. S. R. McDONALD (Northern Province): My remarks and the attitude of the National Party will not be influenced by what may happen on 10th December and it will probably be obvious from my remarks that I believe that the *status quo* will remain.

The Bill implements the Premier's Budget decision to increase the upper limit of pay-rolls that are exempt from pay-roll tax from $48,000 to $60,000. It is proposed that the new exemption will reduce by $2 for each $3 increase in pay-rolls that exceed

$60,000 and ultimately a flat exemption of $27,000 will be available on pay-rolls of $109,500 and above.

The National Party believes that those changes are a step in the right direction. No other charges made on industry, other than those involved in workers compensation, have such a disadvantageous effect on the operations of industry. Pay-roll tax is a disincentive to employment, as is the cost of workers compensation, but one must realize that pay-roll tax contributes significantly to the revenue of Victoria. The contribution made to revenue by pay-roll tax has been consistent in recent years. In the respective financial years from 1974–75 to 1977–78 pay-roll tax amounted to 15·5 per cent, 15·2 per cent, 14·6 per cent and 15 per cent of total revenue, and in the same four-year period it formed 46·2 per cent, 43·9 per cent, 42·2 per cent and 43·8 per cent of total State taxation revenue. Therefore, it is obvious that the State depends on pay-roll tax to a large extent. This year it will bring in $492 million.

The National Party believes that the present exemptions are not adequate. Mr. White outlined the situation in New South Wales. The exemption levels in Queensland are higher, and at a later stage I shall move an amendment suggesting an increase in Victorian exemption levels.

The Premier stated that the 25 per cent increase in the level of exemption is double the rate of inflation. That is correct, but the revenue produced by pay-roll tax has also increased by 14 per cent in one year. That increase is also higher than the inflation rate.

The Hon. B. A. CHAMBERLAIN: The work force is also increasing.

The Hon. S. R. McDONALD: That is true, but the over-all revenue from pay-roll tax has increased by more than the rate of inflation.

Another matter that has always concerned members of the National Party is the attitude of the Federal Government to concessions given to decentralized industries in the pay-roll tax field and its attitude to probate and estate duties. If one assumes that the present Government will remain in office after 10th December, probate duty will no longer be a serious matter, but there will still be an anomaly in connection with pay-roll tax.

The Minister for State Development and Decentralization has cited on a number of occasions the amount returned to the Commonwealth in additional company and income tax as a result of exemptions granted to decentralized industries in Victoria from the payment of pay-roll tax. I recently wrote to the Federal Treasurer on this matter, and the reply I received makes it quite clear that his attitude and mine are quite different. The letter I received was written by the Honorable R. I. Viner, the Minister assisting the Treasurer, who said—

> I refer again to your letter of 1st September, 1977, to the Treasurer, concerning the taxation of pay-roll tax rebates granted by the Victorian Government and the increase in Commonwealth estate duty payable which occurs when a State reduces or abolishes its own estate duty.
>
> To put the first matter into perspective, I should say that an enterprise is liable to tax, broadly stated, on the amount left after deducting from its gross profits the outgoings incurred in earning those profits. Pay-roll tax is such an outgoing, and if, for one reason or another, an enterprise does not have to pay this tax or receives a rebate of its payment so that its net (taxable) income is increased, it is only proper that it be taxed on the increase.

Members of the National Party believe it is almost ridiculous that this Government should authorize pay-roll tax concessions to decentralized industries, because they lose some of the benefit by paying additional company income tax to the Commonwealth Government.

The Hon. R. J. LONG: It is the same with probate duty.

The Hon. S. R. McDONALD: If the honorable member had been listening intently, he would have heard me say that I hope after 10th December we will no longer have that problem.

I make one or two other comments about pay-roll tax in relation to primary industry and primary producers. The National Party has long held the view that primary producers and primary industry generally should be exempt from the payment of pay-roll tax, not because they are entitled to any special rights or privileges, but because there is little difference between the concept of a decentralized industry in which the classification is largely based on how much processing occurs and the labour-intensive primary industries such as egg production, pig production or the pig industry on a large scale in which one resource is converted or processed into another product. At present only 350 Victorian primary producers are paying pay-roll tax. They pay approximately $900,000, which is a small sum compared with the total.

I have stated that members of the National Party generally support the Premier's Budget initiative in pay-roll tax. In addition, we believe the exemption level should be high, and also, for the reasons I have advanced, that primary producers should be exempt from the payment of pay-roll tax. I believe each year the incidence of pay-roll tax could be reduced and also at the same time further exempt categories created.

I move as a reasoned amendment—

That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and a new Bill introduced which will exempt primary producers from liability for the payment of pay-roll tax and increase the level of exemption for taxable wages to $100,000".

The Hon. B. A. CHAMBERLAIN: How many primary producers will be affected?

The Hon. S. R. McDONALD: I admit that I had the figure at one stage and could not find it, but my information supplied by the Treasurer is that at present 350 primary producers pay approximately $900,000 a year in pay-roll tax.

With those remarks, I indicate the National Party's general support of the Bill.

The Hon. V. O. DICKIE (Chief Secretary): I appreciate that it is good politics for Mr. McDonald to move this amendment for the rural industries that he and all honorable members most certainly like to believe they represent. This is a Budget Bill and the ability of the Government to grant exemptions, whether relative to pay-roll tax or any other form of tax, is given in the over-all picture of meeting the State's commitments and the ever-increasing pressures that are on State Governments through members of Parliament and the community to spend more and more on the many things that everyone believes are necessary.

The Government granted the exemptions initially because it realized that small business, in common with many other sections of the community, is feeling the impact of inflationary pressures and the high cost of production. Naturally, the Government is most sympathetic to the need of small business to make certain that its weekly costs are kept to a minimum.

I know this is arguable, but it has been said that whatever a small business or a company has available to it as a result of reduced pay-roll tax will be spent in employing more people. I assure honorable members that today small businesses are very much on the breadline and in many instances have had to close their doors. Initially it is hoped that these exemptions will help to bring more small businesses on to a profitable basis. By raising the exemption a small business could make an increased profit of $10,000. I cannot visualize a small business paying $10,000 to employ a person in the interests of the community, and therefore, remaining in exactly the same

position as it was prior to receiving the exemption. Some larger businesses, such as Broken Hill Proprietary Co. Ltd., if exempted from pay-roll tax—as suggested by Mr. Whitlam in the coming election—may possibly employ more people, as the savings in pay-roll tax to the company would be astronomical. However, honorable members should not be mistaken, whatever exemptions small businesses receive will help to make them a viable proposition, but few small businesses will use what they save from reduced pay-roll tax towards employing another person.

The Hon. D. G. ELLIOT: What do you term a small business?

The Hon. V. O. DICKIE: Shopkeepers in country towns, and so on, but it goes beyond that. It goes to small industry and small companies. Many honorable members conjure up in their own minds what is a small business. This exemption is related to pay-rolls and the payment of 5 per cent or one twentieth of that in pay-roll tax.

In raising the exemption, more businesses are being brought into a profitable situation. That is the Government's first target. At the same time Treasury must examine its ability to raise taxes to meet the ever-increasing pressures in the community to provide so many things. It is easy to say that the Bill should be withdrawn and a new Bill introduced which will exempt primary producers from liability for the payment of pay-roll tax and increase the level of exemption for taxable wages to $100,000. I do not know exactly how much would be involved. It certainly would be millions of dollars. Raising the exemption will probably mean that $6 million will not be available to the Treasury but will go back into the pockets of small businesses. There are many things the Government would like to do to ease the burden on various sections of the community, but it does not intend to go beyond what is provided in this Bill. It realizes that raising the exemption for liability to pay pay-roll tax will be of great assistance to many businessmen in the community. For those reasons the Government rejects the amendment.

The Hon. D. G. ELLIOT (Melbourne Province): Members of the Opposition believe the Government is moving in the right direction by extending exemptions from pay-roll tax. The ideal situation would be to eradicate the tax. It is negative and a big drag on small business, which I shall shortly illustrate. It is all very fine to say that a certain tax should be abolished, but if one has a responsible attitude to those matters —I am sure the Minister would yell it from the house tops because at times he can be heard down in Bourke Street when he is worked up —one will ask where else the Government will obtain the money. That is a reasonable question. Although the amendment moved by Mr. McDonald is a reasoned amendment, members of the Labor Party do not think the reason for it is good enough.

The Chief Secretary referred to the average type of shopkeeper. I passed through his beautiful town of Bacchus Marsh yesterday on my way to Ballarat to do a little work at 3BA, that wonderful station in the Western District of Victoria. Today small businesses may employ ten or eleven people. The Minister must be barking up a conservative tree in relation to incomes. Today, eleven people working even a little overtime, if they are top people, receive $100,000 in wages, to which must be added 4·5 per cent. Therefore, honorable members should not run away with the idea that despite the increased exemptions this Bill will not be of benefit to the concept of virtually abolishing pay-roll tax to the small businessman. That statement is a camouflage and it should be corrected. In Victoria today one does not have to employ many people in a business to bring oneself into a pay-roll tax bracket. That applies to most hotels throughout the

State and I know a little about them. It also applies to many small businesses that may not be considered to be in that wage category. Small business has much to gain from relief from pay-roll tax.

The Hon. H. M. HAMILTON (Higinbotham Province): I am grateful indeed for Mr. Elliot's support. Some years ago the States of Australia were looking to Canberra and asking for a share of the rapidly rising incomes that the Federal Government was enjoying. It was consistently pointed out that the States had no tax which increased with the movement of inflation generally. That argument was accepted by the Federal Government. Inevitably, that Government handed over the most unpopular tax it had, pay-roll tax. Today pay-roll tax has become the principal source of taxation revenue of Victoria. Its impact has been recognized by the Government, which over the past few years has consistently raised the exemption level. If I remember correctly, the initial amount was $20,000 and it is now being raised to $60,000. In addition, the Government has added a concept of progressive reduction whereby under this Bill pay-roll tax is phased in at a reduced rate until annual wages total $109,000.

Nobody denies the impact of pay-roll tax on business, particularly on small business. It is a most unpopular tax, but all taxes—pay-roll tax, probate duty and so on—are unpopular.

My personal view is that it would have been better, if the money had been available for the Government, to increase the exemption level of pay-roll tax than to give a further concession in probate duty, but the Government decided to do a little of each. Honorable members should not forget that under this concession, which raises the exemption level to $60,000, a further 1,700 small businesses will be exempted from paying pay-roll tax. It is most important to remember that.

In the Federal election campaign which is now under way, mention has been made of a proposal to abolish pay-roll tax. I point out that if pay-roll tax were abolished as proposed, within a matter of six to twelve months it would be replaced by the impact of the rising cost of living.

The DEPUTY PRESIDENT (the Hon. W. M. Campbell): Mr. Hamilton should not go too far into that aspect.

The Hon. H. M. HAMILTON: I shall not go too far, Mr. Deputy President, but it is important to realize that a 5 per cent concession on wages given to some firms—larger firms—would be taken up very readily by a 2 per cent wage indexation increase in three quarters of a year.

The other important point is the trade off that is being offered. People are asked to forgo the benefits of personal income tax concessions in order to grant these concessions of pay-roll tax. I doubt the wisdom of offsetting one against the other, but as you do not wish me to go any further into that aspect, Mr. Deputy President, I will not pursue that subject.

I turn to the amendment moved by Mr. McDonald—his motive is perfectly understandable because after all he will receive banner headlines in all country newspapers throughout Victoria for his proposal. From that point of view it is a well thought out manoeuvre, but it is surely not one that he would propose if the National Party held the balance of power and there was a possibility that it might be accepted, because an amendment to a Budget Bill is something which normally is not lightly undertaken. I suspect that Mr. McDonald may even have had his tongue in cheek a little when he proposed the amendment.

Being a city man in later years although formerly a country man, I have much feeling for the position in which primary producers are placed today. However, I know of no reason why an exemption from the payment of pay-roll tax should be granted to primary producers and not

to other small businesses in the community. It should be remembered that the Government of Victoria has already exempted decentralized industries from pay-roll tax. These industries are located in country areas and so country areas already share these benefits to a substantial degree. As Mr. McDonald pointed out, not a large number of firms or businesses would be involved if the exemptions were extended to primary producers. However, why should they receive preference over small businesses in the city, many of which are today experiencing just as much difficulty as the primary producer. The trouble is that small business has no organized voice or means of putting its case before the nation.

The Hon. B. P. DUNN: But the small businessman is better able to pass the cost on.

The Hon. H. M. HAMILTON: He is not better able to pass his cost on; that is one of the fallacies that we read about all too often. The businessman, the manufacturer or the producer of secondary industry is able to pass his costs on, but as I have said in the House before, everyone is aware that a 10 per cent or even a 5 per cent increase in prices will inevitably result in a diminution of sales and affect the whole gamut of production costs, including unused capacity and so on. The business then becomes less viable, if indeed it can continue at all.

The Hon. B. P. DUNN: But he is better able to do it than the primary producer.

The Hon. H. M. HAMILTON: Not always. I admit that the primary producer does have disadvantages in this respect, but not always. Do not let the House consider the question of wheat, for instance, because the grain producers are doing very nicely today, thank you!

I suggest that the amendment ought to be treated for what it is, largely an irrelevancy produced in order to attract attention throughout the country areas. The Government is to be commended on its initiative in improving the whole outlook on pay-roll tax, and I hope it will continue to do so in the future and give further concessions or reductions in this unpopular and, in my view, totally abhorrent tax.

The Hon. R. J. LONG (Gippsland Province): I do not want to justify pay-roll tax because it is part of Liberal Party policy that it be abolished, but being a responsible Government, we have to deal with the abolition of it in stages because of budgetary constraints. I support my colleague, Mr. Hamilton, who mentioned that this added exemption will benefit some 1,700 additional businesses. I suggest that the freeing of those 1,700 businesses from the payment of pay-roll tax will not improve the employment situation one little bit. It will enable small businesses to retain a significant amount of funds, but any savings that are made, I can assure honorable members, will not be directed into an area which will improve employment; it will be directed to improving efficiency and will enable the purchase of machines, which will not cause the employment of more labour.

The Hon. S. R. MCDONALD: The owner may keep a little bit for himself, too.

The Hon. R. J. LONG: That is so. With a company such as Broken Hill Proprietory Co. Ltd., pay-roll tax is just a part of its cost, its overhead, but any savings that smaller companies derive from the exemption of pay-roll tax would be put into the "machine age", because we are heading in that direction today and there will be no reduction whatsoever in unemployment.

The amendment was negatived.

The motion was agreed to.

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

SUPERANNUATION (AMENDMENT) BILL.

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

GIFT DUTY (AMENDMENT) BILL.

The debate (adjourned from November 8) on the motion of the Hon. V. O. Dickie (Chief Secretary) for the second reading of the Bill was resumed.

The Hon. R. J. EDDY (Thomastown Province): This Bill increases the exemption level provided under the Gift Duty Act and brings it into line with the Commonwealth Gift Duty Act. The exemption level has been increased from $4,000 to $10,000, and changes have been made in the rates of duty at various levels.

The present rate of duty for gifts valued at under $4,000 is zero, and the rate payable on gifts valued between $4,000 and $6,000 is 1·5 per cent. At present a gift valued at $10,001 attracts gift duty of $400, and under the provisions of this Bill it will attract $150. With larger gifts this Bill makes no difference to the scale of duty.

The Bill makes some allowance for inflation, but it is not an efficient means of increasing the level of exemption. The estimated receipts from gift duty, as provided in the Premier's Budget speech, will be $3·4 million, which allows for a considerable increase.

The way to allow for inflation in taxes, including income tax, is to change the base scale upwards. The Opposition is concerned that, although the exemption level on gift duty has been increased, it is still payable on gifts between husband and wife, and wife and husband, whereas probate duty is no longer payable on estates passing between husband and wife. If this Bill is passed, gifts between husband and wife or wife and husband will still be dutiable. However, if the husband or wife keeps the gift until he or she dies, it then passes to the surviving spouse and will not be dutiable under the Probate Duty Act.

Therefore I believe the Bill should be withdrawn, and I move the following amendment—

> That all the words after "That" be omitted with the view of inserting in place thereof—" this Bill be withdrawn and a new Bill introduced which will exempt gifts made between spouses from gift duty".

Having abolished probate duty on property passing between spouses, the Government maintains that gifts between spouses should be taxed. The Opposition is totally opposed to that concept, and therefore I commend the amendment to the House.

The PRESIDENT (the Hon. W. G. Fry): Mr. Dunn will be speaking to both the Bill and the proposed amendment.

The Hon. B. P. DUNN (North Western Province): The National Party welcomes this Bill, because for years it has kept up constant pressure on the Government to do two things—firstly, to abolish probate duty, and secondly, to abolish gift duty. After all these years and representations the Government has seen the light of day and, as the Commonwealth Government has done, recognized the value of the National Party's representations and the need for the amendment.

However, the proposed legislation does not go far enough. Mr. Eddy said that, but I believe he did not go far enough in proposing this reasoned amendment. Mr. Eddy said that duty should be completely abolished on gifts passing between spouses, but honorable members already know that under the provisions of the Probate Duty Bill (No. 2), which will no doubt be accepted by the House, the payment of probate duty will be abolished not only on estates passing between spouses, but also on estates passing between parents and their children. Surely

Mr. Eddy's proposed amendment should have recognized that factor and included it. The proposed amendment goes part of the way towards overcoming this difficulty, but does not go far enough.

The National Party's aim is for gift duty to be completely abolished. Probate and gift duty, which act in a similar way, have had serious effects, particularly on primary industry, because property is generally handed down from one generation to the next. The incoming generation of farmers in many cases has been placed in severe difficulties, as the father cannot give the land to his son because he cannot afford to pay gift duty. Therefore in the past he usually held on to the land until he died, and the family was severely taxed by probate duty levied by both the State and Commonwealth Governments. If the Bill is passed, people will be able to make gifts of larger amounts of property, if they wish, by handing it over gradually without the need to pay an unfair amount of duty.

The Bill increases the exemption level from $4,000 to $10,000 over eighteen months. Also, as Mr. Eddy said, it makes some adjustment to the scale of duty that is applied. Fortunately, the Commonwealth Government has agreed to make the adjustments to probate and gift duty scales, and these will be applied provided the present Federal Government is returned to office in the forthcoming election. It is only reasonable that the adjustments should be made in the light of the action taken by the Victorian Government. The National Party commends the Government for taking that action.

The Hon. W. V. HOUGHTON: The Prime Minister said last night that he would abolish it.

The Hon. B. P. DUNN: That is right, and the Victorian Government should abolish both probate and gift duty completely. Perhaps it will do so next year in the last Budget before the State elections are held.

The National Party supports the Bill because it goes part of the way towards achieving an objective for which the National Party has worked for a long time, and trusts that the Government will continue to increase the exemption level until the duty is completely abolished.

The PRESIDENT (the Hon. W. G. Fry): The time has come for the Legislative Council to meet the Legislative Assembly in the Legislative Assembly Chamber for the purpose of choosing a member to be recommended for appointment to the Senate of the State College of Victoria.

The sitting was suspended at 5.55 *p.m. until* 8.3 *p.m.*

JOINT SITTING OF PARLIAMENT.

STATE COLLEGE OF VICTORIA.

The PRESIDENT (the Hon. W. G. Fry): I have to report that this House met the Legislative Assembly this day in the Assembly Chamber for the purpose of sitting and voting together to choose a member to be recommended for appointment to the Senate of the State College of Victoria, and that Mrs. Pauline Therese Toner, M.P., has been duly chosen to be recommended for appointment to the Senate of the State College of Victoria.

GIFT DUTY (AMENDMENT) BILL.

The debate (adjourned from earlier this day) was resumed on the motion of the Hon. V. O. Dickie (Chief Secretary)—

That this Bill be now read a second time.

and on Mr. Eddy's amendment—

That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and a new Bill introduced which will exempt gifts made between spouses from gift duty".

The Hon. B. A. CHAMBERLAIN (Western Province): I wish to make a rejoinder to a few of the comments made by Mr. Dunn. One of the advantages of being a member of the National Party in this House is that one can promise the world but never

be brought to account. Members of that party are in the fortunate position of being able to criticize the Government at will; they can also claim credit for all the good things for which the Government is responsible. However, members of that party have no responsibility, nor do they have the slightest influence on Government policy. They remind me of a flock of frustrated wethers bleating in the wind.

On the other hand, the Government does listen to its own members and its committees, which are in a unique position to influence Government policy. This Bill is the result of a balanced and responsible submission to the Premier by one of the committees of the Parliamentary Liberal Party. The Bill lifts to $10,000 the exemption value of a gift which attracts gift duty. Now a donor can make a gift of up to $10,000 each eighteen months without attracting gift duty. Mr. Dunn made play of the fact that at this stage the Government should totally exempt from duty gifts between spouses.

I shall relate the provisions of the Bill to the farming situation. If a farmer and his wife wish to transfer portion of the family farm to, say, their son, together they can make gifts totalling $60,000 over a period of three years, without attracting gift duty. That goes a long way towards what Mr. Dunn was seeking, but it is obvious that he does not understand that.

In line with the Government's moves in relation to probate duty, it is moving towards exemption of gift duty to spouses and children. It was mentioned that this exemption will bring Victoria into line with Federal legislation. However, last night honorable members heard the happy news from the Prime Minister that it is proposed immediately to exempt from Federal gift duty gifts passing to parents and children, and that ultimately the Federal Government will move towards the abolition of gift duty altogether. That is a situation which every Government would like to be able to achieve if it had the financial wherewithal to do so. The Victorian Government is adopting a responsible policy of progressive amelioration of the position which, in the example that I have given, will enable the majority of cases to be adequately dealt with. I support the Bill.

The Hon. D. M. EVANS (North Eastern Province): Firstly, I should like to mention briefly some of the comments made by Mr. Chamberlain. I was interested to note that he believes gifts of a certain proportion over three years without attracting gift duty would go a long way towards helping out many farmers and small businessmen. I agree, but this Bill does not go far enough. That is the only criticism the National Party has of the measure.

I am interested also in the contrast drawn by Mr. Chamberlain between the actions of the State Government and those of the Federal Government. If the present Federal Government is returned——

The Hon. B. A. CHAMBERLAIN: It will be.

The Hon. D. M. EVANS: I hope so. It will go much further than the State Liberal Government has gone in this matter. There is only one explanation for that—the Federal Government is differently constituted. It has an influential National Party section which, by using its influence and responsibility has seen fit to pursuade the Federal Government, if it is returned, to promise to abolish probate duty altogether between husband and wife, and between parent and child, and to abolish gift duty also.

Let us consider the State situation. It was reported in the press that a Bill will be introduced into this House at a later stage to abolish probate duty between parent and child as from 1st January. I am in favour of that provision. However,

the Government is not prepared to abolish gift duty between parent and child or between husband and wife. There will be created the totally anomalous situation that in Victoria if a man wants to give his assets of his business or farm to his family he will have to pay a substantial amount of gift duty if the value of that farm or business is more than $10,000. However, if the same person can arrange to die on the day before he intends to make that gift, no duty will be payable. This will mean that rather than taking the risk of the extra expense of gift duty, such a person will be more likely to hang on to his assets and not pass them over to the family at a reasonable age. As has occurred for years, many parents will stay in control of their assets far longer than they would normally be able comfortably to look after them. The National Party does not favour this situation.

I am pleased that the Bill goes some way towards reducing the burden of gift duty but a real discrepancy exists between the two actions proposed by this Government relating to gift duty and probate duty. Pressures will be created in families, all for a maximum yield of about $3·5 million in the coming year—less than one-tenth of 1 per cent of the total State's taxation revenue for the year. I suggest to members of the Government party, and to Mr. Chamberlain in particular, that perhaps if the National Party had some influence in this House, as he suggested it does not at this stage, there would be a more commonsense approach to this legislation. Members of the National Party support the extensions but believe they do not go far enough.

The Hon. S. R. McDONALD (Northern Province): I wish to make clear that although Mr. Chamberlain believes members of the National Party are concerned wholly and solely about the effect of gift duty, probate duty and other forms of taxation on the primary producer, that is not the case. It does not concern me whether this matter is applied to primary producers, small businessmen, professional men or anyone else. Members of the National Party believe these two forms of revenue production—gift duty and probate duty—should be abolished.

My colleague, Mr. Dunn, outlined the reasons why members of the National Party support the Bill. He made some valid and pertinent points which I shall not go into in detail. I believe the provisions of the Bill should come into operation as from the date of the Budget rather than 1st January, next year.

Finally, the National Party supports the amendment moved by Mr. Eddy, on the ground that it goes further than envisaged in the Bill towards the ultimate aim of abolishing gift duty completely. As Mr. Evans has just mentioned, in 1977–78 on page 4 of the Budget Papers, it was outlined that this year the estimated revenue from gift duty will be about $3·5 million. The National Party supports the Bill, but because the amendment goes one small step further, it also supports the amendment.

The Hon. V. O. DICKIE (Chief Secretary): As I said in relation to a previous Bill dealing with pay-roll tax, it is terribly easy to argue what should be done when amendments are suggested to Budget Bills, which are instrumental in increasing exemption from taxation or in any way assisting people who must pay gift duty or any other tax.

I could not agree more with what has been said in this Chamber tonight. But Mr. Evans says that the tax will raise a miserable $3·3 million. However, if that amount were not collected, I am certain that he would not be pleased if there were a project in his electorate which would cost $3·3 million and the Treasurer said that could not be undertaken because the Government had not received the money from gift duty.

The Treasurer has to find the money and, much as the Government would like to completely abolish gift duty, it cannot do so at present. But that will come a darned sight more quickly now because of what the Prime Minister said last night. Some honorable members may ask: Why not do it now? But the Treasurer has budgeted for $3·3 million from gift duty to cover this year's expenditure. We cannot just say: Let us cut it out. This is a budgetary matter. It is easy to agree that these things should be done, but the money has to be raised.

I assure the House that gift duty will be abolished quickly following the magnificent policy speech by the Prime Minister last night. He has shown the way, and this State Government will not continue this impost any longer than is absolutely necessary. I am confident that in the next Budget the Treasurer will provide complete exemption from gift duty. But, at this stage, it is impossible for the Government to accept the amendment moved by Mr. Eddy.

The Hon. O. G. JENKINS (Geelong Province): I find it rather odd that the Leader of the National Party in this House has stated that his party will support the reasoned amendment proposed by Mr. Eddy to the second-reading motion of this Bill. The practical effect of accepting the Labor Party's reasoned amendment would be to defer the operation of this measure for about six months. If they were responsible for the reasoned amendment being accepted, members of the National Party would preclude the people they pretend to be so concerned about from receiving the benefits of this Bill for at least six months. It is strange to find them asking for more to be done and then, in a fit of pique, agreeing to support a Labor Party amendment.

If they can give us the answer to that when they go back to their local papers and crow about what they said in the Legislative Council tonight, and then add a rider that they sought to have the matter deferred for six months, which would preclude their supporters from receiving the benefit of the Bill for that period, that will be fair enough.

It has been said tonight that it is not possible for gifts to pass between members of families under the present system unless gift duty is paid. But in Victoria gifts between members of families, if they are given in consideration of marriage, are exempt from gift duty. Many such arrangements are entered into and many such gifts are given.

The Hon. B. A. CHAMBERLAIN: The National Party does not know that.

The Hon. O. G. JENKINS: That may be so, but the arrangement has to be entered into before and in consideration of the marriage. I give the lie to what members of the National Party said in this House this evening. They are trying to defer this Bill in a fit of pique, but the result of their actions could only be that their supporters would not get the benefits of this valuable measure for some time.

The House divided on the question that the words proposed by Mr. Eddy to be omitted stand part of the motion (the Hon. W. G. Fry in the chair)—

Ayes	..	24
Noes	..	14
Majority against the amendment	..	10

AYES.

Mr. Campbell	Mr. Hunt
Mr. Crozier	Mr. Jenkins
Mr. Dickie	Mr. Knowles
Dr. Foley	Mr. Long
Mr. Gleeson	Mr. Reid
Mr. Granter	Mr. Saltmarsh
Mr. Grimwade	Mr. Stacey
Mr. Guest	Mr. Storey
Mr. Hamilton	Mr. Taylor
Mr. Hauser	
Mr. Hider	*Tellers:*
Mr. Houghton	Mr. Chamberlain
Dr. Howard	Mr. Ward

NOES.

Mr. Bradbury	Mr. Trayling
Mr. Dunn	Mr. Walton
Mr. Elliot	Mr. White
Mr. Galbally	Mr. Wright
Mr. Knight	
Mr. Landeryou	*Tellers:*
Mr. McDonald	Mr. Eddy
Mr. Thomas	Mr. Evans

The motion was agreed to.

The Bill was read a second time, passed through Committee, and reported to the House without amendment, and the report was adopted.

The Hon. V. O. DICKIE (Chief Secretary): I move—

That this Bill be now read a third time.

The Hon. R. J. EDDY (Thomastown Province): I ask the Leader of the House to refer this matter back to the Premier and Treasurer with the request that thousands of people be relieved in the near future from the payment of gift duty. He has made that promise, and I want to know that the promise will be carried out.

The Hon. V. O. DICKIE (Chief Secretary) (*By leave*): I thought I spoke in a very loud voice but apparently I did not speak loudly enough. When I indicated that the Government could not accept the amendment to the second-reading motion I told the House that it was Government policy to eliminate gift duty. As a result of what was said last night by the Prime Minister, honorable members can be assured that in the next Budget gift duty will be eliminated.

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

YOUTH, SPORT AND RECREATION (STATE RECREATION COUNCIL) BILL.

The debate (adjourned from November 9) on the motion of the Hon. F. J. Granter (Minister of Water Supply) for the second reading of this Bill was resumed.

The Hon. R. J. EDDY (Thomastown Province): Before the establishment of the Department of Youth, Sport and Recreation, the National Fitness Council was looked upon as the responsible body for arranging fitness campaigns within this State. That council was the only body prepared to carry out work in the interests of fitness, not only of youth but of people like ourselves who were prepared to participate in such campaigns. The National Fitness Council has given, and will continue to provide, a wonderful service for the people of Victoria.

I point out that the National Fitness Council has been a remarkable body, particularly in the provision of camps for schools, and has always been prepared to co-operate with the children who attend the camps, to care for them and to conduct courses at those camps.

The Sports and Recreation Council —the body which advises the Minister and the Department of Youth, Sport and Recreation with respect to the allocation of money for sport and recreation—and the National Fitness Council have gone their separate ways when they could have been united. This Bill endeavours to unite those two bodies so that they will work together in the interests of those who are prepared to participate in fitness camps or other fitness pursuits in future. This Bill provides for the expertise, policies and services of both councils to come under the umbrella of the Department of Youth, Sport and Recreation.

I must again congratulate the Minister for Youth, Sport and Recreation for the work that he is doing in this field. Previously, I have said that I do not congratulate Ministers, but I do on this occasion because the Minister is endeavouring to carry out work in the interests of people of all ages. All honorable members have seen and read of the Minister's proposals and activities in his endeavours to ensure that people from all walks

of life have the opportunity to become fit. It is proposed to establish a sports council whose duty will be to regularly consult with the authorities, associations and organizations and to advise the Minister and the Department of Youth, Sport and Recreation of the needs of sports other than horse racing, trotting and greyhound racing. At present the Minister is interested in people who use two legs and not animals with four legs.

The Sports and Recreation Council and the State Youth Council will meet at least three times a year to exchange views and to set the guidelines for what is to take place during the year and to ensure that sport and recreation are provided in the best interests of all Victorians. All bodies, including the National Fitness Council staff, have been consulted by the department about their future employment. It is important that members of the National Fitness Council be consulted about their prospects of being continually employed by the department in this field, and due regard should be given to superannuation rights and other safeguards. I am assured that they are satisfied with the Minister's proposals.

Every other State in Australia except Queensland has enacted similar legislation. One can appreciate that the people or the Government of Queensland do not see eye to eye with the other States, and one would not expect the Premier of Queensland to agree.

The Hon. B. P. DUNN: They do not have the same industrial problems.

The Hon. R. J. EDDY: They do. That has nothing to do with youth, sport and recreation and national fitness in Australia. Once again, all credit is due to the Minister for Youth, Sport and Recreation in Victoria for what he is endeavouring to do with respect to fitness, not only within Victoria but also throughout the Commonwealth. Victoria leads the field in sport and recreation. There is no doubt about that. If the Minister is prepared to carry on within the guidelines laid down in this legislation, I am certain that the people not only of Victoria but also of Australia, with the exception of those who want to become as fat and lazy as the members of the Government of Queensland, will appreciate what the Victorian Minister is endeavouring to do in this Bill.

The Labor Party supports the Bill and hopes the people of Australia will also appreciate it.

The Hon. D. M. EVANS (North Eastern Province): The National Party is again prepared to support the legislation. It simply transfers the old National Fitness Council to the Sports and Recreation Council. More particularly, the National Party supports any efforts to make Victorians fitter than they are. There is no doubt that as a State and a nation Australians are not fit. I was interested to hear Mr. Eddy say that in Queensland the conditions are different. Of course the sun is brighter, the people have more fresh air and they have an intelligent Government. They get out and exercise more often and therefore do not need as much recreation.

It is sad that as we progress into the twentieth century people need more encouragement to use their limbs, exercise, breathe good fresh air, move around and have the enjoyment of a fit body and do things people want to do if they are fit and well. Victorians need more encouragement in this respect now than they have in the past. The Government has recognized that fact and I congratulate the Minister for Youth, Sport and Recreation for the imaginative way in which he and his department have caricatured the habits and lifestyle of Victorians at the present with, "Bewdy Norm". The situation is that Victorians need this encouragement but are not getting it. It is hoped that this legislation, by streamlining the whole Department of Youth, Sport and Recreation and by bringing the

attention of the public to the problem, will make us a fitter, happier and, I hope, a better people and in time we might even be able to reach the standard of the enlightened and wonderful people of Queensland.

The Hon. H. R. WARD (South Eastern Province): I support the Bill. It is a progressive step in the development of the functions, particularly of the sports council. One of the most amazing things that concerns me about the use of sporting facilities is the way in which one sport or another monopolizes a facility about three hours a night one night a week when, with organization by the recreation officers of municipalities, that facility could be used every day and night from 9 a.m. to 10 p.m.

The other point I make is that when sport facilities are built there is a tendency to build them according to the design of only one sport. A good example is the building of a stadium of basketball size but insisting on putting windows into it. That affects all other sports. A basketball sized court is an ideal size.

The Hon. A. K. BRADBURY: You should go to Wangaratta.

The Hon. H. R. WARD: I know all about the reserve there. I will be happy to debate that matter with Mr. Bradbury later. A problem which occurred in the Shepparton area is that windows were put on the north side of a building, which meant it was unsuitable for other sporting facilities during the day. I suggest that the minimum size for a building in central areas is that of a basketball facility, which would cater for many other sports including four badminton courts, a tennis court or volleyball court. This can be done provided the building is the size of a basketball court.

Net ball is the most advanced sport in Australia. Women's net ball is rarely recognized. Those sports can all fit into the one hall, but one must not include windows, particularly on the north side of the building, in this part of the world. Honorable members are aware of the advice that can be provided by experts. During the daylight hours it could be used for indoor bowls. At one time the Department of Health argued that one could not use a hall for toddlers and playgroups. The building must also have a roof height suitable for these sports, to almost international standard. It is not necessary to have ceilings 14 metres high, but it is important that they be 10 metres high. The functions and the advice the State Sports Council gives will be important to the development of sport in this country.

Another point in the Bill concerns the necessity to examine the cost of promoting improvement of individual sports and the general standards of proficiency. The Ministry of Youth, Sport and Recreation has provided a tremendous amount of money for coaching, but this often is not used to coach people in sport but is frittered away in some peculiar administrative activity. This is a problem for the Ministry, because these moneys are difficult to follow through, but if money is provided for coaching people to participate in sport, it should be spent in this way.

A good example of this is the sporting centres which provide indoor activities for married women with families. There is a remarkable leisure centre in Corio, Geelong, under a design by Mr. Barry McMurrich. It provides a crèche for children within the centre and enables mothers to participate in sport.

The promotion of these activities is looked forward to, but the whole philosophy behind the Ministry of Youth, Sport and Recreation is to involve people in sport as a community. It is tremendously important that this is carried out.

I am happy with the support given to the Bill, particularly with the revamping of the National Fitness

Council, and also with the reorganizing of the Sports and Recreational Council. This is in the interests of everybody. I commend the Minister and the Ministry for the way in which the "Life: Be in It" campaign has been taken up nationally. I had the honour this year on two occasions to comment in Europe on the "Trim" campaign, which is the alternate programme produced in Europe to the "Life: Be in It" campaign. Its aim is to involve people in sport and activities, and it is to the credit of the Minister that the "Life: Be in It" campaign has become nationally known. I congratulate the Minister and the people who have brought this Bill forward.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 8344 s. 2).

The Hon. F. J. GRANTER (Minister of Water Supply): I thank the three members who contributed to the second-reading debate for their comments. I will pass on their congratulations to the Minister.

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.

EGG INDUSTRY STABILIZATION (AMENDMENT) BILL.

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

MACLEOD LAND BILL.

The debate (adjourned from November 9) on the motion of the Hon. W. V. Houghton (Minister of Health) for the second reading of this Bill was resumed.

The Hon. H. A. THOMAS (Melbourne West Province): This Bill concerns an area of land in Wungan Street, Macleod, which is permanently reserved for public recreation. The reserve is under the control of the City of Heidelberg as a committee of management. A large community centre is located on the reserve. It consists of a youth and community centre controlled by the Young Men's Christian Association, and club-rooms for use by elderly citizens.

The cost of the project was approximately $1 million, and was borne by the City of Heidelberg, the Young Men's Christian Association and the State Government, through the Department of Health and the Department of Youth, Sport and Recreation.

This is an example of what can be done when three bodies co-operate. The area in which the centre is erected contains a large number of children. The membership of the Young Men's Christian Association is approximately 3,000 and another 2,000 non-members use the facilities weekly. This centre will remain open to the public, and any fees charged will be with the approval of the council. It could become one of the most outstanding recreational centres in Victoria. All moneys raised after the proposed lease is confirmed will be used for maintenance and improvements to the area.

The Bill provides for the City of Heidelberg to issue a lease to the Young Men's Christian Association to continue its occupancy for 21 years. The council will retain control of the building. I have checked with the council, and all parties concerned agree with the proposal. It has taken time to overcome the legal problems connected with this Crown land. It is time that other similar areas of Crown land were turned over to council control. I commend all concerned, and the Labor Party does not oppose the Bill.

The Hon. B. P. DUNN (North Western Province): Members of the National Party have examined the Bill and, as the Minister has assured the House that the parties concerned are in agreement with the granting of this lease by the City of Heidelberg to the Young Men's Christian Association to enable this community centre to continue its day-to-day operations, we support the Bill.

The motion was agreed to.

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

WYCHEPROOF LAND BILL.

The Hon. W. V. HOUGHTON (Minister of Health): I move—

That this Bill be now read a second time.

Its purpose is to authorize the committee of management of the Wycheproof Recreation Reserve to grant a lease to the Wycheproof Golf Club of that portion of the reserve on which the golf club-house is erected. The reserve is used for golf and horse racing and has been placed under the control of a committee of management comprising the three councillors of the Shire of Wycheproof. The Mount Wycheproof and District Racing Club conducts two race meetings on the reserve annually. The golf club has expended a large sum of money on improving the club-house and further building extensions are envisaged. The club desires to obtain security of tenure of the building. The club-house is also used by the Mount Wycheproof and District Racing Club on race days and its use will be protected in any lease.

The joint use of the facility is of course of benefit to both parties and the present arrangements are most harmonious. The committee of management, the racing club and the Racecourses Licences Board are all agreeable to the proposal provided the interests of the racing club are protected. The provisions in the Bill are similar to those enacted in respect of other Crown reserves used by sporting or recreational clubs. Clause 1 cites the short title and provides for commencement of the legislation.

Clause 2 authorizes the committee of management to grant leases of the whole or any part of the land shown hatched on the plan in the schedule for the purposes of sport or recreation or social activities connected therewith. It also sets out the standard conditions of leasing for measures of this nature.

Clause 3 is the usual provision that no liability shall attach to the Crown. The schedule contains a plan showing by hatching the land on which the club-house is erected and its surrounds, and which may be leased by the committee of management. I commend the Bill to the House.

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

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

MARINE (PILOTS SUPERANNUATION) BILL.

The Hon. HADDON STOREY (Attorney-General): On behalf of the Minister for State Development and Decentralization, I move—

That this Bill be now read a second time.

It seeks to achieve three main objects. Firstly, it amends section 90 of the Marine Act to make it clear that the pilots' representative on the Pilot Superannuation Board is elected by those pilots currently licensed for Port Phillip and in service there, and not a combination of serving pilots and retired pilots. The serving pilots have always elected the representative in the past and this is considered appropriate as it is by their work in piloting ships that the funds are generated which are paid into the superannuation fund.

Secondly, it amends section 90A of the Act, by adding a new sub-section (5). Sub-section (5) (*a*)

serves to validate the election of the present, together with past, pilots' representatives on the board. These have in some cases been elected by the majority of all pilots attending a meeting of pilots rather than a majority of all pilots in the Port Phillip Service. Sub-section (5) (*b*) will validate actions of the board during the period from 23rd November, 1976, during which the present representative has served and remove any doubts that recommendations of the board for pension entitlements were properly made during his period of service.

The third aim of the Bill is related to the recent disallowance by Parliament of the Port Phillip Pilot Sick and Superannuation Fund Regulations 1977 (Statutory Rule No. 105) on the grounds that, although they were within the regulation-making powers of the Pilot Superannuation Board as set out under section 91 of the Marine Act, they contained matter which should properly be dealt with by an Act of Parliament rather than by regulations.

It would be inappropriate to include in the Marine Act all of the detail contained in the regulations but the new section 91A proposed in clause 5 establishes the principle that regulations may be made to provide benefits to pilots, their widows and children that differ in amount according to the length of service or time of retirement. An amendment to section 91 by clause 4 provides that such regulations will be approved as equitable by the Government Actuary. Consequent upon the approval by Parliament of the important principle contained in these clauses, the board will be able to introduce new regulations. It is proposed that these new regulations will exist side by side with the old regulations and that the new regulations will not apply to pilots who retired before 1st January, 1975.

Pilots who retire after 1st July, 1976, and their widows and children will be entitled to the full scale of benefits. Under the new regulations pilots who retired between 1st January, 1975, and 1st July, 1976, will receive benefits on a graduated scale between entitlements under the old scheme and entitlements under the new scheme.

The new regulations will provide for a maximum pension, after 25 years' service, of $12,500 per annum, as against the maximum under the old regulations of $8,250 per annum. There will also be improved benefits for pilots retiring early through sickness or accident and improved benefits for widows and children of pilots dying in the service or dying after retirement. It is emphasized that this scheme has only been produced after exhaustive actuarial examination of the superannuation fund having regard to the existing pilots, pensioners, widows and children.

The principle of different scales of benefits for persons retiring at different times is widespread in superannuation schemes. The proposed amendments will make it possible for the board to make arrangements which are more in line with modern practice, and will assist in recruiting qualified masters into the Port Phillip Pilot Service. I commend the Bill to the House.

On the motion of the Hon. W. A. LANDERYOU (Doutta Galla Province), the debate was adjourned.

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

APPROPRIATION (1977–78, No. 1) BILL.

The debate (adjourned from November 17) on the motion of the Hon. V. O. Dickie (Chief Secretary) for the second reading of this Bill was resumed.

The Hon. Dr. FOLEY (Boronia Province): When the House rose last Thursday, I was developing the first of two themes. I was explaining to the House that the size, shape and character of the Victorian Budget, and indeed the role that we play in

its development, is determined by two sets of parameters. One set is described by the Victorian budgetary process and the Budget documents which, I suggested, are under the control of the State Government. I went on to say that there were some facets in that area that were within the control of members of this Chamber and I put forward some proposals which might effect an improvement in the process. The other parameters—one might call them the external or financial parameters—are described by Commonwealth–State financial relations, Commonwealth economic policy, and by the Australian Constitution. They are, of course, under the control of the Commonwealth Government.

I shall briefly recapitulate my comments on that first theme. To analyse the Bill, I looked to the Budget as a social document, a process, and at its format and content. Honorable members will recall that I made the following points—

1. The Budget documents do not adequately express the social objectives of Government. The Appropriation Bill, need I remind the House, makes no pretence at describing the function of expenditures.

2. The documents we receive, especially the Appropriation Bill, are almost incomprehensible and a triumph of legalism and accounting convention over Parliamentary usefulness. I notice that that view is shared by my Federal colleague, Michael Baume, the member for MacArthur, New South Wales who, writing in the November, 1977, issue of *Quadrant* says—

> State financial accounts are almost unintelligible. Anyone who can make anything of the recent New South Wales treasury statements on capital expenditure deserves to be a State Public Servant.

3. The role of members of the Victorian Parliament in the budgetary process is token, unacceptable and should be changed. I went on to say that the role of members of this Chamber on matters of finance is anomalous, to say the least. In the 122 years to the day, and almost to the hour, Mr. President, that this Chamber has been in operation, the position of Legislative Councillors in matters of finance has been muted-one might say neutered.

Finally, I expressed the hope that each of the parties represented in this Chamber might seek to alter the budgetary process, the process which brings the Appropriation Bill to this Chamber, and also the format and content of the Budget documents.

Let me now turn to my final comment on the Budget and its accompanying documents by examining it as a plan. Because a considerable proportion of the State Budget is predetermined, possibly of the order of 80 per cent, and because most commitments are to projects or activities that will continue some time in the future, it is appropriate to judge the Budget as a plan. By my definition of plan, there are three categories: There is strategic planning, system planning and the annual plan. The strategic plan obviously deals with the long term objectives of government. The system plan deals with inter-relationships and interdependencies between various parts, while the annual plan is the commitment of funds for the first stages of those developments.

In this Chamber, we get to see only the annual plan. As Parliamentarians, we are deficient as a result of being excluded from those other elements of the planning process—strategic planning and system planning. The Budget's most obvious, and indeed its most serious weakness as a plan, stems from its annuality. All the Budget tells us is next year's commitment and what money was spent last year—honorable members have no idea of total or life cycle costs of the items listed in the Budget and therefore have no basis for realistically evaluating project " A " against project " B ".

To be meaningful, plans, any plans, whether they be about land use, State development or electricity generation, require three elements—an operational objective, alternative solutions and the best possible estimate of the costs and benefits of each alternative.

I have said that the Budget tells us how much money has been spent in the previous year, or previous several years, and how much is to be spent in the forthcoming year. Conspicuously, it does not identify the factors on which those future amounts will be spent. For example, very rarely are we told the manpower consequences of those expenditures.

Since the Treasurer and Treasury officers must have such data it would seem perfectly reasonable to me to ask that those data are also provided to the Parliament. It would seem even more reasonable that we should get them.

Examining this Budget and discovering an abysmal lack of economic as opposed to accounting data, reawakens a long-held concern of mine. I am concerned to find in this Budget more than a hint of the widely held, and very disturbing notion, that non-elected officials should have all necessary data and research facilities for understanding and evaluating major issues, but those electorally responsible have little or none. The thought that the Budget "carve-up" might in effect be totally determined by the bureaucracy is disconcerting, to say the least.

The problem faced by members of Parliament in this area has been neatly drawn by Richard Crossman in his *Godkin Lectures* at Harvard University in 1970. Replying to a question, Crossman, Oxford don, Cabinet Minister, Leader of the House of Commons, and member of the British Parliamentary Labor Party for more than twenty years, made the following remark that is now more pertinent to us than to British members of Parliament—

> But Parliament has surrendered all financial decisions to the Cabinet; and, to carry it one step further, the Cabinet has surrendered all decision to a Cabinet committee of two people, the Chancellor and the Prime Minister. It is no secret that Cabinets don't see the Budget until the day before, and then it is too late to change any but quite minor proposals. So here is a case where the power is concentrated into the hands of two men. That is a formidable concentration of power, and it is a formidable surrender of the power of collective Cabinet decision.

In light of my earlier comments on the function of this Chamber, it is appropriate to point out that Richard Crossman was instrumental in the formation of special Select Committees of the House of Commons in 1966.

A Government Budget should serve three major functions: planning, management, and control. Victorian line-item budgeting is useful only for control. It is almost totally useless for planning and management. With control or the Gladstonian "counting the candle ends" as the primary function it should be no surprise to find that our Budget is annual and the Public Accounts Committee is *ex post* and control oriented.

Currently one must take the Victorian Budget Estimates on trust. The question is: Should we continue to do so? In the interests of informed, open and responsible Government, I believe we should not.

Owing to the lack of time, I shall not develop the second theme to which I referred last week. A situation that admirably illustrates the argument I put on that occasion is that the Budget comes to this Chamber far too late. I suppose it is something of an indictment to say that the half hour or more that I wanted to speak on the Constitution and Commonwealth economic policy and the way in which they impinge on Victorian budgetary processes can be summarized in a single quotation. Professor Crisp of the Australian National University, who was private

secretary to Prime Minister Chifley, reported in his book, *Australian Government*—

> There was point, if not tact, in J. B. Chifley's announcement from the chair at a Premiers Conference of the late 1940s: Ayes: six; Noes (the Commonwealth): One. The Noes have it.

It has ever been thus, and it will continue to be thus, until honorable members are prepared to look critically at the Victorian budgetary process, to examine critically the budgetary documents and to pay far greater attention to Commonwealth financial relations and the policies of their Federal colleagues.

Having looked at the budgetary process within which we must operate and found it wanting; having examined the character of the documents with which we must work and found them almost totally unsuited to our purposes—they may be perfectly suited for Treasury—having referred to the State's limited area of discretion and declared that to be unreasonably, even unconstitutionally restricted; and noting, in passing, that the State Ministeries responsible for those problem areas—Treasury and Federal Affairs—are the secondary responsibilities of otherwise extremely, one might say overly, busy Ministers—the Premier and the Minister for Local Government; noting all that, I ask; Is it any wonder that we are consistently and accurately accused of being less well equipped in the field of finance and economics than our Federal colleagues?

I deplore the process that limits my effect in this area of finance to almost zero and gags my comment on the State's most important Bill. I condemn the format and the content of our budgetary documents. In conclusion, let me thank honorable members for their patience and you, Mr. President, for your forbearance.

The Hon. I. B. TRAYLING (Melbourne Province): Before I make a few comments about the Appropriation (1977–78, No. 1) Bill I should like to say that the previous speaker, Dr. Foley, has made an excellent contribution to the debate in this House. Even as a member of the Opposition I applaud him for the preparational work put into his speech, the philosophical basis on which he has approached the problem of the Budget and the appropriation Bill for the benefit of this Parliament and, attendant on that, as a possible help to the community in understanding what government is about.

It is not my role as an Opposition spokesman to heap praise on a member of the Government party, particularly in relation to the Budget, but I feel compelled to do so in this case because Dr. Foley's contribution to this debate might well be an historical one if the Government has the courage, as I am sure a Labor Government would have, to take up, or at least consider, many of the issues that he has raised to ascertain whether as a Parliament on behalf of the community we can make a better contribution, not just for Victoria but, as the honorable member intimated, for the better working of Government throughout our nation.

Notwithstanding those remarks, I have criticism of this Bill from the Opposition standpoint. Firstly, it fails dismally to deal with the most important problem facing the Victorian community today—the problem of unemployment. In Victoria the number of unemployed persons hovers around the 80,000 mark. I do not know whether any members on the Government side of the House are prepared to say that that is a creditable position. The figure is rising and is bound to exceed six digits—100,000 plus—in the early part of 1978 with school leavers.

Members of the Opposition attack this Budget for not taking any measures to prevent that escalation in unemployment, let alone reduce the existing unemployment figure of around 80,000 in Victoria. The Budget, through this appropriation Bill, is the best measure to provide the steps to tackle the problem of unemployment. It is

not a fair comment to suggest, as some Government members are apt to do, that unemployment is exclusively a Federal Government matter. It is not. In that context the Appropriation (1977–78, No. 1) Bill has failed, and for that reason members of the Opposition condemn it.

Honorable members on all sides of the House know of many examples of professionally qualified people who are unable to find employment. I only refer to "professionally qualified people" because our system provides that if people take certain steps and endeavours which they fulfil through hard work and dedication, certainly they should expect a job at the end of it. That is no longer true. There are fully qualified teachers who cannot find jobs. The teacher organizations are aware that the position will become much worse next year. Although that is so, there is a class-room situation throughout the State whereby there are not available for children who seek to obtain an education, sufficient teachers in various subjects to enable them properly to follow their educational pursuits in special English and other important subjects. This is happening when there are unemployed teachers who want to work. It is an indictment on society through the Government in this State that qualified teachers who want to work and assist in educating children are unable to do so because of the inhibitions and prohibitions placed on them in finding employment.

I cannot think of a more serious indictment of an attitude, a philosophy or priorities of any Government in a Western civilized community that is denying educational opportunities to children. That cannot be emphasized too strongly. This Bill is supposed to make everything happen in the community for the general benefit of the community. It fails to do that necessary thing. If contemporary media responses, and so on, do not properly judge the Government, history will condemn it.

In a time of unemployment, one would expect that even if the Government had failed in education it would look after the sick and people in need of medical assistance. For years honorable members have heard about the shortage of nurses and medical staff in hospitals and elsewhere to care for the sick. Therefore, in a time of high unemployment one would have expected encouragement to be given to people, not only within the profession, but also those aspiring to be trained in that profession. It is another sad indictment of this Government that that is not so. There are in the State trained nurses who want jobs and cannot get them. The Minister of Health knows as well as I do that a nurse spends three, four and sometimes five years in training to serve the sick. To be fair to the Government, its Federal colleagues in Canberra have not helped it. This Government is denying jobs to nurses who want to help the sick and needy.

I do not know how far one can go in indicting a Government for neglect of education and health. The Labor Party unashamedly promises that when it is in Government after the next State election the priorities of those Ministers who sit opposite will be very much changed. Nurses will not be out of work. Teachers who are needed will not find themselves out of work. This terrible elitist attitude of "I'm all right Jack" by the privileged in the community will be abandoned.

No Government could be proud of providing an environment in which human misery abounds. Poverty not only exists but is positively encouraged by the policy which the Government promotes, and more importantly, the things that it does not do. It is an uncaring philosophical attitude. It looks after those who are all right and abandons those who are too weak and not well enough positioned to help themselves.

The Government might argue that its most important aim is to bring down inflation, that that is its biggest worry. But it ignores unemployment and the human misery that that

unemployment creates in order to achieve that aim. That is not a proposition that I or my party accept. Nevertheless, it is an economic theory advanced by some economists which is now outdated. Members of the Opposition want to defeat inflation but not at the cost of human misery. To do so is an absurdity about which history will make a judgment which I suspect will condemn the Government of the day.

I am sure the Minister of Health does not regard it as serious because he sacks nurses at will and certainly approves of sacking them.

The Hon. W. V. HOUGHTON: The honorable member said we were short of nurses at the beginning of the speech. Now he is saying there are too many.

The Hon. I. B. TRAYLING: Even the simple-minded Minister must have followed what I was saying. If necessary, I shall repeat it. There are many qualified nurses in the State, employed and unemployed, and the Department of Health is either sacking them or denying them employment opportunities. The Minister is proud of that and thinks it is something to be smug about.

The Hon. W. V. HOUGHTON: The honorable member told us we were short of nurses when he started speaking.

The Hon. I. B. TRAYLING: If the Minister had his ears open he would understand.

The PRESIDENT (the Hon. W. G. Fry): Order! I have spoken on this matter several times during this sessional period. If honorable members ignore the Chair there will be a series of dog fights that get the debate nowhere. I ask the honorable member to address his remarks to the Chair and ignore interjections.

The Hon. I. B. TRAYLING: Thank you, Mr. President. I appeal to the Minister of Health, if he is going to enter the debate from time to time——

The PRESIDENT: Order! If the honorable member will direct his remarks to the Chair, and drop that theme, we may get somewhere.

The Hon. I. B. TRAYLING: Thank you, Sir. The Government argued in a submission in the recent national wage case that inflation in Victoria stands at 13·6 per cent. However, a few weeks ago the Premier argued that we are into single digit inflation. That is the trouble with the Government. It adopts hypocritical double standards that are an extremely poor substitute for informing people on the problems of the Government. One does not deny that the Government has problems but at least it should be honest and tell the public the real figures and the real position and hope the public will understand, respond and be sympathetic in a most difficult period. Unfortunately, this Government, like its Federal colleagues, is dishonest in reporting facts. There is no better example of this than the State Government in the recent national wage case claiming that inflation has reached 13·6 per cent in order to impress the court that wages should be held down. A few weeks later honorable members are told that we have single-digit inflation for election purposes. I appeal to Government members who perhaps are not in possession of the details to become conversant with the facts and make up their own minds even if they are bound to adopt another course.

Members of the Opposition are most disappointed at the priorities on expenditure which have been advanced. The Public Works Department provides a lot of employment in the State. It is responsible for the construction of buildings and so on for most departments. It spends hundreds of millions of dollars and is a major provider of employment. I acknowledge that the Public Works Department does excellent work in the building and construction that it undertakes. We are proud of what it has done in renovating and restoring this House. The department has the

capacity to do excellent work if it is given the funds to do so. The Budget appropriation for 1977–78 is $426·6 million.

That is the same amount of money which was provided to the Public Works Department in the 1975–76 Budget. When we take inflation into account, that means that there has been a real reduction in the spending by the Public Works Department of approximately 25 per cent. Of course, that brings us to the crazy, outmoded obsession of conservative Governments, that in order to minimize problems within the community, you must cut down on public sector spending in the hope that conversely it will promote an equal, if not greater, stimulus in the private sector.

That might have been the thinking of economists a decade or more ago, but it is no longer true. The sooner this Government realizes that public expenditure is complementary to the private sector, the better off we will be because unless that sort of premise exists, we are unlikely to get policies in this State which provide a real stimulus to the economy. It is useless to say that everything that the Public Works Department does is exclusive of, distinct from and non-beneficial to the private sector. Every honorable member knows that that is not true on any account.

What the Public Works Department does with its works programme is to employ, involve and otherwise engage the assistance and help of the private sector. If public works expenditure is down, then the private sector loses out as well. That is not a great revelation; it is a very simple understanding of basic knowledge in a modern society, and it is a tragedy that the Government does not understand it. It may be argued, of course, that excessive spending in the public sector might adversely affect the private sector. That argument has been used in the past in the Federal sphere, and I do not intend to comment on that, but in Victoria within the framework of our Budget a big gap in real terms—we are speaking of a 25 per cent reduction over two years in public sector expenditure—also has a detrimental effect on the private sector. There is always a position of balance on how much a Government can cut back public sector expenditure so as to stimulate the private sector, and vice versa. The Victorian Government will never convince anyone, despite this basic reasoning—there is a real difference in money terms of 25 per cent over the past two years in public works expenditure—that it has not done other than to cause the economy to deteriorate more than it already was deteriorating because of inflation and other reasons.

The best thing this Government could do would be to increase its expenditure in the Public Works Department because all sorts of benefits would flow from that. If we build more hospitals and schools we will see increased employment of contractors and their employees, skilled tradesmen, labourers, clerks and so on. The argument for this sort of thinking is overwhelming as overseas experience indicates. I do not think it would be philosophically disadvantageous for the Government to re-examine proposed expenditure in the public sector.

The Hon. D. G. CROZIER: The old Keynesian argument again!

The Hon. I. B. TRAYLING: The Minister for State Development and Decentralization can interpret it any way he likes, but I am concerned about employment in this State—all honorable members should be concerned about it. What I seriously put is that it is not an answer that the Government, in its apportionment of priorities through the appropriation Bill, should reduce in real terms expenditure in the Public Works Department. In my view the Public Works Department works pretty well. The department has very competent people in its employ including good tradesmen and they should be given the opportunity to assist in getting our economy moving

again. They have been denied the opportunity with a reduced capacity to engage in works, and that is what I am complaining about.

I do not care which Government is in power, whether it be a conservative Government or a Labor Government, there will always be dissatisfaction over the amount of money on hand to cope with the problems at hand. I sympathize with the Government as it has not enough money to do all the things the Opposition would like it to do. If the Labor Party was in government it would not have enough money to do all the things it would like to do or what the Government, if it was in Opposition, would like it to do. That is where it gets back to the establishment of priorities and I suppose that is where we, as parties differ.

There are some outstanding points in repect of which the Government could in some way improve its position, as the Labor Party would, if it was in power, to gain more money in order to expand its range of options for the benefit of the community.

I cite as an example the State Insurance Office which engages primarily in lost business. Consequently potential revenue to the State is lost. Secondly, it subsidizes other insurance companies, a very significant percentage of which are overseas owned, at the expense of Victorian taxpayers. To maintain the State Insurance Office in a loss situation is not only unsound business but a serious liability. It is caused by the attitude of the Government which this community can no longer maintain. There is no reason why the Government, by the passage of a simple Bill through this Parliament, cannot enable the State Insurance Office to enter into the profitable life insurance business and with benefit to all. They do it in other States. Why does Victoria have to be the last bastion of conservative opinion and subsidize overseas-owned insurance companies to ensure that we have loss business through the State Insurance Office? This is a simple and direct example of how the Government could obtain more revenue to expand its priorities in expenditure on behalf of the people of Victoria.

I could go on and on outlining in detail different facets which the Budget takes into account inadequately or not at all. In the view of the Labor Party many of the Government's priorities adversely affect the best interests of the community.

I conclude by stating that the Bill should be condemned. It lacks creativeness, innovation and inspiration and fails to tackle the problems of 1977–78 about which the community is most concerned. The lazy approach by the Government to this Budget is perhaps one of the reasons why this is so and for that reason I again applaud Dr. Foley's suggestion to the House that there might be another way of dealing with it. That is not to suggest that Dr. Foley agrees with my priorities or the priorities of my party on expenditure—it has nothing to do with that at all—but the honorable member made an excellent contribution to the debate. Perhaps the most important suggestion was that we should take another path, that we might adopt another attitude, and concern ourselves with a different exposure in this House of the position of the Government to the community so that there is a greater understanding of what it is all about. I feel that in that process it is possible for the Government of the day, either Labor or Liberal, to work through a different process of concern and understanding and to illustrate what it is trying to achieve with the income the State receives and how it proposes to expend income for the maximum of benefit to the community.

The Hon. W. A. LANDERYOU (Doutta Galla Province): In the discussion on the Supply (1977–78, No. 1) Bill on 5th May this year, *Hansard* records that Mr. Grimwade raised a number of points—I refer

to page 8778—about which he was concerned within the portfolio of the Minister for State Development and Decentralization. The Minister attempted to meet those points and I outlined what I considered to be the lack of understanding by the Minister of what the Supply document meant.

The PRESIDENT (the Hon. W. G. Fry): Order! For the benefit of Mr. Landeryou, I shall read Standing Order No. 127—

> No member shall allude to any debate of the same session, upon a question or Bill not being then under discussion, except by the indulgence of the Council for personal explanations.

It is not in order for Mr. Landeryou to discuss another Bill in the same session. What is the date?

The Hon. W. A. LANDERYOU: 5th May of this year.

The PRESIDENT: It is the same session.

The Hon. W. A. LANDERYOU: I draw the attention of the House to the fact that in that discussion, both by way of exchange and through the Chair, the Leader of the House indicated that he accepted the points I made. I reminded the House at that time of the points that had been made by the late Mr. Tripovich over the years, and many of those points were covered in an excellent address to the House last week by Dr. Foley. In summation, what I put was that I was not able to understand the documents presented to the House in respect of that matter, nor am I able to understand the appropriation Bill in the sense that one can vote on its detail intelligently one way or the other.

During that discussion, the Leader of the House undertook to raise several points with the Treasurer: Firstly, by agreement with me, the proposal that far more detailed explanations should be given about expenditure on the various funds; and secondly, the matter raised by interjection by Mr. Knight, that the Leader would undertake to examine the possibility of establishing an all-party committee, perhaps comprising members of both Houses. The Chief Secretary told the House that he could not see much virtue in having a committee consisting only of Council members, although I would argue for such a committee.

The point I make is that the House was given an undertaking that the Leader of the House would try to provide in the spring session an answer to meet the Opposition's argument. At that time, Thursday, 5th May last, it was near the close of the session, and the House was told that during the recess the Government would consider whether it was possible or feasible to provide alternative machinery for consideration of those issues.

We are now reaching the conclusion of the spring sessional period and so far there has been no response on that matter. Perhaps the Chief Secretary will respond to the point and intended to do so all along. The important issue is that almost everyone in the Chamber believes there should be far more precision in the Bill and in other similar Bills that are introduced regularly, because clearly they are not understood by members on both sides of the House. Nevertheless, members vote one way or the other, generally on party lines. However, the appropriation Bill does not give members an opportunity, presumably in any party room, to understand the issues completely.

Dr. Foley and Mr. Trayling outlined the same points made during the debate last May, and they have been constantly raised by many members over the years, namely that the Bill is extremely difficult to understand and impossible in most areas to follow through so that one can make an intelligent appraisal of its implications on specific matters, let alone generally in terms of overall philosophy.

I entered the debate so that I could remind the House, particularly the Chief Secretary, of the undertaking

he gave six months ago, and to inquire whether the House will be told whether consideration was given to the matter, and if so, what the conclusions from that consideration were.

The Hon. H. R. WARD (South Eastern Province): I commend Dr. Foley on a remarkably learned address on this document which has been put before the House for appropriation. The Bill is a politically astute proposition, and is presented with the document called Estimates of Receipts and Payments of the Consolidated Fund for the 1977–78 financial year. It may be that one can take issue with Dr. Foley on some points he made from an academic point of view and translate them to a political view of the feeling of an electorate. That is another issue, which I do not intend to canvass this evening. What has been said is also true of some items referred to in the appropriation Bill.

If one examined one section, such as education—it might also be health or any other section—and considered the amount of money that has been appropriated just for education, one would be at a loss to understand how that money has been expended, how many people were being employed to support it, in what areas the money will be used, whether the population trend will be up or down in the next few years, or whether a demographic study of this document has been made to support it.

What Dr. Foley said was quite clear, that there may be a need for such a study. I reiterate that the House ought to sit as a Committee to examine these documents, make a study of them, and, if necessary, make recommendations for the future on what ought to be done having regard to population needs. Dr. Foley said that what was needed was a social document, a people's document. That is the important part of this measure.

During his address Dr. Foley quoted from another source and said that we tend to deal with the situation from a parochial rather than a national point of view. A study of this document ought to be undertaken in the light of the national scene.

Another point that tends to be overlooked in discussing allocations from consolidated revenue and what the State requires is that the Treasurer has to balance the Budget. Honorable members talk about what is done in the Federal area, but the Commonwealth Government can run to a deficit in its budget. The State Government is required to balance its Budget, and the Premier, the Cabinet and the people who draw it up have to make political decisions that are important at the time. They are pragmatic and do not necessarily consider the long-term issues involved.

The Hon. A. J. HUNT: They usually do.

The Hon. H. R. WARD: Apparently, the Minister takes objection to that statement, but those decisions do not necessarily consider the long-term issues. If they have—and I would debate this at any time with one of the Ministers—then the documents provided show no evidence of it, and one might ask where the evidence has been produced.

Every effort is made in this small document called the Budget to set these matters out. I am not raising new matters but repeating certain points that are pertinent to this document. If the House were given the opportunity of becoming a constructive critic of the appropriation accounts, it would be able to give better service to the community than it can at present.

At times we do not even consider that that is the situation, but the duty of people in this House ought to be to review matters constructively, particularly in relation to this document, and the propositions put forward in the earlier speech make this quite clear. Mr. Trayling has the right to be constructively critical, and I am

surprised that more has not been made of this point of the Budget document.

Consideration must be given to some of the comments made by Mr. Trayling, who said that the priorities of Government supporters differ from those of the Opposition. He probably exaggerated some statements, such as that people are sacked or that the Government does not bother to employ people.

The Hon. R. J. EDDY: That's what Malcolm Fraser does.

The Hon. H. R. WARD: That has nothing to do with it. What study has been undertaken to find out what contribution has been made by schoolteachers? Is it true that 20, 30 or 5 children ought to be the optimum level in a class-room? Is that stated in this document that has been presented by the Minister, and have we had a chance to criticize it? A pertinent question that the public asks is: What do we contribute? That matter is closely connected with teachers, but it has not been closely studied.

What study has been made of the use of aides in either the Department of Health or the Education Department? When a new department is proposed to be established, do we learn what relationship there is between the professional structure and the staff provided by the Public Service? If people in a certain area are upgraded into the professional structure, are the needs and responsibilities demanded by the Public Service Association considered? It is not done, and these are the problems and challenges that ought to be translated into these documents to point out the priorities that apply from now into the future.

After all, when teachers become part of the structure, they are there for an effective working life of 40 years, but we are not sure whether a teacher will contribute, in or out of the class-room, as a principal, engaged in administration work, or what structures are to be devised. Honorable members tend too much to accept propositions like that. They put forward many ideas and propositions that can be considered, and that applies to the matters that Dr. Foley presented to the House.

In spite of what might be said by the exponents of various viewpoints in the House, this ought to be regarded as an overview. That is tremendously important. I have said twice before, and I repeat again, that I believe the House will become a total anachronism if honorable members are not prepared to look at the structure of its duties in relation to the document that Dr. Foley called in his address a " social plan ".

The Hon. V. T. HAUSER (Nunawading Province): Like speakers who succeeded Dr. Foley, I also congratulate him on his learned and fascinating address. Like many other members in the House, I learnt a lot from his address on the Bill. I hope he succeeds in allowing us to be presented——

Honorable members interjecting.

The PRESIDENT (the Hon. W. G. Fry): Order! Mr. Eddy will cease interjecting.

The Hon. V. T. HAUSER: I hope Dr. Foley succeeds with his objectives and that honorable members will have simplified documents placed before them in years to come. I also hope more detailed documents will be provided so that people who wish to examine matters a little more deeply can make surveys and studies into State financial matters.

The subject of my address on the Bill relates in general to trade union policies and politics and the effect of those policies on wage escalation and the effect of wage escalation on inflation. During the years 1972-75 in one quarter inflation reached the rate of 19 per cent. That figure was obtained by multiplying the quarterly rate of 4·75 per cent by four. The rate has now been reduced to

approximately 8·5 per cent, and that figure is obtained by multiplying the latest quarterly inflation figure by four.

The Hon. R. J. EDDY: You can't even add up!

The PRESIDENT (the Hon. W. G. Fry): Order! I have already warned Mr. Eddy once. If the honorable member wishes to take me to the limit, I shall be happy to oblige him. I am instructing the honorable member to cease interjecting.

The Hon. R. J. EDDY: I am only helping him, Mr. President.

The PRESIDENT: Order! Has the honorable member decided to cease interjecting or does he wish me to take the next step?

The Hon. R. J. EDDY: I apologize, Mr. President.

The PRESIDENT: I should like Mr. Hauser to indicate how his remarks are related to the Appropriation Bill and the various sections of it. Up to this time the honorable member has made a general exposition but I should like him, as quickly as possible, to indicate the way in which his remarks are related to the Bill.

The Hon. V. T. HAUSER: My remarks are concerned with Division 280, which deals with the Department of Labour and Industry. In a book *Do Trade Unions Cause Inflation?* written by Jackson, Turner and Wilkinson and published in 1975 the following statement appears—

> It is an irony of the contemporary industrial market economy, and its characteristic fiscal arrangements, that within it unions in general can now only both protect their members' employment and raise their members' real living standards to match potential productive growth by largely abandoning their traditional technique of separate bargaining with employers for wage increases. If they cannot bargain, centrally, with the Government instead, their logical alternative is to reverse their historical demand for more money, and press for price and wage reductions as a means to higher real income!

Inflation of course affects the costing of Government in Victoria and strongly affects the outcome of Appropriation Bills from year to year.

As an illustration of inflationary union wage demands, I refer to a log of claims presented several months ago by the Federated Furnishing Trades Society of Australasia, a union that is active within Victoria. This log of claims was addressed to all relevant employers, and the introduction at the commencement of the document states—

> I am forwarding herewith under instructions from the abovementioned society, a log of wages and working conditions which it claims should be made applicable to all persons in your employ, whether members of the abovenamed society or not.
>
> I am further instructed to request that you put the said log into operation within fourteen days of its service to you. If the claims of the said log are not granted within that time, I am instructed to refer the claim to the Australian Conciliation and Arbitration Commission for settlement.
>
> At the time of serving this log upon you a copy of the log has been served on other employers in the States of Victoria, South Australia and Tasmania.
>
> Yours faithfully,
> K. F. CARR,
> General Secretary.

Many people employed by that union are employed within and by the State of Victoria.

I realize that the claim could be described as an ambit claim, in that it covers possibly some years into the future, but I regard the log as literally entering into the realms of fantasy. This can be illustrated quite easily by quoting from its predatory pages. The log of claims is many pages in length and I do not propose to read all of it, but it will be valuable for honorable members to be apprised of some of the claims made. These are requests made by the union to employers, both private and public, for the supposed benefit of its members. Clause 7 (c) states—

> Employment shall be terminated by ten weeks' notice given by the company or on one week's notice given by the employee.

In other words, if an employee's services are no longer required he should receive ten weeks' notice. However, if he wishes to resign he

only needs to give one week's notice —strange equality. Concerning redundancy, the claim states—

> An employee dismissed through redundancy shall, on termination, be entitled to a payment of four weeks' ordinary pay for each year of service with the company.
>
> No employee shall be dismissed through redundancy without the sanction of the workers' council in accordance with clause 47 of this log.

On wage rates—and this is most important—the log of claims suggests that the wage rate for a furniture maker grade "A" should be $1,000 a week. That is contained in clause 12 of the log of claims. The log suggests that a person in charge of more than twenty employees should receive an additional $50 a day. It also suggests that if a person has been employed by the State or a private employer for two years he should receive an extra $100 a week.

The Hon. B. P. DUNN: It sounds like a fairy tale.

The Hon. V. T. HAUSER: It is a fairy tale, but it is serious for Victoria. In connection with hours of work the log claims that the ordinary hours should be 30 hours a week but from that 30 hours a week it suggests that there should be deducted a period of 20 minutes a day for a rest period after three hours' work. Within the period of 30 hours a week it is claimed that the employee should be allowed 10 minutes each day before the midday meal and before knocking off time for washing purposes. It is also claimed that a period of four hours in each month should be allowed to employees at employers' expense for the purpose of holding monthly shop meetings of union members.

The Hon. W. A. LANDERYOU: They are not as good as the Legislative Council conditions, are they?

The Hon. V. T. HAUSER: I shall deal with that later. In connection with overtime, the log claims that all time worked outside ordinary hours of a day or shift should be overtime and should be paid for at the rate of quadruple time. It then suggests that all work performed on days other than ordinary working days should be paid for at quintuple ordinary time, and so on.

It is claimed that an employee required to work overtime should be paid an allowance of $20 for each meal taken during such period of overtime. The whole log is a fantasy, and it needs to be publicized to Parliament and to the people of Victoria. It is disgraceful that a union that suggests that it is in any way responsible could make such claims.

The Hon. W. A. LANDERYOU: Can you explain what an ambit log is?

The Hon V. T. HAUSER: Before Mr. Landeryou came into the Chamber I mentioned that an ambit log makes claims for some years into the future, but this log of claims is fantastic, and I ask Mr. Landeryou to listen because even he must agree that the claims are fantastic. It claims fifteen public holidays a year, which may not be unreasonable in Victoria, except that it claims employees should be granted a holiday on their birthdays. In dealing with annual leave the log claims that all employees after 12 months' service with an employer should be granted 10 weeks' leave, and that employees with 5 years' service should receive 15 weeks' leave. It states that for the purpose of taking and granting annual leave factories should be closed for a period of at least six weeks at Christmas and that all annual leave should be exclusive of public holidays.

The log claims that before going on leave an employee should be paid triple the wages he would have received in respect of the ordinary time he would have worked had he not been on leave during the relevant period. An employee with 5 years' service, who is entitled to 15 weeks' leave, would then be paid 45 weeks' wages for that 15-week period. At $1,000 a week the ludicrousness of this claim explains itself.

The union is also asking for bereavement leave, and the relevant clause suggests that an employee should receive bereavement leave of one week without deduction of pay, the leave to include the day of the funeral, on the death of a wife, husband, father, mother, child or mother-in-law, sister-in-law, brother-in-law, grandfather, grandchild, aunt, uncle, niece or nephew.

The Hon. D. R. WHITE: What about *de factos*?

The Hon. V. T. HAUSER: The log includes *de factos*, but in the interests of saving time I omitted that reference. Clause 28 of the log deals with maternity, paternity and pre-natal leave and states, *inter alia*—

> An employee who is eligible shall be entitled to maternity leave on full pay for six calendar months, together with six weeks' pre-natal leave.
>
> Immediately on the birth of his child a male employee shall be entitled to one month's paternity leave on full pay.
>
> All time taken on paternity leave shall be counted as time of duty for the purpose of calculating annual leave or long service leave.

The log of claims then deals with special leave without pay, and there are many interesting categories in this area—an employee could hold an option on his job for months. It goes on to deal with study leave and sick leave. It states that by right employees should receive ten days a year sick leave on full pay. But that is a minimum asked for in this log of claims. It is suggested that *pro rata* payment shall be made under this sub-clause for absences of more than ten days, and it does not mention a maximum.

The Hon. W. A. LANDERYOU: It could be six months a year.

The Hon. V. T. HAUSER: It could be more than that. Let us consider the situation of a furniture maker, grade "A", who is entitled to $1,000 a week. Let us assume that he is working on second-hand furniture. Under this log he would be entitled to treble time; in other words, he would earn $3,000 a week. If he were in charge of twenty men or more he would receive a loading of $250 a week. After two years' service he would receive an additional $100 a week. For on-site work, he would receive a further additional $100 a week.

If he were working on a high-rise building he would be entitled to an extra $50 a week for working on floor one, and an extra $20 a week for every floor above floor one. If he were working on the 21st floor, he would receive an additional $450 a week. If he were doing this for a whole year—and that would be possible with a high-rise building—he would be earning $3,900 a week or $202,800 a year, plus an additional $40,500 for his increased pay for his fifteen weeks' holidays. Therefore he would be paid at the rate of $243,300 a year.

The number of hours he would work in a year is also interesting. He is, if these claims are accepted, after five years' service entitled to fifteen weeks' holiday. His long service leave would give him, on a *pro rata* basis, an extra one week's holiday a year. Three weeks would have to be allowed to cover 15 public holidays and 2 weeks for 10 days' sick leave. That leaves 31 weeks of the year in which he would work.

These 31 weeks would be worked at the rate of 30 hours a week less 1 hour 40 minutes a week for rest time; less 1 hour 40 minutes a week for washing time; and less 1 hour a week for union time. That would mean he would work 26 hours a week—and I am giving him an advantage of 20 minutes a week—so he would work 31 weeks a year for 26 hours a week, or a total of 806 hours in a year for a payment of $243,300. The union claim is such that a grade "A" furniture maker working on second-hand furniture would be paid at the rate of $304 an hour.

This is a nonsense. If we are considering the future of this country—I know Mr. Landeryou is not particularly interested in our social system

because in an interview as secretary of the Storemen and Packers Union he said so—the very fact that such a log of claims can be lodged in this day and age is an insanity. Although Mr. Landeryou may not be, I am interested in this society and in the future of this country. It is a strange criticism to have to make of present-day society that any union, no matter how irresponsible it may be—and there are responsible unions and irresponsible unions—can make such a claim as this without being laughed at and without receiving critical publicity through a supposedly independent press for having submitted such a log.

I felt this was a matter which should surely be brought to the attention of this House and, through *Hansard*, possibly to the attention of some of the people of Victoria, in order to show the irresponsibility of the trade union movement in its wage demands, and its irresponsibility in relation to unemployment. If this state of affairs ever came about the 6 per cent unemployment—which, of course, means that 94 per cent of Australian workers are employed—would become history. If workers were paid at the insane rates demanded in this log of claims, 6 per cent unemployment would be something we would be aiming for instead of trying to reduce. Perhaps 60 per cent unemployment would be the order of the day, instead of 6 per cent, if logs of claims such as this became commonplace and were successful.

It is our duty to laugh at, deride and criticize such claims which are made by irresponsible unions and which cannot be defended in any real sense by their representatives on the Opposition benches. I cannot imagine that any member of the Parliamentary Labor Party in either House of this Parliament, whether we think he is a responsible member of the party or, according to Liberal Party parameters, an irresponsible member, would ever defend such a situation as this.

Thank you, Mr. President, for the opportunity to speak on this appropriation Bill.

The Hon. D. G. ELLIOT (Melbourne Province): I will dwell only briefly on the remarks of Mr. Hauser. I have not consulted Mr. Landeryou on this although he knows it only too well. It is expensive for a union to draw up and submit a log of claims. This subject has been discussed on numerous occasions. Many unions put forward claims which might be completely impractical currently, with what might be called stupid demands but, with the process of time, they can become far from stupid and, indeed, can become reality. A log of claims could apply to a union for a generation. I will not dwell on this but Mr. Hauser's address was a completely ridiculous tirade. He merely picked on something which he thought he could make some meat of.

At this late stage of the night, coverage by the media is *non-est*, but that is not the reason why I have joined the debate. I congratulate Dr. Foley on his contribution. When he began to speak I sensed a pedantic note but, as he progressed, I was frankly intrigued by him and I stayed in the House for the whole of his contribution. He has given us much food for thought.

If I may pass on some advice from one who has been a member of this place for a reasonable length of time, I point out that repetition is something we all indulge in far too much at times. Sometimes, when we are aggravated or actuated, repetition may be necessary but in most cases it is not. I contend that a little thought should be given to that whether an honorable member is speaking on an appropriation Bill or any other Bill. Verbiage can be wasteful at times.

I have said on numerous occasions that the papers we hold in our hand when each Bill is considered are duplicated far too often. We waste

a lot of money on unnecessary printing. I have always contended that honorable members should have a file available to them so that we do not need to have copies handed out every time a Bill comes before the House. I realize that the Bills are collected later and sometimes redistributed. But that, in itself, should occasion a time and motion study to work out how much time is wasted in the House in that way.

If I am to singularize on the real point I want to discuss it is the appropriation Bill as a whole as it covers every single item. I feel that the body politic in Australia has reached an all time low. I do not necessarily refer to the Labor Party, the Liberal Party, or the National Party. Nor do I refer to the Australian Democrats who will perhaps bring a breath of fresh air to politics. They will certainly cause a little stir during the current electoral campaign.

The body politic is becoming so sectionalized that Bills which are presented in this House, which should be discussed and dealt with as a matter of conscience, are few and far between. We rarely see them. In the seventeen and a half years I have been a member of this Legislative Council, it has happened on only one occasion. That is not good. The time has come when we must have a little more independence of thought. We on the Opposition benches must get away from the doctrinaire stubbornness which sometimes besets us about certain forms of government, such as will be seen in this Appropriation Bill. The same applies to members of the Liberal Party and members of the National Party.

The allocation for health has dropped from $304 million last year to $299 million this year, without taking inflation into consideration. That is an appropriation which deserves the closest scrutiny in view of the requirements and the basic, fundamental rights of people in this State and, indeed, this country. The sum allocated to the railways has risen from $288 million to $308 million. I do not want to incur the wrath of some fine unions and I have some great friends in the Australian Railway Union and other unions associated with the railways. In reality, an appropriation of that vast amount is required for what I would not call an anachronism, that would be a little cruel, but it is an appropriation which, in the main, is to keep up rolling-stock which is two or three generations old. Surely a little more modernistic thought and more realism is necessary in the future.

I could not agree more with Dr. Foley's contentions—I deliberately use the plural. If there is one classic subject which requires forward thinking, it is the subject of our railways. The same could be said about health and education. The vote for education is almost $1,000 million. It has risen from $811 million last year to $916 million this year. Yet we still have atrocious schools throughout Victoria. We saw the sad and sorry pictures of one school the other day —I will not mention its location. But there is something wrong somewhere when these sort of things are allowed to continue although appropriations in the region of $1,000 million a year are made for education. These are the sort of things which, to me, indict us as part of the body politic.

I sometimes wonder whether in our set-up we do not lack the benefit of expertise to the extent we require it within the Parliamentary structure itself. As is well known, in the American system, experts—or so-called experts—may be brought in from every walk of life to advise the President. In my slight experience of the American system, particularly in the Federal sphere, I have been impressed by the way the committees of the Senate and the House of Representatives are given infinitely more work to do than any State or Federal legislature in this country.

Even though we may be proud of our Public Works Committee, the State Development Committee, the

Meat Industry Committee, the Road Safety Committee and the Statute Law Revision Committee, the fact remains that the Parliamentary system could be used in an infinitely better way to arrive at decisions to assist not only a particular Minister but the Government as a whole in its deliberations. Those Parliamentary committees should be all-party committees. I have found in my reasonably long experience with Parliamentary committees that they invariably arrive at a sensible decision. I have yet to be a member of a committee in which, shall we say, unreasonable sectional interests or minority opinions have been brought forward.

I commend the Government for thinking more seriously than previously about delegating these problems to Parliamentary committees. In the case of the Appropriation Bill, the Government has a State Co-ordinating Committee which has interesting deliberations. I admit that the Premier has around him representative expertise that would be about as good as one can get, but the co-ordination committee clashes with the ideas of the Parliamentary committees. I refer particularly to the Public Works Committee. I wonder whether enough thought is given to the personnel in Government departments or advisory committees which report to Ministers, including the Premier, and whether there is not undue duplication in that type of structure in Victoria.

I have a feeling that in the not-so-distant future, if this House still exists, it will have to perform a much more vital function than at present. I do not say that it is exactly a rubber stamp to the Legislative Assembly. I do not agree with that because many Bills emanate from this Chamber. The Ministers in this Chamber have duties to perform which they do to the best of their ability. One of the first steps that should be taken is to dispose of the stupidity of refusing power to the Legislative Council to initiate money Bills. It is just a farce as you, Mr. President, and every member of this Chamber know. A classic example is a Bill that is before the Legislative Assembly to set up a Victorian Travel Authority. Is it not ridiculous that although the work was done by the Minister for State Development and Decentralization and his staff because the implementing measure is a money Bill it must emanate from the Legislative Assembly? The Minister agrees.

The Hon. W. V. HOUGHTON: The Health Commission Bill is the same.

The Hon. D. G. ELLIOT: Yes, that is a responsibility of the Minister of Health. The same applies to every other Minister in this Chamber. It is not good enough. It is illogical and is a remnant of a past era. There are many of those things still with us in this venerable and delightful Legislative Council Chamber.

It is inevitable that these thoughts will be put into action in ensuing years. I, personally, would sooner see a larger Legislative Assembly where honorable members would serve smaller areas in a more concentrated manner. The Labor Party deserves as much criticism in this direction as the Government or the National Party. I will not make a point of how democratic the Labor Party is or how undemocratic the Government is. I do not think this is the time for bellowing those things across the Chamber. I would prefer to see a Bill like this, as Dr. Foley suggested, come to us far more carefully planned. Would it not be a wonderful thing if that planning resulted from special joint Select Committees contributing to the over-all advice that may or may not be heeded by the Minister and the Government?

It would be wonderful to have explanatory notes to enable honorable members to go through the allocations involved in the Appropriation Bill item by item. Instead we handle large sums of money in a cavalier fashion. I shall enumerate in

round figures a few of the allocations under this Bill. They are: Parliament, $3,800,000; $1,000 million for education; $80 million for social welfare; $75 million for the Treasurer; $38 million for agriculture. I am disappointed to see that there is an increase of only $1 million in one year for agriculture when the situation in not only Victoria but Australia is the worst since the depression. In many cases it is worse than in the depression because we have a futile set of circumstances surrounding so many people on the land that there should be a much more co-operative effort in that regard. All parties should be involved because if ever anything has gone beyond politics, the plight of the man on the land has. These are the things which I hope in future, when they become important enough for party politics to take second place, will be the subject of discussion, backed by investigating committees reporting to the Minister or the Government. This will gradually benefit the role of this Legislative Council and the role of Parliament in Victoria, so that slowly but surely it will get the credibility rating which it does not get at present plus the respect of the people and, perhaps even more important honorable members will start respecting themselves a little more.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Application of moneys).

The Hon. V. O. DICKIE (Chief Secretary): Before proceeding to the details of this Bill I wish to comment briefly on the excellent speeches that were made on the second reading of the Appropriation Bill.

Mr. Elliot said that he has been a member for seventeen and a half years. I have been a member for 21 and a half years. We are a couple of old boys. I do not think I have heard anything new said about Appropriation Bills although I must commend Dr. Foley for his magnificent contribution to the debate. I have heard similar criticisms of Appropriation Bills since I first came into this House. I assure the newer members that the information that's provided now is much more detailed than the single sheet which honorable members used to receive about twenty years ago. I am sure that Mr. Knight would agree with that.

If there is one thing I have been in my life it is a realist. Let us be realistic when thinking of possible changes. Mr. Landeryou read quite properly certain comments which I made on the previous Appropriation Bill, when I indicated that I would take the matter up. I can assure the honorable member that I did. His comments automatically go forward to the Treasury and the Treasurer. Through my office or officials in my department I see every comment that is made in this House and another place relating to my portfolio. I assure Mr. Landeryou that I undertook what he asked of me.

One has to be a realist: Change is very slow. Given time, the things we are talking about tonight as being necessary will come about. I repeat that the present Appropriation Bill is a wealth of information compared with the documents that were provided fifteen or twenty years ago, so progress has been made. I assure honorable members that the Treasurer and the Government realize that if it were feasible or possible it would be desirable to put forward more information for honorable members, or for Select Committees of both Houses to look at. We are dealing with Government policy and what it is prepared or not prepared to do. Honorable members should not think that what is said in this Chamber falls on deaf ears. It does not. Progress will be made.

Mr. Landeryou mentioned subheadings in the Bill and referred to one relating to State development for equipment or requisites for a sum of $423,000. I hope that in future

those items will be detailed individually. In future more information will be provided regarding the money which Parliament—not the Government—has to appropriate, thus providing an opportunity for criticism of the distribution into various departments. If honorable members are provided with a more detailed breakup they will be better able to fight the good cause on behalf of the party which they represent, and be more critical of the Government, and to give a reasoned assessment of the huge amounts of money that Parliament is called to appropriate.

I emphasize that comments are noted. I agree that progress is slow, but point out that there has been much progress over the past 21 and a half years.

The ACTING CHAIRMAN (the Hon. H. R. Ward): I remind honorable members that they may discuss the items listed in table form as part of clause 2. I ask honorable members to indicate the headings to which they refer.

The Hon. D. G. ELLIOT (Melbourne Province): I wish to ask the Chief Secretary to comment on the farce of money Bills having to be introduced in another place when there are responsible Ministers in this House who are quite capable of handling the Bills themselves. Indeed they may have compiled the Bill assisted by their advisers. Can we have an undertaking from the Minister that this farce will be ended next year?

The Hon. V. O. DICKIE (Chief Secretary): The matter raised by Mr. Elliot is a valid one, and I assure the House that the Government is making great progress. I hope that in the forthcoming year some money Bills will be introduced into this House. If this session had not been finishing as quickly as intended, there may have been some progress in that direction in this sessional period. I am certain that in the autumn and spring sessional periods of next year for the first time this House will see the introduction of money Bills, and most importantly the right of a Minister to introduce Bills on which he has done so much work.

The Hon. S. R. McDONALD (Northern Province): I have been in this Chamber only half as long as the Minister, and I agree with him that there is far more additional information available on Bills. I can remember ten years ago that it was the practice whenever a member raised an issue on one of the divisions or one of the items in the Appropriation Bill, that that member received a reply from the appropriate Minister or department at a later date.

I ask the Minister if we could go back to that system, because it was certainly of great value to individual members.

The Hon. V. O. DICKIE (Chief Secretary): I agree, but there has been somewhat of a change when one considers the number of questions on the Notice Paper. It must be remembered that more often than not matters raised in debate have been the subject of questions. A limit is reached on the extent to which officers in the departments can deal with these various matters. If a member brings forward in debate a matter that has not been raised by him in a question or by some other means, most certainly my department, and all other departments, still go through the debates, and if a member wishes to receive a reply, I draw attention to this. There are questions on notice which are relevant to much the same subjects as those brought forward in the Budget debate.

The Hon. A. W. KNIGHT (Melbourne West Province): The Leader of the House knows about the excellent performance of the Police Force. The sooner the community gets out of the black and white television imprimatur that television puts on the Police Force, the better it will be. The Chief Secretary should instruct the police not to sound their sirens when they are called in the middle of

the night to a burglary. This forewarns people a mile away and allows them to abscond from the misdemeanour they are committing. The police could exercise some discretion and use the siren wisely.

The boys in blue are doing a marvellous job but I would rather see them go out on the road in an unmarked police car, as is done overseas, rather than with blue lights operating. The louts and no-hopers travelling on the road would not see the police in an unmarked car. I know the Chief Secretary will say that the police already have enough of these, but the first thing a person sees on a police car is the blue light, which alerts him to the presence of the police. If a person sees the blue light of the police car in his rear vision mirror, he is on the alert and immediately lifts his foot off the accelerator. If unmarked cars are used, road fatalities will decrease because the young bucks and the old bucks on the road will use more care.

Last Saturday night with not an ounce of alcohol in my body, I found it a traumatic experience to travel 5 miles. The long hairs and the louts know that the "candy" cars and the zebra wagons have to go off duty at certain times. The police should be around when people driving home from clubs on a Saturday night go flying through stop signs. I was coming home from a baby-sitting exercise at my son's place, but fortunately I know how to look after myself in a motor vehicle. The situation is dangerous between 11 p.m. Saturday night and 2 a.m. on a Sunday morning. One has to travel on the same roads in the great metropolis as louts. The hillbillies would not know about this because they are in the areas way beyond with the wombats.

When I was driving in a certain street in the province that I represent, I saw a long-haired girl driving a car. She was probably one of these school teachers to whom you refer, Mr. Acting Chairman, who did not have much nous. This girl drove down the street at 75 kilometres an hour when the speed restriction was 60 kilometres an hour. If there had been an unmarked police car there——

The Hon. B. P. DUNN: She would have hit it!

The Hon. A. W. KNIGHT: No, she would not have had the audacity to do that because if she had a conviction she would be out of the Public Service, as the Act prescribes. A lot of people have to learn discipline. One has only to travel on the roads on a Saturday night and early Sunday morning to appreciate this.

I ask the Chief Secretary to get the boys in blue out at certain times after the hotels are shut and when the "candy" cars are off the road. That is when some of the "young Brabhams" in their cars drive down the road and give the police a bit of a start. The boys in blue have to knock on Mrs. Murphy's door and say, "I am sorry to tell you that your husband was killed by a long-haired lout on the road". The police from the local stations and the mobile traffic sections in the regional areas need support. When they stop people on the road they are abused. Thank goodness that in the western suburbs the road problem is not as great as it is in some other areas. I do not want to go into the problem in country areas where recently some teetotaller friends of mine were nearly killed.

I also raise the problem of wig-wag signals on railway crossings. I ask the Minister to have his colleague, the Minister of Transport in another place, look at modern engineering practices and have the lights on railway crossings put down a bit lower. A few years ago I spoke in a similar vein. When the sun visor is lowered on a motor car, it obscures the driver's vision of a wig-wag signal on a railway crossing. This causes fatalities, and can happen without the driver being distracted by people in the car. The action of drivers in lowering the sun visor in a motor vehicle has a

great bearing on the number of fatalities at railway level crossings where signals operate.

Some time ago, the Minister of Transport came out with a great fanfare about the proposal to make railway rolling-stock more readily identifiable. Australian railways have a great habit of painting railway rolling-stock a colour that blends in with the terrain. It is about time the Government considered painting a contrasting colour along the side of railway rolling-stock so that motorists will realize that a train is on the line.

I again plead with the Government to examine the installation of the wig-wag signals at railway level crossings and perhaps install them closer to the ground so that they can be seen by a motorist. Unfortunately, today they are too high and when drivers have their sun visors down they cannot see them. I ask the Chief Secretary to bring this matter to the attention of the Minister of Transport in an effort to avoid the traumas and fatalities that are occurring on our roads.

The Hon. R. J. EDDY (Thomastown Province): The Government has not gone far enough in allocating funds to the Social Welfare Department. The allocation this year is $80 million, compared with $70 million last year, an increase of only $10 million. This amount is not sufficient for the department to cope with what is expected in the social welfare field. I relate my remarks to the care of children in institutions operated by the department and particularly to children who have been placed in these institutions voluntarily by their parents.

I receive many complaints from parents who want to take their children back home but are not allowed to do so because the department will not agree. Accordingly, the taxpayers of Victoria are incurring a much greater expenditure than would otherwise be necessary in the care of these children in places such as Allambie, Turana, Baltara and Winlaton. It is unnecessarily costing the taxpayer a great deal of money when the parents are prepared to take these children back into their care and the department will not agree. The decision of the department results from reports by the department's social workers, for whom I have great disrespect because of the manner in which they operate in these matters.

I refer not to children who have been placed in these institutions as a result of court action, but to those who have been placed there voluntarily by their parents. The department is not co-operating with those parents who are prepared to take their children back. A great deal of finance could be saved if the children were allowed to return to their homes. The department could still watch over the children and ensure that the parents took adequate and proper care of them. If the parents failed to do this, the department could take the children back. It is all very well for the Government or the Minister to say that, acting on reports from the social workers, the children should remain in the care of the department. If the parents desire to have their children back, they should be allowed to do so under strict supervision.

The supervision should not come from the social workers in the department because they are not proper persons to ascertain the situation. They are not married and never have been married, and therefore they know nothing about the care of children.

The Hon. R. I. KNOWLES: Who should make the decision if they do not?

The Hon. R. J. EDDY: The Minister should do so. Mr. Knowles is not interested in children. The persons who should make the recommendation on the return of the children to the parents are not the social workers within the department

but those employed by the municipalities, who would be in close contact with the parents, would know the family situation and whether the parent was capable of caring for the child. Although the Minister of Health is a former Minister for Social Welfare, he knows little about the subject. The Minister of Health, who represents the Minister for Social Welfare in this Chamber, should pass on to the Minister for Social Welfare everything that I have said about children who have been placed in the care of the Social Welfare Department by their parents and whom the department refuses to return to the parents because the department believes, through its social workers, that the parents are not capable of looking after the children. The advice of social workers in the municipalities should be sought. Unless this is done, children will remain as State wards in institutions such as Allambie. I appeal to the Minister to consider this matter carefully in the interests of the children concerned.

The Hon. J. M. WALTON (Melbourne North Province): I raise a few matters concerning Albury–Wodonga. As the Minister is aware, I have been asking questions on this subject in the House over the past year or so. Indeed, only this morning the Minister was kind enough to provide an answer to a question that I asked by leave a couple of nights ago, regarding the inadequate amount of land under the reduced acquisition area decided on by the Victorian Government.

Honorable members know that the original acquisition area decided on by the three Governments was reduced to a smaller area. The Victorian Government and the Minister for State Development and Decentralization have decided that even that area is too large, and according to the correspondence that I have received from the honorable gentleman, because of the reduced amount of funds available for the purchase of land, it is not proposed to buy land other than that currently committed by the Premier, except for land that the corporation can buy by private treaty at a later date. I believe that is not good enough.

The acquisition powers ought to be extended beyond the end of this year, as has been done by the New South Wales Government, for a further four years to allow the corporation to acquire further land if it so desires. The Victorian Government has not fulfilled its obligations under the reduced acquisition area; it has just rounded off a few corners. It has not increased the area available around Lake Hume.

The Hon. D. G. CROZIER: What does the Victorian Government do for money?

The Hon. J. M. WALTON: The Government does not need the money this year. It could extend the acquisition powers this year and, in the years to come, by compulsory acquisition, the corporation could obtain the lands when it had the money available. Now it will have to buy on the open market at prices asked by farmers by private treaty.

This will create a bonanza for people who hold lakeside areas. At present only a small lakeside area of land is available within reasonable reach for public use by people who live in Wodonga, and the rest of the area is privately owned land that the corporation at some future date may, by private treaty, if the land is for sale, be able to purchase at a price far higher than that at which it could buy it today, or if the corporation were allowed to maintain its compulsory acquisition powers.

The Government is handing over to private people along the lake or to any person within the reduced acquisition area whose land has not been acquired, the right to develop the land as they wish. I understand that the Government is currently considering handing to the Rural City of Wodonga planning powers for the area outside

the areas currently owned by the corporation. If that is done the corporation will be planning for one area and the Rural City of Wodonga will be planning for the hotch-potch pieces of land that are still in the reduced area, but which have not been bought by the corporation. Is that good planning? It negates the whole concept of the original Albury–Wodonga area.

It was proposed that the area would be planned as a rural city, without the problems of the metropolitan area of Melbourne. The Government's decision to hand over planning powers for areas outside those owned by the corporation to the Rural City of Wodonga will provide a bonanza for people who hold private blocks of land between the areas held by the corporation. What the Government is doing is totally wrong, totally inadequate and totally out of line with the original concept of the Albury–Wodonga scheme.

The Victorian Government is the only Government that has decided not to go ahead with its compulsory acquisition powers. It is only a matter of passing legislation through this House. In answer to a Dorothy Dix question from the honorable member for Bendigo about this matter, and in answer to an interjection tonight by the honorable member for Bendigo, who is not even the honorable member who represents the area, the Minister said that the acquisition powers would not be extended beyond the end of this year. The Government will be handing over a bonanza to people who hold land within the reduced acquisition area, particularly those who own land around the foreshore of Lake Hume.

It was estimated originally that by the year 2000 the population of the area would be 300,000, but now that estimate has been reduced to 150,000. Even with that population, insufficient provision has been made for the public to enjoy Lake Hume. If it is desired that people should go to the Albury–Wodonga area, the Government should provide a larger public access to the lake. Private occupancy there is like private occupancy around Port Phillip Bay. The only real stretch of water in the area will be almost surrounded by private land with one or two places available for people to launch their boats and paddle their feet. The Minister has taken the wrong attitude on this matter and deserves the condemnation of honorable members.

The Hon. R. J. EDDY (Thomastown Province): I congratulate Doctor Foley on his contribution to this debate.

The Bill provides $37 million for transport purposes in Victoria, in comparison with $34 million provided last year. The Government has done little to improve Victoria's transport services. A meagre additional sum of $3 million has been allocated for this financial year. That amount of money is insufficient to improve public transport in Victoria. Members of the Opposition know that $1 million has been wasted on the Hume Freeway and thousands of dollars have been allocated for repairs to Freeway F19. Further amounts will be allocated for the Police Department to ensure that the works on Freeway F19 at Wellington Street, Collingwood, go ahead. The Government has not the guts to ensure that the works are carried out. The people of Victoria have spent $100 million on Freeway F19.

The Hon. N. F. STACEY: That is exactly right.

The Hon. R. J. EDDY: I do not need any assistance from these idiots.

The Hon N. F. STACEY (Chelsea Province): I raise a point of order. I take the last remark of Mr. Eddy as a personal insult and ask that it be withdrawn.

The ACTING CHAIRMAN (the Hon. H. R. Ward): I am afraid that during the interjections I did not hear the comment.

The Hon. N. F. STACEY: Mr. Eddy waved his fingers in this direction, and referred to members in this location as idiots. I find that offensive and ask for the remark to be withdrawn.

The ACTING CHAIRMAN: If Mr. Eddy made such a statement I am sure he will be prepared to withdraw it.

The Hon. R. J. EDDY (Thomastown Province): What I said I believed to be correct. But I withdraw the remark if it offends members in that corner—the "Luton Boys' Choir" corner.

The ACTING CHAIRMAN (the Hon. H. R. Ward): Order! The honorable member made a statement and he has been asked to withdraw it.

The Hon. R. J. EDDY: I withdraw the remark. As a councillor of the City of Collingwood I know all about Freeway F19. The Government has not been strong enough in its actions. The Victorian taxpayers must be considered. Members of the Liberal Party are saying "Hear, hear!". It is not often that I receive their support. Obviously they have not supported the Ministers in the party room by ensuring that the freeway goes ahead.

The Hon. A. J. HUNT: Would you like us to pull down the barricades tomorrow?

The Hon. R. J. EDDY: I am telling the Minister what he should be doing. The freeway should be open for the use of people who drive motor vehicles and wish to use it.

The Hon. R. I. KNOWLES: Would you call in the police?

The Hon. R. J. EDDY: I would like to know how much it has cost the taxpayers of the State to call in the police to look after the intersection, and what it will cost within the next week or two to ensure that the freeway is open to the public. I know what the Government granted to the Collingwood City Council to demolish the old council depot, and the Board of Works contributed $340,000 to build a new depot so that Freeway F19 could go ahead. I have not heard any member of the Government party refer to these matters.

I respect the Minister for Local Government because he is doing a wonderful job. I am not prepared to see him treated as he has been by the people in that area. I have been with him when the streets have been closed off and I have expressed my opinions about that. I am concerned at what is happening in this State and how certain people can stand over the Government as they are doing today. The people of Victoria are entitled to know how much the opening up of Freeway F19 has cost.

The Hon. A. J. HUNT: I think it can be fairly said that the views expressed by Mr. Eddy are the unanimous views of all those on the Labor benches tonight.

The Hon. R. J. EDDY: Yes, Mr. Knight and I. The opening of Freeway F19 is one of the most vital matters to be debated. I am not afraid to say that. The people down there should not be allowed to act in this way. The Government has acted weakly in allowing this situation to continue.

The Minister of Health is aware of the need for transport in the Shire of Whittlesea. I say without fear of contradiction that he is not prepared to support the opening of the railway between Epping and Whittlesea. Over the past two years there have been many deaths at open crossings between the Lalor and Keon Park stations. The Minister is aware of that. Proper crossings should be installed within the Shire of Whittlesea between Mahoney's Road and Lalor railway station, where there are four open railway crossings. I appeal to the Minister of Health to refer the matter to the Minister of Transport, who is in another place, and ensure that boom crossings are installed at those locations.

Mr. Acting Chairman, I thank you for your consideration. I will always speak out in the interests of the people of Victoria. I am prepared to stand by my remarks tonight and ensure that the freeway is opened in the interests of all concerned. I want boom gates installed at all the crossings to which I have referred in the Shire of Whittlesea. I hope I will receive the support to which I am entitled.

The Hon. W. V. HOUGHTON (Minister of Health): Firstly, on the subject of wards of the State, I think Mr. Eddy was referring to those who are admitted under section 100 of the Social Welfare Act. There are not many of them, but I will convey his views to the Minister for Social Welfare and tell the Minister exactly what I think of those views.

Regarding the Albury–Wodonga development, I am pleased to say that the Minister was present so there is no need to convey Mr. Walton's views to him. I am sure members on the Government side of the Chamber and probably on all sides of the Committee are glad to have Mr. Eddy's support for the opening of Freeway F19.

The Hon. R. J. EDDY: The Government has done nothing about it for weeks.

The Hon. W. V. HOUGHTON: We have made great progress tonight because I understand that we have Mr. Eddy's support. The honorable member has expressed the Opposition's support for the opening of the freeway. The impression Mr. Eddy gave me tonight was rather different from the one I had when Mr. Barry Jones was shadow Minister of Transport. He seemed to support the people who opposed the opening of the freeway, and I imagined that he was doing so on behalf of the Opposition because he was its spokesman. Apparently he was doing so on his own account. We have Mr. Eddy's support and the support of the Labor Party for the opening of the freeway. I have no doubt that Mr. Eddy has used his influence on the councils of Fitzroy and Collingwood, which have been so obstructive to the opening of the freeway. The other matters to which Mr. Eddy referred will certainly be drawn to the attention of the Minister.

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.

STAMPS (AMENDMENT) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. A. J. Hunt (Minister for Local Government), for the Hon. V. O. DICKIE (Chief Secretary), was read a first time.

TRANSPORT REGULATION (AMENDMENT) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. D. G. CROZIER (Minister for State Development and Decentralization), was read a first time.

HOSPITALS SUPERANNUATION (AMENDMENT) BILL (No. 2).

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

POLICE REGULATION (AMENDMENT) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. A. J. Hunt (Minister for Local Government), for the Hon. V. O. DICKIE (Chief Secretary), was read a first time.

BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL (No. 2).

This Bill was received from the Assembly and, on the motion of the Hon. F. J. GRANTER (Minister of Water Supply), was read a first time.

ADJOURNMENT.

RICHMOND CITY COUNCIL—DUDLEY STREET RAILWAY BRIDGE.

The Hon. A. J. HUNT (Minister for Local Government): By leave, I move—

That the Council, at its rising, adjourn until tomorrow, at a quarter-past ten o'clock.

The motion was agreed to.

The Hon. A. J. HUNT (Minister for Local Government): I move—

That the House do now adjourn.

The Hon. O. G. JENKINS (Geelong Province): I raise a matter of urgency with the Minister for Local Government. It follows on a question without notice asked by Mr. Hamilton earlier today. It concerns the matter of Protean Enterprises Pty. Ltd. and the Richmond City Council. I understand that litigation between the two parties concerning dealings over the Richmond abattoirs commenced some time in 1974, and that no party to the action appears to have taken steps to bring on the matter for hearing.

I ask the Minister for Local Government whether he is concerned at what appears to be an inordinate delay in finalizing the action and, if so, whether he has informed the Richmond City Council of that concern. Is the Minister aware that a substantial petition signed by 2,600 ratepayers calling for action has been tabled in another place? Will the Minister commission a further investigation into the affairs of the Richmond City Council, in particular the relationship between the Richmond City Council and Protean Enterprises Pty. Ltd.?

The Hon. A. J. HUNT (Minister for Local Government): I am aware of the disquiet in the area which has resulted in the petition. The file has been laid on the table of the Library for quite a period as a result of a question asked in another place. The file shows that there has been quite a detailed investigation by inspectors of municipal administration followed by a recent further investigation.

I am reluctant to talk in any greater detail in view of the fact that the matters are *sub judice*.

However, it is clear that no party seems to have taken adequate action to bring the matter to trial. I have expressed my view to the Richmond City Council that steps ought to be taken to bring the matter to a head as promptly as possible. Of course, I will examine the petition when it is referred to me to see what, if any, further action is necessary.

The Hon. A. W. KNIGHT (Melbourne West Province): I raise an urgent matter for consideration by the Minister representing the Minister of Transport. Although the area in question is not within my electorate, it is in the general area. I refer to the excavation works taking place in Dudley Street, Melbourne, to enable a lowering of the roadway under the railway line so that vehicles carrying high containers can safely move through the area and under the railway bridge in Dudley Street. I ask the Minister to confer with his colleague in another place to see whether the excavation can be expedited. This is a very busy thoroughfare for people travelling from the western suburbs into the central business district of Melbourne, especially when travelling to the various market places in the central business district.

The construction involved should have been expedited to allow traffic to travel safely along Footscray Road and around the Victoria Dock area, which I am sure is well known to the Minister.

I ask the Minister representing the Minister of Transport to ask his colleague to take steps to expedite the excavation and to have the spoil from the excavation carried away from the area as quickly as possible.

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): I must confess that it is some time since I have been asked to expedite an excavation, but I give Mr. Knight my assurance that the matter he raised will be brought

to the attention of the Minister of Transport as expeditiously as possible.

The motion was agreed to.

The House adjourned at 12.12 a.m. (Wednesday).

QUESTIONS ON NOTICE.

COMMONWEALTH ROAD FUNDS FOR VICTORIA.

(Question No. 482)

The Hon. B. A. CHAMBERLAIN (Western Province) asked the Minister for State Development and Decentralization, for the Minister of Transport—

(*a*) What allocation of Commonwealth road funds will Victoria receive for 1977–78?

(*b*) In respect of those funds, what amount has been allocated to roads in each of the following categories:—(i) rural local; (ii) rural arterial; (iii) urban arterial; and (iv) urban local?

(*c*) In each of those categories, how do the allocations compare with the amounts recommended by the Commonwealth Bureau of Roads?

(*d*) What increase in funds from the Commonwealth does the 1977–78 allocation represent over and above the initial Commonwealth allocation for 1976–77?

(*e*) What portion of the Commonwealth allocation for 1977–78 is to be spent on roads other than national highways?

(*f*) Will he ascertain and inform the House how much revenue the Commonwealth raised in Victoria from petrol tax in 1976–77?

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): The answer supplied by the Minister of Transport is—

(*a*) $98·9 million.

(*b*) and (*c*)

Road category	The Commonwealth Government has allocated the under-mentioned Commonwealth Grants for 1977–78	Commonwealth Bureau of Roads recommendation
	$ million	$ million
Rural local ..	19·000	14·600
Rural arterial ..	11·100	5·700
Urban arterial ..	28·900	57·800
Urban local ..	3·600	5·700

(*d*) $15·3 million.

(*e*) $69·9 million.

(*f*) Final figures for the year 1976–77 have not yet been published by the Australian Bureau of Statistics. Revenue from Commonwealth excise duty in the Victorian marketing area is estimated to be —Petrol $180 million; diesel oil $26 million.

ROAD FUNDS.

(Question No. 490)

The Hon. B. A. CHAMBERLAIN (Western Province) asked the Minister for State Development and Decentralization, for the Minister of Transport—

(*a*) What amount of Victorian funds has been allocated for expenditure on roads for 1977–78?

(*b*) What amount of these funds has been allocated to roads in each of the following categories—(i) rural local; (ii) rural arterial; (iii) urban arterial; and (iv) urban local?

(*c*) What increase in funds from Victoria does the 1977–78 allocation represent over and above the initial Victorian allocation for 1976–77?

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): The answer supplied by the Minister of Transport is—

For the purposes of making allocations for road and bridge works the Country Roads Board combines the funds received from both State and Commonwealth sources. Having regard to this, the following answers are provided to the questions raised—

(*a*) An amount of $126·909 million was estimated to be available from State sources and was included in the estimated total funds available to the board when 1977–78 allocations were made. This amount includes planning and research and State funds not allocated to categories.

(*b*) Country Roads Board allocations for roadworks are made from funds available from State and Commonwealth sources. No separation of these allocations between State and Commonwealth funds is made. However listed hereafter is the estimated expenditure for the financial year 1977–78 analysed into Commonwealth categories of roads and source of funds.

Road category	Commonwealth	1977–78 (est.) State	Total
	$m	$m	$m
National highways (construction)	26·000	..	26·000
National highways (maintenance)	3·000	..	3·000
National commerce roads	3·800	·065	3·865
Urban arterial roads	28·900	50·570	79·470
Urban local roads	3·600	·430	4·030
Rural arterial roads	11·100	37·211	48·311
Rural local roads	19·000	16·483	35·483
MITERS	3·500	..	3·500
Total	98·900	104·759	203·659

(*c*) Funds available to the board from State sources for 1977–78, estimated as at July, 1977, represent an increase of $27.657 million over the same funds for 1976–77, estimated as at July, 1976.

APPOINTMENT OF PRISON OFFICER.

(Question No. 567)

The Hon. R. J. EDDY (Thomastown Province) asked the Minister of Health, for the Minister for Social Welfare—

Did the Minister for Social Welfare, or any person acting on his behalf, communicate with any officer of the Victorian Public Service Association over the appointment of a Mr. P. Meyer as a prison officer?

The Hon. W. V. HOUGHTON (Minister of Health): The answer supplied by the Minister for Social Welfare is—

Neither myself nor any person acting on my behalf had any communication with any officer of the Victorian Public Service Association concerning the appointment of Mr. P. Meyer as a prison officer.

ROAD FUNDS.

(Question No. 578)

The Hon. K. I. WRIGHT (North Western Province) asked the Minister for State Development and Decentralization, for the Minister of Transport—

(*a*) What road funds were made available from Federal and State sources in each category in the years 1975–76 and 1976–77, and what funds will be made available in 1977–78?

(*b*) What percentage of State road funds were made available for country roads in the years 1975–76 and 1976–77, and what percentage will be made available in 1977–78?

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): The answer supplied by the Minister of Transport is—

(*a*) Listed below is a table showing the expenditure for financial years 1975–76 and 1976–77 and the estimated expenditure for financial year 1977–78 analysed into Commonwealth categories of roads and source of funds.

Road category	1975–76 Commonwealth	1975–76 State	1975–76 Total	1976–77 Commonwealth	1976–77 State	1976–77 Total	1977–78 (est.) Commonwealth	1977–78 (est.) State	1977–78 (est.) Total
	$m	$m	$m	$m	$m	$m	$m	$m	$m
National highways (construction)	16·800	5·493	22·293	23·450	·985	24·435	26·000	..	26·000
National highways (maintenance)	1·600	·291	1·891	2·150	·70	2·220	3·000	..	3·000
National commerce roads	4·800	1·816	6·616	5·200	·478	Cr.4·722	3·800	·065	3·865
Urban arterial roads	41·343	29·595	70·938	40·847	35·311	76·158	28·900	50·570	79·470
Urban local roads	2·638	·064	3·242	3·661	1·638	5·299	3·600	·430	4·030
Rural arterial roads	4·829	32·147	36·976	5·131	40·021	45·152	11·100	37·211	48·311
Rural local roads	9·672	14·454	24·126	12·778	20·222	33·000	19·000	16·483	35·483
MITERS	1·662	..	1·662	2·936	·156	3·092	3·500	..	3·500
Total	83·344	84·400	167·744	96·153	97·925	194·078	98·900	104·759	203·659

(*b*) Financial year 1975–76 62·1%
Financial year 1976–77 62·6%
Financial year 1977–78 (estimated) 51·3%

Country roads have been taken to be national highways and rural roads as defined in the Commonwealth legislation and therefore exclude roads in the urban areas of Ballarat, Bendigo and Geelong.

POOR BOX FUNDS.

(Question No. 605)

The Hon. R. J. EDDY (Thomastown Province) asked the Attorney-General—

(*a*) What are the criteria used by all clerks of courts with regard to the eligibility of persons to funds from the poor box?

(*b*) Are there guidelines to the limits of financial assistance allowed in individual cases?

(*c*) What is the accountability to local communities in the form of annual balance-sheets?

(*d*) Is it accepted practice to transfer moneys from a local clerk of courts office when there are pressing needs within the local municipality; if so, to whom are clerks of courts accountable?

(*e*) Would there be any objection to clerks of courts entering into an arrangement with local bona fide welfare agencies to administer the funds?

(*f*) Do clerks of courts re-examine cases referred by welfare agencies with documentation of need?

(*g*) What arrangements are made to preserve the dignity and confidentiality of people who have been forced by financial stress to approach the clerks of courts?

The Hon. HADDON STOREY (Attorney-General): The answer is—

(*a*) All payments out of the poor box are made by authority of a stipendiary magistrate or a justice of the peace. The clerk of courts' responsibility is to make payments in accordance with such authority. The criterion adopted is whether there is need for immediate financial assistance. Some examples of the kinds of persons who receive assistance are persons awaiting receipt of social security and social welfare payments, deserted wives, single mothers, wives whose husbands are in gaol and those awaiting maintenance payments.

(*b*) There are no guidelines as to the limits of the assistance provided—this remains within the discretion of the magistrate or justice authorizing the payment. Payments are confined to meeting the immediate financial needs of the person being assisted, within the limits of the funds available.

(*c*) Each poor box account is kept by the clerk of courts and is audited by the Auditor-General. No statements are published.

(*d*) Most payments made are to individuals in urgent financial need, but some payments are authorized to charitable groups or organizations which are active within the local area—for example, a community chest administered by the municipal authority.

Payments may also be made to charitable organizations which operate on a wider scale—for example, the Brotherhood of St. Laurence and the Salvation Army.

As indicated in paragraph (*a*), the payments are authorized by a stipendiary magistrate or justice of the peace.

(*e*) The basic responsibility for administration of a poor box fund should remain with the court. However, as I have indicated in paragraph (*d*), moneys are sometimes made available for distributions by local welfare agencies.

(*f*) As a matter of practice, a person seeking assistance from the poor box is asked to provide details to establish his immediate financial need. Any proper documentation issued by a welfare agency which is produced by a person seeking assistance would be useful in determining and expediting the assistance required.

(*g*) The names, addresses and details of the need for assistance are recorded in a register at the particular court. The record is available only to the court officials and the Audit Office inspectors. Applications for assistance are dealt with in private.

CASE OF HERBERT ANDERSON.

(Question No. 613)

The Hon. R. J. EDDY (Thomastown Province) asked the Attorney-General—

(*a*) What are the circumstances under which a Mr. Herbert Anderson, who appeared at the Supreme Court sittings in June, 1976 on an armed robbery charge and was found unfit to plead and therefore sentenced to an institution at the Governor's pleasure, appeared again on 1st September, 1976 at the Supreme Court sittings on another charge of armed robbery, pleaded guilty and was sentenced to eight years with a five-year minimum?

(*b*) As two psychiatrists certified Mr. Anderson unfit to plead on the first charge, who certified that he was fit to plead on the second charge and how could this change in certification eventuate?

The Hon. HADDON STOREY (Attorney-General): The answer is—

(*a*) Herbert Anderson, together with John Joseph Power, was presented for trial in the Supreme Court at Melbourne on 1st

June, 1976, on a presentment containing four counts. The fourth count alleged a robbery at the C.B.A. Bank, Richmond on 24th December, 1975, and by order of a judge of the Supreme Court, this fourth count was to be tried separately from the other three counts. Each accused pleaded "not guilty" to the first three counts.

On 16th June, 1976, in the course of the trial, Anderson slashed his wrists and otherwise behaved in a fashion which caused doubts to be felt as to his mental fitness to continue to be tried. Under the provisions of section 393 of the Crimes Act 1958, the trial jury was sworn to give a verdict on the question of Anderson's sanity. Evidence as to Anderson's mental condition was given by two psychiatrists, one of whom considered him fit to be tried, The jury returned a verdict that Anderson was of unsound mind and unfit to be tried, and the trial judge ordered that Anderson be kept in strict custody until the Governor's pleasure was known.

The trial of the co-accused Power continued and on 26th June, 1976, the jury returned a verdict of "guilty" in respect of each of the three counts. Subsequently on 28th June, 1976, Power asked to be arraigned on the fourth count—the robbery of the C.B.A. Bank at Richmond. This was done and he pleaded guilty to this count.

In August the psychiatrist who in June had considered Anderson was unfit to be tried in relation to the three charges, advised that Anderson was now fit to plead and the charge concerning the robbery of the C.B.A. Bank at Richmond was listed for 14th September, 1976.

Anderson pleaded guilty to this charge, and the judge raised the question whether there was now any issue at to Anderson's fitness to plead. He was assured by both the prosecutor for the Queen and by Anderson's counsel that no such question arose. Mention was made of the other three counts and it was ordered that Anderson be remanded for trial in respect of those counts. Anderson was remanded for sentence on the count to which he had pleaded guilty and on 21st October, 1976, was sentenced to eight years' imprisonment, with a minimum term of five years.

(*b*) As I have indicated in paragraph (*a*), in June only one of the two psychiatrists considered that Anderson was unfit to be tried. That psychiatrist was Dr. A. A. Bartholomew, Consultant Psychiatrist in Charge at the Psychiatric Clinic at H.M. Prison, Pentridge. In August, he concluded Anderson was then fit to be tried and this was confirmed at the proceedings in September.

It has been held that the fact of a prisoner being found unfit to stand trial on an earlier occasion does not preclude him from being presented later on either the same or another charge.

COUNTRY TROTTING, RACING AND GREYHOUND CLUBS.

(Question No. 615)

The Hon. K. I. WRIGHT (North Western Province) asked the Minister of Water Supply, for the Minister for Youth, Sport and Recreation—

Is the Minister for Youth, Sport and Recreation aware that many country trotting, racing, and greyhound clubs face a cash crisis after the recent Totalizator Agency Board allocations; if so, will he consider the allocation of unclaimed dividends and dividend fractions or other additional funds to country clubs?

The Hon. F. J. GRANTER (Minister of Water Supply): The answer supplied by the Minister for Youth, Sport and Recreation is—

I am aware that the recent allocations from the Totalizator Agency Board to some clubs were below that anticipated and may cause budgetary problems.

I have had preliminary discussions with the board and the Victoria Racing Club regarding the problem and I am presently awaiting a submission from the racing industry.

With regard to the second part of the question, unclaimed Totalizator Agency Board dividends are already retained by the board and form part of its income. After deduction of administration and other expenses the balance of surplus funds from commissions and income is made available for distribution to the participating metropolitan and country clubs. This distribution is allocated to the racing, trotting and greyhound clubs in accordance with an agreed formula.

I am not in a position to comment on the question of fractions and other matters until I have had the opportunity of considering the submission of the racing industry and discussing it with the racing industry and the Treasurer.

SCHOOL BUSES.

(Question No. 620)

The Hon. D. M. EVANS (North Eastern Province) asked the Attorney-General, for the Minister of Education—

What has been the cost of free school buses in each of the past three years, and what is the estimated cost in the current year?

The Hon. HADDON STOREY (Attorney-General): The answer supplied by the Minister of Education is—

The total costs of all school transport for each of the past three financial years and the estimated cost for the 1977–78 financial year are as follows—

1974–75 $17,094,808 (includes $2,622,689 —conveyance allowance).

1975–76 $20,455,177 (includes $2,991,894 —conveyance allowance).

1976–77 *24,157,869 (includes $3,702,348 —conveyance allowance).

1977–78 Without any further increases in costs the estimate is $26·5 million including $3·912 million for conveyance allowances.

MILDURA COURT HOUSE.

(Question No. 624)

The Hon. K. I. WRIGHT (North Western Province) asked the Attorney-General—

Is he aware that the Mildura court house is badly in need of painting and minor repairs; if so, when will finance be allocated to rectify the matter?

The Hon. HADDON STOREY (Attorney-General): The answer is—

Yes. I am aware that the Mildura court house is in need of painting and minor repairs. The work which needs to be done includes internal and external painting, repairs to cement rendering, repairs to furniture and conversion of a room adjacent to the magistrate's office into a toilet.

Approval for the work to proceed has been given but no funds have yet become available. At the present stage, the Public Works Department has completed all contract documents which would enable a contract to be let with little delay if funds do become available. The present estimate of expenditure is $30,000 and I am unable to advise when finance will become available.

EFFECTS OF LATROBE VALLEY POWER DISPUTE.

(Question No. 626)

The Hon. O. G. JENKINS (Geelong Province) asked the Minister of Water Supply, for the Minister for Minerals and Energy—

In respect of the recent industrial stoppages in the Latrobe Valley—(i) what is the estimated loss in wages incurred by State Electricity Commission employees; and (ii) what is the estimated loss in revenue to the commission?

The Hon. F. J. GRANTER (Minister of Water Supply): The answer supplied by the Minister for Minerals and Energy is—

(i) $4·8 million.

(ii)

Electricity revenue	$6·6 million
Briquette revenue	$0·4 million
	$7·0 million

TRANSPORT BETWEEN BENDIGO AND ROBINVALE.

(Question No. 632)

The Hon. B. P. DUNN (North Western Province) asked the Minister for State Development and Decentralization, for the Minister of Transport—

(*a*) What action is being taken concerning the provision of a bus to replace the rail motor service operating between Bendigo and Robinvale?

(*b*) What route will the proposed bus service follow, and what alterations to existing time-tables and services will take place?

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): The answer supplied by the Minister of Transport is—

(*a*) The replacement of the Bendigo-Robinvale rail motor service with a bus service is currently under investigation by the Victorian Railways Board in conjunction with the Transport Regulation Board.

(*b*) The route and time-table of the proposed bus service is not yet finalized.

CASTLEMAINE TECHNICAL SCHOOL.

(Question No. 635)

The Hon. S. R. McDONALD (Northern Province) asked the Attorney-General, for the Minister of Education—

What was the cost of subsidizing the transport of students and staff between the different sections of the Castlemaine Technical School in 1976, and what is the estimated cost in 1977?

The Hon. HADDON STOREY (Attorney-General): The answer supplied by the Minister of Education is—

The cost of conveying pupils between the two sections of the Castlemaine Technical School for the 1976 school year was $18,361. The estimated cost for 1977 is $13,790.

For staff travel between the two sections in 1976 the cost was $1,322.35. The 1977 estimate is $1,350.

IRRIGATION CHANNELS IN WERRIBEE AREA.

(Question No. 638)

The Hon. I. B. TRAYLING (Melbourne Province) asked the Minister of Water Supply—

(*a*) What steps are being taken to repair, and render child-proof fencing adjacent to irrigation channels in the urban areas of Werribee?

(*b*) Will the Government give an undertaking to prevent public access, especially by children, to irrigation channels which flow through residential parts of the Werribee township?

The Hon. F. J. GRANTER (Minister of Water Supply): The answer is—

(*a*) The Water Commission is carrying out a complete investigation into the existing fencing in urban areas at Werribee. Various types of existing fencing such as post and wire, netting and paling fencing are in existence and have been repaired where necessary. In several open sections in the urban areas, temporary fencing has been constructed pending completion of fencing to a higher standard.

(*b*) The Government is conscious of the need to prevent public access, especially by children, to irrigation channels which flow through parts of the Werribee township. To this end, the Water Commission has allocated funds in the 1977–78 financial year for the construction of sections of security fencing adjacent to irrigation channels at Werribee to limit access by children as far as possible.

About 4 kilometres of open channels at the extremities of residential development are at present unfenced and, as additional areas are developed, land developers will be requested to share the cost of fencing these channels with the commission.

MUNICIPAL VALUATIONS.

(Question No. 641)

The Hon. K. I. WRIGHT (North Western Province) asked the Minister for Local Government—

With regard to indexation of values—(i) what was the time taken and the staff involved, with separate costs, of producing computer trials at Berwick and Altona and of producing each of the two valuations at Dunmunkle; (ii) what was the cost imposed on the Shire of Dunmunkle for the production of each valuation; and (iii) what was the method adopted in issuing a true and correct certificate for the Shire of Dunmunkle, as produced by the Valuer-General?

The Hon. A. J. HUNT (Minister for Local Government): The answer is—

There have been no field trials into the use of indexation of values in Victoria other than that undertaken at Wodonga for the purchase of lands in accordance with the Wodonga Area Land Acquisition Act.

The trials undertaken at Berwick, Altona and Dunmunkle were made for the purpose of testing the accuracy of value prediction with the aid of a computer using multiple regression analysis methods together with summation valuations.

Investigations into the possible use of indexation of the valuations currently in force as a means of updating the rating base in Victoria are well advanced but have not yet been tested in a municipality. The Valuer-General believes that if rating authorities were to use valuations brought up to date by indexation between physical revaluations then much of the trauma associated with large and sudden shifts in the rate burden from one section of the community to another would be overcome.

In the light of the foregoing background information, and as a result disregarding the reference to indexation, the specific answers to the three parts of the question are—

(i) The value prediction trials at Altona, Berwick and Dunmunkle were undertaken as an integral function of the research division of the Valuer-General's Office. Such research projects are not separately funded nor separately staffed.

(ii) There were no costs imposed on any of the municipalities in which research work has been carried out. As completed, the result of such research work is made available to the municipalities concerned.

(iii) The method used was to check the assessed values against sale prices of lands sold at around the relevant date. Appropriate field checks of sample valuations were then made to prove the consistency of the application of these market value levels.

In view of Mr. Wright's interest in valuations, if he would care to go to the Valuer-General's Office and be shown details of the work that is being undertaken, I should be happy to make arrangements for him.

SPA WATER RESERVES, DAYLESFORD AND HEPBURN SPRINGS.

(Question No. 645)

The Hon. N. B. REID (Bendigo Province) asked the Minister of

Water Supply, for the Minister for Minerals and Energy—

Is the Minister for Minerals and Energy able to report on the results of the Department of Minerals and Energy's exploratory work into spa water reserves of Daylesford and Hepburn Springs; if so, when does he plan to make this information available?

The Hon. F. J. GRANTER (Minister of Water Supply): The answer supplied by the Minister for Minerals and Energy is—

The report on the investigations into the Hepburn Springs area has been completed.

The report will be released when comments on the conclusions and recommendations submitted by other organizations concerned have been studied and any differences resolved.

ARADALE AND ARARAT MENTAL HOSPITALS.

(Question No. 653)

The Hon. R. J. EDDY (Thomastown Province) asked the Minister of Health—

How many medical practitioners and psychiatrists are presently working within Aradale Mental Hospital and "J" ward at Ararat Mental Hospital?

The Hon. W. V. HOUGHTON (Minister of Health): The answer is—

1 psychiatrist superintendent, 2 medical officers.

CATCHMENT, FLOOD PLAIN AND RIVER MANAGEMENT COMMITTEE.

(Question No. 654)

The Hon. D. M. EVANS (North Eastern Province) asked the Minister of Water Supply—

Further to question No. 650, answered in this House on 15th November, 1977, regarding the Catchment, Flood Plain and River Management Committee set up by the River Murray Commission—(i) does the committee have any responsibility or opportunity to recommend any alteration to the powers and responsibilities of the River Murray Commission, in order to carry out any recommendations it may make; and (ii) does the committee have any time limit before bringing down a report?

The Hon. F. J. GRANTER (Minister of Water Supply): The answer is—

(i) The committee's terms of reference are such that in examining any issue referred to it by the River Murray Commission it is able to include in such examination the identification of whether its recommendations can be implemented if adopted by the River Murray Commission and if not, to bring forward reasons why consideration should be given by the River Murray Commission to seek the necessary powers.

(ii) The committee reports to the River Murray Commission which will nominate the necessary time schedules as appropriate to the matter under investigation.

Legislative Assembly.

Tuesday, November 22, 1977.

The SPEAKER **(Sir Kenneth Wheeler)** took the chair at 2.34 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE.

HEALTH COMMISSION.

Mr. ROPER (Brunswick): I ask the Premier: Has the Government yet made a decision regarding the chairmanship of the Health Commission? If so, who is the person to be appointed to that position? If the Government has not made a decision, can the Premier inform the House whether the decision will be announced to the House before the House rises? If no decision has been reached and will not be reached in the near future, will the Government consider appointing an acting chairman so that the job of the Health Commission can at last commence?

Mr. HAMER (Premier and Treasurer): The announcement will be made when the appointment is decided upon, and that will be very soon; whether it will be before the the House rises I cannot say, but in any case, a public announcement will be made.

PROBATE DUTY.

Mr. ROSS-EDWARDS (Leader of the National Party): Will the Premier give consideration to dating the probate concessions on properties passing between parents and children to

21st November in view of the important announcement made last night by the Prime Minister of Australia about abolishing probate duty on family units?

Mr. HAMER (Premier and Treasurer): Like most other people, I was extremely pleased to have this announcement made.

Mr. WILKES: What does that mean?

Mr. HAMER: It means precisely that the Federal Government has followed the lead given in both Queensland and Victoria in recognizing that death duties on estates within the family are absolutely crippling for many thousands of small businesses and farms, and that the capital levy which it represents once each generation will eventually lead to the dissolution of those businesses. I welcome it like most other people who have the interests of small business and free enterprise at heart.

Now that the Prime Minister has announced the abolition of death duties at Federal level—and I understood him to say it takes effect from today or yesterday——

Mr. ROSS-EWARDS: Yesterday.

Mr. HAMER: The Government will certainly give consideration now to bridging the gap between our date, 1st January, and the Federal date, whatever that turns out to be. There is of course as yet no legislation and nothing concrete to work on, but I give an assurance to the honorable member that if the date is in fact 21st or 22nd November, we will adjust our date accordingly.

FREEWAY F19.

Mr. SKEGGS (Ivanhoe): Is the Minister of Transport able to assure the House that prompt and positive steps will be taken to protect the rights of citizens and local traders to access to that area of Freeway F19 now blocked by obstruction?

Mr. RAFFERTY (Minister of Transport): The answer to the honorable member's question is, "Yes, the Country Roads Board will take positive and appropriate action at the appropriate time."

CORPORATE AFFAIRS OFFICE.

Mr. LIND (Dandenong): I ask the Premier: As the fee payable to the Corporate Affairs Office upon lodging of a statement of financial returns has risen from $15 to $200, during the recess will he consider bringing in legislation so that voluntary organizations, such as Grassmere at Dandenong, will not have to meet this great leap in fees.

Mr. HAMER (Premier and Treasurer): I will be glad to investigate the matter raised by the honorable member for Dandenong.

FREEWAY F19.

Mr. WHITING (Mildura): I direct my question to the Minister of Transport. Having tried to clear Freeway F19 by reasonable means, and in view of the health hazard resulting from the barricade across Alexandra Parade, will the Minister now take more definite action to have the freeway made available to the general public of this State?

Mr. RAFFERTY (Minister of Transport): I thought I answered the question a few moments ago. I have said on numerous occasions, and I repeat it now, that the freeway will be open for traffic before the end of this year. The honorable member is asking that more positive action be taken. I do not know what is more positive action than that. When the freeway is finished it will be open for traffic, and that will be before the end of this year.

BALLARAT AND DISTRICT BASE HOSPITAL.

Mr. A. T. EVANS (Ballarat North): I direct a question to the Assistant Minister of Health. Last week in the House the honorable gentleman gave

an assurance that a ward at the Ballarat and District Base Hospital would not be closed. In view of that assurance, has his attention been drawn to a report in today's Ballarat *Courier* containing statements made by the honorable member for Brunswick alleging that this ward would be closed? If so, does he consider those statements to be irresponsible and pernicious?

The SPEAKER (Sir Kenneth Wheeler): The first part of the question is in order, but the latter part is not.

Mr. JONA (Assistant Minister of Health): I have seen the report of the remarks in this morning's Ballarat *Courier* attributed to the honorable member for Brunswick. It it regrettable that the honorable member should continue to stomp around the countryside demonstrating a form of political illness that is far sicker than any of the illnesses of the people in the hospital. The honorable member for Brunswick is completely misleading the boards of management of the hospitals; he is causing unnecessary concern to the local residents and is misrepresenting the advice and information that has been conveyed to hospital boards of management by the Hospitals and Charities Commission.

To clarify the position, and more particularly in answer to the question asked by the honorable member for Ballarat North about the Ballarat and District Base Hospital, I emphasize that most hospitals——

Mr. WILKES (Leader of the Opposition): I raise a point of order. You have ruled repeatedly, Mr. Speaker, that answers to questions should not be debated by Ministers.

The SPEAKER (Sir Kenneth Wheeler): Order! The honorable member for Ballarat North asked about a hospital in Ballarat. I ask the Minister to answer the question relating particularly to that hospital, and not to refer to a wide range of matters.

Mr. JONA (Assistant Minister of Health): There is no question that the ward at the Ballarat and District Base Hospital will be closed. In fact the Hospitals and Charities Commission and the Government have insisted on this. A circular dated 10th November and numbered 75/1977, which was sent to all hospital boards of management, set out specifically that no wards would be closed.

Honorable members interjecting.

The SPEAKER (Sir Kenneth Wheeler): Order! I ask the Minister to answer the question relating specificially to the Ballarat and District Base Hospital.

Mr. JONA: This circular was sent to the Ballarat and District Base Hospital, and the board of management of that hospital is quite clear about its contents and is co-operating magnificently in attempting to bring its funding within the prescribed limit.

With respect to the staff situation to which the honorable member for Ballarat North referred, I want to make it quite clear——

Mr. WILKES (Leader of the Opposition): On a point of order, Mr. Speaker, you clearly suggested that the Minister should answer the question asked by the honorable member for Ballarat North. The question had nothing to do with staff quotas but related to whether the ward would or would not be closed.

Mr. A. T. EVANS (Ballarat North): On the point of order, I have been patiently sitting here listening to the answer to my question. I appeal to you, Mr. Speaker, to ask members of the Opposition to be quiet and to let the Minister answer the question.

The SPEAKER (Sir Kenneth Wheeler): Order! That is a very good request. I remind honorable members that the more points of

order that are raised, the more interjections that are made, the longer the questions that are asked, requiring a longer time to reply, the fewer the questions that can be asked and answered. That deprives honorable members of an opportunity of asking questions. I ask honorable members to be brief and to the point when asking questions, and I ask Ministers to be brief and to the point in their replies. This question applies only to the Ballarat and District Base Hospital.

Mr. JONA (Assistant Minister of Health): The problem at the Ballarat and District Base Hospital arose because of allegations that the ward would be closed because of staff shortages—this is what it is all about. What I am endeavouring to explain is that at the Ballarat and District Base Hospital an instruction has been given, with which the hospital is complying, that no staff member whose appointment was approved before 1st August this year is to be dismissed, and that the expenses for the employment of any additional staff engaged after that date should be the subject of an application to the Hospitals and Charities Commission.

Furthermore, vacancies occurring at the Ballarat and District Base Hospital from the resignation of essential staff employed on 1st August, 1977, can, until further notice, be filled. Where a replacement for some reason or another cannot be financed by funds directly available to the Ballarat and District Base Hospital, the matter should be referred to the commission in writing for approval. The commission has given an undertaking that funds should be made available if the only alternative were to close the ward.

FREEWAY F19.

Mr. WILKES (Leader of the Opposition): Is the Minister of Transport sufficiently aware of the plan of the Country Roads Board to use a section of Alexandra Parade for the continuation of the Freeway F19 to inform the House whether that plan incorporates the removal of trees that are already on the edge of the median strip in Alexandra Parade to make way for the freeway?

Mr. RAFFERTY (Minister of Transport): That subject is presently under discussion between the Country Roads Board and those members of councils who were appointed last week, under the agreement with the Premier, to have discussions on the engineering amelioration that was to be proposed for the use of that area. The report flowing from the discussions now being undertaken is due to reach my desk on Thursday of this week. When I receive the report, I shall be better informed than I am now to answer the honorable member's question.

RUTHERGLEN INTERSECTION.

Mr. JASPER (Murray Valley): Is the Minister of Transport aware of the major accident that occurred last Friday at the intersection of the Murray Valley Highway and the Wangaratta–Corowa road, 3 miles west of Rutherglen, in which five people were killed? Because of the dangerous nature of the crossing the large number of cars using the road and the intersection, and the number of accidents occurring, is the Minister prepared to make funds available immediately for the reconstruction and realignment of the road in order to assist in the prevention of accidents and further loss of life?

Mr. RAFFERTY (Minister of Transport): Two questions were asked. Firstly, I am aware of the unfortunate accident that occurred at the intersection last Friday. Secondly, I did ask for a report on the matter and about a quarter of an hour ago I received information that the report was on my desk and it is now being sent to me. When I have received the report, I shall examine it, and will then be in a better position to advise the honorable member.

LEGISLATIVE COUNCIL MEMBERS.

Mr. STEPHEN (Ballarat South): Do the Leader of the Opposition and the Labor Party support Mr. Landeryou and Mr. White in their character assassination and dirty tricks campaign?

The SPEAKER (Sir Kenneth Wheeler): Order! Honorable members should ask questions on matters of Government administration and personalities should not be brought into it. The introduction of personalities does nothing for this institution. The Standing Orders provide that, in putting a question, no arguments or opinions shall be offered or any facts stated except so far as may be necessary to explain the question. Therefore, the question is not in order.

ANSWERS TO QUESTIONS ON NOTICE.

Mr. WILTON (Broadmeadows): Can the Treasurer inform me why there has been such a long delay in providing answers to question No. 2614, which relates to on-cost charges levied by the Public Works Department and paid into the Consolidated Fund, and question No. 2622, which seeks information concerning payments into the Consolidated Fund by the State Electricity Commission and the Gas and Fuel Corporation?

Mr. HAMER (Premier and Treasurer): Both of those questions involve detailed computations, which will be provided. As soon as the figures are available to me the honorable member will receive his answers.

INFLUENCING OF MEMBER.

Mr. McARTHUR (Ringwood): I ask a question of the Minister representing the Minister for Local Government. It relates to the recent press publicity concerning the honorable member for Doncaster and the financial dealings of the Richmond City Council and the allegation of bribery, corruption and intimidation of individuals. Will the Minister ask the Minister for Local Government to consider making an immediate public statement urging any person who has verifying information to come forward under Government protection to clarify this matter?

Mr. DUNSTAN (Minister of Public Works): The first part of the question, concerning a bribe offered to the honorable member for Doncaster if he refrained from presenting a petition to this House, should more correctly be directed to you, Mr. Speaker, as a matter of privilege. It relates to intimidation of a member of Parliament.

The second part of the question is the responsibility of the Minister for Local Government; it no longer falls within my portfolio. As a result of questions raised in this House and discussions I have had with the Minister for Local Government, I believe the ugly rumours, statements and innuendos involving prominent members of the Australian Labor Party should be clarified in a statement by the Minister for Local Government. As we have seen in the past months, innuendos, threats, intimidation and inferences are damaging many reputations. I should not like the innuendos raised in this case by the honorable member to damage the character of any senior and prominent members of the Labor Party.

ENVIRONMENT PROTECTION AUTHORITY.

Mr. CATHIE (Carrum): I ask the Minister for Conservation: Has an appointment been made to the position of head of the ecology section of the Environment Protection Authority, and if so, who has been appointed, what are his qualifications and, in particular what experience has he had in the area of air pollution?

Mr. BORTHWICK (Minister for Conservation): I am not aware of the particular appointment. I was aware of the vacancy, but not of who has been appointed to fill the position.

DROUGHT RELIEF.

Mr. HANN (Rodney): I ask the Minister of Lands whether an approach has been made by the Victorian Government to the Commonwealth Government for Victoria to be included under the provisions of the drought relief scheme in view of the serious conditions that exist in Victoria and, if so, has a proposal been put forward for a grain subsidy to be included as a form of drought relief?

Mr. BORTHWICK (Minister of Lands): Following a question by the honorable member for Mildura last week, I sent a telex to the Federal Minister for Primary Industry because I was under the impression from the statement by the honorable member for Mildura that there may be some additional methods by which the Federal Government would be prepared to help. The Minister's secretary sent me a copy of the press statement that had been issued by the Honorable Ian Sinclair. To my amazement it suggested that Victoria is not covered by the Commonwealth scheme for drought relief. The Victorian Government has paid grants and subsidies since 30th June, and will continue to do so. I harken back to what I said last week, that one of the main problems with Commonwealth–State co-operation on drought relief is that the Federal Government believes drought relief can be administered on the basis of a financial year. Nature does not recognize financial years.

I find myself in a somewhat embarrassing situation because I have given assurances in this House that as the Minister responsible for drought relief in Victoria, I recognize those municipalities that have been declared drought areas in the past year as still being in that category. For some reason, perhaps administrative, at the Commonwealth level the matter is not regarded in that way. Under the present agreement between the State and the Commonwealth, the State is not eligible to make application for assistance in any financial year until it has expended one-tenth of the $3·5 million it has to find each year.

Mr. HANN: It has already done that.

Mr. BORTHWICK: It has not done so this financial year. The Victorian Government will endeavour to clarify the Commonwealth Government's stance, as a cut-off of this nature has never applied in the past. As I said last week, the Government will also push as hard as it can for every possible form of assistance.

In addition, I indicate to the honorable member that the assistance at present being made available to other States that are facing drought conditions does not include grain subsidies. That type of assistance has included grain subsidies on only one occasion, which from memory was during the McMahon Government's term of office.

INFLUENCING OF MEMBER.

Mr. RAMSAY (Balwyn): Further to the question asked by the honorable member for Ringwood of the Minister of Public Works, I ask whether you, Mr. Speaker, will undertake inquiries to establish the source of and reason for a bribe offer being made to the honorable member for Doncaster to dissuade him from carrying out his duties as a member of this House?

The SPEAKER (Sir Kenneth Wheeler): The honorable member's question places me in an awkward position. No formal complaint or positive statement has been made in this Chamber. If there is or is likely to be a positive complaint made by the honorable member concerned, it will be treated in the normal fashion.

MITCHAM HIGH SCHOOL.

Mr. FORDHAM (Footscray): Will the Minister of Education ensure that sufficient staff are appointed to Mitcham High School next year to ensure that the annexe established by

the school some years ago, in conjunction with the Education Department, can continue in 1978 and following years in view of its excellent record and relations with parents, teachers and members of the community?

Mr. THOMPSON (Minister of Education): The extremely energetic and able honorable member for Mitcham regularly raises problems of this type with me. I have no doubt that an opportunity for discussing this problem will be found by the honorable member.

The formula for staffing purposes last year was 1 teacher for every 20 pupils, with an additional 9 teachers in the smaller schools and an additional 10 teachers in the larger schools. The new formula that will apply to Mitcham High School and other high schools this year provides for 1 teacher for every 12 pupils in the first 300, and an additional teacher for every further 18 pupils. This formula will benefit some schools considerably, but might reduce slightly the number of staff in other schools. Mitcham High School may be in the latter category. I shall take the opportunity of discussing the matter with the honorable member for Mitcham.

BUSH FIRES.

Mr. AUSTIN (Ripon): I direct a question to the attention of the Minister for Minerals and Energy. The recent inquiry into the causes of bush fires conducted by Sir Esler Barber found that in some instances responsibility for the fires was shared jointly by municipalities and the State Electricity Commission. In view of the fact that the Lexton Shire Council which was not allowed or not asked to give evidence at that inquiry, finds itself in this category——

The SPEAKER (Sir Kenneth Wheeler): Order! The honorable member must ask the question. He is debating the whole issue.

Mr. AUSTIN: Will the Minister investigate the position with a view to clarifying the situation with regard to the Lexton Shire Council?

Mr. BALFOUR (Minister for Minerals and Energy): I understand in this case the board of inquiry found some responsibility on behalf of the Lexton Shire Council and that the solicitors of the State Electricity Commission have written, as is the normal practice, to the council seeking information on whether the council has insurance. No doubt that has been done to discover whether the council is in a position to carry any share of compensation which may be payable. However, on behalf of the honorable member I will be quite happy to investigate the matter further and keep him advised.

MOUNT RIDLEY PROPOSAL.

Mr. CAIN (Bundoora): As there are very few notes on the file of the Minister for Planning in relation to the Mount Ridley proposal, which the Minister apparently examined, has the Minister had discussions on the Government's attitude to the Mount Ridley proposals so far as the proposition of the T. and G. Mutual Life Society Ltd. is concerned with directors of the society, Arthur R. Begg, J. C. Johnston a trustee of the Liberal Party, property officer J. McGinley and public relations consultant, Laurie Kerr?

Mr. HAYES (Minister for Planning): Over the course of the past twelve months I have met only occasionally, I think, two of the gentlemen nominated, Mr. Higgs and the consultants retained by the T. and G. Company, that is, from memory, Messrs. Perrott, Lyons, Timlock and Kesa. Last week I had a discussion with one director of the T. and G. Society, Mr. Higgs. No note was kept of that discussion because we were having only a conversation.

MORWELL OPEN CUT FIRE.

Mr. McINNES (Gippsland South): Can the Minister for Minerals and Energy advise whether the investiga-

tion into the fire at the Morwell open cut has been completed? In view of the significance of that fire, will he make a copy of the investigation available to honorable members?

Mr. BALFOUR (Minister for Minerals and Energy): I am not able to advise the honorable member on whether the investigation has been completed. If there is any information I can give him, I shall make it available.

TENANTS ADVICE SERVICE.

Mr. COX (Mitcham): I direct a question to the Minister for Social Welfare. The Tenants Advice Service has compiled a report and made a submission to the Government. Has the Minister completed his assessment of this report? If so, what is the result of the inquiry?

Mr. DIXON (Minister for Social Welfare): The Tenants Advice Service made a submission to the Government which was received by the Social Welfare Department on 4th October. Subsequent to that, it made a submission to the Premier and to the Minister of Housing concerned with matters related to that submission. Officers of my department have examined the applications of the Tenants Advice Service and a grant of $25,000 will be offered to that service on the condition that its activities are distinguished from the activities of the Tenants Union of Victoria. The remainder of the application, which involved a minimal funding of $50,000, is currently being examined by the Premier in conjunction with the Minister of Housing.

ABOLITION OF PAY-ROLL TAX.

Mr. EDMUNDS (Ascot Vale): Can the Premier advise the House, whether he has seen proposals by the Labor Opposition in the Federal sphere advocating the abolition of pay-roll tax and the providing of a direct grant? Can the Premier advise the House whether he supports such a proposal?

Mr. HAMER (Premier and Treasurer): I believe that to be a matter of Government policy.

The SPEAKER (Sir Kenneth Wheeler): The honorable gentleman may refuse to answer.

Mr. HAMER: I do not refuse to answer. I have said over and over again that it is a view of this Government that pay-roll tax ought to be abolished as soon as practicable. In the meantime the Government has taken steps in three successive Budgets to reduce the impact of pay-roll tax on the lowest taxpayers. If any action is to be taken, that is where it should be taken, in the area of the lowest pay-roll taxpayers—the small businesses on whom it is an intolerable burden and in respect of whom one might expect the result to be additional employment.

Since I am asked for an opinion all I can say is that the forgoing of income tax reductions and other taxation reductions and the substitution of higher rates of tax——

Mr. WILKES: That is an opinion.

Mr. HAMER: Yes, it is. In my view it is a counter productive measure. It is a very harsh penalty and will retard the recovery which we all desire.

PETITIONS.

RICHMOND ABATTOIRS.

Mr. WILLIAMS (Doncaster) presented a petition from certain ratepayers and residents of the City of Richmond praying that the House take such action as it may to ensure that an inquiry is instituted into the actions, omissions, transactions and financial relationships of the council and Protean (Holdings) Ltd. concerning the Richmond abattoirs. He stated that the petition was respectfully worded, in order, and bore 2,602 signatures.

It was ordered that the petition be laid on the table.

GELLIBRAND PILE LIGHT.

Mr. WILLIAMS (Doncaster): I present a petition from certain citizens of the State of Victoria praying that the salvaged parts of the Gellibrand Pile Light be preserved and erected at Point Gellibrand. The petition is respectfully worded, is in order and bears 1,225 signatures. I desire the petition to be read.

The Standing Orders were suspended to enable the petition to be read, and the petition was read by the Clerk. It was in the following terms—

TO THE HONORABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY IN PARLIAMENT ASSEMBLED.

The humble petition of the under-signed citizens of the State of Victoria respectfully sheweth—

That following the destruction of the Gellibrand Pile Light, after being struck by the vessel *Melbourne Trader* on 21st June, 1976, parts of the pile light were salvaged by the Public Works Department. In 1906 the structure took the place of a lightship that took station in 1860, guarding the entrance to Hobson's Bay by the Gellibrand passage, and was an important part of the history of old Williamstown.

Your petitioners therefore pray that the State Government take action to have the salvaged parts of the light erected and preserved at Point Gellibrand.

And your petitioners, as in duty bound, will ever pray.

It was ordered that the petition be laid on the table.

ADVISORY COUNCIL FOR INTER-GOVERNMENT RELATIONS.

Mr. HAMER (Premier and Treasurer): By leave, I move—

That there be laid before this House a copy of the first annual report of the Advisory Council for Inter-Government Relations.

The motion was agreed to.

Mr. HAMER (Premier and Treasurer) presented the report in compliance with the foregoing order.

PAPERS.

The following papers, pursuant to the directions of several Acts of Parliament, were laid on the table by the Clerk—

Health Act 1958—Report of the Commission of Public Health for the year 1976–77.—Ordered to be printed.

National Parks Service—Report for the year 1976–77.—Ordered to be printed.

Police Regulation Act 1958—Determination No. 280 of the Police Service Board.

Public Service Board—Report for the year 1976–77.—Ordered to be printed.

Statutory Rules under the following Acts:—

Architects Act 1958—No. 336.
Dentists Act 1972—No. 335.
Health Act 1958—Nos. 333 and 334.
State Savings Bank Act 1958—Nos. 330 and 331.
Vegetation and Vine Diseases Act 1958—No. 332.

Town and Country Planning Act 1961—

City of Knox Planning Scheme 1965, Amendments Nos. 123A, and 125A, 1977.
Shire of Werribee Planning Scheme 1963, Amendment No. 41, 1977.

Town and Country Planning Board—Report for the year 1976–77.—Ordered to be printed.

Zoological Board—Report for the year 1976–77.

COMMUNITY WELFARE SERVICES BILL.

Mr. DIXON (Minister for Social Welfare), by leave, moved for leave to bring in a Bill to amend the Social Welfare Act 1970, to alter the title thereof, to establish a Department of Community Welfare Services, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

MARINE (PILOTS SUPERANNUATION) BILL.

The debate (adjourned from November 16) on the motion of Mr. Dunstan (Minister of Public Works) for the second reading of this Bill was resumed.

Mr. STIRLING (Williamstown): A situation exists which has caused a rift between the in-service members of the Port Phillip Sea Pilots Service and the retired members and widows of retired members of the service over the proposed changes to the Port Phillip Pilot Sick and Superannuation Fund. This most unfortunate

situation has arisen within an organization which was established in 1839 with the issue of the first pilot's licence to Captain Tobin by Governor Gipps, the then Governor of Victoria.

The pilot service in Victoria is unique compared with its counterparts throughout the world. It is a private service run on a type of co-operative basis with each in-going pilot purchasing a share of the pilot facilities and plant and agreeing to work under the Marine Act of this State.

I refer to section 72 of the Marine Act to clarify that position. It provides—

> All such moneys paid for pilotage rates on ships arriving at or departing from Port Phillip or moving from one part of Port Phillip to any other part—

then it goes on to read—

> be paid to the credit of a fund to be called "The Pilots' Salary Fund" for distribution amongst the pilots licensed for Port Phillip in accordance with any rules or regulation for the time being in force, and all other moneys to be set apart and accounted for separately under the provisions of the last preceding section shall be paid by or on behalf of the Board to the Treasurer of Victoria and shall go to and form part of a fund to be called "The Port Phillip Pilot Sick and Superannuation Fund."

On 17th May this year the Pilot Superannuation Board made the Port Phillip Pilot Sick and Superannuation Fund Statutory Rule No. 105/1977. Subsequently, through action of the Subordinate Legislation Committee, Parliament disallowed this regulation. I refer to page 10876 of *Hansard* of 27th October last where the honorable member for Geelong West gave reasons for the disallowance. He said, as reported at page 10876 of *Hansard*—

> The regulation which has caused much concern is Statutory Rule No. 105/1977, the regulation which alters the whole set-up of distribution of benefits under the fund.

The honorable member also said that those pilots who retired before 1st July, 1976, including dependants, got nothing from this regulation. He also stated—

> The committee can only refuse to approve the regulation on the last ground under its charter, namely, that it primarily thinks that it would be far better that the subject matter be dealt with by Parliamentary enactment than by regulation.

The present Bill amends Part V. of the Marine Act 1958, which incorporates the Marine (Pilot Superannuation) Act 1977.

The Bill does three things. Firstly, it amends section 90 of the Marine Act, which deals with the composition of the Pilot Superannuation Board. Section 90 of the principal Act provides, *inter alia*—

> The Governor in Council may from time to time appoint three persons, one of whom shall be selected by the majority of the pilots, to be a Pilot Superannuation Board.

Clause 2 of the Bill inserts after the word "pilots" the words "for the time being licensed for Port Phillip and in service as such". This clarifies the position in clause 3, because in this clause the House is asked to validate the appointment of a member to the board earlier this year. Subsequent to the appointment of this member, the representatives of the retired pilots took litigation in the Supreme Court challenging his appointment. At that time there were two pilots vying for this position and the pilot who received the most votes should have been, under the Act, the pilot elected to the board, but it was the pilot who ran second who was appointed to the board. This led to the litigation to which I referred.

Honorable members have received considerable correspondence from the two parties concerned—the in-service pilots and the representatives of the retired pilots and the widows of retired pilots. One could spend a considerable time explaining the case put forward by both parties but, in passing, I point out that the representatives of the retired pilots considered that under the previous regulations —and this is intended by the Bill— there was strict equity in the allocation of funds from the superannuation fund, and this went back to 1869

when the fund came into being. They said that the in-service pilots had never contributed to this fund.

As I said before, under section 72 of the Act, part of the moneys paid into the pilots' salary fund is allocated to the superannuation fund, and a couple of years ago this was varied from 6 per cent to 8 per cent of the money paid into the salary fund. However, the in-service pilots say emphatically that they contribute to this fund as they collect charges from shipowners and the like by carrying out the job of pilotage and pay 8 per cent of this amount into the fund.

I move the following amendment—

That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until a conference of the parties involved has reached an equitable agreement to the benefit of all parties".

The SPEAKER (Sir Kenneth Wheeler): Is the motion seconded?

Mr. ROPER (Brunswick): I second the motion.

Mr. STIRLING (Williamstown): I shall not discuss the proposed amendment at length. The position should have been resolved much earlier. The Bill was introduced last Wednesday; the Opposition expected this because of the disallowance of statutory rule No. 105 of 1977, but does not believe there should be a difference between benefits paid to in-service pilots and those paid to retired pilots or their widows. This matter cannot be resolved without a round-table conference of the parties concerned, after which the House may decide what is fair.

I am disturbed about this measure because I have friends who are in-service pilots, retired pilots and the widows of retired pilots. Members of the Opposition are grieved that the matter has gone so far; they believe it can be resolved, and that is the reason for moving the proposed amendment.

Mr. JASPER (Murray Valley): I was interested to hear the comments of the honorable member for Williamstown on the Bill because the National Party has some misgivings about the measure and the haste with which it was introduced and is being proceeded with.

Confusion has arisen over the measure and the provisions of the Port Phillip Pilot Sick and Superannuation Fund. This matter was discussed by the Subordinate Legislation Committee, and resulted in the introduction of the Bill.

No doubt the Pilot Superannuation Board believes it has operated in the best interests of all parties concerned. Members of the board have spent a lot of time and money in securing actuarial figures to try to resolve the issue. However, that does not alter the fact that under the original Act everyone over the past 103 years was dealt with equally in the assessment of superannuation.

Major changes have now been suggested to be made by the Pilot Superannuation Board, and some of these have been put into operation. That is another cause of the confusion that has arisen. Members of the National Party received representations on this matter from both serving pilots and those who have retired, as, no doubt, have members of the other parties.

The National Party supports the amendment to the Bill proposed by the Opposition, and was going to suggest that the Bill be withdrawn and held over until the autumn sessional period so that all parties can present the facts on the measure and resolve the issue.

Mr. BIRRELL (Geelong West): I believe the Minister is entitled to make haste on this issue. Matters that are important to employees—in this case the pilots—are at stake. I do not believe haste is inappropriate whenever legislation is introduced, although the general tenet that one should not hurry too much is usually

correct. In this case I believe haste is justified, because the Bill deals with unresolved matters of superannuation and the rights of people that have been established for about a century.

The main query I raise relates to the terms of the proposed legislation, and I seek some clarification on it. The Bill provides for the Government Actuary to approve any new regulations dealing with superannuation rates.

A reading of the second-reading speech has left me in two minds. The more powerful part of my mind suggests that the Minister and the Government are seeking to clothe the old regulation with legality without altering its content. The Bill seems to be a copy of the old regulation which *de facto* was criticized by the Subordinate Legislation Committee.

Mr. DUNSTAN: The regulation has been disallowed; there would have to be a new regulation. It is not a duplicate of the old regulation.

Mr. BIRRELL: In that case I am reasonably happy about the measure. The Bill appears to be endorsing a new principle that not only should a private actuary be engaged on the work of providing new superannuation rates, but that the Government Actuary should approve as equitable the actuarial contents of the regulation.

My concern, therefore, is that this principle is to be endorsed in practice. The Bill is not a compromise, but I understood the second-reading speech to mean that perhaps the Government Actuary had examined the old method of splitting up the superannuation benefits and decided that it was in order. However, from what the Minister of Public Works just said by interjection, I believe that perhaps my opinion was wrong and that there will be a complete review of superannuation provisions for serving pilots, for those who have retired and for their dependants. If that is so, I hope that principle will be put into practice.

Top pension benefits of about $12,500 a year should be provided for members of a profession as important as that of a pilot in Port Phillip Bay and at Port Phillip Heads. Members who enter the pilot service have high qualifications, such as those of a ship's captain. It is not easy to enter the pilot service, but having done so, a pilot must complete 25 years' service before he can claim a pension of $12,500 a year. That amount should be the minimum that the House should allow for men of high qualifications and long service who have served their terms at sea and hold responsible positions, and should be comparable with pensions paid in other similar professions.

That $12,500 should not be downgraded. I pose the problem whether further receipts can be found from any other source. Two years ago, the 6 per cent of pilotage fees which was going into the fund was increased to 8 per cent. I take it that the additional 2 per cent has been the basis of the recent increased provisions for recipients from the fund. I should not like the maximum pension of $12,500 to be cut back. It seems to be an appropriate figure for retired pilots to receive by way of maximum pension, but it should not be less considering the sort of work they are doing and their responsibilities compared with those of other people in Government or semi-Government service.

Honorable members might suggest that a certain quantum of funds have to be distributed, but if it is desired to retain those top figures, which I think are justified, and give some other members of the fund the same maximum—it was the feeling of members of the the Subordinate Legislation Committee that possibly some further entitlement was justified down the line to relatively few people—where are the extra funds to come from? I pose that as probably the final point argued within the Subordinate Legislation Committee because, while members of the committee felt that the $12,500 was

reasonable, if people further down the line were going to be given a lift, that sum of money might not be possible actuarily. I feel that is where the committee bowed out of the actuarial argument because it did not have before it expert evidence on whether there was any other way of handling the situation. Perhaps the actuary could come to a different conclusion and that is how I hope the matter will be resolved.

In the meantime, the Minister may well conclude that this matter has to be hastened along, because people who are working and resigning from the service are entitled to superannuation and they are waiting on something to be done by this House and they do not want it to drag on until the autumn session of Parliament. The Minister might consider some sort of compromise to resolve this difficult situation. Perhaps the actuary could be brought into the picture quickly and come up with something. At all events, the Minister should not threaten the $12,500 entitlements.

Mr. CAIN (Bundoora): The Opposition has moved the amendment simply because it could find no other way of resolving the impasse which has been reached. Quite clearly, two interests regard themselves as being opposed and agreement cannot be reached at this stage. The Bill seeks to restore the position that would have existed if regulation No. 105 had not been disallowed by the House. It seems further to attempt to lay down guidelines for the proposed scheme in a couple of sections of an Act. The matter is too complicated for that to be done. I suggest that the only member of this House who is probably competent even to discuss the complex aspects of a measure such as this is the honorable member for Knox.

The Opposition believes the only way for the matter to be resolved is to allow the people concerned—fewer than 100 are involved—to go away and try to reach some agreement about their respective interests. It should be noted that the first representations on this matter were made in 1974 and so three or three and a half years have been allowed to pass, which is far too long. It would appear that the superannuation board and the Marine Board have been remiss in not ensuring that the matter was brought to a head before this. A further complication is that legal action is pending on behalf of certain persons who regard their interests as being threatened, firstly, by the regulation, and secondly, by the legislation.

Perhaps I could briefly explain the two positions as I understand them to be. The serving pilots say, and I think this is common ground, that the present scheme is inadequate; that it does not provide sufficient benefits for those serving pilots on retirement, death, accident or any other contingency; and that they cannot attract people to the service because of the paucity of the superannuation benefits that are offering. They also say that the people who have joined the service recently as well as the serving pilots are left in a state of limbo.

On the other hand, the retired pilots say that the scheme discriminates between the serving and the retired pilots and disturbs an equity which has been established over a long time. They also say that the scheme discriminates against the widows of retired or deceased pilots. They say that it is unfair to guarantee a minimum sum for pilots who retire in future as compared with pilots who have retired in the past. The other distinction about which they are concerned is between various pilots who retire at different dates. The last matter that concerns the retired pilots is that this legislation will cut across any win or anything that they may achieve by virtue of the litigation which they have brought. It further puts them at risk concerning any costs associated with the litigation.

The Opposition believes both boards have been remiss in allowing the matter to reach this stage. We

are now in the last week of the session and the matter first came before the House only last week by leave. Undoubtedly, it was desired that legislation be passed through this House and another place before the end of the session. The Opposition says without equivocation that it should never have reached this stage; that Parliament ought not to have been put in this position. We say further that some opportunity for resolution between the parties should be found. The Opposition suggests that it could be found because the sources from which the fund receives its money have some degree of flexibility, much more flexibility than most superannuation funds enjoy. It should also be remembered that it is a non-contributory scheme. It ought to be possible for fewer than 100 people to devise a scheme, in consultation with actuarial advice, which is equitable and just to both groups.

The Opposition lastly says that Parliament cannot make a proper judgment, nor indeed can persons outside Parliament, until the provisions of section 74 have been complied with concerning the tabling of the accounts of the fund. I understand that has not been done for a long time. It is an omission that should not have occurred and it should not be allowed to continue.

In summary, members of the Opposition say that Parliament ought not to make a judgment about this matter in the present climate and the time available. The proposal outlined in the amendment moved by the honorable member for Williamstown would allow the parties a reasonable opportunity of giving the matter further consideration so that they could arrive at a scheme that is satisfactory to everyone.

Mr. WHITING (Mildura): I support the case put by the honorable member for Murray Valley and was interested to hear the remarks of the honorable member for Bundoora concerning section 74 of the Marine Act. A number of Acts were consolidated and became the Marine Act in 1958, and that Act requires that—

> The accounts of all moneys received and disbursed by the board as successors to the Pilot Board constituted under the Passengers Harbors and Navigation Statute 1865 shall be audited once at least in every year by the Auditor-General . . . and laid before both Houses of Parliament.

The requirement to have the accounts laid before both Houses of Parliament applied until December of last year. The earlier Acts had similar provisions. I have been advised by the Papers Room that the accounts have not been laid before Parliament since 1928 and I wonder whether the Marine Board has been in contempt of Parliament because of that.

I certainly agree with the honorable member for Bundoora that, as honorable members have not had the opportunity of examining those accounts so that they could learn just what receipts and disbursements had applied to the fund, they are not in a position to make a decision one way or the other on this rather vexed question. Each party to the dispute is certain that it holds the correct point of view and that situation alone warrants the delaying of the Bill.

It is obvious that neither the Minister nor the department has taken the matter too seriously because Statutory Rule No. 105 was disallowed on 27th October and the Bill was introduced only last week.

Mr. DUNSTAN: The Bill had to be drafted and the rule had to be disallowed by both Houses.

Mr. WHITING: If the matter is so urgent the Bill could have been introduced earlier. In view of that fact and as members of the National Party had decided to seek the withdrawal of the Bill until the next session of Parliament, the National Party believes the amendment moved by the honorable member for Williamstown should be supported. A resolution of the problem can be achieved, but if Parliament passes

the Bill it will make that resolution more difficult. I urge the Minister to give serious consideration to the amendment.

It is obvious that clause 4 attempts to solve the problem, but members of the National Party have been advised that there is no guarantee that an equitable situation will be reached after the Bill has been passed. Clause 4 seeks to amend the principal Act by inserting the words, " in a manner approved by the Government Actuary to be equitable ", but if there is still disagreement after the Bill has been passed and has received Royal assent, the Government Actuary would not be able to stop the superannuation fund from continuing in its present manner. In that situation, members of the National Party cannot support the Bill and all honorable members should give serious consideration to supporting the amendment moved by the honorable member for Williamstown.

Mr. CRABB (Knox): I support the amendment moved by the honorable member for Williamstown. I do not intend giving a lengthy dissertation on the actuarial considerations surrounding this unique superannuation fund, but I point out that the basis of the dispute between the retired pilots and the in-service pilots is a matter of equity.

A consulting actuary attempted to solve the problems faced by in-service pilots in ensuring that they receive adequate benefits by today's standards, and put forward a scheme that met those requirements. It provided the sort of disablement, ill-health and retirement benefits that are expected in a modern superannuation scheme. I remind honorable members that this is by no means a modern superannuation scheme; it is extremely old. In fact, it may be the oldest in the State and would certainly rank along with some of the superannuation schemes for ministers of religion, which seem to have an equal number of idiosyncrasies.

As I have said, the proposal put forward by the consulting actuary, which was adopted to a certain extent, provided for the sorts of benefits of which all honorable members would approve to be provided to in-service pilots. It did not, however, provide commensurate benefits for retired pilots and widows of deceased pilots.

In amending a superannuation scheme it is a fundamental precept that any amendments should not be detrimental to the interests of the existing members and, most importantly, should not be detrimental to the interests of existing pensioners. The Government does not always agree with that precept, as was shown with the superannuation fund for hospital employees that was debated late last year. In that case retired hospital employees received nothing out of the amendments.

Mr. WHITING: That is about to be amended.

Mr. CRABB: That is right. However, the superannuation scheme for Port Phillip pilots is different from the superannuation scheme for hospital employees because there is no employer. Usually a dispute between different classes of employees about a superannuation fund is resolved by the employer saying, " You will get this and you will get that. That is the end of it ", but there is no employer in this case. It is a unique system and the pilots organize their own charges and remuneration. Their situation is perhaps similar to that of members of Parliament, who also have no employer. This makes a difference in the way in which one approaches the fund.

From my fairly cursory examination of the scheme, it appears that to a large extent the fund has been organized on a pay-as-you-go basis. The reason why the consulting actuary whom I mentioned earlier said that larger benefits could not be paid to retired pilots was that the fund was insolvent because it did not have

sufficient money to cover future outgoings without taking future income into account. It has probably always been like that and has probably always worked on the basis that tomorrow's pensions will come out of tomorrow's pilots' fees.

Having made those observations, I consider that it is possible for the two parties to come to an arrangement and that the matter in dispute between the in-service pilots and the retired pilots and widows can be settled amicably. Such an agreement would need to be based on several precepts. The first is that the existing pensioners should not be disadvantaged in the expectations that they had when they retired. The introduction of new benefits for in-service pilots should not mean any diminution in the expectation of pensioners. That is paramount.

The second criterion is that those people who are already pensioners should not be disadvantaged in comparison with those who are not yet pensioners. There should be a fair distribution of whatever moneys accrue to the fund. Someone who retires before the provisions of the Bill come into force should not receive less than someone who retires the day after. That should not happen if the correct action is taken. Someone who was disabled ten years ago should not receive a lower pension than someone who is disabled today.

The pensions have always been indexed so that they have increased periodically and that should continue, just as members of Parliament expect their pensions to be indexed in line with Parliamentary salaries and as Public Service pensions are indexed. Retired pilots have had that benefit for some time and is should not cease. A pilot who retires today after 25 years of service should receive the same pension as a pilot who retired two years ago after 25 years' service. The matters I have mentioned are the basic precepts that should be established so that an arrangement that is fair to all parties can be reached.

Mr. BIRRELL: No superannuation fund in the State works on the principles you have just enunciated.

Mr. CRABB: If the honorable member examined the situation he would find that many superannuation funds operate on that basis, such as the State Public Service superannuation fund. The pensions payable under that fund are linked with the cost of living index. If the salaries of present employees of the Public Service increase in line with the cost of living index, it works out in the same way.

Mr. BIRRELL: A person who retired five years ago would have done so on a lower salary than a person retiring today.

Mr. CRABB: He would have retired on a lower base salary, but his pension would have increased in line with the cost of living index. Another person who had not retired would have had his salary indexed to the cost of living and would have retired on exactly the same pension. That is what indexing of pensions is all about.

Apart from those considerations, the other matter I raise is that I should like the Minister to consider reimbursing the costs incurred by the retired pilots in putting forward their case. The expert advice obtained on behalf of the in-service pilots, which meant the incurring of actuarial fees, was paid for out of the fund, but the retired pilots would have incurred legal fees in putting forward their case, and consideration should be given to reimbursing them when a solution of the problem is arrived at.

Mr. DUNSTAN (Minister of Public Works): This was a complex exercise even before the matter was scrutinized by the Subordinate Legislation Committee. It has been non-political and, therefore, I have had no hesitation in discussing the matter behind the scenes with members

of the Opposition, of the National Party and of the Subordinate Legislation Committee. I believe it is correct to do so when there are no political conflicts.

I take this opportunity of thanking the honorable member for Williamstown for his co-operation, and the honorable member for Knox for his assistance and knowledge. I agree with the honorable member for Bundoora that the honorable member for Knox is probably the only member of Parliament who fully understands such a complex subject. I am referring to actuarial knowledge and experience.

The Deputy Leader of the National Party has co-operated, but he was not kind in criticizing the delay in the Bill reaching the House because it was not only a matter for the parties. I thank the Chairman of the Pilot Superannuation Board and the Parliamentary Counsel for the speed with which the Bill was introduced. At the same time I wanted the Bill to proceed without undue haste so that all parties would have an opportunity of considering it.

I also thank members of the Subordinate Legislation Committee for their co-operation. I have kept them advised of what has been happening which has involved discussions with the Pilot Superannuation Board, the serving pilots, the retired pilots and the Parliamentary Counsel. After discussion with the retired pilots, I thought I had found the solution to the problem. Speed was needed to redraft the Bill to include clause 4. After spending one and a half hours at Parliament House with the retired pilots I was left in no doubt that they had given me the solution to their problem. I thanked them and said that their suggestion was excellent. I then directed that the solution they gave me should be included in the Bill as clause 4. Therefore, as it appeared to me that all parties had accepted my assurance that a solution had been found, I was rather staggered to receive within 48 hours of the Bill being introduced a three-page letter soundly condemning the Bill from Messrs. F. R. E. Dawson & Son, Barristers and Solicitors, representing the retired pilots. The retired pilots had agreed with me that the solution to all the problems was contained in clause 4. After seeing the Bill, the in-service pilots said that they would go along with it. Therefore, I thought agreement had been reached.

The honorable member for Knox said that I should give sympathetic consideration to meeting all or part of the legal costs incurred by the retired pilots. Those legal costs have escalated rapidly since the Bill was introduced. I certainly believe that, as private actuarial costs were met under the Pilot Superannuation Fund, other costs should receive sympathetic consideration. I give that undertaking, but I hate to think that the serving pilots are going to make Mr. Dawson a millionaire, because every time I open my mouth and give an undertaking I receive a solicitor's letter. I should perhaps get some free legal advice from Mr. Francis or Mr. Cain on how to tackle the problem. I give the undertaking to the honorable member for Knox to sympathetically consider the legal costs incurred by retired pilots.

The Government cannot accept the amendment, but I undertake that if possible I shall be prepared to convene a meeting of all interested parties next week. This is not my original idea, because it first came from the honorable member for Knox two or three weeks ago. I give the undertaking that although the Government cannot accept the amendment, I will convene a meeting of all parties involved in an endeavour to reach an equitable agreement to the benefit of all parties along the lines suggested by the honorable member for Knox today. If suitable, I could give a full day to this matter on Thursday, 1st December, as Parliament will not then be sitting.

I give a further undertaking that no new regulation will be drafted until after this meeting is held. The pro-

posed legislation cannot be implemented until a new regulation has been drafted. I give a further undertaking that no regulation will be drafted under this Bill after it goes through both Houses until this meeting is held. I do not think I need to reiterate the points I made in the second-reading speech, but if the Bill is not passed in this sessional period the matters in dispute which obviously need clarification will be left unresolved.

I took careful note of the words of the honorable member for Knox about the need for a modern superannuation scheme. I fully support the proposal. The Pilot Superannuation Board has been trying to achieve this benefit for the past two or three years. Unfortunately a modern superannuation scheme will be further delayed. I appreciate the impartiality of the honorable members for Williamstown and Knox. I know they can understand the problems of retired and in-service pilots. It is vitally necessary to find a solution to the problem.

The second reason why the Government cannot accept the amendment is that my prime responsibility is the Port Phillip Pilot Service. I am equally concerned to ensure that pensioner pilots get a fair go, but my prime responsibility as the Minister concerned is the service. It has been drawn to my attention that it is becoming increasingly difficult to find qualified pilots to take the place of those who retire. Three pilots have left the service in the past ten days. I had hoped to introduce legislation reducing the experience qualification needed for pilots.

Mr. STIRLING: That may be dangerous.

Mr. DUNSTAN: Yes. That legislation will have to be considered in the next sessional period because it is becoming more and more difficult to keep the pilot service going. For the reasons I have stated, reluctantly I cannot accept the amendment.

The House divided on the question that the words proposed by Mr. Stirling to be omitted stand part of the motion (Sir Kenneth Wheeler in the chair)—

Ayes	..	44
Noes	..	21
Majority against the amendment	..	23

AYES.

Mr. Austin	Mr. McArthur
Mr. Balfour	Mr. McClure
Mr. Billing	Mr. McKellar
Mr. Birrell	Mr. Mackinnon
Mr. Borthwick	Mr. Maclellan
Mr. Burgin	Mr. Plowman
Mr. Coleman	Mr. Rafferty
Mr. Cox	Mr. Ramsay
Mr. Crellin	Mr. Reese
Mr. Dixon	Mr. Richardson
Mr. Dunstan	Mr. Scanlan
Mr. Ebery	Mr. Skeggs
Mr. Evans (*Ballarat North*)	Mr. Smith (*South Barwon*)
Mr. Francis	Mr. Smith (*Warrnambool*)
Mr. Gude	Mr. Stephen
Mr. Guy	Mr. Thompson
Mr. Hamer	Mr. Weideman
Mr. Hayes	Mr. Williams
Mr. Jennings	Mr. Wood
Mr. Jona	*Tellers:*
Mr. Kennett	Mr. Hudson
Mr. Lacy	Mrs. Patrick
Mr. Loxton	

NOES.

Mr. Amos	Mr. Mutton
Mr. Cathie	Mr. Roper
Mr. Crabb	Mr. Ross-Edwards
Mr. Culpin	Mr. Simmonds
Mr. Edmunds	Mr. Stirling
Mr. Fogarty	Mr. Trezise
Mr. Fordham	Mr. Whiting
Mr. Ginifer	Mr. Wilton
Mr. Jasper	*Tellers:*
Mr. Kirkwood	Mr. Cain
Mr. Lind	Mrs. Toner

PAIRS.

Mr. Collins	Mr. Trewin
Mr. Lieberman	Mr. McInnes
Mr. McCabe	Mr. Evans (*Gippsland East*)
Mr. McLaren	Mr. Simpson
Mr. Suggett	Mr. Doube
Mr. Templeton	Mr. Wilkes

The Bill was read a second time and committed.

Clause I was agreed to.

Clause 2 (Constitution of Pilot Superannuation Board).

Mr. STIRLING (Williamstown): I thank the Minister of Public Works for considering the proposition to convene a meeting of the parties as put forward by the Opposition. Let us hope that some good comes out of this meeting. I agree that both parties, on the one hand, the retired pilots and on the other hand the in-service pilots, should seek an equitable resolution of the problem and, as the Minister pointed out, as did the honorable member for Knox, it will be possible to recruit younger pilots into the service only if they are offered security. The Opposition agrees with that proposition, but in all fairness a consensus must come from this meeting and hopefully the problem will be solved. Perhaps there will be general agreement between the retired members of the service and the in-service pilots in the future.

The clause was agreed to, as was clause 3.

Clause 4 (Distribution to be approved by Government Actuary as equitable).

Mr. ROSS-EDWARDS (Leader of the National Party): It is regrettable that the meeting that the Minister of Public Works proposes to hold cannot be held before 1st December or thereabouts. However, I am glad that it is to take place, but as I said it is regrettable that it did not take place before the Bill was considered today. These men have served the community well and with distinction and have a definite argument to put before the Minister, and the National Party would have liked that to happen prior to the resumption of the debate. If this had occurred it would have made it much easier for me and for members of the Opposition, other members of the National Party and Government supporters to debate the measure. What we want is a fair and equitable result from this measure, but I hold grave doubts whether that result will be achieved.

The Committee has an undertaking from the Minister, for which it is grateful, but I hope agreement will be reached as soon as possible, because as these men have served the community of Victoria well, they are deserving of early consideration.

Mr. BIRRELL (Geelong West): I re-emphasize what I said during the second-reading debate.

In referring to clause 4, during his second-reading speech, the Minister said—

> The new regulations will provide for a maximum pension, after 25 years' service, of $12,500 per annum, as against the maximum under the old regulations of $8,250 per annum. There will also be improved benefits for pilots retiring early through sickness or accident and improved benefits for widows and children of pilots dying in the service or dying after retirement.
>
> It is emphasized that this scheme has only been produced after exhaustive actuarial examination of the superannuation fund having regard to the existing pilots, pensioners, widows and children.

The question I want to have positively answered is this: Was the exhaustive actuarial examination carried out by the Government Actuary? Until I get an answer to that question I shall not sit down, and if necessary, I will speak on the third reading of the Bill and ask the question again.

What I want to know here and now is whether the remarks made by the Minister in his second-reading speech were related to an actuarial examination by the Government Actuary, or is the Committee considering an earlier actuarial examination by the actuary who was appointed by the Pilot Superannuation Board.

I agree with the need to introduce the Bill, but it is rubbish in one sense because the second-reading speech of the Minister seems to anticipate that there will be a redraft of the regulation that has already been before the Subordinate Legislation Committee and disallowed by Parliament. I would have liked the second-reading

speech not to have been stated in that precise form but to have read something like this—

The regulation will be looked at anew by the Government Actuary. The Government will try to achieve the best deal possible for serving pilots and former serving pilots and new regulations will be promulgated after a fresh actuarial examination by the Government Actuary.

I am an ordinary reasonably well educated person, but the impression I get is that what is proposed is all cut and dried, that the actuarial work has been done already and that the provisions contained in clause 4 will not be applied in the initial case.

Mr. WHITING: This is the doubt shared by the National Party.

Mr. BIRRELL: I want an answer to my query, which I am expressing in the simplest English possible. It has already been passed over and if I do not receive an answer now, I will again rise on the third reading of the Bill so that it is recorded in *Hansard* that I demanded an answer.

Mr. DUNSTAN (Minister of Public Works): I appreciate the point made by the honorable member for Geelong West and agree that there could be disparity in the interpretation of that section of the second-reading speech dealing with clause 4 of the Bill. The notes for the second-reading speech were compiled very rapidly and perhaps they should have read in this way—

It is emphasized that the disallowed regulation-making provision for the scheme should be reproduced only after exhaustive actuarial examination.

Mr. BIRRELL: Fair enough!

Mr. DUNSTAN: I think that clears up that point. So that there is no further doubt in the mind of the Deputy Leader of the National Party, I point out that I do not think it matters what is stated in the second-reading notes. As honorable members know on many occasions the second-reading notes are only window dressing for departments. What is relevant is the content of the Bill. The Committee is considering the Bill, not the second-reading notes.

Unequivocally, clause 4 provides that the distribution of the funds will be in a manner approved by the Government Actuary to be equitable. That does not mean that the Government Actuary will draw up the scheme. Irrespective of who draws up the scheme, whether it is the old one, a new one or the old one revised, the regulation will not be framed until after the meeting that I have agreed to call, and because of his knowledge of the subject and the interest that he has shown, I intend to invite the honorable member for Geelong West to the meeting.

The regulation will not be drawn until after the meeting that I have undertaken to convene. After the meeting, where we will try to reach an equitable agreement, the new regulation will be drawn and that has to be approved by the Government Actuary to be equitable. I hope I have answered the doubts of honorable members.

Mr. BIRRELL (Geelong West): I thank the Minister of Public Works for his explanation—I believe he is an excellent Minister.

Mr. WHITING (Mildura): I also thank the Minister for trying to clarify the situation, because it was not clear earlier and even now I am not too sure whether it is clear. Because of this, I ask the Minister whether the Government Actuary will be at this meeting of all the parties concerned, as well as the honorable member for Geelong West, because the actuary is the one who will have the final say on whether the regulation is fair and equitable.

Mr. DUNSTAN: He certainly will be invited.

Mr. WHITING: I do not know whether the three parties can arrive at an equitable result. What is proposed in clause 4 will mean that section 91 will then read—

The Pilot Superannuation Board may from time to time make regulations for the maintenance of the Port Phillip Pilot Sick

and Superannuation Fund and for the distribution of the annual income thereof for the benefit of such pilots in a manner approved by the Government Actuary to be equitable who—

and then follows the remainder of the present section. In my view that wording is fairly vague because all that the Government Actuary has to do is to say that it is as equitable as it is possible to get or it is exactly equitable. The meaning of the word "equitable" could be argued for many hours in this instance.

I do not know whether the parties concerned can arrive at what may be called an equitable situation. What appears to the Government Actuary to be an equitable result will hinge on how the regulation is drafted.

I had some fears, similar to those of the honorable member for Geelong West, that the previous regulation which was disallowed would be implemented and after discussion the Government Actuary would say that it appeared to be equitable to him and therefore the regulation would be adopted. I hope that is not the case and that the Minister, in his wisdom, will ensure that everybody is satisfied to the extent that nothing can be gained by one party over the other party.

Mr. DUNSTAN (Minister of Public Works): It is essential, and therefore important, that all parties who are involved are satisfied. Whether this is possible or not remains to be seen.

I will briefly answer the three questions raised by the Deputy Leader of the National Party. Firstly, the Government Actuary will be invited to the meeting I propose to convene. Secondly, it is vital that he attends that meeting. Thirdly, the retired pilots advised me that they would be satisfied if the word "equitable" were inserted so that there would be an equitable distribution. My question to them at the time was: Who is to decide what is equitable?

The reply I received from retired pilots was that they would like the Government Actuary to do this. That provision satisfied them at the time; I hope it will satisfy them next week when the meeting is convened.

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.

WYCHEPROOF LAND BILL.

The debate (adjourned from November 16) on the motion of Mr. Borthwick (Minister of Lands) for the second reading of this Bill was resumed.

Mr. KIRKWOOD (Preston): This small Bill is important to the people concerned because it deals with the lease of the Wycheproof recreation reserve. The committee of management of the reserve has agreed with the golf club and all other users that a lease should be granted to enable the golf club, which has erected a club-house on the premises, to have continuity of control of the building.

It is only right that in cases where other bodies use the building, the lease ought to be for a reasonable length of time, because the building could become unused and decrepit and unsuitable for the sports that are now enjoyed there.

I understand from the second-reading speech and from the people to whom I spoke that the Mount Wycheproof and District Racing Club holds only two meetings a year. The local residents attend these meetings and have an enjoyable day and obviously the enjoyment of their sport will not be disadvantaged by the provions of the Bill.

All parties concerned are in agreement with the steps proposed to be taken. As the interests of all bodies are protected, the Opposition does not oppose the Bill.

Mr. WHITING (Mildura): The National Party supports the Bill because it goes part of the way towards providing improved sporting facilities for people in country areas, in this case, the residents of Wycheproof.

Honorable members who know the area will realize that the railway line still runs down the middle of the street in Wycheproof; it is not a terminal, as occurs in some other parts of Australia where the line finishes at the end of the street. Wheat traffic and other goods are carried by rail from Korong Vale to Kulwin and vice versa.

The three councillors of the riding of the Wycheproof Shire Council that is involved are the trustees of Wycheproof recreation reserve. Under the provisions of the Bill they will be able to lease the land to the Wycheproof Golf Club and thus continue with the improvements that have been made to the golf clubhouse, which is situated on land that is used jointly by the golf club and the racing club. A number of country towns, such as Swan Hill and Manangatang, have this kind of arrangement, because it is an ideal way of using part of the centre area of the race track and keeping it tidy.

The National Party supports the Bill because of the progress that has been made at Wycheproof, the number of additional buildings that have been erected and the improvements that have been made to sporting facilities there. I have checked with the Secretary of the Wycheproof Shire Council, Mr. Graeme Dryden; he was pleased that the Bill had been introduced and that the matter will be resolved so that the golf club can obtain a lease for a period not exceeding 21 years.

The National Party wishes the residents of Wycheproof well in this proposal.

Mr. WOOD (Swan Hill): As the honorable member for Preston said, this Bill is important to the people of Wycheproof. To some people it may seen ludicrous that Bill has to be passed through this House to allow a golf club to retain occupancy of a building. As the Minister of Education said by interjection, golf is an important sport!

The battle of the members of the golf club to obtain security of tenure of the building has not been easy. Discussions with the Lands Department date back for quite some time. The former Chief Secretary, Mr. Rossiter, visited the area two years ago in company with members of the shire council and the golf club. They discussed the matter, and after a determination by the Lands Department, the golf club was advised that unfortunately the department did not believe it was necessary to give the club control of the area shown hatched in the schedule to the Bill. At present the golf club stands on that land and is used, as the Deputy Leader of the National Party said, by both the Mount Wycheproof and District Racing Club and the Wycheproof Golf Club. The racing club uses the premises twice a year, and the golf club uses them much more frequently, especially during the golf season. The club has spent a large amount of money on improving the building.

Members of the committee of the golf club were concerned because they had no rights over the land or the building and no security if they wished to spend more money on the building in the future. It was suggested that they build the clubhouse on another area of land, but fortunately common sense prevailed, and it was agreed, and the Bill so provides, that the golf club will have the security of tenure it needs.

Many country towns contain a proliferation of buildings some of which are used perhaps once a week, once a month or less. Often these buildings have been allowed to deteriorate because of lack of funds to maintain them, and have become neglected and run-down. As I said,

it would be futile to build another club-house for the golf club in Wycheproof and leave the present building to be used only twice a year by the racing club.

As the Deputy Leader of the National Party said, Wycheproof is unique in that it has a train track running down the middle of the main street. It also boasts the smallest mountain in Victoria, if not in Australia. It is unique in the sporting field as well, because their football club has won the premiership for three consecutive years, and is the best team in possibly the best country league in Victoria. I refer to the North Central Football League.

Wycheproof has probably more facilities per head of population than any other town in Victoria, if not Australia.

Mr. WHITING: What about Robinvale?

Mr. WOOD: I agree that Robinvale has done a tremendous amount in this field, but Wycheproof, which has a reasonably small community, has provided many facilities that are not found in many other country towns. Wycheproof has a beautiful small park known as Centenary Park, which for many years was a watering ground for the railways, and was snake-infested and swampy. However, the local people have converted it into a magnificent park.

Many other developments have occurred in Wycheproof, and nearly all of them result from the self-help community spirit of the people of the town. The flora and fauna park is most attractive; the town has a magnificent sporting complex catering for every type of sport; a new education centre is mooted, and I hope work on it will be started in the next twelve months. The local hospital is being upgraded to give the area one of the best medical centres in that part of Victoria.

I am sure this Bill will be the means of allowing significent improvements to be made to the Wycheproof golf club-house and that it will be another modern facility to benefit the people of the Wycheproof district, one that has been made possible by the magnificent community service attitude of the people of the area.

The motion was agreed to.

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

SUPERANNUATION (AMENDMENT) BILL.

The debate (adjourned from November 10) on the motion of Mr. Hamer (Premier and Treasurer) for the second reading of this Bill was resumed.

Mr. CRABB (Knox): This Bill amends the Superannuation Act, which governs the State Superannuation Fund, in three ways. Firstly, it changes the provision regarding the medical classification of people who will join the fund in future. Secondly, it changes the minimum number of units that certain railway officers have applied to have, and thirdly, it changes the benefits on retrenchment of members of the State Superannuation Fund.

The first change concerns the medical classification. In his second-reading speech the Minister said that a substantial number of people who had recently joined the fund were retiring at early ages on the ground of ill-health, and were being pensioned off because of disablements. That is an expensive benefit to provide through the superannuation scheme. If the basic underwriting conditions had been pursued, these benefits would not have been paid.

With a superannuation fund there is always a problem of whether to allow people whose health is impaired to join the scheme. To some extent it can be said that the scheme is designed to provide for people whose health deteriorates. Much can be said for making the benefits the same for everybody involved in the scheme,

irrespective of the state of their health at the time they joined the service. The State superannuation scheme has fairly elaborate provisions to cover people who join the fund and contribute and are entitled to full pension benefits on retirement but who are not eligible for benefits on death, disablement or retirement on the ground of ill-health.

The amendment proposed in the Bill appears not to change the situation greatly, other than to make it more satisfactory in that the medical assessment of new entrants will be on a uniform basis. The State Superannuation Board will be responsible for all medical classifications, rather than delegating this authority to medical practitioners around the State. To that extent all that can be hoped for from the amendment is that there will be uniformity in the treatment of new entrants.

The second aspect of the Bill with which I wish to deal relates to changing the minimum number of units for Victorian Railways employees.

In 1961 railway employees were given the option of opting out of the State Superannuation Fund and accepting a service grant. That service grant is applicable to many people in the railways. In effect, three categories of employees are involved. The first category is those who contribute to the superannuation fund entirely and absolutely, for all benefits. At the other extreme is the category called supernumeraries, people who are not in the fund, who are temporary employees without the permanency that attaches to being a full employee. These supernumeraries make up about 50 per cent of the employees of the Victorian Railways. They do not join the superannuation scheme because they cannot afford to do so. Their wages are below the average weekly earnings, and in lieu of the superannuation benefits they receive a retiring gratuity and a service grant.

The retiring gratuity was recently increased to $107 for each year of service. No benefits are received by those employees if they leave the railways before attaining the normal retiring age. However, if they stay with the railways until they reach the normal retiring age, they receive $107 for each year of completed service.

The third category is those who in 1961 opted to receive the service grant instead of being members of the State Superannuation Fund. As part of that option they were allowed to continue with units of superannuation. That figure was subsequently increased to 5 and then 6 units. It has now been increased to 10, because 10 units of superannuation are equivalent in benefits to $107 for each year of service, which is the retiring gratuity received by other employees.

I should like to draw to the attention of the Government one aspect of the last category of railway employees. A couple of years ago when the State Superannuation Fund was amended to provide for the introduction of the maximum rate of contributions of 9 per cent of salary and improvement of benefits, Victorian Railways employees who, in 1961, opted to take the service grant, were given the further option of coming back into the superannuation fund on the condition that they refunded the amounts of service grant they had received from 1961 to 1975. That seemed a reasonable basis, and a considerable number of people are refunding that money at so much a week. A problem has arisen in regard to taxation. Employees who received the service grant paid income tax on the grant.

Mr. ROSS-EDWARDS: Did they pay it on the whole of the service grant?

Mr. CRABB: Yes, indeed; it was remuneration. They paid it just as they would pay income tax on any part of their salary.

Mr. ROSS-EDWARDS: It is different from superannuation?

Mr. CRABB: Yes, they received the service grant in their hands. They are repaying the moneys but receiving no refund of the income

tax that they have paid on the moneys. The Federal income tax law contains no provisions to allow for the reimbursement of that tax to the people concerned. It seems to be a wholly inequitable situation.

The money is not being repaid to the State Superannuation Fund but to the Victorian Railways. I ask the State Government to consider this situation and to try to correct it by ensuring that the reimbursement of the service grant goes through in such a way as to treat these employees equitably. Representations to the Federal Treasurer in this matter have fallen on barren ground.

Mr. ROSS-EDWARDS: A Federal decision would be required.

Mr. CRABB: I suppose the Federal Income Tax Act should be amended. However, I suggest that instead of the reimbursed money going to the Victorian Railways and being transferred from there to the State Superannuation Fund, it could go directly to the superannuation fund. This might achieve the desired effect.

The third matter to which I wish to refer is retrenchment benefits. Public servants are not particularly concerned with retrenchment benefits because they are not retrenched; if they run out of work in one department they are transferred to another. That is one of the advantages of being a public servant. No doubt there are some disadvantages to balance it.

An amendment has been introduced, particularly to deal with certain employees of the State colleges of education. The present Act contains a specific provision regarding the retrenchment of public servants who have been employed for a specific number of years. The benefit they obtain on retrenchment is 3·5 times their contribution. As the Act stands, other members of the fund receive their contributions plus the actuarial value of the benefit. Section 35 of the principal Act provides, *inter alia*—

> In the event of the retrenchment of a contributor he shall be entitled to receive the contributions paid by him and the actuarial equivalent of the share of pension payable by the Treasurer into the fund and accruing to the contributor under this Act up to the date of his retrenchment.

They receive the reserve value of their benefit entitlement or the present value of the benefit that they could expect if they went through to retirement.

For young people who have a long time to go before retirement, the difference between 3·5 times the contributions and the contributions plus actuarial value is not great, but for people over 50 years of age there would be a significant difference in the benefit. Employees of the State colleges who are liable to be retrenched if Government funds, for instance, are reduced——

Mr. ROSS-EDWARDS: Has that happened?

Mr. CRABB: To my knowledge it has not happened, but the staff are concerned that it may happen. At present they have the right to a generous retrenchment benefit, but the Bill provides for a lower rate of retrenchment benefit. This is of even greater concern to me because I have been advised, although I am not sure that the information is correct, that this amendment was suggested not by the State Superannuation Board but by the State Treasury which is concerned about costs of the State Superannuation Fund. The Treasury has considerable grounds for concern because the State Superannuation Fund provides the most generous benefits of any similar State scheme and, indeed, in terms of benefits and contributions it is better than the Commonwealth superannuation scheme.

If the State Treasury is voicing concern about the costs of the State Superannuation Fund, it ought to be considering the benefits and contributions rather than considering ways of cutting benefits in small sections of the Public Service. The Staff Association of the Victoria Institute of

Colleges has approached the Premier regarding this matter and has given the honorable gentleman a lengthy submission which I shall not repeat now. However, I look for some response from the Premier to the real and deep concern that the staff of the Victoria Institute of Colleges have about their retrenchment benefit rights under the Superannuation Act. There are rumours of cutbacks in funds for the State colleges and this might result in retrenchments on a scale not previously envisaged.

Mr. ROSS-EDWARDS: It would more likely result in not so many people being appointed.

Mr. CRABB: That is the sort of undertaking one might expect. I require an undertaking that this amendment will not be the precursor to the wholesale retrenchment of staff within the State colleges of Victoria.

Mr. ROSS-EDWARDS: Many of those people are in part-time employment.

Mr. CRABB: If people have a contract job for a term, that is covered under the existing Act; for a fixed period of years they receive 3·5 times their contributions. The Premier now purports to apply that benefit to all members of the State Superannuation Fund. If it is believed that the clause is not broad enough to catch within its ambit all people employed for short periods, the clause ought to be broadened a little, but there is no reason for it to be applied to every member of the superannuation fund, because that covers all the railways employees, school teachers and so on who come within the ambit of the superannuation fund.

Members of the Opposition are concerned about this clause which will amend the right to the retrenchment benefits which members of the State Superannuation Fund have had for some years. However, the other two aspects of the Bill are welcomed by the Opposition and by the members of the Superannuation Fund—the increase in the railway employees' retiring equity to a position *vis-à-vis* their colleagues, and the underwriting of members who are in ill health at the time they join the superannuation fund. Those two clauses ought to provide a more uniform situation in the fund than has applied in the past.

Mr. FORDHAM (Footscray): I endorse the comments made by the honorable member for Knox about the new retrenchment provisions. They are important and there is one matter in particular on which I ask the Premier and Treasurer to comment. I have been contacted by the staff employed by the Victoria Institute of Colleges. As the Premier realizes, there is an ongoing battle between that organization and its staff about terms and conditions of employment.

Staff employed in the universities and by the State College of Victoria have acceptable employment arrangements. There is security of tenure at both those tertiary levels, but within the Victoria Institute of Colleges there are some difficulties. At the moment it could be said that the Victoria Institute of Colleges has interim terms and conditions of employment and that there are some retrenchment provisions. The staff do not have the security of tenure that one expects and which one should support for academic staff. Therefore, the possibility of retrenchment is very much a matter of consideration by staff employed by the Victoria Institute of Colleges.

The Victoria Institute of Colleges Staff Association has had discussions with the Premier concerning the general eligibility of its members for benefits relating to retrenchment under section 25 of the State superannuation scheme. The members of that organization were surprised to find that, in the middle of their discussions with the Premier about that section of the superannuation scheme, this amending Bill was produced without their comments being sought. They are most concerned that they will be affected.

In his second-reading speech, the Premier said that the amendments were designed to meet situations such as that of the Victorian Pipelines Commission, but the point the Victoria Institute of Colleges staff make is that the Act, as amended, would also apply to them. Yet there is a significant difference in the terms of employment of such people and the terms of employment by bodies such as the Victorian Pipelines Commission. As the Premier said, some boards and commissions have somewhat limited terms of life because of their very nature, and that is known when they are established.

I understand that a submission on this subject has been forwarded to the Premier by the Victoria Institute of Colleges Staff Association. If there is a distinction between the sort of people meant to be encompassed by the Bill and the people employed in the Victoria Institute of Colleges network, what assurances and undertakings can the Premier give concerning the effect of the retrenchment provisions on the Victoria Institute of Colleges staff? Can he clarify their general eligibility for the retrenchment provisions under section 35 of the Act? This is an important matter and it is a pity that a longer period was not available to consider the ramifications of the Bill and its effects on this body of State public servants. I hope the Premier can throw some light on the matter.

Mr. ROSS-EDWARDS (Leader of the National Party): I ask the Premier to clarify one matter. Is there any possibility of specifying that some positions are subject to retrenchment when they come into existence? It is fairly obvious that some jobs are short-term and that retrenchment is possible. But there are many Public Service jobs, such as those mentioned by the honorable member for Knox, where the staff have complete and absolute security. Whether that is good or not is something on which opinion varies. But I sympathize with a person who believes that he has a career job, does his work to the satisfaction of the employer, and then finds he is to be retrenched. A person retrenched under those circumstances deserves more consideration than one who has taken up an obviously short-term job.

Mr. HAMER (Premier and Treasurer): I will reply to the points that have been raised, although they are not directly related to the Bill. The Bill amends the Superannuation Act, whereas the discussion has been about terms and conditions of employment and the conditions under which retrenchment may occur. All the Bill does is to say that, where there is a provision for retrenchment and it is exercised, certain things will happen.

I fully acknowledge that the staff of the Victoria Institute of Colleges is, in some respects, in a different position from the staffs of the universities and the State College of Victoria. That is the subject of a submission to me. To the extent that we can control the situation without controlling the finances, we will do so. But the matter is complex. I give the House an assurance that we are looking at the situation with sympathy and we should like to see it made clear, at the beginning, which positions are subject to termination and which are, by their nature, permanent.

But this Bill does not deal with that at all. It simply accepts the fact that there will be some jobs where, because of the conditions of appointment, there will be retrenchments, and others where members of the fund are, by the nature of their employment, regarded as being permanently employed. If retrenchment occurs by statute, as in the case of the Victorian Pipelines Commission, it is proper that fairly generous conditions should apply. But people who take on jobs, knowing that they are temporary or transitory and are likely to come to an end, are in a different situation.

That is all the Bill deals with, but I give whatever assurances are sought that we will deal with the

staff of the Victoria Institute of Colleges as sympathetically and rapidly as we can.

The motion was agreed to.

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

STATUTE LAW REVISION BILL (No. 2).

This Bill was received from the Council and, on the motion of Mr. MACLELLAN (Minister of Labour and Industry), was read a first time.

EGG INDUSTRY STABILIZATION (AMENDMENT) BILL.

The debate (adjourned from November 11) on the motion of Mr. I. W. Smith (Minister of Agriculture) for the second reading of this Bill was resumed.

Mr. FOGARTY (Sunshine): The Opposition accepts the view of the Government that this is an important legislative measure which, mainly because of the time factor, must be passed by the Parliament during this sessional period. The principal Act will expire on 28th February next year and Parliament will not be sitting then.

The Bill continues the egg stabilization scheme with minor amendments after the expiration date of the principal Act, the Egg Industry Stabilization Act 1973. The Opposition accepts that the Egg Stabilization Act is a sound piece of legislation, which has done much to improve the lot of the poultry farmer, and the egg producing industry in particular, at both State and Commonwealth levels. It also accepts that, prior to the Act coming into effect in 1973, the egg industry and the poultry industry were in dire straights because of overproduction and all the ills that go with that. For many years large egg producers became larger and the smaller producer was practically on the breadline.

It is not often that I commend the Government, but on this occasion the Opposition accepts that sound, constructive legislation was necessary to stabilize the industry during a crisis and I believe that, over the past three years, the present Act has stabilized the egg industry to a great degree. The Minister relays fears that other States may not be doing the right thing, but I believe that in this he may be incorrect. However, I understand the position in which he has been placed because this is an important industry in Victoria.

The Opposition does not oppose the basic principles of the Bill, but I foreshadow that, during the Committee stage, it will oppose clause 2. It will do so not from a disregard of the Act as it is, but because it believes that when an Act is operating to the benefit of a particular industry it should not be subject to review every three years. We have enough of elections every eighteen months. They give us the horrors, and honorable members fall out with each other and we do not want that happening with legislation effecting particular industries.

If an Act is operating satisfactorily to the benefit of an industry, it should continue in existence. If anything is wrong it can be corrected by the normal Parliamentary procedures. That is why the Opposition will oppose clause 2 during the Committee stage.

While the Opposition does not wish to delay this amending Bill for the stabilization of the egg industry it wishes to point out some of the problems that have arisen in the industry because of the failure of the Government to adopt the correct procedures to enable full value of the principle of supply management to flow to all egg producers.

Opposition members regret that the Government did not heed the advice given by the Victorian Farmers Union, poultry section, back in 1971 and 1972 when the industry requested

the implementation of the stabilization scheme that provision be built into the Act to empower the licensing committee to control the quota price by the setting of a nominal figure on the quota, suggested at that time to be $2 or $3 a hen. Irrespective of which system is adopted there is always some organization or person who will endeavour to beat it. One of the ills of the Act at this time is the attempts by certain egg producers to beat the system based on a certain quota price for each hen. I am at a loss to understand the change of attitude by the Minister because at the opening of the annual meeting of the Council of Egg Marketing Authorities on 25th March, 1975, he made adverse comments about the system. I quote—

> I want to make it quite clear that not only in Victoria but also the other States legislation is only for three years and will expire on 28th February, 1978. As far as I am concerned it will not be extended. Because of this I want to warn Victorians not to pay too much for their quotas.

Not all Victorians paid heed to that advice. This document shows a marked change of heart by the Minister which possibly occurred in the Cabinet room or because people connected with the industry pointed out to the Minister what good this Act has done to the industry over a three-year period. It has done a lot of good. That is one reason the Opposition is not opposing the basic principles of the Bill.

The Opposition and all egg producers are concerned with the price paid for hen quotas because it follows the principle of this Government that the strong should get stronger and the rich richer—a philosophy which the Opposition regrets. If the Government had accepted the advice in 1971 and 1972 there would be no need for concern now because the hen quota price would have been controlled at a nominal figure. The nominal figure at that time was $2 to $3 a hen. The Minister has quoted $5 a hen. But, of course, if this had happened perhaps the Minister's friends in the egg industry, known as the big ten—a group of big producers registered as the Egg Producer Association, from whom he appears to seek advice, may not have been able to increase the size of their farms by buying up quotas and forcing the price of quotas up beyond the means of smaller producers. There is no doubt that Opposition members are on the side of the small producer who had it bad in the days prior to this Act allowing some control to be exercised over the industry. They relied upon good sound constructive legislation to protect the industry.

The Minister has been in contact with the Victorian Farmers Union and I have a document from the Minister to the poultry section of the Victorian Farmers Union, in which he sets out the details of the proposed Bill. The document is dated 21st September, 1977. As a result, the Minister has introduced this amending legislation. The figures quoted show a substantial increase in productivity and efficiency. I believe the latest figures show that since the days of licensing there has been a 7 per cent increase in efficiency which can be related only to the legislation brought down in 1973.

The Opposition has made the point that it believes the Bill is sound. It is constructive. It proposes certain minor machinery amendments to the Act with which the Opposition agrees. However, in Committee it will oppose clause 2 because it believes the legislation, which is good, constructive and sound and of benefit to the industry, should be maintained and not allowed to lapse or be reviewed at the end of every two or three years, as the case may be.

Mr. HANN (Rodney): I support the Bill. Producers throughout Victoria have been concerned over the past eighteen months because of the lack of information or decision from the Minister on what he intended to do with regard to the Egg Industry

Stabilization Act when the Act expired early in 1978. A lot of confusion was created by the Minister's indecision on this matter.

When the Act first became operative it certainly improved the financial position of the industry, particularly of small egg producers in Victoria, but it created certain difficulties for individuals. As in all stabilization schemes there were partial anomalies and some egg producers, for various reasons, were caught in a Catch 22 type situation and it was difficult for them to get out. Many had to purchase hen quotas and it was of concern to the industry that the Minister apparently floated the idea of implementing legislation which would effectively take away the value of those hen quotas.

I gather that the people in the poultry industry were grateful that the Minister raised the matter with them prior to attempting to introduce the Bill into Parliament and subsequently withdrew it because it caused a great deal of concern to both egg producers who had built up an asset on hen quotas and bank managers who had provided collateral based on those quotas, which were roughly $7 a hen. It was fortunate that the Minister saw fit to promote his ideas prior to attempting to bring in amending legislation in this House. Subsequently, after the industry had expressed much indignation and opposition the Government saw fit to withdraw the proposal. There is still concern within the egg industry about the indecision of the Minister to introduce legislation into the House and only extend it for a further short period of time into 1980.

I am advised, particularly by the poultry section of the Victorian Farmers Union, to which the honorable member for Sunshine referred, that the industry is concerned that a further time limit is placed on the Egg Industry Stabilization Act and that in no other State in Australia is such a condition attached to this legislation. It tends to create uncertainty for those people who are involved in that egg industry because they know that they will have stability for only a three-year period.

The National Party believes it would be logical for the Government to enable this Act to apply indefinitely or until such time in future as the industry asks for a change. The National Party does not believe it is necessary to set a specific period. The proposal to limit the operation of the Act means that within a short period of time the producer organizations will have to make further representations to the Minister to continue the legislation. During the past two years in this Parliament confusion has reigned supreme because of the question mark about whether the Minister would continue the Act.

The Minister made great play on the fact that New South Wales and the Australian Capital Territory were the reasons why, even at this stage, he would not automatically implement this legislation or, if he did, he would retain the power to withdraw it if necessary. The chairman of the poultry section, Mr. Foster, referred to the fact that in New South Wales they stayed below their hen quotas and the only problem was with producers who were over the quota, and they believe it is an internal matter for New South Wales which could easily be rectified. An assurance has been given by the Minister for the Australian Capital Territory to the Federal Minister that the Australian Capital Territory will accept the figure set by the Australian Agricultural Council. For those reasons the poultry section cannot see why the Minister should need to create additional confusion by not setting an indefinite period for the operation of the Egg Industry Stabilization Act rather than extending it for a limited time and having to go through this trauma in three years' time. This Act has protected the smaller producers and is of particular importance to them. That is something the National Party supports.

There is one matter I wish to raise with the Minister. There is some concern with the egg producers in

Victoria about the increase in the number of fertile eggs which can be produced under licence. This may interest the Minister. Apparently there is no restriction in this area of the egg industry. Consequently, an ever-increasing number of fertile eggs is being sold. Perhaps the Minister will indicate what he intends to do and whether he intends to place an additional restriction upon this area of the industry. I ask the Minister to reply to that question at the end of this debate. With that small query, the National Party supports the Bill.

Mr. AUSTIN (Ripon): It is important that this Bill to amend the Egg Stabilization Act 1973 be passed in this session to allow its implementation in 1978. The Bill continues the present egg stabilization scheme for two years and is supported by the Labor Party with the proviso that it will move an amendment to clause 2. It is also supported by the National Party. One of the biggest problems which has faced the egg quota scheme over the past three years is the fact that New South Wales in particular and the Australian Capital Territory have not stuck entirely to their quota schemes. This has caused a number of problems throughout the industry. In August of this year the Australian Agricultural Council meeting of State Ministers supported continuance of the egg quota scheme.

At the same time the Australian Capital Territory gave a guarantee that it would not increase production without the approval of the Australian Agricultural Council. The Minister made it very clear in his second-reading speech that the quota scheme will not be put into effect if the New South Wales Government does not police the scheme in that State. He also made it clear that if those two areas do not give those assurances after the introduction of the scheme proposed in this Bill on 1st March, 1978, the scheme will be suspended or repealed. The warning of the Minister to growers ought to be heeded, because obviously there is a danger that the growers will continue to pay a high price for quotas. I understand that hen quotas in Victoria have changed hands for $7 per quota in the past. This could put growers in a financially invidious position. The Minister's warning ought to be repeated loud and clear.

The Government and the Minister have been reluctant to put into effect legislation that puts value into a piece of paper. The honorable member for Rodney suggested that the Government should give consideration to the needs of industry. The Bill does just that. Over a number of weeks meetings were held between the growers, the egg board, the Minister and members of his department, and all these problems were thrashed out at length. One of the great achievements from those meetings was the unified voice that came from the industry, and this was as a result of the submissions that were made by the industry to the Minister. It was decided to agree to the major requirements and submissions that were put to the Minister, and as a result the present Bill is before the House.

I am delighted to know that such discussions can take place. As a result of submissions and discussions between those involved, the thrust of the Bill was changed, and the egg industry is responsible for this achievement.

As the Opposition and the National Party support the Bill in principle, I have no further comments to make. I commend the Bill to the House.

Mr. PLOWMAN (Evelyn): I wish to speak briefly to the Bill. The Egg Industry Stabilization (Amendment) Bill will only be worth the paper it is written on provided that all States adhere to the agreement of the Ministers of Agriculture at the meeting of the Australian Agricultural Council. One of the major problems with egg marketing in Victoria occurs where States do not control their quotas. Over-quota eggs are produced

and sent to neighbouring States—from New South Wales or the Australian Capital Territory to Victoria. They are sent under section 92 of the Commonwealth Constitution, and they are marketed outside the control of the egg board. This can completely undermine the efforts of the egg board, and this Bill will stabilize the industry in Victoria.

Some honorable members have made critical comments of the Minister in allowing this Bill to terminate in 1980. If honorable members look at the behaviour of some States, particularly New South Wales, and the Australian Capital Territory, they will realize that it is a responsible move by the Minister to give notice to the other States that if they do not adhere to their quota arrangements and if, as has happened in the past, eggs come into Victoria in large volumes, then Victoria will withdraw from the quota system.

I support the Bill. I give credit to the Minister for the many hours he has spent with all sections of the industry to come to a satisfactory stabilization amendment. As was mentioned by the honorable member for Ripon, it was a considerable achievement to have one unified voice from the industry prior to this Bill being introduced. I support the concept of the stabilization scheme at this stage, with the proviso that unless other States pay more than lip-service to their quota scheme, this Bill is not worth the paper it is written on.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 8406, s. 1 (3)).

Mr. FOGARTY (Sunshine): As foreshadowed, the Opposition is opposed to clause 2, mainly on the matter of time. The honorable members for Ripon and Evelyn both mentioned the conditions that the Government has applied to this Bill. The Government has set two conditions that will need to be observed before it will bring the amended Act into operation. Firstly, hen quotas in New South Wales must be effectively policed from October, 1977, and secondly, the hen quota for the Australian Capital Territory will not be increased without prior approval of the Australian Agricultural Council.

The Minister for Primary Industries in New South Wales has given an assurance that the cutback will be policed. The following extract was published in the *Poultry Farmer*, New South Wales Egg Marketing Board journal, dated 22nd October, 1977—

> The licensing committee has been directed by the Minister to enforce the provision of the Act in full.
>
> This means that the committee will forthwith institute the appropriate proceedings against those producers who do not comply with the Act.

This speaks for itself and shows that New South Wales has taken appropriate action to ensure that the policy is policed in its entirety. Much has been said about New South Wales, but from the information I have received, that State is not producing its State hen quota. There are two producers who may be producing over the quota, and that has caused confusion in the industry. However, it does not alter the fact that producers in New South Wales are producing equal to, if not under, their State hen quota.

I am not criticizing the Minister, but there is concern that the producers in the Australian Capital Territory will flout their quota system. There are only two large producers in the Australian Capital Territory, and the information available to me is that the Australian Capital Territory intends to police the quota system.

The Opposition believes this is a constructive and sound measure that will continue to do much for the industry. The Opposition accepts that

many primary industries are going through precarious times owing to over-production, and any legislation that will regulate production and maintain a lifestyle and viability for the farmer will meet with our support. The only objection of the Opposition at this stage is that clause 2 should not be in operation for only two years. If difficulties occur in the future, it will be up to the Government to take appropriate action and introduce an amending Bill. The Opposition believes clause 2 should be deleted.

Mr. I. W. SMITH (Minister of Agriculture): I can understand the point of view of members of the Opposition if, in their ignorance of the industry in other States, and on the prima facie evidence that has come to them, they have reached their conclusions.

They do not take account of the express desire of one particular producer to dominate the industry in the eastern States. Although New South Wales may well be under the quota numbers in hen totals, that is not necessarily so on a production basis because many eggs come into Victoria under section 92 of the Commonwealth Constitution, mostly from the Barter organization. The same thing will happen with the Australian Capital Territory. I refer to my second-reading notes where I said that I am satisfied that the authorities in the Australian Capital Territory will continue to prosecute Barter Bros., but that will be an inbuilt cost into their cost of operations.

Whichever party is in power in the Federal sphere after 10th December, it will give to the Legislative Assembly in the Australian Capital Territory power in these matters. By the utterances that have been made in the Legislative Assembly of the Australian Capital Territory in their support for larger quotas or no quotas; that will become a base for further interstate trade. It would be wrong for any Government or Opposition to give a false sense of security to the poultry industry in Victoria.

To my mind there is no doubt, and I am sure my colleagues support me, that ultimately this legislation will not work. The egg producing industry is the sort of industry that lends itself to vertical integration. This will occur whether the support be from the breeding stock industry which is already in the hands of a few people, whether it be from the feed mills, which are also in the hands of a few people, or whether it be by institutional lenders supporting larger poultry farmers. Vertical integration has occurred in the industry in other countries of the world, and when it occurs in Australia it will be impossible to implement this sort of legislation.

Those poultry farmers who wish to stay in the industry should make sure that they are extremely efficient, and they should not be lulled into a false sense of security by thinking they can use their outdated equipment and plant in the future because of the security of this measure. This Bill has to be in many ways the dead hand of progress on technical advances.

It has not, on the other hand, put a dead hand on progress in genetics. Obviously a producer is going to get as many eggs as he can from a particular bird. If a dead hand were put on capital investment, it could act to the detriment of the producers' competitive position, and the situation that I outlined earlier would apply in future.

All that the time factor in this Bill does is that we will put the other States, particularly New South Wales and the Australian Capital Territory, on their mettle. We are telling the other States to put their own houses in order or Victoria will declare an open go. That is the only reasonable and sensible way in which to approach the problem.

Mr. HANN (Rodney): By his comments, the Minister has virtually admitted that he has no confidence in his legislation. The Minister has claimed that his legislation

has put the dead hand of progress on this industry yet many egg producers would argue that the Egg Stabilization Act gives them definite security.

Mr. COLEMAN: At whose cost?

Mr. HANN: Is the honorable member talking about his concern for consumers, or what is he talking about? I am surprised that a Victorian Minister should promote the idea that an industry in this State should move entirely towards vertical integration, which is not in the interests of Victoria or the industry. The Minister is advocating or suggesting vertical integration, but any movement in this direction will wipe out many small producers. If that is what the legislation proposes and that is the Minister's intention, then the legislation should be changed. It is against the interests of the small egg producers and the industry as a whole, and, in the long term, it will also be against the interests of the consumer because Victoria will end up with two or three operators who will produce all the eggs and will have virtually total control over marketing and pricing.

It has been proven that the more people there are in an industry, the more they are able to implement various aspects of economies and also provide competition within the system. The egg industry is a good example of where many operators, particularly the smaller ones, are family units which are a vital and important segment of the industry. The Minister has the responsibility to assist these people to continue in the industry. It is not responsible for the Minister to promote the concept of vertical integration or to suggest that the industry should adopt that course. Regrettably, this is basically what the Minister has done in his comments a few moments ago.

Earlier in the debate, I read to the Minister the comments of the Poultry Section of the Victorian Farmers Union, but, unfortunately, I do not think the Minister was listening. Indeed, they indicated the same concern that the Minister has mentioned. It is also relevant to note that on this Bill the Minister is making great play of the fact that eggs can come into Victoria from New South Wales, and yet earlier the Minister was talking about Victorian milk going into New South Wales. The Minister should not adopt this hypocritical attitude. The honorable gentleman should be consistent in his approach to this issue.

The egg producers, and particularly the smaller producers, are concerned about their long-term future and it is to be deplored that in this House the Minister should promote the concept of vertical integration.

Mr. PLOWMAN (Evelyn): Honorable members have just heard a prize bit of humbug from the honorable member for Rodney. The Minister has introduced this measure to prop up and in fact continue stabilization in the Victorian egg industry and not to promote vertical integration. The Minister discussed the possibilities of vertical integration in the future, but in fact this measure is propping up the present position and retaining the quota system in order to maintain quotas for the farmers who are presently engaged in the egg industry.

When honorable members are considering the number of eggs coming to Victoria from interstate, particularly from New South Wales, some figures are of interest to support the argument that, unless Victoria can ensure that the other States are playing the game, then rightly this State will withdraw from the agreement. Figures provided to me by the egg industry indicate that 10 per cent of Victoria's sales come from interstate and that this amounts to between 60,000 and 90,000 dozen eggs a week. However, only 1 per cent of Victoria's eggs go interstate. The vast majority of eggs come from the Barter organization in New South Wales. The Minister is right in saying that this legislation will apply only

until 1980 and that if New South Wales does not put its own house in order, then the whole scheme will collapse.

The Committee divided on the clause (Mr. Stephen in the chair)—

Ayes	..	41
Noes	..	25
Majority for the clause	..	16

AYES.

Mr. Austin	Mr. McClure
Mr. Balfour	Mr. McKellar
Mr. Birrell	Mr. Mackinnon
Mr. Borthwick	Mr. Maclellan
Mr. Burgin	Mrs. Patrick
Mr. Cox	Mr. Ramsay
Mr. Crellin	Mr. Reese
Mr. Dunstan	Mr. Richardson
Mr. Ebery	Mr. Scanlan
Mr. Evans (*Ballarat North*)	Mr. Skeggs
Mr. Gude	Mr. Smith (*South Barwon*)
Mr. Guy	Mr. Smith (*Warrnambool*)
Mr. Hamer	Mr. Suggett
Mr. Hayes	Mr. Thompson
Mr. Hudson	Mr. Weideman
Mr. Jennings	Mr. Williams
Mr. Jona	Mr. Wood
Mr. Kennett	
Mr. Lacy	*Tellers:*
Mr. Loxton	Mr. Coleman
Mr. McArthur	Mr. Plowman
Mr. McCabe	

NOES.

Mr. Amos	Mr. Roper
Mr. Cain	Mr. Ross-Edwards
Mr. Cathie	Mr. Simmonds
Mr. Crabb	Mr. Simpson
Mr. Edmunds	Mr. Stirling
Mr. Evans (*Gippsland East*)	Mrs. Toner
Mr. Fogarty	Mr. Trezise
Mr. Fordham	Mr. Whiting
Mr. Ginifer	Mr. Wilkes
Mr. Hann	Mr. Wilton
Mr. Kirkwood	
Mr. Lind	*Tellers:*
Mr. McInnes	Mr. Culpin
	Mr. Jasper

PAIRS.

Mr. Collins	Mr. Doube
Mr. Lieberman	Mr. Trewin

The clause was agreed to, as were clauses 3 to 11.

Clause 12 (New section inserted).

Mr. I. W. SMITH (Minister of Agriculture): I move—

1. Clause 12, line 8, after "signed" insert "or purporting to be signed".

2. Clause 12, line 12, after "Part VII." insert "or a licence".

3. Clause 12, line 14, after "Part VII." insert "or a licence".

Parliamentary Counsel and the Government's legal advisers have suggested the amendments to facilitate any legal proceedings that might be taken under clause 12.

The amendments were 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 5.59 *p.m. until* 8.4 *p.m.*

JOINT SITTING OF PARLIAMENT.

STATE COLLEGE OF VICTORIA.

The SPEAKER (Sir Kenneth Wheeler): I have to report that, this day, this House met with the Legislative Council in the Assembly Chamber for the purpose of sitting and voting together to choose a member of the Parliament of Victoria to be recommended for appointment to the Senate of the State College of Victoria and that Mrs. Pauline Therese Toner, M.P., has been duly chosen to be recommended for appointment to the Senate of the State College of Victoria.

MAGISTRATES (INTERSTATE ENFORCEMENT) BILL.

This Bill was received from the Council and, on the motion of Mr. MACLELLAN (Minister of Labour and Industry), was read a first time.

STAMPS (AMENDMENT) BILL.

The debate (adjourned from November 10) on the motion of Mr. Hamer (Premier and Treasurer) for the second reading of this Bill was resumed.

Mr. CRABB (Knox): This Bill to amend the Stamps Act does three things. It amends the Stamps Act in a number of minor ways and is principally concerned with closing the loopholes in the Act, which is the

principal area with which I shall deal. Stamp duty represents approximately 25 per cent of State taxation and is significant in that regard.

The Bill has a slight effect on stamp duty which is levied on a specific section of credit contracts involving those people concerned with the short-term money market and exempts them from this tax. That is a reasonable proposition and one which the Opposition does not oppose.

Further, the Bill closes a loophole regarding new motor vehicle registrations on which a 2·5 per cent stamp duty is applied. It further increases the penalty which is payable for evasion of payment of stamp duty from $20, which has existed for almost 100 years, to $1,000. In the past on a number of occasions the Opposition has made some point of this matter and of the Government's lack of diligence in indexing such sums. As the penalty for offences under sections 24 (2) and 103 of the Act has been the same since 1879, which seems a considerable time for a penalty to remain at 10 pounds or $20, the increased penalty, as provided in the Bill, of a fine of $1,000 or three months' imprisonment seems more reasonable.

Similarly, the Bill amends section 110 to impose a maximum duty of $55,000 on interstate insurance companies instead of the 1,200 pounds which was established in 1943 and which has remained the same for 24 years. In this second-reading speech, the Treasurer made some play of the two loopholes in the Act which are being closed by this Bill. The two loopholes are, firstly, a device regarding the avoidance of stamp duty on notices of acquisition and applications for registration of new motor vehicles and, secondly, a device to avoid stamp duty on the transfer of land which is being paid for over a prolonged period. Under the existing law, stamp duty is payable on the first twenty annual instalments on a long-term lease or a long-term credit transaction in regard to land. Apparently some sharp adviser has been advising some people or some entities that they can avoid paying stamp duty by paying a small sum for twenty years and then paying a large sum at the end of the term—a balloon payment if one likes. The Treasurer referred to a case in which stamp duty of only $24 had been paid whereas if it had been paid in the normal way, it would have amounted to $54,400. The Treasurer has certainly closed that loophole. The honorable gentleman mentioned that this was a device used mainly for transfers between members of a family or between members of a family and a family trust. He has based the amendment to the Victorian Act on an amendment which was made to a similar Act in South Australia last year.

Mr. ROSS-EDWARDS: Did Mr. Dunstan do that?

Mr. CRABB: Apparently the Premier of South Australia must have had the same problem, which does not surprise me because tax avoidance has become an industry on its own. It applies in every State and any difference that exists from State to State only creates more work for those people who give advice on how to avoid or minimize income tax and, indeed, all sorts of taxes, including even the humble stamp tax which has come in for its share of avoidance and loopholes.

In his second-reading speech the Premier and Treasurer indicated that the two loopholes, to which he had referred and which he now has blocked by this Bill, amounted to nothing more than blatant devices by which individuals avoided their stamp duty liabilities. He further stated—

> The Government's attitude in taxation matters has been quite clearly stated on many occasions, that is, that it is concerned to see taxpayers treated on an equitable basis one to another and when cases such as these arise whereby some individuals avoid their responsibilities and as a consequence inevitably increase the tax burdens placed on others, we will legislate quickly and effectively to block these practices.

Members of the Opposition and, I trust, every citizen in Victoria and Australia would agree with the sentiments contained in that statement. My problem is that I have difficulty in accepting the credibility of the statement. The statement in the Treasurer's second-reading speech concerning tax avoidance devices—"blatant devices" were the words used by the honorable gentleman—related mainly to transfers between members of a family and a family trust. I know that the reason for this is because family trusts have become a common and popular means of minimizing tax.

Mr. ROSS-EDWARDS: They are acceptable.

Mr. CRABB: They have become a popular way of minimizing tax. They may be acceptable to the Leader of the National Party, and that comment needs to be noted.

Mr. STEPHEN: They are not illegal.

Mr. SCANLAN: Are they legal or illegal?

Mr. STEPHEN: Have you got one?

Mr. CRABB: In answer to the various interjections, I point out that family trusts are not illegal; if they were illegal they would not be used. In answer to another interjection, I inform the honorable member that I do not have one.

On 31st May of this year the *Herald* published an article concerning the increasing use of family trusts for the purpose of minimizing tax. The article referred to income tax particularly, but it is relevant to the debate on this Bill because trusts are used principally nowadays to minimize tax in a number of forms. They are used to minimize taxes on income, probate, estates and wealth and, as has been demonstrated in the Treasurer's second-reading speech to which I have referred at some length, to minimize stamp duty.

In the *Herald* newspaper of 31st May, an Adelaide lawyer, Mr. R. V. Barouche, was quoted as having presented a paper to a seminar at Warrnambool. He claimed that—

> Using a tax scheme involving 100 subsidiary trusts a "mother" trust, a taxpayer could more than double his net, after-tax income.
>
> . . . . . .
>
> And from the evidence around tax circles, this sort of scheme is now not confined just to "way out" tax-minimizers.

It is fairly common. He was also reported in the same article—

> He said the use of trusts in tax and estate planning had grown enormously in the last seven or eight years.

That is in the 1970s.

> This was particularly so in income tax planning and followed the rise in the primary tax rate for proprietary companies to the public company rate in 1972.

Honorable members will not disagree that the use of family trusts and discretionary trusts for avoidance of various taxes has become extremely common in the past seven or eight years. As a result of the case quoted by the Treasurer in the Stamps Act, I looked for companies that could demonstrate the way in which this sort of tax avoidance occurs. Certainly I have come across a number of companies in the past few months that have acted as trustees of trusts and in which there have been unit and family trusts. This has been particularly so in regard to Housing Commission land purchases and the people involved in those purchases. Typically, companies have $2 in paid-up capital. Two shares of $1 each is the minimum on which one can set up a company on equity capital. Generally, they are held by solicitors or accountants acting as trustees, although not normally disclosed as acting as trustees. It merely says "Mr. Smith" or whatever. It does not say who is holding the share. One company such as that has two $1 shares. Its aims and objects are to act as agent, attorney, nominee, representative, proxy or manager of any character or any person or persons, firm, company, corporation,

club, association or any other individual, and to engage in the business of and the purchase and sale of property of all kinds. To undertake the management custody holding or control of any kind of real or personal property, and to act as trustee.

The SPEAKER (Sir Kenneth Wheeler): Order! I ask the honorable member to relate his remarks to the Bill.

Mr. CRABB: One of the principal objects of the Bill is to close a loophole in the Act through which many family trust companies have driven. It is extremely important that this is drawn to the attention of the Government and to the people of Victoria.

Mr. ROSS-EDWARDS (Leader of the National Party): On a point of order, family trust companies have nothing to do with the proposed legislation. There are two loopholes, which have specifically been blocked. They have nothing to do with companies. They are registration fees on insurance premiums. I submit that the honorable member for Knox is completely out of order.

Mr. CRABB (Knox): On the point of order, in the second-reading speech, to which I am responding on behalf of the Opposition, the Treasurer said in describing one of the loopholes—

> The device is mainly used for transfers between members of a family and a family trust—

He later stated—

> blatant devices by which individuals avoid their stamp duty liabilities.

Mr. Speaker, I put it to you that this is one of the cruxes of the Bill.

The SPEAKER (Sir Kenneth Wheeler): Order! I do not uphold the point of order, but by the same token a few moments ago I asked the honorable member whether he could relate his remarks to the Bill. He said that he could. At that time I had some difficulty in relating his statements to the Bill. Therefore, I ask the honorable member not to stray from the contents of the Bill.

Mr. CRABB: Thank you, Mr. Speaker. The point is that because family trusts have become a common method of holding property, principally to avoid the payment of income tax and probate duty, it has become necessary for individuals to transfer their holdings and property to their family trust.

Mr. HAMER: There is nothing wrong with a family trust.

Mr. CRABB: I have not said that there is anything wrong with a family trust. I am trying to describe a situation that has arisen. That situation having arisen, people discovered that they had to pay stamp duty on transfer of land from the family to the family trust. That is how it was discovered that there is a loophole in the Act, because all of a sudden some smart cooky lawyers, who devised the trust to which the family could transfer land, devised a scheme to avoid stamp duty. It is common for people who own large properties to establish this sort of trust. In recent years it has become much more common to form family trusts to minimize the payment of all sorts of taxes, including stamp duty, which is what honorable members are discussing.

It is one thing for the Premier of Victoria to make grand statements about the Government's attitude to taxation matters and condemn these as blatant devices and say that the Government is concerned to ensure that taxpayers are treated on an equitable basis, when in fact honorable members know that those taxpayers who are clever enough to obtain advisers do not pay their fair share of tax.

I refer to a company known as L.J.W. Nominees Pty. Ltd. in which the Premier holds one share. I presume he does not hold that as of his own beneficial interest, but as a trustee. The other share is held by a chartered accountant. That is a classic situation of the sort of company I have described. One share is held by a solicitor, and one share is held by an attorney, two $1 shares.

Mr. ROSS-EDWARDS: It does not matter who holds it. The honorable member could hold it.

Mr. CRABB: The fact is that I am neither the Premier nor do I hold the shares. The company was established by a firm called Smith and Emmerton, which I understand is the Premier's law firm. Until 15th December, 1975, the directors of that company were John Malcolm Fraser and his wife, Tamara Fraser.

Honorable members interjecting.

The SPEAKER (Sir Kenneth Wheeler): Order! The Minister of Public Works should cease interjecting. I remind the honorable member for Knox that two specific matters are referred to in the Bill. The Government, by virtue of the proposed legislation, is trying to close a gap in the legislation. I ask the honorable member to confine his remarks to the Bill and to the second-reading speech.

Mr. CRABB: Thank you, Mr. Speaker, it is important for the House to examine the matter to which I am referring. At no stage have I said that I believe anything illegal has occurred.

Mr. SCANLAN (Minister of Special Education): On a point of order, the honorable member is abusing the procedures of this Parliament. He is associating himself with the tactics that relate to Landeryou and White in another place.

The SPEAKER (Sir Kenneth Wheeler): Order! There is no point of order, and I ask the honorable gentleman not to refer to members in another place.

Mr. CRABB (Knox): As I said, I have in no way alleged that anything illegal occurred. In his second-reading speech the Premier stated—

> The Government's attitude in taxation matters has been quite clearly stated on many occasions, that is, that it is concerned to see taxpayers treated on an equitable basis one to another and when cases such as these arise—

that is the blatant devices for avoidance of stamp duty—

> whereby some individuals avoid their responsibilities and as a consequence inevitably increase the tax burdens placed on others, we will legislate quickly and effectively to block these practices.

Of course, the Opposition entirely endorses that statement. The Opposition believes, as the Premier said, that individuals should not avoid their responsibilities. It is not a matter of simply being within the law so far as tax is concerned. People in public life, such as members of Parliament, must not only make statements such as the Premier made but must be seen to be acting according to those principles and be seen to believe in those principles. The company to which I referred, LJW Nominees Pty. Ltd., does not publish its accounts for public scrutiny because they are audited, and that is common among many companies. There is no indication at the Corporate Affairs Office of the sort of finance the company is involved in. Until 15th December, 1975, the directors of that company were Mr. Malcolm Fraser and Mrs. Tamara Fraser.

Mr. DUNSTAN (Minister of Public Works): On a point of order, and with respect, I suggest that Malcolm Fraser be given the same protection in this place as Landeryou and White.

The SPEAKER (Sir Kenneth Wheeler): Order! The honorable member has named the directors of a particular company. If the honorable member refers in passing to Mr. Fraser, the Prime Minister of this country, as nominee of a particular company, that is in order, but if he wishes to make any other statement in reference to the Prime Minister that is out of order.

Mr. CRABB (Knox): Mr. Speaker, you will be aware of what I have said. I referred to the directors of the company that I was using as an example. I object to the type of abuse that has been directed at me.

Mr. DUNSTAN: I have not started yet.

The SPEAKER: Order! The honorable member can pursue his speech in accordance with the terms of this debate.

Mr. CRABB: Thank you, Mr. Speaker. The present directors of the company, L.J.W. Nominees Pty. Ltd. are Mr. Hugh Sandford Beggs, a retired gentleman, who I understand is a relative of Mrs. Tammy Fraser——

Mr. DUNSTAN: You cheeky ratbag.

The SPEAKER (Sir Kenneth Wheeler): Order! That is most unbecoming, and I ask the Minister of Public Works to cease interjecting.

Mr. STEPHEN (Ballarat South): I raise a point of order, Mr. Speaker. Surely the honorable member is flouting your ruling. He is continuing to itemize matters which you have already ruled he should not itemize. If the honorable member cannot apply himself to the Bill, he should be asked to resume his seat.

Mr. CATHIE (Carrum): The honorable member for Knox is attempting to quote an example to show that transfers between members of a family and a family trust can be used to minimize tax—in other words, to avoid tax, which is the relevant argument before the House at present. He has to be given the opportunity of developing the illustration and then to return to his main point.

Mr. SCANLAN (Minister of Special Education): The honorable member for Knox is digressing in essential substance from the Bill by introducing matters to which you have alluded, Mr. Speaker, and under privilege making an unprincipled attack on a person who cannot defend himself, namely the Prime Minister, in a fashion to which honorable members have become accustomed because the Australian Labor Party is bereft of policy and can only seek to raise personal matters.

Mr. EDMUNDS (Ascot Vale): This is a simple debate.

Mr. SCANLAN: It consists of snide, personal attacks on people who cannot defend themselves and is an abuse of privilege.

The SPEAKER (Sir Kenneth Wheeler): Order! The Minister of Special Education has put his argument and I ask him to remain silent.

Mr. EDMUNDS: This is a simple debate on a Bill which the Government has introduced to try to detect tax evaders. The honorable member who is handling the Bill for the Opposition has mentioned one or two people whom he believes are involved in this set of circumstances. I cannot for the life of me see why you, Mr. Speaker, would accept a point of order in respect of this matter when the honorable member mentions in passing one or two people who are in this category. The Premier said in his second-reading speech that the Government was trying to pick up these people who have had an armchair ride for a long time and who, under this amendment to the Stamps Act, will be denied the right or the privilege which they have enjoyed in the past.

Mr. FORDHAM (Footscray): The Minister of Special Education has suggested that the honorable member for Knox is attacking the person named. All that he has done is to quote the names of people who have been involved in activities to which the Premier referred in his second-reading speech.

Honorable members interjecting.

The SPEAKER: Order! The Deputy Leader of the Opposition will complete his point of order, and I again appeal to the Minister of Public Works to cease interjecting.

Mr. FORDHAM: It is remarkable that the mention of the name of the Prime Minister, in relation to a trust, which I submit the honorable member for Knox has quite clearly related to the Bill before

the House, brings forth an enormous barrage of interjections from members of the Government party. There is no substance in the suggestion that what the honorable member for Knox is raising is not related to the Bill. It is very much in order, and I am amazed at the attack by Ministers, and the suggestion that what the honorable member for Knox is doing is not in accordance with the forms of the House.

The SPEAKER: Order! A point of order has been argued by the honorable members for Ballarat South and Carrum, the Minister of Special Education, the honorable member for Ascot Vale and the Deputy Leader of the Opposition. My ruling is this, and this is the advice I give honorable members: If the honorable member for Knox attempts to attack the Prime Minister or any other member in any other place, I will rule him out of order. The principles in the Bill must be pursued and I ask the honorable member for Knox to confine his remarks to these principles.

Mr. CRABB (Knox): Thank you, Mr. Speaker. As I was saying, the directors of the company which I have been using as an example, and which is called L.J.W. Nominees Pty. Ltd., are currently Mr. Hugh Sandford Beggs and Mr. Frank Lewis Birch.

Mr. HAMER: What is that an example of?

Mr. CRABB: It is an example of companies which in my opinion are operating in conjunction with family trusts in order to minimize taxation.

Mr. HAMER: It has nothing to do with the Stamps Act.

Mr. CRABB: Indeed it has, because the parties to the trust are liable under the Stamps Act when transferring land from family estates to a family trust to minimize tax.

The SPEAKER (Sir Kenneth Wheeler): Order! I appreciate the point, but what the honorable member for Knox is now implying, as I understand it, is that the people mentioned are endeavouring to evade tax by virtue of a particular transaction. I ask the honorable member to keep within the principles of the Bill.

Mr. CRABB: Mr. Speaker, I have no basis on which to make any allegation, and I never did make that sort of allegation. If any member on the Government side wants to say that I made that allegation, let him say so now. If he does he will be a liar.

To return to where I was, we have the incredible situation in this Chamber of the Premier standing before the Parliament and the people of Victoria and putting forward the greatest hypocrisy that I have heard since I came into this Chamber and condemning certain family trusts.

Mr. HAMER (Premier and Treasurer): I raise a point of order. You have given a ruling, Mr. Speaker—I think a correct ruling—that reference in passing to a family trust is acceptable to you. No relationship has been established between what is now being said and this Bill. I want to draw your attention, because it has been referred to several times inaccurately by the honorable member for Knox——

Honorable members interjecting.

The SPEAKER (Sir Kenneth Wheeler): Order! Honorable members are continuing to interject. I notice that some of the interjectors are Temporary Chairmen of Committees and ought to be setting an example. I might add that they are on both sides of the House.

Mr. HAMER: All that this Bill aims at preventing is a particular method of conveyancing land by a series of payments with a big payment at the end and thereby avoiding stamp duty. That sort of transaction can go on between a variety of people and unless a connection is established—I am not sure it can

be—between the company mentioned by the honorable member and this Bill, the honorable member is transgressing your ruling and is being entirely irrelevant.

Mr. CRABB (Knox): When the Premier raised his point of order, Mr. Speaker, I was referring to his second-reading speech in which he stated—

> The device is mainly used for transfers between members of a family and a family trust.

Mr. SCANLAN (Minister of Special Education): Mr. Speaker, earlier you indicated that you would allow a passing reference to matters which were relevant in some measure to the Bill although not totally appropriate. Despite your advice, the honorable member for Knox is continuing to canvass broad issues which debase your ruling, Mr. Speaker, and this Parliament, and indicate the loathsome nature of the attack by the honorable member as a means of achieving a political objective which is not acceptable in this Parliament.

The SPEAKER (Sir Kenneth Wheeler): Order! The Premier raised a point of order on which the honorable member for Knox and the Minister of Special Education have also spoken. The honorable member for Knox said, in essence, that he believed no person that he mentioned has any connection with evasion of tax in respect to family trusts. Therefore, I do not believe any good purpose can be served by pursuing the point and naming particular persons. The honorable member has had an opportunity of citing examples which will be permitted in passing.

I remind honorable members that the second-reading stage of a Bill is primarily concerned with the principles of the measure. The honorable member has had ample opportunity of bringing forward illustrations, and I believe they should be permitted in any debate in passing, but I ask the honorable member to return to the principles of the Bill.

Mr. CRABB (Knox): Thank you, Mr. Speaker. You stated that I said I thought the people I mentioned were not involved in tax avoidance. That is not what I said. I said that I cannot prove that they are. I have no knowledge one way or the other.

In his second-reading speech, the Premier discussed this principle. In referring to the anomaly which the Bill proposes to correct, the honorable gentleman said—

> The device is mainly used for transfers between members of a family and a family trust.

Mr. ROSS-EDWARDS: On a long-term basis?

Mr. CRABB: It may be on a long-term basis. The Leader of the National Party can quote what he wants to, but I am referring to the Premier's second-reading speech.

The Bill has an effect on family trusts because it closes one way of minimizing the incidence of stamp tax, and this applies particularly to people who establish a family trust and transfer land from their ownership to the ownership of the family trust. That transfer attracts stamp duty.

The two loopholes which will be blocked by the Bill were described by the Premier as—

> blatant devices by which individuals avoid their stamp duty liabilities.

The honorable gentleman went on to say—

> The Government's attitude in taxation matters has been quite clearly stated on many occasions, that is, that it is concerned to see taxpayers treated on an equitable basis one to another and when cases such as these arise whereby some individuals avoid their responsibilities and as a consequence inevitably increase the tax burdens placed on others we will legislate quickly and effectively to block these practices.

I dispute the veracity and basis of that statement. The Premier is a shareholder and a trustee of a trust, I take it from the response by interjection earlier in the debate. The Premier is associated with a law

firm, Smith and Emmerton. I do not know what the basis of his association is. When that law firm sets up family trusts, nominee and family companies—judging by the nodding agreement of the Leader of the National Party, I presume that he assists people in the same way—none of these activities is illegal. The people who avoided paying stamp duty prior to the introduction of this Bill were not doing anything illegal; their activities were entirely legal. The case that the Premier quoted in his second-reading speech, where he said that through a device, stamp duty liability had been reduced to $24 instead of $54,500, was entirely legal. I did not say it was illegal or improper.

The Premier said it was a blatant device; he said that individuals were avoiding their responsibilities and, as a consequence, were inevitably increasing the tax burdens placed upon other people. He denigrated that practice and said that the Government would legislate quickly and effectively to overcome these practices.

The Premier ought to know about these matters because he acts as a trustee for a trust company called LJW Nominees Pty. Ltd., which took over——

The SPEAKER (Sir Kenneth Wheeler): Order! I cannot permit the honorable member for Knox to go on speaking about what a certain company does. He must confine his remarks to the principle of the Bill.

Mr. CRABB: Mr. Speaker, you are correct; I should make only a passing reference to it, and that is what I tried to do. I have not accused anyone anywhere of doing anything illegal. I have accused the Minister of Immigration and Ethnic Affairs, his front-bench colleagues and the Premier of hypocrisy, and I have sustained the charge, because the Premier has denigrated everyone who has avoided paying stamp duty but at the same time he has acted in many respects to encourage and assist people to set up trusts, nominee and trustee companies that are established to avoid tax.

I was not talking about some other company outside; I was talking about the Premier of Victoria and saying that he holds 50 per cent of the shares in a company as the trustee of a trust, and the function of that company is——

Mr. SCANLAN (Minister of Special Education): On a point of order, you have indicated, by your earlier utterances and pronouncements from the chair, Mr. Speaker, that this debate should be conducted on broad principles and should not be debased by references to personalities, persecution, and innuendo of the most smearing, despicable kind that is unlike any other attack I have witnessed in this Parliament and which could apply equally to the honorable member for Bundoora, or to any other members of the legal profession acting ethically in carrying out his legal responsibilities for clients. Mr. Speaker, I believe your ruling is being callously disregarded by the honorable member for Knox, for political reasons.

Mr. JONA (Minister of Immigration and Ethnic Affairs): On the point of order, your ruling is clearly being flouted by the Opposition, Mr. Speaker. I draw your attention to the fact that your ruling was based not only on the Standing Orders of this place, but also on the desire to maintain at least a level of ethics that is acceptable to Parliament.

Mr. ROPER: You lie constantly.

The SPEAKER (Sir Kenneth Wheeler): Order! The honorable member for Brunswick knows the rules of this place quite well, and surely when a Minister is speaking he should be entitled to be heard.

Mr. JONA: The honorable member for Knox has engaged in a type of activity that is entirely opposed to the tradition of the Parliamentary system and the ethics

that have been employed in Parliament, and which appear to be a source of mirth to the Opposition. By inference and innuendo, an Opposition member accused a member of this House of being a party to an illegal act, and then denied having done so. I appeal to you to enforce your ruling, Mr. Speaker.

Mr. CRABB: I take objection to that.

Mr. EDMUNDS (Ascot Vale): On the points of order, two emotional and irrational points of order have just been raised by the Minister of Special Education and the Minister of Immigration and Ethnic Affairs. Mr. Speaker, I believe you ought to control from the chair the irrelevant points of order that are being raised for no other purpose than to interrupt the honorable member handling the matter for the Opposition, who has been doing his level best to raise diplomatically what I consider to be matters relating to the Bill and which are of significant public importance to the aims of the Bill. You ought to rule that both Ministers are out of order.

The SPEAKER (Sir Kenneth Wheeler): Order! The honorable member for Ascot Vale said I should be able to control points of order from the chair. It is sometimes difficult to control interjections, but one cannot give a ruling on any matter that has been raised without at least hearing it; that is the most important thing.

Two points of order have been raised. I also heard the remarks of the honorable member for Knox, against whom points of order were raised. I gave a ruling previously and asked the honorable member to confine his remarks to broad principles.

I do not uphold the points of order—I make that clear—but I ask the honorable member not to refer to companies and nominee companies that are outside the principles of this Bill. I have appealed to him on three occasions and I ask him to debate only the principles of the Bill.

Mr. CAIN (Bundoora): Mr. Speaker, I wish to make a personal explanation.

The SPEAKER: Order! The honorable member cannot interrupt a speech to make a personal explanation, but at the first available opportunity he will be given the chance to do so.

Mr. CRABB (Knox): The point I was trying to make when I was interrupted by the thin-skinned members on the other side of the House was that the Premier in his second-reading speech had denigrated the people who had quite legally taken steps to avoid or minimize the payment of stamp duty. That is not illegal, but I did not say that these were "nothing more than blatant devices by which individuals avoid their stamp duty liabilities", as the Premier said in his second-reading speech.

The point I make is that that example is one in which the Premier denigrated the people who had taken that action to reduce the amount of stamp duty payable to $24 from $54,500, and said that these people were avoiding their responsibilities.

As I said, the community is aware that many people who are liable to pay a large amount of tax—whether stamp duty, income tax or probate duty, but specifically stamp duty—will consult advisers such as solicitors and accountants to determine whether there is a way of minimizing the amount of their liability for this tax.

Last week in the House the Premier denigrated people who did that in respect of stamp duty, so his credibility is at risk so long as he is acting as a trustee of a trust. As I started to say earlier, the Premier is a trustee of a trust on behalf of which he holds 50 per cent of the shares in a specified company. According to a statement

that I have here under which a business name is registered one of the purposes of that company appears to be the conduct of a business by holding a business name, and that business name is Nareen Pastoral Co. I have no reason to believe that the Premier, in his capacity as a trustee of a trust of this $2 company that runs a pastoral business, is avoiding stamp duty, but surely there are people in Victoria who are less charitable than I am.

Honorable members interjecting.

Mr. CRABB: Judging from the response of Government supporters, I should have thought many of them are less charitable than I because what else would explain the reaction the House has heard from front-bench members of the Liberal Party? I have never seen more guilty-looking men.

The SPEAKER (Sir Kenneth Wheeler): Order! The honorable member on the principle of the Bill.

Mr. CRABB: Thank you, Mr. Speaker. The point I make in winding up is that the Premier should be ashamed of himself for standing up in this place and denigrating companies that have done things that are quite legal, then taking steps as a trustee of a family trust, running a company——

Mr. HAMER: What have they done?

Mr. CRABB: I do not know what they have done, but if that trust has never avoided income tax or taken steps to minimize income tax, probate duty or stamp duty, I hope the Premier will say that. The Premier should say that the trust of which he is a trustee has never tried to minimize income tax, probate duty or stamp duty, because if he cannot say that, he ought to walk out of here and not come back.

Mr. ROSS-EDWARDS (Leader of the National Party): The National Party supports these two obvious, routine amendments to the Stamps Act made in the Bill. I had intended to speak only briefly to support the proposal, but my speech will not now be as brief as I originally intended.

The Bill is designed to overcome, firstly, the device of using the long-term sale of land to minimize the liability for stamp duty, and secondly, the avoidance of stamp duty on the registration of motor vehicles by using interstate facilities.

I was distressed that the honorable member for Knox, who is a capable member of the House, handled the matter as he did. It would have been relevant if he could have given an example of any company, no matter who the shareholders or directors are, that had saved duty in these specific instances, but it was not fair to have mentioned names, because the companies were acting within the law. I am not referring to the Premier; I am talking about a distinguished Australian family that has done nothing wrong. The honorable member has not one iota of evidence against the Fraser family. By inference he smeared that family.

Mr. CRABB: Rubbish!

Mr. ROSS-EDWARDS: There was no reason to mention any family, whether that of the honorable member for Knox, the honorable member for Bundoora, the honorable member for Mildura, myself or anybody else, and no reason why their private affairs should be mentioned in the House when thay have no relevance.

Mr. CRABB: But they do have relevance.

Mr. ROSS-EDWARDS: Not at all. If the honorable member for Knox wanted to be fair he should have mentioned that perhaps I may hold the odd share in someone else's family company, which I acquired 5, 10, or 20 years ago, and which was put in my name for convenience,

because the family wanted to have somebody outside the family in case of death, or wanted to use a solicitor purely as a nominee.

Mr. ROPER: As a device?

Mr. ROSS-EDWARDS: No, not as a device. The odds are that in cases like those I received not 1 cent as return, profit or financial reward. Things like these might have been done years ago because one happened to do business with the family, to be friends with or involved with that family.

In that capacity one is carrying out no other task. It really does not matter two hoots. In this case the person concerned is the Premier. The honorable member for Knox talks about a 50 per cent shareholding. Technically, he is right, because it is two $1 shares, but it is a pretty poor argument and rather strange coming from an actuary.

If it had not been for certain other events, this debate would have been over in ten minutes, but standards should be set for the future. If the honorable member for Knox or I or a member of one of our families did something wrong, then honorable members have the rights of Parliamentary privilege, which can be used to the utmost against the person who has acted wrongfully. But before that is done evidence must be obtained. If there is no evidence, the honorable member who makes the charges loses his credibility, and the honorable member for Knox has lost his credibility.

The motion was agreed to.

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

PERSONAL EXPLANATION.

Mr. CAIN (Bundoora): I wish to make a personal explanation concerning the implications made by the Minister of Special Education. The honorable gentleman implied that I was concerned in a family trust or that I had, as a practising solicitor, set up family trusts. Both suggestions are untrue. I have no family trust and have never had any part in such a trust. During the eighteen years in which I practised as a solicitor I set up no family trust, nor would I do so. I am no longer a partner in the firm with which I was connected, but during the time I was there I had nothing to do with family trusts and have never done so. I consider them immoral.

TRANSPORT REGULATION (AMENDMENT) BILL.

The debate (adjourned from November 15) on the motion of Mr. Rafferty (Minister of Transport) for the second reading of this Bill was resumed.

Mr. CRABB (Knox): The Bill has three purposes. The first concerns car pooling, which I consider to be the major purpose of the Bill, and I will return to this subject. The second purpose is to change the requirements for membership of the Transport Regulation Board. I have not had the opportunity of discussing this matter with my predecessor, but as I understand it the board will comprise one member, being the chairman, another being a primary producer and another being a person with commercial experience in an area more than 40 kilometres from the General Post Office. That composition seems a little unbalanced and I should be grateful for the Minister's comments on that at a later stage. There seems to be no provision for representation of the people who use taxis and private bus lines, and many people in the outer-suburban areas use those facilities.

The third purpose of the Bill is to alter the provisions of the principal Act that relate to the licensing of commercial passenger vehicles. During the Minister's explanatory second-reading remarks he suggested that 56 million passenger trips are taken each year. If one takes into account the population of the metropolitan area, one realizes that that

figure means one trip a fortnight for each person. That does not seem as great a usage as is implied when it is expressed as 56 million passenger trips a year, and perhaps it is an indication of the inadequacy of the bus lines presently available.

The proposed amendment to the principal Act would enable the coordination of licences for commercial passenger vehicles and I can see the rationale behind it and would certainly not oppose it, but I do not understand why the Minister waxed so poetic when he spoke about the benefits that would accrue to the commuters of Melbourne because the Transport Regulation Board will be allowed to renew licences for periods from four to seven years instead of only for periods up to seven years. I also understand that an amendment to that clause of the Bill may be moved at a later stage of the debate.

The matter that concerns me most is the first matter to which the Minister adverted during his second-reading speech—car pooling. The Bill proposes to validate certain types of car pooling. I regret that the Minister did not give credit to Mr. Barry Jones, the former honorable member for Melbourne, in this matter, because Mr. Jones spoke at length and frequently on the benefits to be derived from car pooling. The Notice Paper still shows a private member's Bill that Mr. Jones proposed to introduce to legalize car pooling.

There has been a great deal of confusion in the community about this subject and many people believe it is illegal for them to carry their neighbours to work or to pick workmates up on the way to work and to share costs. The Bill goes part of the way towards enabling people to be involved in car pooling without restricting their legal rights, but it validates only a situation where two or more people enter into an arrangement in which each uses his own car on alternate days. For example, if the Minister of Transport and I were both driving to Parliament House in private cars and we arranged that on one day we would use my car and on the following day we would use the honorable gentleman's car, that situation would be legalized under this provision of the Bill.

The problem is that most people involved in car pooling have an arrangement under which one person carries two or three others who pay a few dollars a week to cover petrol and other costs. That situation is common and has been common for many years, but it is still outside the law and the Bill does nothing to cover it.

The former honorable member for Melbourne, in putting forward his private member's Bill, had envisaged legislation under which all sorts of car pooling arrangements would be validated and, of course, they should be, because hundreds and thousands, perhaps even tens of thousands, of people are engaging in car pooling practices every day of the week. They pick up their friends and drive them to work and the passengers share the cost. What could be more natural or desirable? Nonetheless, the Government has resiled from covering that situation in the Bill.

It may have resiled from taking that step because it is said that if a driver is charging money for carrying passengers from one point to another his vehicle is a commercial vehicle and he should have a commercial vehicle licence. In question No. 1477, answered on 9th December, 1976, the former member for Melbourne asked—

> In each of the years 1966 to 1975 inclusive, in respect of the provisions of section 37 of the Transport Regulation Act 1958 which prohibits car pooling—
>
> 1. How many prosecutions were launched for car pooling?
>
> 2. How many convictions resulted?
>
> 3. In how many cases the maximum penalty for a first offence of $100 was imposed?
>
> 4. What amount was collected by way of penalty?

The answers to all four parts of the question was "None". There has never been a prosecution under those provisions. Whether the practice is legal or illegal is irrelevant for practical purposes, because a person with a private licence taking passengers for reward or profit has never been prosecuted, although it is common knowledge that thousands of people do so every day.

The second matter that is often raised as an argument against the validation of car pooling of all types concerns insurance. It is suggested that if a driver carries passengers for reward those passengers are not covered under third-party insurance unless commercial insurance is carried. The former honorable member for Melbourne wrote to the Victorian Insurance Commissioner and asked—

> Would a passenger who is involved in a car pooling arrangement and is injured be discriminated against in any way by third-party insurance policies by virtue of the existence of a car pooling arrangement?

In reply the Acting Insurance Commissioner stated—

> I advise that a passenger involved in a "car pooling" arrangement and injured as a result of a motor car accident is not prejudiced by virtue of such arrangement in a subsequent common law claim involving a compulsory third-party policy.

Therefore, neither of the arguments put forward against car pooling based on remuneration and the sharing of costs is valid. There have never been any prosecutions and one hopes there never will be and the Acting Insurance Commissioner has advised that car pooling in no way diminishes a person's rights and expectations under a third-party insurance policy.

The Opposition is bitterly disappointed in this aspect of the Bill. All the promises to implement a computer facility so that all the people wanting to share cars can get together and all the other matters covered by the Minister during his second-reading remarks have not really been fulfilled. The fact is that the thousands of people who drive other people to work and expect to receive a few dollars to cover petrol are still outside the law. Therefore, as a reasoned amendment, I move—

> That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide that cars being used to carry passengers in return for only a reimbursement of costs shall not be deemed to be commercial passenger vehicles".

I have already given the case for the amendment. There is no reason except indolence why an amendment cannot be drafted to the principal Act so that all kinds of car pooling can be validated. I admit that a complex and perhaps a wordy and lengthy amendment may be necessary. But the Government should have the courage of its convictions stated in the Minister's second-reading speech. It should go the whole way and allow all kinds of car pooling, and I commend the amendment to the House.

The SPEAKER (Sir Kenneth Wheeler): From this point all honorable members will be speaking to both the motion and the amendment.

Mr. WHITING (Mildura): The Bill makes three small amendments to the Transport Regulation Act. The National Party supports those amendments, although its members agree with the honorable member for Knox in his comments about clause 2 not going far enough. The term "car pooling" may be a misnomer. Many people believe car pooling means the use of one vehicle and the sharing of the cost for a particular trip. There is some doubt whether this is car pooling or car sharing. As I understand it, it applies only to those people who each have a vehicle and who each, in turn, uses his own vehicle for a day or a week as the case may be. But that is not what the general public understands to be car pooling.

The proposal has wide ramifications. The reason for it, as the Minister said in his second-reading speech, is to cut down on the number of

vehicles using the roads and highways at peak periods. Coincidentally, at the La Trobe University council meeting yesterday, a great deal of debate took place on the need for an extra car park because of the lack of public transport, causing young people to drive their own cars to the university. Of course, young people who are not old enough to hold a licence to drive a vehicle and those who are not financial enough to run a vehicle, let alone own one, will not be able to take advantage of this Bill, although it should help them. If the Bill included a provision whereby persons—perhaps even if there were an allowance for students—to share the cost of running a motor vehicle to and from say, a university, that in itself would reduce the need to spend some $70,000 or $80,000 on a car park at the La Trobe University.

The practice as outlined by the honorable member for Knox will continue. The result will probably be the same as that indicated in the reply to the former member of Melbourne. There have been no prosecutions and there probably will be none in the future. The amendment in the Bill will go only a small part of the way to providing a solution to the difficult traffic problems in the metropolitan area.

The clause relating to the board members makes slight changes in the definition of people who may be members of the board and the National Party is satisfied about those amendments. They do not remove the previous requirements. The honorable member for Knox was concerned about a representative of private bus users and the users of taxis, and so on. However, if figures were taken out on the amount of goods carried by those holding licences and permits from the Transport Regulation Board, it would be found that the cost of transporting produce and other commodities from the country to the metropolitan area, and from the metropolitan area to the country, would exceed by far the value of the journeys made by people using public buses and taxis combined.

But there is a need for a representative on the board of a person who has had experience as a primary producer and also a person with experience in carrying commercial goods outside a radius of 40 kilometres of the General Post Office, Melbourne.

The other provision in the Bill brings into line the renewing of licences of motor buses. In the past there has been a problem when there was a need to co-ordinate services. It was found that various owners of buses were due to renew their licences at different times and it was difficult to alter the provisions of those licences. This amendment means that those licences will be renewed in the same period, and any adjustment in these, or to the services operated can be made at that stage.

The National Party is happy with the Bill, although it agrees with the honorable member for Knox that the proposal in clause 2 does not go very far; it does not provide the complete answer. Perhaps something between what is in the Bill and what has been suggested by the honorable member for Knox would cover the situation. I quoted an instance relating to students. Apprentices are in the same situation, particularly in country areas where many travel from 60 kilometres to 100 kilometres one day each week for their block-release trade training.

Most of these apprentices are in the sixteen to seventeen-year-old group and are not permitted to drive motor vehicles. There are usually several apprentices in the same area and the common practice is for the parents to take turns to drive them, or one who is old enough to own and drive a vehicle may take a number of others, who share the costs. So there is room for a further amendment to the provision proposed by clause 2 of the Bill.

The National Party is impressed by the reasoned amendment moved by the honorable member for Knox, but

it may be very wide in its application. It could obviously affect the taxi industry, for instance, and also, to some extent, the suburban railway network, which is struggling to pay its way and become viable. If the Government could suggest an improvement on the provision in the Bill, perhaps not going as far as the amendment proposed by the honorable member for Knox, we would be getting towards an ideal situation, and I await the comments of the Minister with interest.

Mr. A. T. EVANS (Ballarat North): In his second-reading speech, as reported at page 11387 of *Hansard* of 15th November, the Minister said—

> The Transport Regulation Board is currently working on proposals for improved utilization of existing transport resources to provide better, more viable private enterprise bus services tailored to present transport needs, clearly some rationalization is necessary, over a period of time.

That is a sensible objective. However, I am concerned about doubts that have existed for some time among small operators who will obviously be phased out in the rationalization scheme.

The small operators generally have been concerned about compensation. Licences are issued now for three months, but the amended legislation will give them some security in that area. However with the three-month licence, there was no guarantee that compensation will be paid to these small operators.

In correspondence with the Minister on this point I was told that it will be a prime task, among others, of the new metropolitan transport authority to consider this matter. The Minister expected that legislation setting up that authority would be introduced in this sessional period.

I know, in particular, of one single-man operator who has been operating for many years, but he has no security for his future. I should be pleased if the Minister could give some assurance as to where the small, individual operators stand and where they fit into the new scheme.

Mr. CATHIE (Carrum): I support the amendment moved by the honorable member for Knox. It aims at achieving car pooling as distinct from the proposal for car sharing, which was put forward by the Minister. The whole system of car pooling is growing in popularity overseas. The idea of organizing car pooling as a technique so that people can make maximum use of the capacity of motor cars will, firstly, reduce the wear and tear on our roads and highways—it is maximizing the efficient use of a particular form of transport. Secondly, and quite importantly, it will reduce the amount of exhaust emission, which is the cause of so much pollution in our cities.

In Europe and the United States of America the interest in car pooling has developed because of the impact of the energy crisis over the past few years. European countries and the United States of America are determined to conserve their fuel supplies and reduce travelling costs while making the best use of the mobility of the motor car in providing door to door travel for getting people to work or wherever they want to go.

In the United State of America computer matching programmes are in operation both in Washington D.C. and in Los Angeles. There is also a wide education programme to persuade people to avail themselves of the new technique of car pooling. I understand that they are even pooling bumper stickers. On 23rd April, 1977, the Congressional Quarterly of the United States of America was devoted wholely to the Carter energy programme, which was put before the United States Congress. That was a programme of energy conservation. A whole section in that document deals with transport. President Carter told the American Congress that Federal agencies and the Federal Government would be directed to purchase vans specifically for the purpose of car pooling and these vans would be available to members of the Public Service to

commute to and from work and thus demonstrate Government initiative in car pooling. Costs were to be repaid by the riders themselves.

The honorable member for Knox referred to the private member's Bill which was introduced by the former honorable member for Melbourne. That Bill goes a lot further than the Bill now before the House. When he was involved in preparing that Bill he raised a question on notice, No. 1370, on 23rd November, 1976. The answer supplied by the Chief Secretary made it quite clear that under the current provisions of the Transport Regulation Act it was illegal for the owner and driver and that they would be guilty of an offence if, in carrying some other party to work, that party was to offer money to help offset the cost of petrol.

The Minister indicated that he would not accept the reasoned amendment of the Opposition. He said he is not prepared to accept it because the charging of fees and the reimbursing of costs for car pooling would encourage some system of unofficial taxis in the community. I do not believe there will be competition between taxis, as they operate, and some form of car pooling, as it would develop either by individuals operating on their own initiative or companies getting together and sponsoring some method of car pooling. For example, they will not be competing with wages or overheads which come into the operation of a taxi service.

In the amendment, the Opposition is only concerned about what is usually involved in a group of people coming together for the purpose of car pooling in that somebody will offer money to offset the cost of petrol. A Mr. Richardson, a lecturer in transport at the Monash University, wrote an article entitled "Car Pooling for the Journey to Work". It is part of a paper which was the result of an address he gave to the Australian Road Research Board. In the course of that article he pointed out that if we are to run a car pooling system with equity, all members ought to be able to contribute to the cost of any expenses that would be incurred.) To do so the Act must be amended to allow such a fair reimbursement for the running expenses of the journey to work. That is the purpose of the Labor Party's amendment.

The current Bill does not go far enough. The amendment does in fact allow this House and this Parliament to provide a system of car pooling for the people of Victoria. The proposition put forward by the Minister is a system of car sharing that is a far smaller proposal and would not even go half way towards meeting the needs either of individuals or of companies in the community or towards providing a proper service something along the lines which now operates overseas.

Mr. GUDE (Geelong East): I support the Bill and oppose the amendment. The Bill gives effect to an opportunity for people in the community to be involved in, as the honorable member for Carrum pointed out, a car sharing arrangement. He made the point that it goes a small way towards achieving something. It goes a long way to achieving the sort of things many people are doing and want to do in our community today. It does so in a responsible way, in the sense that it takes account of the special costs that could be incurred.

The honorable member for Knox blandly passed over the insurance company position and suggested that need should not be taken into consideration. I do not know who his friends are in the insurance industry but they are certainly not the same people I talked to. My contacts in the insurance industry do not tell me the same things the honorable member for Knox is being told.

The Deputy Leader of the Opposition does not care about the extra costs that will be thrown on to the private motorists. That is the sort of thing we have grown to expect from the Opposition in this House.

The Opposition does not take into account the effect on private enterprise. This is part of the social plan adopted by the Opposition so often in this place. They do not care two hoots about private taxi operators or the individual owner driver who is on his own and is trying to make a living and provide for his family, not only in Melbourne but in country Victoria.

I am surprised that the National Party did not come down more strongly in favour of our private enterprise system, and the Bill before the House.

The honorable member for Carrum tried to give credence to the puny argument he put to the House on the basis of nebulous figures in relation to pollution in the United States of America. What happens in the United States of America regarding pollution has no relevance to the community of Victoria. This Bill will enable people in this community to car-pool and arrange their transport in a proper and decent way. What they have been doing in the past will as a consequence of this Bill, come within the law.

Clause 3 of the Bill refers to the appointment of a board and to a chairman and members, one of whom shall be a person with experience as a primary producer. That is a good thing because it encompasses more than two-thirds of our community. That sort of representation should be achieved. The commercial interests of the community are also well served on this board, and I believe the balance that the community is entitled to expect is achieved in the proposed legislation.

Clause 4 relates to the renewal of expiring licences. That is of course of some concern to me as a member representing the Geelong area who is keen to see the retention of the existing private bus system which I believe has worked very well for the community within the region. The reality is that, particularly in the metropolitan area, there is a need for rationalization and this Bill provides for the reinstatement of licences for a period up to seven years. One might have hoped that the period could have been a little different, but, nevertheless, a provision was required to take account of rationalization that must inevitably occur if the community of Melbourne, in particular, are to benefit from an efficient, effective private enterprise system. I commend the Bill and oppose the amendment.

Mr. KENNETT (Burwood): I support the Bill. I also support the sentiments of the honorable member for Carrum in the area of conservation, particularly in relation to pollution of the atmosphere. It is hoped that a Melbourne metropolitan transport authority will be introduced next year and that there will be a rethinking about our transport policy to include many things touched on this legislation.

Car pooling—the honorable member for Carrum suggested, it may be car sharing—will help people who do not have access to car transport. One cannot totally ignore the private operators, either of taxis or buses, who have an investment in capital, goodwill, time and initiative in the development of services and who have paid a considerable amount for licences, particularly taxi licences. I should not like to see their livelihood being taken away from them overnight.

Clause 2 of the Bill goes some way towards solving the transport problem. Transport, in the next decade, particularly in this State, will be a very real problem and is obviously looked at very seriously by this Government. As was also mentioned, there should be concern about compensation to private bus operators.

Clause 4 of the proposed legislation allows renewal of licences for up to seven years. Obviously when we see the introduction of the transport authority next year the bus services will be reassessed. The practicalities of the more favourable services

will have to be considered in an effort to produce a successful and flexible transport system. I believe this Bill goes a long way as a stop-gap measure prior to further legislation in the next sessional period.

I can understand the concern of the honorable member for Carrum for the issues he raises. He is certainly consistent in his concern about pollution and conservation. I do not think he is the only one. We must proceed cautiously on this to make sure we do not deprive of their livelihood those people who have made substantial investments. I support the Bill and reject the Opposition amendment mainly because I believe it will take the rights away from those people who have made a very real and substantial investment over the years.

Mr. BIRRELL (Geelong West): With regard to the general tenor and the intentions regarding the variation or revision of the private bus system within the State, there is obviously cause for concern among bus operators as it would appear that there will be a substantial trimming of the bus system and the number of operators. This might well be justified. There might well be some significance and at least partial economic gain in cutting down the number of operators in certain areas.

But with that cutting down, what happens to the business built up over decades and to people who in the past fifty years in Geelong, have put their life and work into a bus system which is suddenly cut off, with the operator being told that his licence will not be renewed as from such and such a date? This House could never stand for that travesty of justice.

I think we ought to be sure and firm that if we are going to do these things we provide the where-with-all to carry them through to an obvious conclusion and if there is any doubt in the Minister's mind he will be in trouble if he does not make firm decisions in this area.

I wish to refer to a car pooling system called the *Dolmus* system which operates in Turkey. This has proved to be revolutionary. It is cheap and efficient and works as a variation of the taxi system. *Dolmus* is the Turkish word for filled. It is a type of transport which proceeds on a regular route as soon as it is filled. It could work in regional shopping centres. It is a service similar to the air charter service which is developing overseas. It is also similar to the taxi service that operates at a racecourse, which shifts crowds reasonably cheaply, comfortably and regularly. The idea is for a type of car pooling system, with fares to be charged either by a route or kilometre. It could be an interesting innovation, and there is a need to experiment. It works particularly well in the larger cities of Turkey. It is a practical way of mixing the bus system with the taxi system. The taxi works on a regular known route, and the charges are fixed. It gets away from the system of one person to a taxi going to one address. It is a compromise between that and a bus system. I put that innovation forward for the House to consider.

Mr. RAFFERTY (Minister of Transport): At the outset, I thank honorable members for their contributions. It is obvious that the Bill has engendered a considerable amount of interest. It is an important measure. Most honorable members have made constructive suggestions about future services related to transport. I will certainly keep those matters in mind. They all have some degree of merit.

I do not propose to accept the amendment moved by the Opposition. The honorable member for Knox seemed to be a little confused on the present law which requires that there be registration of commercial passenger vehicle licences. This applies not only where a charge is made but also where there is any consideration whatever. The purpose of the Bill is to remove that question of consideration so that many of the systems

which obtain at present, and which are technically illegal, will no longer be illegal in respect of consideration.

In my second-reading speech I expressed the reason why the Government would not agree to the proposition which has now been moved by the honorable member in relation to charges. The Deputy Leader of the National Party put the matter succinctly. It is the view of the Government—it was spelt out by me in my second-reading speech—that there is a possible danger of competition with the taxi industry. There is also the consideration of wooing people back to public transport. The Opposition has often been heard to voice considerable criticism on that aspect.

One honorable member reminded the House of the insurance problems that would arise. This week an insurance company in Melbourne, which had the mistaken idea that the Government was legislating in relation to a charge, indicated the problems with insurance policies if a charge were made. I also indicated previously that some difficulties would arise in relation to registration. Those are the major reasons why the Government does not propose to agree to a charge being made.

The honorable member for Carrum intrigued me. I was surprised that he spoke about education being necessary in this matter. That is precisely what I said in my second-reading speech. There is nothing new about that. He also spoke with great eloquence about reading somewhere that there was a computerized matching service in America. I remind him that I adverted to that proposition in my second-reading speech.

A number of honorable members mentioned a matter raised by the former member for Melbourne. On many occasions the honorable member indicated that he was interested in car pooling. Some months ago I told him that the Government also had the same interest, and I outlined why at this stage the Government does not want to go as far as suggested previously by the former member for Melbourne and now by his rather weak substitute.

Mr. CATHIE: That is cheap.

Mr. RAFFERTY: I can speak only on the evidence presented to me. The honorable member who has taken his place is a poor substitute. In future he may do well, but last week and this week he has not done so.

A number of members mentioned the question of compensation. In the next session of Parliament I hope to bring in a Bill in relation to the metropolitan transport authority.

Mr. ROPER: It was supposed to be introduced in this session.

Mr. RAFFERTY: I should be delighted to introduce it in this session but time will not permit that to be done. The question of compensation mentioned by a number of members will be dealt with at the appropriate time.

The House divided on the question that the words proposed by Mr. Crabb to be omitted stand part of the motion (Sir Kenneth Wheeler in the chair)—

Ayes	..	45
Noes	..	19
Majority against the amendment	..	26

AYES.

Mr. Austin	Mr. Mackinnon
Mr. Balfour	Mr. Maclellan
Mr. Billing	Mrs. Patrick
Mr. Birrell	Mr. Plowman
Mr. Borthwick	Mr. Rafferty
Mr. Burgin	Mr. Ramsay
Mr. Coleman	Mr. Reese
Mr. Cox	Mr. Richardson
Mr. Dunstan	Mr. Ross-Edwards
Mr. Evans (*Ballarat North*)	Mr. Scanlan
Mr. Gude	Mr. Skeggs
Mr. Guy	Mr. Smith (*South Barwon*)
Mr. Hamer	Mr. Smith (*Warrnambool*)
Mr. Hann	Mr. Stephen
Mr. Hayes	Mr. Thompson
Mr. Hudson	Mr. Weideman
Mr. Jasper	Mr. Whiting
Mr. Jennings	Mr. Williams
Mr. Jona	Mr. Wood
Mr. Lacy	
Mr. Loxton	*Tellers:*
Mr. McClure	Mr. Collins
Mr. McInnes	Mr. Kennett
Mr. McKellar	

NOES.

Mr. Amos	Mr. Mutton
Mr. Cain	Mr. Roper
Mr. Cathie	Mr. Simmonds
Mr. Crabb	Mr. Stirling
Mr. Culpin	Mr. Trezise
Mr. Edmunds	Mr. Wilkes
Mr. Fogarty	Mr. Wilton
Mr. Fordham	*Tellers:*
Mr. Ginifer	Mr. Simpson
Mr. Kirkwood	Mrs. Toner

PAIRS.

Mr. Suggett	Mr. Doube
Mr. Templeton	Mr. Lind

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6400 s. 3).

Mr. CRABB (Knox): I wish to correct one point made by the honorable member for Geelong East, who, in his typical fashion, threw in some abusive nonsense. I seriously object to the sort of things that the honorable member continually comes out with. During the second-reading debate, I made it quite clear that the former honorable member for Melbourne wrote to the Insurance Commissioner seeking information concerning the insurance cover of people involved in car pooling. The honorable member for Melbourne did not seek the views of the insurance industry or friends of the honorable member for Geelong East; he wrote to the Insurance Commissioner and the Acting Insurance Commissioner replied—

> I advise that a passenger involved in a "car pooling" arrangement and injured as a result of a motor car accident is not prejudiced by such an arrangement in a subsequent common law claim involving a compulsory third-party policy.

If the honorable member did not hear that, I will table the letter and hope that he can read.

Clause 2 is a feeble effort at validating car pooling but goes nowhere near what is necessary. Each of the honorable members from the Government side who participated in the second-reading debate spoke in flowery terms about the need for car pooling on all sorts of grounds, such as the conservation of energy, the conservation of resources and the fact that it is just plain common sense. However, none of them was prepared to bite the bullet and support the amendment moved by the Opposition. Now we have this feeble effort which validates the practice of sharing a car but does not validate the sharing of costs. It is a stupid, paltry effort by a stupid, palty Government.

Mr. McINNES (Gippsland South): When explaining the Bill, after referring to the encouragement of car pooling by reserving prime parking facilities for car pool vehicles, the Minister of Transport said—

> If there is a good response to car pooling, the Government will look at the provision of exclusive lanes for car pool vehicles where the provision of these priority facilities can be justified.

The Minister has put the cart before the horse. The Government ought to be providing these priority lanes first. The lanes ought to be open to both public transport in the sense of buses or coaches, as well as private cars or pool cars carrying a minimum of probably three persons. In Hawaii, recently, I was able to see this system in use. This seems to be the mechanism that will really put car pooling on the road.

There is an incentive for people, when they are held up on a multiple-lane highway bumper to bumper, and they see one or two clear lanes on which traffic is proceeding at a much faster rate to decide to pool to get into these lanes and so get to work on time without inordinate delay. On these highways, priority lanes are checked by police to ensure that all the cars have at least three persons in them. There have been occasions when certain drivers have used dummies in the car, but, with police checkpoints, this device will soon be found out. I reiterate that car pooling would be more persuasive when a driver, who is travelling bumper to bumper at perhaps 3 or 5 miles an hour at peak hour, sees

other vehicles on a priority lane travelling at perhaps 25, 30 or 40 miles an hour.

The concept of encouraging employers to provide priority parking space is good, but it should follow the provision of these priority lanes. This system is working overseas and could be made to work here, particularly on freeways such as the South-eastern Freeway.

The clause was agreed to, as was clause 3.

Clause 4 (Amendment of No. 6400 s. 27).

Mr. RAFFERTY (Minister of Transport) : I move—

Clause 4, line 35, omit " such period not exceeding " and insert " a period, being a period of not less than two years and not more than ".

The original wording of the clause gave the Transport Regulation Board complete flexibility in renewing licences for commercial passenger vehicles for any period up to seven years. The amendment provides the board with discretion to renew licences for periods of not less than two years and not more than seven years. This will provide private bus operators with security of licence for a period of two years and allow time for the metropolitan transport authority to get established and move ahead with the proposal to enter into contracts with the operators.

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

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

HOSPITALS SUPERANNUATION (AMENDMENT) BILL (No. 2).

The debate (adjourned from November 15) on the motion of Mr. Jona (Assistant Minister of Health) for the second reading of this Bill was resumed.

Mr. ROPER (Brunswick) : This Bill represents the continuing effort by the Government to try to patch up the Hospitals Superannuation Fund, which, for the past half a dozen years, has been allowed to fall into disrepair and which was not repaired by the Bill introduced during the last sessional period. At that time members of the Opposition pointed to a number of major weaknesses in the Bill, but the Government simply ignored the matters raised by myself and by the honorable member for Knox.

Two of the amendments before the House tonight correct matters that the Minister at the time said had been corrected. From the beginning, the Government's attitude to superannuation for employees of hospitals has been economically unjust. It has provided one system for its employees covered by the State Superannuation Fund and another system for employees in hospitals, covered by the hospitals scheme. The Government has also been extremely slow to improve the Hospitals Superannuation Fund. It has allowed many of the contributors to the old fund to suffer financial difficulties for the rest of their lives because of its unwillingness to provide adequate cover in the fund.

On the last occasion on which a similar Bill was before the House, the honorable member for Knox made the point to the Minister that he believed the Government should show what it would cost to provide adequate benefits for all employees who had retired prior to the end of 1976. The Minister refused to provide that information. Only a small amount was involved and if the Government had been prepared to supply that information and include suitable provisions in that Bill, one of the amendments in this Bill would not have been necessary.

The Bill contains two major amendments. The first concerns people who were contributors to the old fund, but who were 65 years of age on 1st January of this year. Those people could not receive benefits under the Bill that was introduced in the previous sessional

period of Parliament. On 24th November, 1976, I raised with the Minister this very question and particularly put to the honorable gentleman the example of Mr. Atkinson, the then Manager of the Mount Royal Hospital. I submitted that Mr. Atkinson would not be able to benefit from the provision of the Bill. On page 4814 of *Hansard* the Minister is reported as having said that there was no doubt that Mr. Atkinson would benefit from the clause of the Bill; he would be able to become a contributor under the new scheme. At a time like this the Minister should be reminded of the mistake he made on that occasion when he said that a person in the position of Mr. Atkinson would be covered by this provision.

Mr. JONA: That was not the intention.

Mr. ROPER: That was the intention of the Bill, but it was not the words of the Bill. As the Minister knows, for the past eleven months Mr. Atkinson and others have not been able to benefit from the Act because of a failure in the wording. The National Party and the Opposition cannot in any way be criticized about this matter because they raised it on that occasion and said that they believed the Bill contained a weakness that should be remedied. That weakness has now been overcome.

Members of the Opposition fail to understand why, on this occasion, the Government is not prepared to go further and provide additional pensions to employees of hospitals who retired prior to January of this year. As I pointed out on the last occasion on which a similar Bill was before the House, few employees are involved; the amount of money is not large; but the service of these employees to the community and the State has been not only deserving of reward but of justice.

Mr. JONA: How far back?

Mr. ROPER: The Minister makes the same interjection that he made on 24th November, last year. If the honorable gentleman cared to look at the records of the Hospitals Superannuation Fund he would find that it would cost very little to provide adequate benefits for people ten years back. That is the point that both the honorable member for Knox and I made on that occasion.

Mr. JONA: Why do you pick the figure of ten years?

Mr. ROPER: Let us consider the situation when the Government first committed itself to introduce an amendment to the Act, in mid-1974. At that time the people involved had a moral entitlement to receive additional assistance. The Minister does not understand that members of the Opposition asked him last time, and ask him again, to provide some figures on why those benefits cannot be granted to people who retired prior to 1st January, 1977.

I am not saying that members of the Opposition are unhappy that the Government agrees to the proposition put forward by the Opposition almost two years ago. Members of the Opposition are delighted about that, and hope that it suggests that the Government might go further at some future time.

The second major amendment contained in the Bill concerns continuity of service. The Minister will recall that this matter was raised on the last occasion on which a similar Bill was before the House, and, to be fair to the Minister, there was a degree of legal doubt about it. However, undertakings that were given at that time are not provided for in this amendment. The continuity of service provided in the Bill is not the continuity of service suggested by the Minister and the Government in this place and another place at the time the previous Bill was passed, and it is not the continuity of service that was suggested to people who are members of the Hospitals Superannuation Fund.

I refer to clause 4, which deals with persons who were members of the fund prior to 1st July, 1976, and who had the opportunity of electing to pick up past service. If there is a break of more than six months in the employment of the people concerned, the service will not be regarded as continuous. This provision contradicts previous promises made to the unions, that all past service would be given due recognition. This was confirmed by statements made in a circular issued by the Hospitals Superannuation Board at the date of the changeover. If the Minister has doubts about that, I offer him a copy of the document sent out by the Hospitals Superannuation Board. It says, under the heading "What do you have to do?"—

> If you elect to join, your pension will be based on years of service calculated from the date you elected to join.

On the next page it states—

> electing before 30th June, 1977, to pick up past service credits.

Further down it states—

> This election must be made before 30th June, 1977, or you will lose out. If you were a contributor before 1st July, 1976, you may elect to pick up all your past service with participating institutions.
>
> If you became a contributor after 1st July, 1976 and before 30th June 1977, you may elect to pick up half of your past service with participating institutions.

That is specific and deliberate. The Bill brought before this Parliament at an earlier time did not provide for that, and this Bill does not provide for it. However, on the basis of assurances given by the Hospitals Superannuation Board, acting on behalf of the Government, members of the Hospitals Superannuation Fund elected to pay additional amounts to obtain the additional benefits.

Members of the Opposition do not suggest that it was intended that these people should not receive the additional benefits; that was laid down last year in the second-reading speech of the Minister. It was also laid down clearly in the document sent out by the Hospitals Superannuation Board. The clear undertaking by the board, acting on a legal opinion about the Act, has been betrayed by the amendment contained in this Bill. If an employee of a hospital elected to join the fund to the full extent and to pick up past benefits, that person would not pick up the full service if at any stage he or she had been absent for six months.

The Government had a clear commitment to provide for the full past service of people in the hospitals. That was the original intention when the Bill was debated last year. That was also the intention in the material put before members of the fund in 1976 and 1977 when they were electing to take up this scheme in one way or another. The Government is morally, if not legally, bound to carry out these undertakings. It is realized that they are not always simple matters of legality.

In relation to people over the age of 65 years on 1st January, this year, the Government saw the morality of the position put forward by the unions and association concerned. Unfortunately, although the Government saw the morality there, it has not recognized it in this case. I do not know whether the Minister has examined the document put out by the Hospitals Superannuation Board. He should do so and be prepared to agree to amend this Bill to ensure that all past service of the hospital employees concerned is credited. That is clearly what the Government implied. Unfortunately, that is not what the Bill implies or provides.

This Bill largely patches up previous errors that were not deliberate but legal errors. Members of the Opposition ask the Government to assist people employed in hospitals to obtain what they thought they were obtaining when they elected to join the fund. It is not an adequate fund. It creates an unreasonable

distinction between people working in general hospitals and those working in mental hospitals. In the long term it is a recipe for difficulty between the various parts of the Health Commission if ever it gets off the ground, and a chairman is appointed.

Even in the limited sense of the Bill the Government should now exercise its moral responsibility to the people who were in the hospitals prior to this year, and also to the people who in many cases have given 30 years or more of service. These people may have been away for twelve months because they had leave to go to a London hospital, or for nine months to have a child. Those people should have the right to pay additional sums to pick up credits for past service.

Mr. WHITING (Mildura): The Bill virtually makes three amendments to the Hospitals Superannuation Act which obviously, in practice, has been found to be lacking, particularly in some of the points outlined by the honorable member for Brunswick. I have quickly read some of the debate that occurred when the original Bill was passed. The honorable member claimed to have mentioned two of these facts to the Minister and that they were not acted upon at that stage. This validating Bill is now introduced to rectify those problems.

One of them obviously refers to the fact that a contributor, who was a member of a previous fund, having elected to stay on at work after the age of 65 years, can now as a result of one of these amendments continue to be covered under the new scheme. Therefore, the National Party supports that proposal wholeheartedly.

I refer to the other two matters. Although members of the National Party believe they are intended to overcome the difficulties that have arisen, they are rather lengthy in verbiage and it would take a constitutional lawyer to interpret them fully in view of the number of amendments that have been made to the principal Act. They appear on the surface to be covering the situations that have arisen and need rectifying, but we can only hope this will be the case when they are put into practice fully.

The point was raised by the honorable member for Brunswick about persons who for many and varied reasons have elected to take leave from a certain position of employment within a hospital or an institution. They then return to work and wish to carry on with superannuation benefits but find the limitation of a break of six months. This seems rather strange, because in his second-reading speech, the Minister mentioned that the amendment to the Act last year referred to continuous service, which was taken very literally indeed.

Mr. JONA: It was taken literally as it applied to other superannuation schemes.

Mr. WHITING: That is correct. However, in this day of acceptance of portability of superannuation in various areas of employment, in the private as well as the public sector, one would have thought the period could have been extended to twelve months in order to cover, particularly in the hospital field, the nursing or nursing aide situation in which many married women are employed. Obviously there would be times when they have taken a break of possibly up to twelve months. Surely, they should be able to come back into the superannuation scheme and carry on. This certainly happens in other areas of employment, particularly in the education field.

The only other problem would be the opportunity to take leave without pay or maternity leave as it applies in the education system. This may be an answer to that problem. I should like the Minister to have another look at the situation because obviously there will be some heart-burning by people who did not know exactly what the

situation was going to be and who will now find they are ineligible to continue in a superannuation scheme because they were unaware of the period for which they could be absent without breaking that continuity of service referred to by the Minister. I hope the Minister will re-examine the matter. If the problem cannot be dealt with now, perhaps it can be considered prior to the Bill going to another place or even in another Bill in the next sessional period, introduced to cover this situation and possibly any others that have developed as a result of the amendment of 1976.

Generally the National Party is not unhappy with the Bill so far as it goes, but it would like to see the provision extended somewhat to allow for those people who in some cases have already been considerably disadvantaged by what might be termed the late notice of the limiting period away from continuous employment within the hospital field.

Mr. MACKINNON (Box Hill): I wish to comment on the three points raised by the honorable member for Brunswick. It is understood that the amendments brought in by the Government cover the points raised earlier. Honorable members will understand that superannuation Bills have their complexities, their individualities and their difficulties. There are actuarial considerations and human considerations. All the factors involved must be combined. Some of the issues that must be faced in formulating or converting superannuation schemes are quite formidable. The people who have participated in drafting this Bill should be congratulated. Clearly one would hope that in future there will be some continuous review to obtain a common standard.

The first point raised was whether there should be additional pensions for those people who had already retired prior to the scheme coming into operation. I would have thought that those who are making contributions would be contributing to the pensions to come. I do not think they should be contributing to the pensions that are behind them. If there is to be a scheme and some form of compensation, it will be necessary for the Government to look at some type of *ex gratia* payment. I venture to say that is the form in which this type of problem is overcome in the private funds.

The next point relates to continuous service. I always understood that this pension was a recognition of continuous service in the industry. If that is the basis, clearly provision has to be made for breaks in service when people move from one job to another or perhaps take accumulated leave. The six months provides for that.

Mr. ROPER: Mr. Deputy Speaker, I draw attention to the state of the House.

A quorum was formed.

Mr. MACKINNON: As I was saying, it is a matter of continuous service. I turn to the next point, whether this scheme is equal to other schemes. I see no reason why there should not be a variety of schemes as a variety of situations is involved. However, as I said earlier, I hope the various Government superannuation schemes will be placed under continuous review with the aim of working towards some common standards and perhaps ensuring that there is a common attitude towards portability.

It should be recognized that pension schemes are a cost on the community. Recipients should recognize that not only do they make a contribution but in many cases other people have made a contribution. We should be wary of the degree to which we open up the scheme and its benefits in all directions.

Mr. JONA (Assistant Minister of Health): I thank honorable members who have spoken in the debate. Clearly the honorable member for Brunswick and the Deputy Leader of the National Party have followed

the usual pattern in debating superannuation schemes and adopted the practice of critics by saying the scheme does not go far enough. There must always be arbitrary limits in a superannuation scheme and there must be a cut-off point. The cut-off point for the commencement of the scheme referred to in this Bill is 1st January, 1977.

The honorable member for Brunswick suggested that we should consider the position of those people who retired prior to that date.

Mr. ROPER: The honorable member for Box Hill said that, too.

Mr. JONA: The honorable member produced a logical explanation of the difficulties and suggested an alternative approach. He suggested that the proposed legislation should be amended to provide for those employees who retire prior to 1st January, 1977. Therefore, it could be assumed from that remark that he was going back to the year dot. However, in the middle of his remarks he said that we should go back ten years. If the Government literally accepted the suggestion of the honorable member and went back ten years, no doubt one of his colleagues would suggest that the Government should go back eleven years, eleven and a half years, or twelve years.

Mr. EDMUNDS: You are talking rot and you know it.

Mr. JONA: The honorable member for Ascot Vale was not even in the Chamber for the debate and would not know what it was about.

The SPEAKER (Sir Kenneth Wheeler): Order! The Assistant Minister of Health will ignore the interjection and the honorable member for Ascot Vale will cease interjecting.

Mr. JONA: The proposers of any superannuation scheme run into hot water when they consider retrospective provisions of the nature advanced by the honorable member for Brunswick. He can always make himself popular by suggesting the most impractical and unreasonable provisions which would create more anomalies if they were adopted than the obvious anomaly which is created by this situation, because there were employees who had retired prior to 1st January, 1977.

The Government has given serious consideration to this matter and does not propose to adopt the ludicrous suggestion of the honorable member for Brunswick. It would adopt the principle which was embodied in the remarks of the honorable member for Box Hill, that if any payments were to be made, they would be made on an *ex gratia* basis and not written into the actuarial calculations on premiums which would be paid on the basis of the remarks of the honorable member for Brunswick.

Turning to the second suggestion of the honorable member for Brunswick, which was also supported by the Deputy Leader of the National Party, it was suggested that no penalty should be imposed on a member of the fund for a period of broken service, whereas the legislation prescribes a maximum period of six months as a qualification to enter the scheme.

It is the normal practice of superannuation schemes, as far as I know, for continuous service to apply. There is one exception which relates to the superannuation scheme for employees of the Metropolitan Fire Brigades Board. Certainly within the State superannuation scheme and the local authorities superannuation scheme continuous service applies and consequently I have no doubt in my mind that when the term "total service" or "past service" was used by the Hospital Superannuation Board in its circular, it was used in the context and in the sense in which the term is used in other superannuation funds.

Mr. ROPER: He is talking rubbish.

The SPEAKER (Sir Kenneth Wheeler): Order! The Assistant Minister of Health has the right of reply. The honorable member for Brunswick has made his contribution to the debate and I require him to remain silent.

Mr. JONA: The honorable member for Brunswick says that I am talking rubbish. Every day of the week twenty people tell me that he talks rubbish and I suggest that he remain silent for a while and he might learn some logic and gain some knowledge.

Mr. EDMUNDS: You are one of the dirtiest little debaters that I know of.

The SPEAKER: Order! The Minister will address the Chair and ignore interjections.

Mr. EDMUNDS: You are a dirty little debater.

Mr. JONA: If members of the Opposition wish to continue with their objectionable interjections and not participate in this debate on a serious level, I have no intention of speaking any further.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Application of the part to certain persons).

Mr. ROPER (Brunswick): One can only be amazed with the Minister who, when put under attack by the honorable member for Ascot Vale, said in effect that if the honorable member was going to attack him he would not continue.

Mr. JONA: I said that I would not continue to speak if he continued with his disgusting remarks.

Mr. ROPER: When I was a small child playing cricket and one of the players wanted to take his bat home during the game, we were critical of him. I do not think the Minister, by adopting a similar attitude now, is being helpful. The Minister might have difficulty at this time of night reading—

Mr. JONA (Assistant Minister of Health): Mr. Acting Chairman——

Mr. EDMUNDS: You dirty little wretch.

The ACTING CHAIRMAN (Mr. Stephen): Order! The honorable member for Ascot Vale will come to order or else I shall take the appropriate action.

Mr. EDMUNDS: What does that mean?

Mr. JONA (Assistant Minister of Health): On a point of order, Mr. Acting Chairman, the honorable member for Brunswick is renowned for his innuendos. There was an innuendo behind his remark which I ask him to withdraw. The honorable member suggested that I found difficulty in reading at this time of night. I ask him to withdraw his remark because of the innuendo behind it, which I find objectionable.

The ACTING CHAIRMAN (Mr. Stephen): Order! The Assistant Minister of Health has objected to the remark of the honorable member for Brunswick. I ask the honorable member for Brunswick whether he is prepared to withdraw it.

Mr. ROPER (Brunswick): If the Minister finds my remark, that he finds difficulty reading the document at this time of night, objectionable, I will state that the Minister finds difficulty reading and understanding a document at any time.

The Minister might not have seen this document, which I offered to present to him, put forward by the Hospitals Superannuation Board and entitled "New Hospital Superannuation Scheme". In all likelihood the Minister has not seen the document. Ministers in this Chamber come into this place today totally unprepared and incapable of debating matters. The Assistant Minister of Health is

a paragon in that area. The document distributed by the Hospitals Superannuation Board states—

Electing Before 30th June, 1977, to Pick Up Past Service Credits.

Electing to Pick Up Past Service: This election must be made before 30th June, 1977, or you will miss out. If you were a contributor before 1st July, 1976, you may elect to pick up all your past service with participating institutions.

I shall read that again for the benefit of the little Minister at the table.

The ACTING CHAIRMAN: The Honorable the Minister.

Mr. ROPER: The Honorable little Minister.

Mr. JONA: Why don't you get personal? You have been personal ever since you came into this place, you little runt.

Mr. ROPER: I have the benefit of some three to four inches over the Minister; that is the Minister's problem rather than mine. The Minister suggests in some way that he has some advantage. I would say that it is only his private secretary over whom he has an advantage.

Returning to clause 3, for the benefit of the Committee, I shall read again from the document which states—

If you were a contributor before 1st July, 1976, you may elect to pick up all your past service with participating institutions.

The document does not mention all an employee's past continuous service, but all his past service with participating institutions.

In his second-reading speech the Minister said that people would have known what that meant. However, the role of Government and of superannuation boards is to make clear what is meant and there is no question that what was mentioned and what was intended was that all past service should be considered. I suggest to you, Mr. Acting Chairman, and to the Assistant Minister of Health, that that was the intention which was mentioned in the speeches made in this place in November last year. The question of continuity of service arose afterwards. The document then goes on—

If you became a contributor after 1st July, 1976, and before 30th June, 1977, you may elect to pick up half your past service with participating institutions.

It does not mean half of an employee's past continuous service with participating institutions, but half his past service with participating institutions. If a person who had twenty years of service with a participating institution made an election to pick up half that service, he would pick up ten years. The position of a person who had a break of six months or six months and one day in between various parts of his service was not mentioned in the document or in any other material provided by the Hospitals Superannuation Board. Furthermore, it was not mentioned in any of the speeches made by members or officers of the board when they visited the various hospitals to explain the attitude of the board on this matter.

The Assistant Minister of Health deliberately neglects those simple words because he does not understand that when Governments or superannuation boards take action, they are bound by those actions; when they make promises to people, they are bound by those promises. The Acting Minister of Health often breaks promises and it is not surprising that he is breaking another one tonight. The document then goes on—

This can be a very valuable election so think carefully about it and discuss it with the Hospitals Superannuation Board. It is particularly important if you are now over age 30.

If you make this election to pick up your past service you must pay an extra contribution according to the following table—

What the board was saying to people who had previously worked in a hospital was that they could claim their past service or, if they adopted a particular form of election, they could benefit by using

their past service, but by doing so they would have to pay additional money. In my view, and in the view of people working in the hospital field, they entered into a contract with the Hospitals Superannuation Board and the board entered into a contract with them. Under this Bill, the Government is breaking that contract. In my second-reading speech, to which the Minister refuses to reply, I mentioned that there are moral obligations as well as legal obligations. The Government, through its agents, has a moral obligation which apparently it is now not prepared to meet.

The Opposition regrets this enormously and if it was within its power, it would move an amendment to this clause but as an amendment would involve the potential expenditure of Government funds, under the Standing Orders of this place the Opposition is not allowed to move such an amendment.

The Government has a clear obligation to people working in the hospital field and I believe the Assistant Minister of Health should have the sense to understand this and to be prepared to live up to the undertakings given by the board which is administered by his colleague in another place.

Mr. JONA (Assistant Minister of Health) : I shall speak briefly on the Bill now that the honorable member for Ascot Vale has left the Chamber. You will realize, Mr. Speaker, the impossible conditions under which I was trying to speak previously.

I thought I had adequately expressed the view of the Government on the provision relating to continuous service. There was, to say the least, a misunderstanding between the Hospitals Superannuation Board and persons who were participating in the scheme. The point I was trying to make previously was that when the term " continuous service " was being used, it was certainly my understanding and, I would have thought, therefore, the understanding of those to whom it applied, that it would be interpreted in the same way as the term " continuous service " was used in the State superannuation scheme and under the Local Authorities Superannuation Act.

Nevertheless, the scheme provides for a break in the continuity of employment of up to six months which, as I understand it, is a significant advantage in comparison with other schemes operating in Victoria. Certainly the participants in the scheme had a distinct advantage in the ability to break the continuity of service by up to six months.

It is regrettable—and I make no apology for saying this—that this misunderstanding existed, but I believe that with the passage of this proposed legislation, the benefits available under the scheme will be at least equal to those of any other scheme in Victoria.

Mr. ROPER (Brunswick) : Although the Assistant Minister of Health said that a misunderstanding occurred, I again remind him that the words " continuity of service " were not used in all the material distributed by the board, either in print or verbally. It is made clear that it refers to all of a person's past service. There is no question in the documentation of the scheme that was presented to members that all their past service would be credited to them.

The Government is now backing away from an undertaking that it previously gave. I hope the Minister of Health, who is in another place, can understand this point, because he at least will appreciate that when a Government or its board gives an undertaking, it should abide by it. The Assistant Minister of Health may not understand that, but I trust that the Minister of Health will do so and will take appropriate action.

For that reason I look forward to the Bill being returned to this place so that an undertaking that was

clearly given to people who have served the State well will be honoured.

Mr. WHITING (Mildura): As the debate has developed into an argument about the dates on which the provisions should come into operation, I remind the Assistant Minister of Health that when the first amendment was debated, the Leader of the National Party strongly advocated that the commencement date should be 1st December instead of 1st January because of the difficulties caused by the commencement of any calendar year when the holiday period begins. I am not sure whether, if that date had been chosen, it would have had any beneficial effect. The Minister interjected on a couple of occasions during the debate to ask whether it should be retrospective and the Leader of the National Party pointed out that 1st December would be a better date.

As the Minister said in his second-reading speech, the Bill is designed to restore the rights of those people who failed to understand the requirement to elect what they wanted to do before 30th June, 1977. It restores that right back to 1st January, 1977.

The effect of the suggestion made by the Leader of the National Party may or may not have been beneficial, but he strongly recommended that the provision should commence as from 1st December, 1976.

Mr. SIMMONDS (Reservoir): I question the consistency of the Government in introducing legislation that contains basically industrial aspects. In this case the Bill deals with superannuation, and the continuity of service ought to be maintained in principle as it is in other legislation.

Section 19 of the Building Industry Long Service Leave Act sets out a whole range of breaks in continuity of service that are permissible for a member to take and still maintain eligibility for long service leave. The section includes provision for an interval not exceeding nine months in the case of standing down of a worker owing to slackness of trade, or the absence of a female worker for twelve months because of pregnancy.

These provisions recognize that people have different requirements in this range of options, depending on whether they are male or female. Generally the position has been that a break in service of nine months is a reasonable period for any worker, and twelve months in the case of pregnancy for women.

Another section refers to the absence from work of a worker by leave of the employer. That is a fairly precise definition of the entitlement in respect of one aspect of industrial relations. I direct the Minister's attention to this because when anomalies are created by legislation introduced by the Government, invariably the people who have the task of correcting these anomalies are described as "industrial thugs" or in other terms that the Government uses in its failure to understand that its legislation creates many problems in the State.

Further support of the Opposition's outlook on superannuation was given by the honorable member for Brunswick. The Minister has a responsibility to explain the principles of the proposed legislation and to be consistent in these matters.

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.

POLICE REGULATION (AMENDMENT) BILL.

The debate (adjourned from November 17) on the motion of Mr. Scanlan (Minister of Special Education) for the second reading of this Bill was resumed.

Mr. EDMUNDS (Ascot Vale): This Bill increases penalties for members of the Police Force who have been

found guilty of accepting bribes. It authorizes the Chief Commissioner of Police to grant leave to people who, for personal reasons, require leave from the service or the Police Force. This provision has been included because the present regulations are believed to be invalid.

The Bill further provides for the spouse of a deceased member of the Police Force to decide whether to take a pension or a lump sum payment. It also creates a second office of Deputy Commissioner of Police.

The most important provision relates to people who attempt to bribe police officers, and, as I said, penalties for this offence are to be increased.

An article in tonight's *Herald* points out that where a person has been found guilty of attempting to bribe a police officer, he will be fined $1, whereas the police officer can lose his position in the Police Force and his credibility.

The Victoria Police Association does not oppose the measure. The Opposition does not oppose it, but believes it is necessary to point out to the Government that decisions must be made on emoluments for police on standby duty. The community ought to be concerned that the Victoria Police are given all possible support on this matter.

The Opposition believes that the police ought not to be inhibited in their rights or privileges. Any proposed amendment that the Government introduces to the police regulations should not be the subject of political controversy, but, after careful consideration, should be expedited. Therefore the Opposition does not oppose the Bill.

Mr. TREWIN (Benalla): The National Party supports the Bill. Although it is a small Bill the matters it covers are significant. Provision is made for the appointment of a second deputy commissioner. That provision is necessary, because the Chief Commissioner of Police may be away and the deputy commissioner may be involved in another matter, so that an additional deputy commissioner would be able to take charge of the normal running of the department.

Clause 3 deals with the entitlement payable to a spouse when a member of the force dies. Over the past twenty years confusion has existed from time to time because of changes in entitlements, pensions and gratuities. If a member of the force died before a certain date, the amount payable to his widow was different from that paid to the widow of a member of the force who retired after that date. The proposed legislation will enable more suitable arrangements to be made.

In dealing with the Bill, I commend the work of the Police Association. Members of that organization are elected from within the ranks of police officers and they represent both country and metropolitan areas. They give a great deal of their time and are deeply interested in the needs of members of the force.

The Bill also makes provision for increasing the penalties imposed for certain breaches of regulations. Policemen are human beings and they make errors in the course of their duties, just as members of Parliament make errors in the course of their duties. The Bill proposes to increase the penalties considerably but, as the Police Association has not indicated that it opposes the increases, members of the National Party are also prepared to accept them. The Bill is necessary for the functioning of the force and is supported by the Police Association. As I have indicated, the National Party supports the proposed legislation.

Mr. CRELLIN (Sandringham): I do not wish to delay the passage of the Bill, but I shall make some brief comments on it, particularly in relation to clause 4, which deals with remuneration to members who are on standby duty. This matter has been

of concern to members of the Police Force for some time and that concern has been indicated by the Police Association. The provision, which will give the Police Service Board the power to deliberate on the matter, will be well received by members of the force.

Clause 8 is also of interest to me, because it authorizes the Chief Commissioner to grant leave with or without pay to a member of the force where that member is required to serve in the defence forces of this nation either full-time or part-time. It has been my privilege to serve in the Citizen Military Forces alongside members of the Victoria Police who give their time to take part in defence services on behalf of the Commonwealth of Australia and they are prepared to serve both in the front line—as members in the Victoria Police—and also in the armed forces. I am pleased to see that the Bill specifically acknowledges their contribution.

I also commend the work of the Police Association and the manner in which it represents its members. I have been privileged to have had close contact with many members of that association, which represents its members in a positive and sound manner. Its fine example could well be examined by many other industrial associations in Australia when they make representations on behalf of their members. I commend the Bill.

The motion was agreed to.

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

BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL (NO. 2).

The debate (adjourned from November 17) on the motion of Mr. Maclellan (Minister of Labour and Industry) for the second reading of this Bill was resumed.

Mr. SIMMONDS (Reservoir): As the Minister correctly pointed out during his second-reading speech, the Bill gives effect to recommendations of the Building Industry Long Service Leave Board, which was concerned that the definition of various words and expressions such as "sub-contractor" and "building and construction work" and so on had created some problems under the provisions of the principal Act. Therefore, further legislation was considered necessary to broaden the scope of various definitions. The Bill amends the definition of such expressions as, "building and construction work", "a private employer", "registered worker", "service in the industry"; and "working subcontractor", among others.

The principal Act, which plays a major role in establishing positive industrial relations in the building industry, provides benefits to workers in the industry who maintain their rights to long service leave despite various interruptions in their service. The Bill will widen the provisions concerning the interruptions that can take place without affecting the employee's rights and brings some workers who were not previously covered within the ambit of the provisions. Section 19 of the Building Industry Long Service Leave Act states, *inter alia*—

> (1) For the purposes of this Act service in the industry shall be deemed to be continuous notwithstanding—
>
> (*a*) the taking of any annual leave or long service leave;
>
> (*b*) any absence from work of not more than 14 days in any year on account of illness or injury;
>
> (*c*) any interruption or ending of employment by any employer if the interruption or ending is made with the intention of avoiding obligations in respect of long service leave or annual leave;
>
> (*d*) any absence from work of a worker for the purpose of—
>
> (i) complying with a summons to appear as a juror;
>
> (ii) appearing to give evidence before any court, body or person before whom or which a person may by law be required to appear to give evidence; or

(iii) taking compassionate leave prescribed by any award;

(*e*) any absence from work on account of injury arising out of or in the course of the employment of a worker;

(*f*) any interruption arising directly or indirectly from an industrial dispute;

(*g*) the standing down of a worker due to slackness of trade;

(*h*) any absence from work not exceeding 12 months of a worker being a woman in respect of any pregnancy;

(*i*) any absence from work in excess of 14 days in any year on account of illness or injury if the absence is certified to be necessary by a legally qualified medical practitioner;

(*j*) any other absence from work of a worker by leave of the employer of the worker;

(*k*) any period during which a worker serves as a full-time officer of a trade union that represents workers employed to perform building and construction work of any kind; or

(*l*) any other interval between periods of employment in the industry that does not exceed nine months.

The amending legislation brings in a number of other workers who were previously not covered by the Act and makes those provisions more widely applicable. This is a positive step to improve working conditions in an industry that has had a great deal of difficulty and which particularly lends itself to an active industrial relations policy.

I am pleased to say that this Bill has the support of the Victorian Trades Hall Council and the unions concerned. The proposal for registering additional workers was envisaged in the original legislation. No doubt there is still room for improvement and further amending legislation will need to be enacted, in view of the scope of the Act, in respect to employees who are normally engaged in the metal industry and who would be in the fringe area of building construction. This is an area that is being included in the broadening of the definitions of worker and worker sub-contractor. Many people are involved in working on a contract basis and members of the Opposition welcome the change in the definitions to allow people employed in this way the opportunity of enjoying improved long service benefits.

Changes in Federal awards with the reduction of the period of eligibility for long service leave mean that the Victorian Act will have to be advanced to bring it into accord with the current situation in industry in the broad sense.

The opportunity for workers, who are not bound to one particular employer but who, rather, work within an industry, to participate in long service leave is a principle that has been adopted by this Parliament, and this measure amends the details of that principle. I hope to see future legislative measures defending the rights of workers who are faced with losing their entitlement because employers dismiss them on the eve of their becoming entitled to long service leave. In the current state of the industry, many workers are presently losing their long service leave entitlements because retrenchments are taking place. The Opposition does not oppose the measure.

Mr. McINNES (Gippsland South): The National Party does not oppose the proposed amendments to the Building Industry Long Service Leave Act. The Bill is a further chapter in the legislation which was produced a couple of years ago but which effectively came into operation at the beginning of this year. As yet, the first report from the board is not available. Once we see that we will know how the Act is working in practice.

As was indicated in the primary legislation, a section of workers were left out. This section comprised self-employed persons or sub-contractors who provided labour, with the material being supplied by the builder. It has become the practice that five or six men might come together to work, in what I am told is a butty gang, to build a number of homes for a major builder, using

their own labour but the builder's material. On the completion of the contract they are paid by the builder. These men have felt disadvantaged because they have not been entitled to long service leave benefits. Their feelings are probably justified since long service leave can be extended to other workers in this industry. It is a fairly loose sort of industry with people lacking continuity in employment as they move from job to job. However, when investigations were made, it was found that there was a tendency for gangs of men to stay with one builder in the ups and downs of fortune. So there is some cohesion among groups working in the industry.

It is also obvious that this is one of the costs that the building industry will be asked to bear. The industry, in providing for long service leave, will build those costs into contracts so that the main contractor will cover the costs of long service leave for the sub-contractor who provides only his labour.

The Labor Party has a concept that people in business or farmers are self-employed and therefore have to take the good with the bad. They say that if they cannot keep up with the vagaries of the economy, that only shows that they are not good businessmen and that their businesses or farms must go to the wall. Yet here the Labor Party takes a different attitude to the individual with whom this Bill deals, although he is self-employed in every way. The Labor Party says that he is not now a self-employed businessman—which he really is—but an employee who is entitled to long service leave and other benefits, which are accepted as part of the entitlements of employees.

If we are to ensure that people in every walk of life build up this sort of entitlement, whether it is long service leave or superannuation, we should be fair and equitable across the board. That aspect is not always recognized by the Opposition.

However, the National Party offers no objection to the Bill. It looks forward with interest to the first annual report of the board so that it will know how the various mechanisms associated with long service leave for people in the construction and building industry are working out in practice.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Interpretations).

Mr. MACLELLAN (Minister of Labour and Industry) : I move—

Clause 2, page 2, line 33, omit "person" and insert "worker".

Clause 2, page 3, line 13, after "employer;" insert "or".

I apologize to the Committee for the fact that there will be amendments to the Bill, but honorable members will appreciate that the drafting of a Bill should be reviewed after it has been presented to the House. In relation to the first amendment, the word "person" is inappropriate as the principal Act uses the word "worker". The addition of the word "or", as proposed by the second amendment, is necessary to the form of the clause before the Committee.

The amendments were agreed to, and the clause, as amended, was adopted, as were clauses 3 and 4.

Clause 5 (Long service leave charge).

Mr. MACLELLAN (Minister of Labour and Industry) : I move—

Clause 5, line 7, after "apprentice;" insert "and".

In this case the word "and" is necessary to tie the two sub-paragraphs of sub-section (1) of the new section 15 together.

The amendment was agreed to, and the clause, as amended, was adopted, as was clause 6.

Clause 7 (Amendment of No. 8693, s. 16).

Mr. MACLELLAN (Minister of Labour and Industry) : I move—

Clause 7, line 25, omit "of" (where second occurring) and insert "for".

In this case the expression "remuneration of" should be "remuneration for ".

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 8 and 9.

Clause 10 (References to a working sub-contractor).

Mr. MACLELLAN (Minister of Labour and Industry) : I move—

Clause 10, lines 16 and 17, omit 'and 37" and insert "; 37 and 52".

Clause 10, line 20, omit "and 48" and insert "; 48 and 52".

This clause provides that a reference to a worker shall be deemed to be a reference to a working sub-contractor. The two amendments are necessary to include the change in section 52 of the principal Act, which gives power to make regulations.

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

The Bill was reported to the House with amendments, and the amendments were adopted.

Mr. MACLELLAN (Minister of Labour and Industry) : I move—

That this Bill be now read a third time.

It would be appropriate to direct the attention of the House to an urgent telegram I received today. It states—

Reference amendments Building Industry Long Service Leave Act. This employer organization representing civil engineering industry given no opportunity to make representation regarding proposed Act amendments. Original legislation defective in covering civil engineering industry. Present amendments should nominate future operative dates for civil engineering industry inclusion. Suggest March, 1978. This association will vigorously oppose retrospectivity equate with February, 1977, building industry starting date. Should Bill not proceed through all stages this week we would welcome opportunity to make submission to you.

Bill Dobson, Executive Director, Australian Earth Movers and Road Contractors Federation.

I bring that to the attention of the House and simply note that this Bill proposes that the commencement of the Act may be by further proclamation. Therefore, there is an opportunity to defer the starting date. I shall certainly establish contact with Mr. Dobson of the Australian Earth Movers and Road Contractors Federation to ascertain what difficulties it is facing. I should not like the House to complete its consideration of the matter without knowing of that telegram.

Mr. SIMMONDS (Reservoir) : This information could well have been made available prior to the passage of this Bill, which would have enabled the House to consider it thoroughly. It is inappropriate that there should be any delay in the passage of the Bill.

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

ADJOURNMENT.

STAFFING IN VICTORIAN SCHOOLS—BUNDOORA GERIATRIC COMPLEX—TRANSPORT OF SCHOLARS—OAKLEIGH CITY COUNCIL—STAFFING IN SCHOOLS IN GREENSBOROUGH ELECTORATE—HEALTH INSPECTION OF PREMISES—"FIRING LINE"—OLINDA FIRE BRIGADE—STAFFING OF SECONDARY SCHOOLS.

Mr. THOMPSON (Minister of Education) : By leave, I move—

That the House, at its rising, adjourn until tomorrow, at half-past ten o'clock.

The motion was agreed to.

Mr. THOMPSON (Minister of Education) : I move—

That the House do now adjourn.

Mr. FORDHAM (Footscray) : I wish to raise with the Minister of Education a matter concerning staffing proposals in Victorian schools for 1978. I believe the Government is set on a course of disaster, not only for itself but for the students of both primary and secondary schools. The recent decision of the Government to set up staff establishments for schools, without taking into account, as has been done to some

extent in the past, the individual needs and aspirations of parents and teachers at the school level, will almost certainly mean that in February and March of 1978 an upheaval will take place such as we have never before seen in Victorian schools. At the start of this year there was an enormous disruption to our schools. I sincerely believe, unless there is a reconsideration of the tight strictures issued to date, the situation will be worse next year. I make that statement as a suggestion and as a warning. I quote two examples of that situation.

The first example relates to Footscray North Primary School, known to the Minister, I believe, as one of the more successful primary schools in this State both in its building programme and in its attempt to meet the needs of the local community, particularly the migrant community. Through the endeavours of the principal and school council, the school was able to recruit a migrant English teaching staff of five for 1977. The equivalent of 0·5 of a teacher is on confinement leave, leaving an effective teaching force of 4·5. This makes a significant impact on the needs of children at that school. Next year, under the department's strictures, that will be reduced to an establishment of 2 and with 0·5 of that 2 being on confinement leave, there will be an effective force of 1·5. The needs of the children will not be met if that situation is continued. The Minister is aware of the operation of this school and of its success. I hope he will take that matter into account.

The second example concerns a matter I raised in passing at question time today. I refer to the Mitcham High School annexe. Because of the concern of teachers and parents a number of years ago an annexe called an extension was established at the Mitcham High School to meet the needs of two groups of students. There were a certain number of under-achievers whose individual needs could not be met in the mass teaching programme of a school with between 800 and 1,000 students, and a group of students whose needs were not being met because they had a higher intelligence and capacity. This group of teachers, with the support of parents, established an annexe, known as an extension, adjacent to the school with the full blessing of the school council, to meet their needs. I was invited to visit the establishment yesterday. The Education Department supported that project, for which the department should be commended.

I refer to a letter from the officer in charge of the Buildings Branch dated 18th March, 1977, in which he states that his department considers that the continuation of the experimental school in this annexe is essential to the educational development of the children involved and will prove beneficial to the community in general.

Next year there is to be a reduction of six in the teaching staff so that the extension will be forced to close. The Schools Commission has given more than $4,000 to this extension. It has the blessing of the school council and the school principal. It has the strong support of the local parents, whom I had the opportunity to meet, and of the local staff. I believe the Education Department should be commended for its past initiative, but it should not force this extension to close. These are two examples of the folly that the department will bring upon itself unless it takes into account the individual needs of our schools in determining staff establishments for 1978.

Mr. CAIN (Bundoora): I raise a matter with the Assistant Minister of Health for the attention of the Minister of Health. It concerns the Bundoora geriatric complex, which is in the planning stage. The complex has been under consideration for some years. At last it has reached the stage where money has been received to commence documentation. The committee has been

advised by the Hospitals and Charities Commission that as a result of the cutback in Federal finance, the money for the complex will be restricted. The committee will now receive $400,000 in the current financial year. This prevents it from completing the documentation and getting to the place where the first stage of construction can commence, it is hoped, in the next financial year. The committee has been authorized by the Hospitals and Charities Commission to proceed to the point of completing documentation, but the money that is available or the lack of money prevents it from doing so. All that is required is a further $250,000. I ask the Minister to consider making this additional sum available so that documentation can be completed. It is not possible to complete documentation with the money now available. Construction will not commence at the beginning of the 1978–9 financial year without this additional sum.

Mr. WILTON (Broadmeadows): I raise a matter with the Minister of Education. It concerns arrangements that have been made for busing children from part of the Broadmeadows electorate to the Epping High School in the electorate represented by the honorable member for Evelyn. We have discussed this problem and it seems to me that there is a bungle on the part of bureaucracy. There are 69 children involved and the department has decided to supply one bus, which will accommodate only 50 children, so that 19 children would have to make their own way to Epping High School, which is three or four miles away. I suggest that if the Minister of Agriculture, who is interjecting, considers they ought to ride bikes, he should tell the parents.

It is a ridiculous situation. The parents are naturally hostile that their children will have to pass the Thomastown High School in the area in which they live and go to Epping High School, but, because only one bus will be provided, nineteen of the 69 children involved will have to make their own way to school. Someone will have to decide who receives transport.

I ask the Minister whether he is prepared to intervene and ensure that a bus of sufficient size is provided to take the whole 69 students or whether he will make arrangements for a second bus so that there will not be the ridiculous situation of 50 children being transported into the school grounds and nineteen having to make their own way on suburban bus services and crossing busy High Street to get to the Epping High School.

Mr. SCANLAN (Minister of Special Education): I know it is unusual for me to raise a matter on the motion for the adjournment of the sitting but it is of grave concern to me as the representative of Oakleigh. The question relates to a court determination in the Oakleigh court when Magistrate McAlister said of the current mayor, who took action against the previous mayor—

> I hope the mayor will exercise all justice and rightness in conducting council and that decorum and charity reigns in the interests of Oakleigh.

Mr. WHITING: To which Minister are you referring the matter?

Mr. SCANLAN: I am referring the matter to the Minister for Local Government, because of connotations that attach to the last meeting of the Oakleigh City Council. The position is that I will be able later to give statutory declarations from two councillors, who state that they were denied the right to amend a motion that was proposed before the chair, and further, that they were denied the right to speak and that the motivation for all of this was political. I understand that the meeting ended at 2 a.m. today and that there was continual uproar and that a councillor of the City of Oakleigh requested that the Australian Labor Party mayor, council and caucus take action against him in court. I believe the determination—the words

of the magistrate—has been in large measure abused by the current mayor of the council. He has disregarded the words and sentiments expressed used in court and there is a need for the Minister for Local Government to intervene in this matter.

I hope later to be able to pass on to the Minister of Public Works, who represents the Minister for Local Government in this House, statutory declarations from the two councillors concerned. I believe there is a need for democracy to appear to be done in the council. At present that is being denied. There should be a right of freedom of speech in the Oakleigh City Council, and the Australian Labor Party mayor and council caucus appear to be disregarding this.

Mr. FORDHAM (Footscray): On a point of order: I suggest that the tirade by the Minister of Special Education, who is the honorable member for Oakleigh, is not a matter for the consideration of this House on the motion for the adjournment of the sitting. The honorable member has talked about so-called democracy or otherwise within the Oakleigh City Council. I do not know all the details of the matter. I certainly have not been contacted by any of the councillors. I suggest the Minister has not demonstrated that this is a matter for the Minister for Local Government in any capacity whatsoever. It is a matter for the ratepayers of the City of Oakleigh. It is their job as electors of the council. The Government has spoken about three tiers of Government, but when something happens and it does not like it, it bleats about it. What the Minister is talking about is not a matter of Government administration.

Mr. COLEMAN (Syndal): On the point of order, the matter raised by the honorable member for Footscray is quite wrong. The meeting last night went until 2 a.m.

The SPEAKER (Sir Kenneth Wheeler): Order! It is not the prerogative of the honorable member for Syndal to contradict a point of order. All the honorable member is doing now is putting a point of view. If the honorable member wants to take a point of order, that is one thing, but I cannot accept a reference to something stated by another member.

Mr. COLEMAN: Thank you, Mr. Speaker. The matter very much concerns the Minister for Local Government. One of the considerations of the court order, of which the honorable member for Oakleigh spoke, was that the mayor could continue to control the council and the meeting went until 2 a.m. That matter should be directed to the Minister for Local Government.

The SPEAKER: Order! The honorable member's time has expired, but I shall rule on the point of order raised by the Deputy Leader of the Opposition. The adjournment period is for honorable members to bring forward information to the House and not to ask a question. I have made this statement before. There is a difference between question time and the adjournment. The Minister of Special Education brought forward a matter that was of concern to him in his electorate and he has asked that the Minister for Local Government intervene and take some action. I cannot uphold the point of order. Has the honorable gentleman finished his remarks?

Mr. SCANLAN (Minister of Special Education): Yes, Mr. Speaker.

Mrs. TONER (Greensborough): I direct my remarks to the Minister of Education and I bring forward information which relates to enormous problems which exist right throughout the whole of Victoria and more particularly to the area I am closely concerned with, the Greensborough electorate. There are great problems in this electorate as the result of the rigid and arbitrary staffing formula which is based on the number of students rather than on the needs of

students at particular schools. I do not want to appear parochial, but the problems in Greensborough are the same as elsewhere as has been evidenced by earlier speakers tonight. The frugality of the State Government in relation to staffing schools might be extended to land purchases, for instance. It is a case of double standards. If the Government is to be creditable it should not exercise such debased standards.

I particularly refer to the Watsonia Technical School where I taught several years ago in better times, when Government funding for schools was somewhat better. The school council, of which the president is a member of the Government party, is concerned that the present staffing of 84 is to be cut back to 73 in the coming year. Staffing was a problem this year, particularly in the humanities area. Remedial teaching has been cut back and I do not know what it will be like in the coming year. It will create enormous problems to cut back remedial teaching when it is already difficult for young people to get jobs. It reflects the Government's cynicism and its failure to place a value on the importance of remedial teaching. During this year, at Watsonia Technical School, significant changes have occurred; morale has been low, the school has a high percentage of single parent families, and it seems that remedial teaching is to be completely cut out.

The lack of regard, indicated by interjections from the Government side of the House, from people who have expressed the same concern about staffing problems during this week, indicates Government party members' lack of real concern for young people.

Mr. FOGARTY (Sunshine): I direct a matter to the Assistant Minister of Health, as the representative of the Minister of Health, and it has some relevance to the Minister of Agriculture. It has come to my notice that there is an area of conflict between municipal health officers and inspectors employed by the Department of Agriculture on matters relating to the inspection of small food premises, such as for example, butcher shops. It is a demarcation issue and I am concerned about certain allegations dealing with health standards.

I place this matter before the Assistant Minister of Health in the hope that if there is conflict on areas of demarcation between the two bodies—one being financed by the ratepayers within a municipality, and the other financed by certain companies from a certain section of the industry—the Minister will nip it in the bud.

AN HONORABLE MEMBER: What do you want taken up?

Mr. FOGARTY: Will you shut up, you nattering fool? The honorable member gets on my nerves.

The SPEAKER (Sir Kenneth Wheeler): A lot of people get on my nerves.

Mr. FOGARTY: I am trying to talk common sense on a particular subject, and to listen to the honorable member for Burwood——

The SPEAKER: Order! The honorable member should ignore the interjections and address the Chair.

Mr. FOGARTY: It is very hard, Sir. I ask the Assistant Minister of Health to investigate this matter further with a view to nipping any conflict in the bud in its early stages.

Mr. COLLINS (Noble Park): The matter I raise is for the attention of the Minister of Consumer Affairs. It relates to various members of the media and I refer especially to *Firing Line* which was shown last Sunday night on television. There was a segment on this session regarding Freeway F19. Mr. Rothwell, who drove his Diamond T truck through the barricade, was represented on this programme, and the Opposition spokesman for transport, Mr. Crabb, also appeared.

I am concerned with a statement made by Mr. Maxwell Grant.

After the segment finished there was a commercial break, and then Mr. Maxwell Grant said—

Since our last words to this effect we have received a considerable number of phone calls concerning the F19 Freeway.

The programme then went on to the next issue regarding the Kingsville Primary School. I was interested in this item as this school is in the electorate of the Deputy Leader of the Opposition, the spokesman for the Opposition on education. I thought perhaps Mr. Fordham had not heard about the problems of the school and I thought I should ring *Firing Line* and tell them what was going on. I tried to ring *Firing Line* and was told by the switchgirl that I could not speak to Mr. Grant, that the programme had been prerecorded two hours previously.

I ask the Minister what right has Mr. Maxwell Grant to go on television and say on a pre-recorded segment, " We have received a considerable number of phone calls." That is deliberately misleading when it is a pre-recorded programme. How can he get phone calls from the viewers on a pre-recorded programme? I ask the Minister to take up this matter and find out what Mr. Maxwell Grant is trying to achieve. I do not like those tactics.

Mr. SIMMONDS (Reservoir): I bring to the attention of the Chief Secretary a matter which concerns Ronald Charles Smith, a school teacher of Lot 2, Range Road, Olinda. Today, a statutory declaration with regard to his problem was handed to me, and I can best put the case to the Minister by reading the affidavit. It is dated 21st November, 1977 and it reads—

I, Ronald Charles Smith, school teacher of Lot 2, Range Road, Olinda make oath and say that on the 20th day of July at 11.00 a.m. I attended a deputation to the Chief Secretary, Mr. Vance Dickie, over the Country Fire Authority's refusal to register me as a volunteer fireman with the Olinda brigade. Present at the discussion were Mr. John Keefe, President of the Olinda Fire Brigade and Mr. Barry Davis, Secretary of the Dandenongs Liberation Front.

During the discussion, Mr. Vance Dickie stated that he had been to the Country Fire Authority and ordered that I be registered as a volunteer fireman with the Country Fire Authority.

He claimed that he was told by the Chairman of the Country Fire Authority, Brigadier Eason, that he was not in a position to order anything and that he, as a Minister of the Government, had no control over what the Country Fire Authority did in any respect.

Mr. Dickie stated that when he returned to the office and read the Country Fire Authority Act, he found Brigadier Eason's comment correct.

At one stage in the conversation, he intimated quite clearly that he had told the Chairman of the Country Fire Authority that he was considering introducing legislation to remove the statutory powers of the Country Fire Authority and make the Country Fire Authority responsible to the Government of Victoria or the Minister responsible.

The SPEAKER (Sir Kenneth Wheeler): From what document is the honorable member quoting?

Mr. SIMMONDS: An affidavit by Ronald Charles Smith, as I indicated earlier. It continues—

During the conversation, Mr. Dickie stated that the Government was concerned that the Country Fire Authority had moved outside their perimeter of operation by entering into political aspects, regarding criticism of their operations.

Mr. Dickie related the case of the fact that when new trucks arrived, local members of Parliament usually did a lot of politicking and handed over the truck. At one stage he said he contacted the Country Fire Authority about protocol of who was allowed to hand over trucks, as the Country Fire Authority adopted a policy that only the chairman could hand over trucks.

After a one hour discussion that revolved around my registration, Mr. Dickie stated that the Government would provide no reason that I should be registered. Mr. Dickie assured me that he was confident of having me registered very soon—he would give no time limit.

As the deputation left the office after the one hour discussion, Mr. Dickie quite plainly stated that the Premier and the Government was extremely upset at the activities in relation to the Country Fire Authority's refusal to register me as a Country Fire Authority volunteer.

Approximately two weeks after the meeting with the Chief Secretary, the Country Fire Authority once again refused to register me as a Country Fire Authority Volunteer without providing any reasons.

I have been told by a Cabinet Minister of the Victorian Government that whilst he was acting Chief Secretary, a letter was written to the Premier asking him to discipline the Country Fire Authority for failing to carry out a Cabinet direction that I be registered as a Country Fire Authority volunteer.

Unfortunately, at that time I involved the Ombudsman, Mr. Dillon, with an official complaint against the Country Fire Authority, and the Premier, Mr. Hamer, refused to intervene on grounds of protocol.

The consequence of my complaint to the Ombudsman has been that the Country Fire Authority have mounted a Supreme Court challenge on the jurisdiction of the Ombudsman in an attempt to stop the Ombudsman from obtaining information on the activities and the unjustifiable use of Country Fire Authority powers in relation to my particular case, as a full investigation of my complaint against the Country Fire Authority would expose morally illegal activities. I swear this affiidavit with complete honesty and since July 20th have not heard one word from the office of the Chief Secretary, Mr. Vance Dickie, regarding this issue.

At a discussion between the Olinda brigade and the local member, Mr. Bill Borthwick, it was made quite clear that a campaign of intimidation was being run against the Olinda brigade by the Country Fire Authority. Mr. Borthwick also made it clear that he had made moves to have me registered.

I have delayed swearing out this affidavit as I thought that the Chief Secretary would carry out his promises at the meeting of July 20th.

Mr. Smith's complaint was reported to the Ombudsman, and the action of the Chairman of the Country Fire Authority in going to the Supreme Court will cost this State a great deal of money. It is simply to prevent a person seeking registration as a Country Fire Authority officer. The person concerned is a schoolteacher and he is concerned with the slight that this will have on him in the community in which he teaches.

Mr. Smith subsequently made an offer today that he would withdraw his submission to the Ombudsman if the Premier would indicate that he would use the money saved from the Supreme Court action to buy fire-fighting equipment for the Country Fire Authority.

Mr. McINNES (Gippsland South): I raise with the Minister of Education the matter also raised by the Deputy Leader of the Opposition. The committees of both the Leongatha high and technical schools have written to me concerning staff ceilings. As honorable members know, there was a reduction of from 11,000 to 9,500 teachers in the Technical Schools Division, and there will probably also be a reduction in the number employed in the Secondary Schools Division. The school principals resent the fact that staff in excess of the recommended level have to be listed.

One of the problems that a local member is confronted with daily is a situation where business and farming in the Gippsland area is affected by increasing unemployment and the inability of businessmen to retain present staff numbers because of rising costs and falling returns. Against this background it is difficult to establish accurately the staffing requirements of many of our schools.

We have every sympathy for them and want to sustain employment and teacher skills without any diminution particularly in remedial teachers and necessary ancillary staff, but we find it difficult to assess how realistic these claims are when challenged by others in the community.

I wonder whether the Minister of Education would be prepared to consider a full assessment of the needs of these schools in close consultation with the teachers. The letter from the Leongatha High School contains 40 signatures, and we would like to be fair to all concerned.

Mr. TREWIN (Benalla): I raise a matter following what the honorable member for Gippsland South said. It is critical when at this time of the school year members of staff are demoralized because conditions that they feel are unjustifiable are imposed on them. The parents of students are taking action in this matter.

The Minister should consider the possibility of placing remedial staff and careers teachers outside the establishment of a secondary school. It is important that remedial teachers should remain in secondary schools.

Mr. THOMPSON (Minister of Education) : If there is one area of Government administration that has been very generously treated through the years, it is the teaching divisions of the Education Department. Consistently through the years Victoria has had the most favourable teacher-pupil ratio of any State in the Commonwealth. Last year Victoria reached the targets that a Commonwealth Government survey suggested should be reached by the States by 1982 in the Primary Schools Division and by 1984 in the Secondary Schools Division.

This year the teacher-pupil ratios applying would be 1 : 18·1 in primary schools; 1 : 12·2 in secondary schools, and better than 1 : 10·5 in technical schools. I know of no other Government school system in the world that has as favourable a ratio as the Victorian Technical Schools Division. Overall, the ratio is 1 : 13·6, which is appreciably better than that operating in the so-called favoured independent schools, as shown by a recent survey produced at the conference of headmasters.

The Deputy Leader of the Opposition suggested that the Government was not taking needs into account, and mentioned the Footscray North Primary School. One of the main objectives of the scheme to operate next year is to do just that. A school is staffed on a 1 class-room teacher for 30 pupils basis if it is a small school of fewer than 210 pupils, and 1 : 31 otherwise. However, the point of significance is that a school is entitled to receive 1 additional teacher if it has 210 pupils and is classed as disadvantaged; 2 extra teachers if it has at least 490 pupils, and 3 extra teachers if it has at least 750 pupils.

Over and above that, it will be supplied with migrant English teachers worked out on a needs basis. In the case of secondary education, the method of staffing is to provide 1 teacher for every 12 pupils up to the first 300 and 1 teacher for every 18 pupils thereafter. Above that, the needs principle again will apply.

A Director-General from another State has said that it has almost become laughable, that we in Victoria get more complaints than any other State and yet we are well ahead of the others. He told us not to make the pace too great.

The Deputy Leader of the Opposition mentioned the Mitcham High School annexe. I have had the opportunity of discussing this matter for more than an hour tonight with local members and an investigation will be made to determine whether some special assistance can be provided.

The honorable member for Greensborough referred to the Watsonia Technical School and said that morale at the school was low. The honorable member will agree that when I visited the school last week, the morale was very high, as the honorable member for Bundoora will testify. The school is particularly well staffed—far more favourably staffed than other high or primary school.

The honorable member for Gippsland South asked me to supply detailed information concerning staffing at the Leongatha Technical School and what payments to staff at the school cost taxpayers out of the $652 million allocated this year by the Treasurer. I will be pleased to do that.

Because of interjections, I did not hear all of the remarks made by the honorable member for Benalla. I think he suggested that some preference should be given to teachers with aptitude, ability and character in order to improve the school system. I heartily concur in those remarks.

I will be pleased to investigate the matter raised by the honorable member for Broadmeadows. Unfortunately, I was called out of the

House when he spoke, but I am familiar with the problem at Epping, and, following his remarks, inquiries have been set in train.

Mr. JONA (Assistant Minister of Health) : The honorable member for Sunshine referred to the specific areas of responsibility of the Ministers of health and agriculture in regard to meat inspection services and smallgoods businesses. As the honorable member will recall, this matter requires agreement, but I am able to advise him that, at the moment, the Minister of Health and the Minister of Agriculture are holding discussions with a view to reaching agreement on these matters at the earliest possible date.

The honorable member for Bundoora referred to the Bundoora Geriatric Centre and the additional $250,000 that is said to be required to complete documentation and to enable construction to commence in the 1978-79 financial year. From the correspondence which the honorable member showed me, it would seem that $200,000 had been committed to this project for the year ended 30th June, 1977, and that a further $400,000 was being provided in the current financial year. I am not quite sure whether the additional $250,000 is part of that $400,000. I will investigate the matter and inform the honorable member.

Mr. DUNSTAN (Minister of Public Works): The Minister of Special Education, as the honorable member for Oakleigh, referred to a recent court decision involving the Mayor of the Oakleigh City Council and a former mayor and the rights of a number of councillors at a meeting of the council on Monday night last. From what the honorable member for Oakleigh said, I certainly believe there is a case for intervention by the Minister for Local Government and I shall request this accordingly.

Mr. MACLELLAN (Minister of Consumer Affairs) : The honorable member for Noble Park referred to a television programme *Firing Line*, which I believe appears on Channel 0 and is hosted by Maxwell Grant. From the information that the honorable member was given, it appears that the programme was pre-recorded but that on the programme reference was made to phone calls received from viewers. I shall try to contact Mr. Grant to obtain confirmation of that having been the situation and whether technical difficulties overcame the programme or whether it was intended that Mr. Grant should be present at the studio to take the calls. I will certainly ask Mr. Grant to explain the apparent inconsistency in the remarks on the programme and the situation as described to the honorable member. In line with the general principles observed by the Ministry of Consumer Affairs, I shall try to bring the parties together in an amicable settlement.

Mr. SCANLAN (Minister of Special Education) : The honorable member for Reservoir referred to the matter of Mr. Smith and the Country Fire Authority. I can assure the honorable member that the local member, the honorable member for Monbulk, who is also Minister for Conservation, has been very sympathetic towards Mr. Smith in bringing this matter to some reasonable conclusion. I might add that the Chief Secretary's Department and the Premier are sympathetic towards Mr. Smith and the matter that he raised.

As the honorable member for Monbulk has quite clearly made known to the Chief Secretary, there is a need for the position to be clarified. The problems appear to have arisen owing to the complexity of the type of legal action that the Country Fire Authority has sought. The authority has taken legal action against the Ombudsman and the situation is made more complex by the fact that the Crown Solicitor is having to give an opinion on aspects of this matter. It is made even more difficult because the Country Fire Authority is autonomous and there is doubt

about the ability of the Chief Secretary to intervene. There is also the question of the propriety of the Government intervening in such complex legal matters. I am sure and I am quite hopeful that the matter will be resolved adequately, well knowing that the honorable member for Monbulk has been deeply concerned with all aspects of it.

The motion was agreed to.

The House adjourned at 12.28 a.m. (Wednesday).

QUESTIONS ON NOTICE.

The following answers to questions on notice were circulated—

NURSING HOMES.

(Question No. 2317)

Mr. ROPER (Brunswick) asked the Assistant Minister of Health, for the Minister of Health—

Whether the Government or any of its agencies has been approached by the Hospital Benefits Association or any other organization concerning confusion which results from nursing homes being classified in Victoria as private hospitals; if so, when the first approach was made, what action has been taken on such other approaches, and whether any further action is proposed?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

Yes. Approaches have been made over the past ten years. However, in recent times, an approach was made on 5th August, 1976. The correspondence was answered with the appropriate reply clarifying the classification of hospital and nursing home.

Letters were sent by the Hospitals and Charities Commission to registered private nursing homes and private hospitals in December, 1976, and July, 1977, about this matter.

Conditions of renewal of registration will be that all notice boards, letterheads, accounts, and so on, including exterior name board, clearly shows premises is a private nursing home and approved for nursing home benefits only.

WELFARE OFFICERS FOR MUNICIPALITIES.

(Question No. 2334)

Mr. ROPER (Brunswick) asked the Assistant Minister of Health, for the Minister of Health—

In respect of applications by municipalities for welfare officers—

1. Which municipalities have made application during 1976 and 1977 to date, specifying which recommendations have been agreed to by the department and/or forwarded to the Commonwealth Government?

2. Whether the Commonwealth has approved any of the above applications; if so, which applications and when?

3. Whether the Commonwealth has advised the State that no additional funds have been provided in the 1977–78 Budget for additional welfare officers?

4. Which municipalities now employ such officers, specifying—(*a*) the number; and (*b*) whether any of these officers are now paid entirely from municipal funds?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

1. Keilor, Waverley, Doncaster-Templestowe, Coburg, Sunshine, Malvern, Port Melbourne, Chelsea, Sandringham, Williamstown, Hastings, Warrnambool, Eltham, Preston, Caulfield, Essendon, Fitzroy, South Gippsland, South Melbourne, Berwick, Northcote, Camberwell, Brunswick, Melbourne, Collingwood, Nunawading, Dandenong. All applications have been recommended by the department to the Commonwealth.

2. No.

3. Yes.

4. (*a*) Altona (1), Bendigo (1) (vacant), Berwick (1), Brighton (1), Brunswick (1), Camberwell (1) (vacant), Caulfield (2), Coburg (1), Collingwood (1), Diamond Valley (1), Essendon (1), Fitzroy (1), Flinders (1), Footscray (1), Frankston (1), Hawthorn (1), Healesville (1), Heidelberg (5), Keilor (1), Kew (1), Knox (1), Lilydale (1), Lowan (1) (vacant), Mordialloc (1), Morwell Shire (1), Nunawading (3), Northcote (1), Oakleigh (1), Port Melbourne (1), Prahran (1), Sandringham (1), Shepparton City (1), South Melbourne (4), Springvale (1), Sunshine (1), Traralgon City (1), Waranga (1), Wodonga City (1) (vacant). All of the above appointments are subsidized.

(*b*) The following councils have appointed welfare officers who are being paid entirely from municipal funds—Hawthorn (1), Knox (2), Mornington (1), Sherbrooke (1). Applications by these municipalities for subsidies were made in 1975 and recommended

to the Commonwealth but to date no approval has been issued. Other councils employ welfare officers, social workers and social development officers for whom no subsidy has been sought or where the appointment is outside of the terms of the State Grants (Home Care) Act.

DISCHARGED SERVICEMEN'S EMPLOYMENT BOARD.

(Question No. 2418)

Mr. WILKES (Leader of the Opposition) asked the Minister of Labour and Industry, for the Attorney-General—

1. Who are the current members of the Discharged Servicemen's Employment Board?

2. Whether the members receive any remuneration for their services; if so, what?

3. What information the board has published under section 6 (1) (c) of the Discharged Servicemen's Preference Act 1943 since 1972?

4. What were the board's estimates of the incidence of unemployment among discharged servicemen in Victoria in each of the past six years?

5. How many recommendations the board has made under section 6 (1) (*f*) of the Act in each of the past six years?

6. How many of these recommendations have resulted in prosecutions and what was the result in each case?

Mr. MACLELLAN (Minister of Labour and Industry): The answer supplied by the Attorney-General is—

1 and 2. The present members of the Discharged Servicemen's Employment Board and their remuneration are as follows—

	Remuneration per annum
	$
Sir William Hall, C.B.E., D.S.O., E.D., A.F.A.I.M., M.P.S.O. (London)—Chairman	5,000
Mr. L. J. Byrne, M.B.E.—Acting Chairman in absence of Chairman	3,250
Mr. R. S. Isherwood, M.B.E., J.P. ..	2,000

3 and 4. The Discharged Servicemen's Employment Board obtains regular reports from the Commonwealth Employment Service on employment opportunities and unemployment and has regular contact with the Returned Services League and the Corps of Commissionaires as well as with the Commonwealth Department of Veterans' Affairs. Because of the role played by the Commonwealth Employment Service, the board has not found it necessary to set up a full-scale employment agency and has made no estimates of the incidence of unemployment among ex-servicemen in Victoria.

The board reported to the Attorney-General in relation to the year ended 31st December, 1975, that it normally handled about 200–300 inquiries about employment each year but in that year the number was about 50 per cent higher. The number of inquiries in 1976 increased by about 15 per cent over 1975 and, for 1977 to date the increase has been about 20 per cent over 1976. The board believes that the statistics provided by the Commonwealth Employment Service on employment opportunities and unemployment in Victoria provide a fair barometer of the position in relation to ex-servicemen.

5. Since 1972, only one recommendation has been made to the Attorney-General in relation to institution of proceedings under section 9 (1) of the Act.

6. I have authorized the institution of proceedings consequently upon the recommendation referred to in paragraph 5.

KEEP AUSTRALIA BEAUTIFUL COUNCIL.

(Question No. 2485)

Mr. CATHIE (Carrum) asked the Premier—

1. When the Keep Australia Beautiful Council was formed, indicating which bodies founded the council, and what bodies are currently represented on the council?

2. What are the sources of council funds apart from State Government grants, indicating each major donor and the use to which these funds are put?

3. Who are the current members of the board of management of the council, indicating, in respect of each member, their qualifications and who they represent?

Mr. HAMER (Premier and Treasurer): The answer is—

1. The Keep Australia Beautiful Council (Victoria) was formed as a division of the National Trust of Australia (Victoria) in November, 1968.

Its formation was initiated by the then Minister for Local Government, the Hon. R. J. Hamer, M.P., who called together a number of organizations to examine the growing problem of litter and the need for educational action on a large scale to be undertaken towards its prevention.

The following organizations assisted with the formation of the Keep Australia Beautiful Council (Victoria)—

Altrusa International (Melbourne)

Apex Clubs of Victoria

Australian Association of Advertising Agencies (Victorian Division)

The Country Women's Association of Victoria

The Melbourne Trades Hall Council

The Municipal Association of Victoria

The National Council of Women of Victoria

The National Packaging Association of Australia

The Rotary Club of Melbourne

The Soroptimists' Club of Victoria

The State Wide Civic Pride Committee

The Victorian Chamber of Manufactures

The Victorian Employers' Federation

The Victorian Junior Chamber of Commerce

Bodies currently represented on the council—

Apex Club of Victoria

Australian Association of Advertising Agencies (Victorian Division)

Australian Local Government Women's Association (Victorian Division)

Car Makers Institute of Australia

Country Roads Board of Victoria

Country Women's Association of Victoria

Environment Protection Authority

Gas and Fuel Corporation of Victoria

Lions International

Kiwanis International

Melbourne Chamber of Commerce

National Council of Women of Victoria

National Packaging Association of Australia (Victorian Division)

Rotary Clubs of Victoria

Plastics Institute of Australia (Victorian Division)

State Electricity Commission of Victoria

Town and Country Planning Association of Victoria

Victorian Chambers of Commerce and Industry

Victorian Chamber of Manufactures

Education Department of Victoria

Victorian Employers' Federation

Victorian Jaycees

Melbourne and Metropolitan Board of Works

2. Sources of council funds are—

Membership donations from individuals.

Donations from cities, towns, boroughs and shires throughout Victoria.

Membership donations from service clubs, garden clubs, youth organizations, etc.

Donations from companies in commerce, industry and retailing.

These funds are used for the continuing programme of public education and examination of the litter problem in order to fulfil the followinug aims of the Keep Australia Beautiful Council—

To safeguard the character and beauty of the Australian landscape through the prevention of litter.

To foster and encourage the appreciation of clean and well-kept cities and countryside.

To preserve and improve the appearance of our environment in the schools, factories, shops and offices, in parks, at beaches and recreation places, and along the roadside by the prevention of litter.

To promote litter prevention through publicity of all kinds, provision of litter receptacles and encouragement of suitable legislation, and

To maintain continuous and effective campaigns against the disfigurement of the landscape by litter and to encourage a responsible community attitude to cleanliness and beautification in all public places.

The public education programme includes advertising and publicity campaigns, continuous research into the latest litter prevention techniques and educational projects through schools. The Keep Australia Beautiful Council acts as a clearing house to provide advice, materials and assistance to municipal councils, community groups, sporting associations and to business and industry to advance the cause of litter prevention and beautification of Australia.

Donations of goods and services—

AMATIL—litterbags for M.C.G. clean-ups during test matches.

Philip Morris Limited—litterbags for summer campaigns, assistance with organization and provision of stage for Keep Australia Beautiful Week activities, and provision of prizes for Golden Broom awards.

Rheem Australia Limited—large supply of litterbags.

Australian Outdoor Advertising Association—outdoor advertising space made available free of charge for Keep Australia Beautiful posters.

BP—production of two films.

Myer Limited—All Myer regional centres participate in the Keep Australia Beautiful Week beautification activites, and large supply of litterbags.

Shell Company of Australia Limited—support for the production of *Keep Australia Beautiful News* and calendars.

Forests Commission of Victoria—provide small Australian native trees (approximately 30,000 each year) for Keep Australia Beautiful Week beautification activities.

3. Mr. S. C. Archer, member, Environment Protection Authority.

Mr. K. P. Carr, representing the Rotary Clubs of Victoria—a member of Rotary.

*Mr. B. Carter, Parks and Gardens Committee.

Mr. B. Caughey, representing the Apex Clubs of Victoria.

*Mr. J. S. Fox, Chairman—Keep Australia Beautiful Council Membership Committee.

Mr. L. Curnow, Public Affairs Manager, Gas and Fuel Corporation of Victoria.

Mr. W. Currie, President of the Town and Country Planning Association of Victoria.

Mr. R. Donaldson, Chairman, Country Roads Board of Victoria.

Mrs. D. Alley, President, National Council of Women of Victoria.

Mr. J. Harrower, President, Victorian Chambers of Commerce and Industry.

Mr. F. Heath, member of the Melbourne Chamber of Commerce.

Mr. M. Kettle, Manager—Public Affairs, The Plastics Institute of Australia (Victorian Division).

Mr. M. Morling, member of the Victorian Chamber of Manufactures.

Mr. P. Maund, Public Relations Manager, State Electricity Commission of Victoria.

Mr. H. Nixon, Assistant Director of Primary Education, Education Department of Victoria.

Mrs. N. Needham, President, Australian Local Government Women's Association.

Mr. R. Ogden, member of the Jaycees Clubs of Victoria.

Mr. N. Roennfeldt, member of Kiwanis International.

Mr. O. Whelan, President, Victorian Employers' Federation.

Mr. C. Wilks, Chief Operations and Maintenance Engineer, Melbourne and Metropolitan Board of Works.

Mrs. M. Jones, member of the Country Women's Association of Victoria.

*Dame Phyllis Frost, D.B.E., Chairman of the Keep Australia Beautiful Committee (Victoria).

Mr. H. Dentry, Manager—Public Affairs, A.C.I. Ltd. and is the National Packaging Association representative.

*Mr. R. Paterson, chartered accountant, Honorary Treasurer.

*Mr. R. Otton, from Masius Wynne, Williams—the honorary advertising agents.

*Mr. M. Fitzgerald, from Consolidated Public Relations—the honorary public relations consulants.

*Mr. W. J. Todd—Public relations executive.

Mr. T. Lambert—Lions International.

*Members not representing organizations.

EMPLOYMENT OF GREEK STAFF BY EDUCATION DEPARTMENT.

(Question No. 2536)

Mr. MUTTON (Coburg) asked the Minister of Education—

Whether the visit to Greece last year by the Director-General of Education—(*a*) resulted in any increase in the recruitment of staff from that country; and (*b*) overcame any of the problems associated with registration of teachers who may be recruited from Greece?

Mr. THOMPSON (Minister of Education): The answer is—

(*a*) Yes. The first recruitment of thirteen English-speaking Greek staff made by any Australian State was achieved.

(*b*) The problems of registration as teachers have not been solved as the Secondary Teachers' Registration Board has accepted the advice of the Committee for Overseas Professional Qualification (a Commonwealth Government committee with State representation) that the teacher education component of their courses was insufficient. Consequently the Greeks were brought to Australia in the category of foreign language assistants. The problem is still being considered and discussions on recruitment are being held with the Greek Government.

BROWN COAL ROYALTIES.

(Question No. 2633)

Mr. WILTON (Broadmeadows) asked the Treasurer—

1. From what source the estimated $760,000 in brown coal royalties referred to on page 3 of the Estimates of the Receipts and Payments of the Consolidated Fund for the year ending 30th June, 1978, will be obtained?

2. What is the royalty rate per tonne?

Mr. HAMER (Premier and Treasurer): The answer is—

1. State Electricity Commission	$700,000
Alcoa of Australia Ltd.	$60,000
	$760,000

2. State Electricity Commission—2·46 cents per tonne of coal produced.

Alcoa of Australia Ltd.—The royalty rates payable by Alcoa of Australia Ltd. in a year are calculated in accordance with the provisions of the agreement set out in the schedule to the Mines (Aluminium Agreement) Act 1961.

The rates payable by the company in 1976, under the terms of the agreement were—

Coal used for generation of electric power—5·55 cents per tonne.
Coal sold—7·41 cents per tonne.

PERSONS RECEIVING HOME DIALYSIS TREATMENT.

(Question No. 2662)

Mr. MUTTON (Coburg) asked the Assistant Minister of Health, for the Minister of Health—

Whether the recent Budget announcement on limited hospital funds will result in depriving many people from urgent assistance who were receiving home dialysis treatment; if so, what action the Government proposes to provide medical benefits for these people?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

No patients will be deprived of home dialysis treatment as a result of limited hospital funds.

HOSPITAL SERVICES IN SUNBURY AREA.

(Question No. 2679)

Mr. ROPER (Brunswick) asked the Assistant Minister of Health, for the Minister of Health—

In respect of hospital services in the Sunbury area—

1. What plans exist for the expansion of services over the next five years?

2. Whether any proposals exist for the development of community health services in the area?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

1. A proposed site for a public hospital in Sunbury has been selected. The size of the hospital and the services and facilities to be provided are not yet decided.

2. A community health centre is already operating in Sunbury. A range of paramedical support and resource facilities and health education programmes are provided.

The development of further community health services would depend upon the needs of the area and the availability of necessary finance.

SUBSIDY TO COUNCILS FOR SOCIAL WORKERS.

(Question No. 2691)

Mr. CATHIE (Carrum) asked the Assistant Minister of Health, for the Minister of Health—

1. How many councils receive a subsidy towards the salary of a social welfare worker, indicating the amount of subsidy and municipality in each case?

2. How many councils are waiting for their subsidy application to be approved, indicating the time of waiting in each case?

3. When new approvals for a subsidy were last made, indicating when it is expected that new approvals will be made?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

1. Thirty-eight councils receive subsidies towards the salaries of 48 welfare officers for the aged.

Details of the municipalities and the amount of subsidy paid in the 1976-1977 financial year are—

Muncipality	Number of welfare officers	1976–77 subsidy
		$
Altona	1	2,236.39
Bendigo	1	Nil
	(vacant)	
Berwick	1	2,502.03
Brighton	1	5,244.00
Brunswick	1	10,744.35
Camberwell	1	Nil
	(vacant)	
Caulfield	2	1,793.33
Coburg	1	8,948.87
Collingwood	1	10,005.77
Diamond Valley ..	1	11,577.95
Essendon	1	Nil
Fitzroy	1	9 810.07
Flinders	1	9,263.45
Footscray	1	6,967.09
Frankston	1	6,554.13
Hawthorn	1	5,982.07
Healesville	1	4,085.47
Heidelberg	5	19,827.48
Keilor	1	1,669.00
Kew	1	5,884.86
Knox	1	4,736.99
Lilydale	1	3,568.79
Lowan	1	Nil
	(vacant)	
Mordialloc	1	Nil
Morwell	1	6,239.38
Nunawading	3	10,097.25
Northcote	1	8,634.59
Oakleigh	1	10,661.66
Port Melbourne ..	1	7,263.60
Prahran	1	12.726.99
Sandringham	1	4,609.67
Shepparton	1	6,320.60
South Melbourne ..	4	8,674.06
Springvale	1	17,991.18
Sunshine	1	6,698.18
Traralgon	1	4.994.69
Waranga	1	5,808.90
Wodonga	1	Nil
	(vacant)	

2. Thirty-one councils are waiting for their applications for subsidy to be approved. Details of the municipalities and the dates of application to the State department by the municipalities are—

Muncipality	Date of application	Municipality	Date of application
Hawthorn ..	6th November, 1975	Mornington ..	2nd October, 1975
Knox ..	15th August, 1975	Keilor ..	14th July, 1975
Sherbrooke ..	28th November, 1975	Doncaster–Templestowe	12th January, 1976
Waverley ..	22nd January, 1976	Sunshine ..	5th February, 1976
Coburg ..	5th February, 1976	Port Melbourne ..	3rd December, 1975
Malvern ..	31st December, 1975	Sandringham ..	10th September, 1976
Chelsea ..	27th May, 1976	Hastings ..	20th August, 1976
Williamstown ..	19th July, 1976	Eltham ..	7th June, 1976
Warrnambool ..	8th June, 1976	Caulfield ..	15th October, 1976
Preston ..	18th May, 1976	Fitzroy ..	10th March, 1976
Essendon ..	15th October, 1976	South Melbourne ..	30th November, 1976
South Gippsland ..	22nd November, 1976	Northcote ..	9th August, 1976
Berwick ..	15th October, 1976	Melbourne ..	1st November, 1976
Brunswick ..	15th October, 1976	Nunawading ..	4th April, 1977
Collingwood ..	7th December, 1976	Dandenong ..	15th June, 1976
Camberwell..	18th August, 1975		

3. (*a*) The last approval by the Commonwealth Department of Social Security towards the salary of a municipal welfare officer was on the 2nd December, 1975, on behalf of the City of Traralgon.

(*b*) Advice has been received from the Director-General of Social Security that no additional funds have been provided in the 1977–78 Commonwealth Budget to enable additional welfare officer positions to be approved. It is therefore not known when new approvals will be granted.

COMMUNITY SWIMMING POOL ON MONTEREY HIGH SCHOOL SITE.

(Question No. 2693)

Mr. CATHIE (Carrum) asked the Minister of Education—

In each of the past five years—

1. What representations have been made to him and the Education Department, respectively, concerning the provision of funds for a community swimming pool on the site of Monterey High School, indicating with what result?

2. When the request was first made and what subsidy is available for the project?

3. When agreement was reached to excise the site for a community swimming pool from the school site, and hand it over to the local council, indicating when this procedure will be completed?

Mr. THOMPSON (Minister of Education): The answer is—

1. Requests have been made for the provision of funds for a community swimming pool on the site of the Monterey High School. No departmental funds have been made available, as this project is seen to be a municipal council responsibility.

2. The request was first made in September, 1975. No departmental funds were made available for this project. The department would be making a substantial contribution by donating the site for the swimming pool.

3. Agreement has been reached with the school council for the excision of the site for the pool from the school grounds to the local municipal council. Administrative action to complete the procedure is proceeding.

NOISE AND EMISSIONS FROM MOTOR VEHICLES.

(Question No. 2706)

Mr. CATHIE (Carrum) asked the Minister for Conservation—

1. When was the amnesty period referred to in the answer to part 1 of question No. 2377 answered on 20th September, 1977, and what checking of motor vehicles for either noise or emissions has occurred since that date, and with what results?

2. How many of the tested new cars, referred to in the answer to the said part 1, had been manufactured prior to the introduction of Australian Design Rule 27A?

Mr. BORTHWICK (Minister for Conservation): the answer is—

1. The amnesty period for noise testing was between 12th November, 1976, and 23rd December, 1976. Noise testing began at the Altona testing station on 29th September, 1977, and, as of 6th October, 1977, eight vehicles had been checked for noise emissions. All vehicles checked had had their exhaust systems improved before being tested and all produced satisfactory noise levels when checked.

The amnesty period covering exploratory testing of carbon monoxide emissions from motor vehicles at idle commenced during August, 1977, and shall continue until amendments to the Environment Protection Act 1970 allow enforcement of the regulations pertaining to such emissions.

For the period 20th September, 1977, to 10th November, 1977, a further 37 new vehicles have been tested at dealers' premises in accordance with regulation 6 of the Environment Protection (Motor Vehicle Emission Control) Regulations 1976; seven failed to comply. No more in-service vehicles have been tested.

2. Nil.

PORTLAND CONTRACTOR'S CLAIM.

(Question No. 2716)

Mr. CAIN (Bundoora) asked the Minister of Transport—

What are the reasons for the failure of the Country Roads Board to reply to a letter from Messrs. Madgwicks, solicitors, dated 25th July, 1977, regarding a claim for $68,656.12 for moneys owed to Peter Blom, road contractor of Portland, for building a large embankment over a swamp at Lyons?

Mr. RAFFERTY (Minister of Transport): The answer is—

The letter dated 25th July, 1977, from Messrs. Madgwicks, solicitors, was acknowledged by the Country Roads Board on 26th July, 1977.

The letter claimed an amount of $68,656.12 on behalf of Peter Blom Pty. Ltd. (in liquidation) and stated in the last paragraph—

> "We require the abovementioned sum or information as to the board's intentions concerning its payment within 21 days of this date. If by then the claim is not satisfied or the information supplied is not satisfactory, the claim will be pursued as we have foreshadowed and this without further notice."

Having regard to the last paragraph of the solicitor's letter, and as the final payment on the contract had already been offered to the contractor after detailed consideration of the matter, the Country Roads Board considered there was no need to forward a reply in addition to the acknowledgment dated 26th July, 1977.

ELECTRICITY SUPPLY STAFF WAGE RATES.

(Question No. 2733)

Mr. CULPIN (Glenroy) asked the Minister for Minerals and Energy—

If he will ascertain and advise what are the wage rates, weekly hours of duty, and overtime rates, respectively, applying to employees in each of the electricity supply departments of the eleven supplying municipal councils and what are the comparable State Electricity Commission rates for the metropolitan area and country areas, respectively?

Mr. BALFOUR (Minister for Minerals and Energy): The answer is—

The State Electricity Commission is not aware of the wage rates, weekly hours of duty and overtime rates, respectively, applying to employees in electricity supply departments of municipal councils and therefore is unable to supply any details.

With regard to the wage rates, weekly hours of duty and overtime rates applicable to State Electricity Commission employees in metropolitan and country areas, respectively, because of the number and complexity of the various awards relating to commission employees, it would assist if the honorable member could supply details of the specific classifications and areas to which he refers.

However, in respect of the State Electricity Commission's base electrical tradesman classifications, the following information is tendered—

(*a*) Weekly wage rates—
  (i) On engagement—$162.40 (including SIPS $20.50),
  (ii) After three years' service $181.50 (including SIPS $25.70).

(*b*) Hours of duty—40 per week.

(*c*) Overtime rates—
  (i) Day workers—time and a half for the first three hours and double time thereafter, double time on Sundays and double time and a half on public holidays.
  (ii) Shift workers—double time and double time and a half on public holidays.

FAMILY AND COMMUNITY SERVICES PROGRAMME.

(Question No. 2811)

Mr. WILKES (Leader of the Opposition) asked the Minister for Social Welfare—

1. Why Family and Community Services programme advertisements placed in the *Melbourne Times* were not multi-lingual?

2. Whether he will give an assurance that follow-up advertisements in the community languages of the inner urban region will be placed in the next edition of the paper?

3. Why Family and Community Services advertisements calling for nominations for regional consultative committees and registrations of electors were not sent to the ethnic press?

4. Whether he will give an assurance that this omission will be remedied and consider extending the closing date of nominations so that members of ethnic communities will not be disadvantaged?

Mr. DIXON (Minister for Social Welfare): The answer is—

1. It was not considered necessary that the advertisements appearing in the *Melbourne Times* be multi-lingual as advertisements were to be placed in the ethnic newspapers.

Furthermore, 6,000 multi-lingual pamphlets explaining the FACS Programme were to be distributed to the ethnic communities, but unfortunately the power dispute prevented the delivery date of those pamphlets being met.

2. No multi-lingual advertisements will be placed in the *Melbourne Times* as advertisements have been lodged with the ethnic newspapers.

3. FACS advertisements calling for nominations for regional consultative committees and registration of electors have been sent to the ethnic press and were to appear in editions of the newspapers to be published from 12th October, 1977, onwards. (In fact the first of the advertisements appeared in the Greek newspaper the *Hellenic Herald* on 12th October, the day before the honorable member's question appeared on the Notice Paper).

4. I met with representatives of ethnic communities on 17th October, 1977, and assured them that the department would accept late nominations from the ethnic communities for a further seven days after the closing date of 21st October, 1977.

I have taken steps within my department to ensure that information on departmental services and important events is disseminated as widely as possible among the ethnic communities and that these communities be encouraged to approach the department and indicate their special needs. I have invited them to discuss the best methods of ensuring effective communication with the department and to approach me with any positive suggestions.

HURSTBRIDGE PRIMARY SCHOOL.

(Question No. 2813)

Mr. FORDHAM (Footscray) asked the Minister of Education—

In regard to the Hurstbridge Primary School—

1. What is the present enrolment?

2. What is the expected enrolment in 1978, 1979 and 1980, respectively?

3. When the present buildings were constructed?

4. How many portable class-rooms are at the school, indicating whether any additional portables are to be provided in 1978?

5. What is the size of the present site?

6. Whether a decision has been made as to whether the school is to be rebuilt on its present site or the alternative site proposed by the school council?

7. When the rebuilding programme will commence?

Mr. THOMPSON (Minister of Education): The answer is—

1. The present enrolment of the school is 255.

2. The expected enrolment for 1978 is 282. The expected enrolments for 1979 and 1980 are not yet known.

3. Of the present buildings two were constructed in 1923 and two were constructed in 1965 and two more in 1966. In addition to these one class-room was transported from a rural school in 1944.

4. At present there are two portable class-rooms on site. The enrolment is such that no additional portables will be needed for the start of 1978.

5. The present school site is 0·8 of a hectare (2 acres).

6. The question of rebuilding the school on its present site or on an alternative site is receiving the active consideration of the Planning Services Division at the present time.

7. At this stage it is not known when any rebuilding will commence.

POST-PRIMARY SCHOOL FOR HOPPERS CROSSING AREA.

(Question No. 2816)

Mr. FORDHAM (Footscray) asked the Minister of Education—

When it is expected that a post-primary school will be established in the Hoppers Crossing area?

Mr. THOMPSON (Minister of Education): The answer is—

The department is aware of the needs of the Laverton–Werribee area and in particular the Hoppers Crossing area and has accordingly included a post-primary school for that area in its forward capital works programme. A planning committee has been established for the new school; however, it is not possible to indicate precisely at this stage when the new post-primary school will be established.

N.A.C. FLUORESCENT TUBES.

(Question No. 2823)

Mr. WILTON (Broadmeadows) asked the Treasurer—

1. Whether the fluorescent tubes, type N.A.C., to be supplied by Ambler Lighting (Australia) Pty. Ltd., under contract let by the Tender Board, and which is to run from 1st July, 1977, to 30th June, 1979, were tested to determine if they complied with British standard 1853/1974; if not, what standard was used in the test?

2. Whether he will make available a copy of the test report and the report covering tubes manufactured by Thorn Lighting Industries Pty. Ltd?

Mr. HAMER (Premier and Treasurer): The answer is—

1 and 2. No. In matters such as this the Tender Board seeks the advice of the Public Works Department, having regard to—

direct comparison between N.A.C. and Thorn tubes;

luminous intensity at a point under similiar conditions;

temperature rise at both ends of tubes; and

current consumption.

It was the recommendation of the Public Works Department that N.A.C. fluorescent tubes be placed on contract.

ACCESS TO IMPERIAL HOTEL, BAIRNSDALE.

(Question No. 2839)

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

1. Whether the attention of the Victorian Railways Board has been drawn to the severe restriction on access to the Imperial Hotel, Bairnsdale, which will be caused by proposed works by the Railway Department to replace the wooden viaduct under which access is currently obtained?

2. Whether the Country Roads Board, in the process of reconstruction of the Princes Highway East in the vicinity of the hotel, restricted access from that road on the grounds that it was available under the railway viaduct; if so, whether he will take steps to ensure that the design of the Railway Department works will be adequate to ensure access for large vehicles supplying the hotel?

Mr. RAFFERTY (Minister of Transport): The answer is—

1. Yes.

2. The Country Roads Board has provided access to the Imperial Hotel from the Melbourne-bound carriageway of the Princes Highway. There is no special restriction on the size of vehicles desiring to use the access.

In addition, I understand the railways propose to provide an 11-ft. diameter Armco pipe which will allow a clearance of approximately 8 ft. 1 in. under the track about 100 feet south-west of the old Paynesville Road when the obsolete timber bridge is filled. This structure should provide adequate clearance for cars.

STUDIES OF NOISE CAUSED BY TRAINS.

(Question No. 2842)

Mr. ROPER (Brunswick) asked the Minister of Transport—

Whether the Ministry of Transport or the Railway Department have conducted studies or sponsored or assisted in the conduct of studies on the impact of noise caused by trains, particularly in respect of noise which may affect drivers and other employees working on trains; if so, who carried out the research, when it was completed and whether copies of the research results will be made available to the member for Brunswick?

Mr. RAFFERTY (Minister of Transport): The answer is—

The railways are involved in a continuing study of the impact of noise caused by trains and the matter is the subject of discussion between the various railway systems of Australia and New Zealand.

In the past the railways have obtained assistance from the research laboratory of the Postmaster-General's Department and Monash University on this matter.

The board has advised that it is not in a position to give results of research at this stage.

BICYCLE TRACK ON FREEWAY F19.

(Question No. 2847)

Mr. CAIN (Bundoora) asked the Minister of Transport—

Whether he has received representations from the Minister for Youth, Sport and Recreation for the provision of a bicycle track on Freeway F19; if so—(*a*) whether the estimated cost of this bicycle track is $70,000; and (*b*) whether he has rejected the representations and, if so, why?

Mr. RAFFERTY (Minister of Transport): The answer is—

No.

THE "STRAITSMAN".

(Question No. 2850)

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

Whether he is aware of any plans to curtail or alter the operations of the vessel *Straitsman* between Melbourne and Tasmania; if so, what changes are contemplated?

Mr. RAFFERTY (Minister of Transport): The answer is—

I understand that the *Straitsman* is owned and operated by the Government of Tasmania. Any alteration to the operation of this vessel is entirely a matter for the Tasmanian Government.

PUBLIC TRANSPORT CONCESSIONS.

(Question No. 2852)

Mr. CAIN (Bundoora) asked the Minister of Transport—

1. What public transport concessions are available to twins or other multiple sets of children?

2. Whether such concessions are only available to one multiple set of children in each family; if so, whether he will extend the concessions to all multiple sets of children in a family?

Mr. RAFFERTY (Minister of Transport): The answer is—

1 and 2. There are no public transport concessions available to twins or other multiple sets of children beyond those available for children generally.

CADMIUM IN RECEIVING AND BAY WATERS.

(Question No. 2859)

Mr. CATHIE (Carrum) asked the Minister for Conservation—

What is the Victorian standard for cadmium in receiving and bay waters, indicating how this compares with the World Health Organization figure and the level recommended by the National Health and Medical Research Council?

Mr. BORTHWICK (Minister for Conservation): The answer is—

There are no receiving water standards *per se* for Victoria. State environment protection policies, or drafts thereof, set out receiving water objectives for segments of the policy areas based on the requirements of the limiting beneficial uses of the segments concerned.

The World Health Organization and the National Health and Medical Research Council do not recommend water quality standards for waters other than those used for potable supplies.

FLATHEAD FROM PORT PHILLIP BAY.

(Question No. 2863)

Mr. CATHIE (Carrum) asked the Minister for Conservation—

What were the results of tests by the Department of Health and the Fisheries and Wildlife Division on samples of flathead taken from Port Phillip Bay indicating—(*a*) the level of mercury in each sample; (*b*) the place from which the sample was taken; and (*c*) when the report will be published?

Mr. BORTHWICK (Minister for Conservation): The answer is—

The details sought by the honorable member in (*a*) and (*b*) are set out in the attached tables. Table one refers to individual samples from fairly specific areas of Port Phillip Bay.

Table two refers to bulk sampling only and should be read with the attached map.

(*c*) The report is presently being prepared for publication and it should be finalized early in the new year. Publication will be undertaken as soon as possible after the report has been completed.

Table 1.

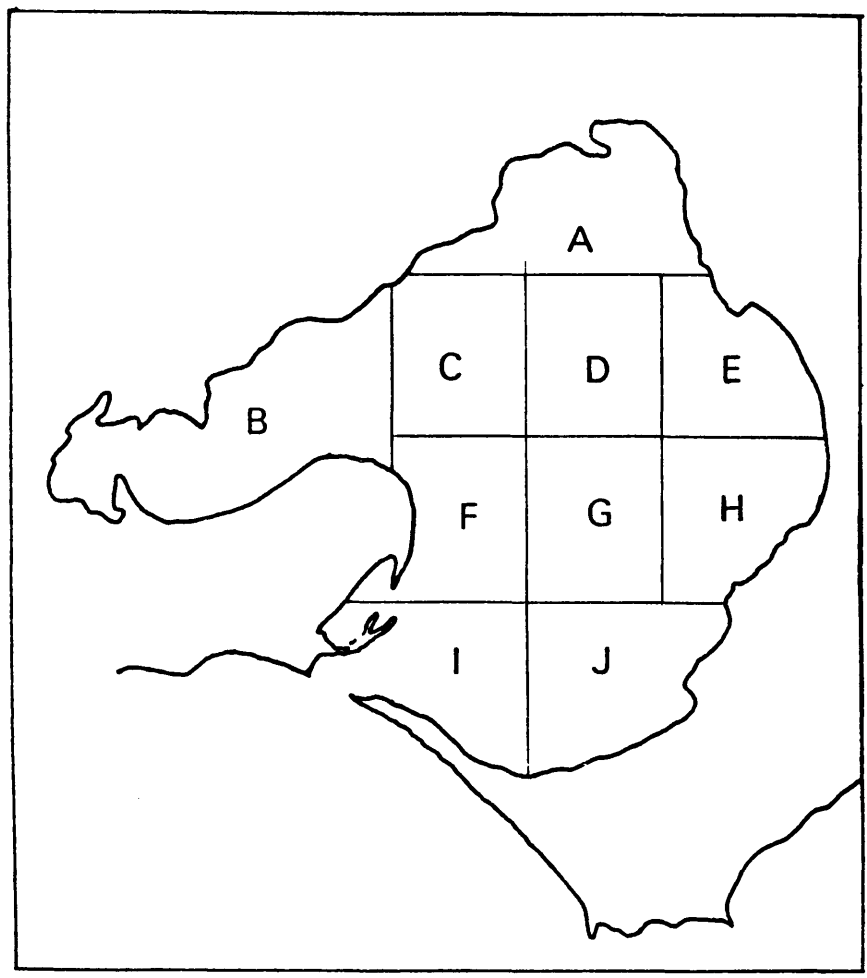
Results of mercury in sand flathead (*Platy cephalus Bassensis*) from Port Phillip Bay.

Sampling site	Sampling date	Mercury levels of individual sand flathead (ppm, wet weight)	Sample number
Four miles south-east of St. Leonards	24th September, 1975	0·52, 0·46, 0·39, 0·23, 0·51, 0·26, 0·21, 0·73, 0·32, 0·45, 0·33, 0·51, 0·88, 0·34, 0·34, 0·88, 0·82, 0·26, 0·18, 0·29, 0·45, 0·27, 0·26, 0·22, 0·36, 0·35, 0·97	27
Two miles west of Brighton	11th January, 1977	1·12, 0·37, 0·70, 0·15, 0·87, 0·89, 0·73, 0·79, 0·65, 0·79, 0·54, 0·91,	12
Two miles west of Patterson River	11th January, 1977	0·40, 0·31, 0·60, 0·89, 0·76, 0·72, 0·59, 0·70, 0·41, 0·87	10
Three miles south of Point Cook	12th January, 1977	0·44, 0·67, 0·54, 0·62, 0·41, 0·50, 0·58, 0·51, 0·40, 0·55, 0·51, 0·31, 0·32	13
Three miles west of Picnic Point	13th January, 1977	0·83, 0·64, 0·63, 0·89, 0·62, 0·88, 0·90, 1·12, 1·03, 0·92, 0·76, 0·85, 0·46, 0·80, 1·04, 0·83, 0·58, 0·60, 0·87, 0·60	20
Two miles east of Point Cole	14th August, 1977	0·48, 0·20, 0·20, 0·24, 0·13, 0·38, 0·87, 0·77, 0·69, 0·67, 0·12, 0·16, 0·12, 0·17, 0·11, 0·13, 0·49, 0·55, 0·55	19
Two miles north east of St. Leonards	1st September, 1977	0·29, 0·35, 0·22. 0·37, 0·38, 0·06, 0·76, 0·36, 0·41, 0·46, 0·29, 0·40, 0·34, 0·51, 0·47, 0·54, 0·17, 0·28, 0·35, 0·46	20
Six miles south-east of St. Leonards	1st September, 1977	0·57, 0·31, 0·34, 0·38, 0·58, 0·59, 0·39, 0·77, 0·37, 0·57	10
Off Martha Point	14th September, 1977	0·37, 0·37, 0·39, 0·46, 0·17, 0·30, 0·38, 0·29, 0·41, 0·79	10
Middle of Corio Bay	14th September, 1977	0·51, 0·71, 0·55, 0·66, 0·56, 0·38, 0·38, 0·26, 0·53, 0·82, 0·71, 0·81, 0·82, 1·10, 0·67	15

Table 2.
Mercury levels in bulk samples* of sand flathead (*Platycephalus Bassensis*) from Port Phillip Bay.

	A	B	C	D	E	F	G	H	I	J	Mean
Mercury concentration (ppm, wet weight) ..	1·0	0·48	0·35	0·77	0·54	0·39	0·57	0·88	0·55	0·70	0·62

* Each sample consisted of ten individual fish.



BOOM BARRIERS.

(Question No. 2865)

Mr. MUTTON (Coburg) asked the Minister of Transport—

1. How many boom barriers are listed for construction at open railway crossings in Victoria in the current financial year?

2. Which councils have agreed to share the cost of the erection of boom barriers within their boundaries?

3. Whether the Coburg City Council has made applications for the erection of boom barriers at the three open crossings in the municipality?

4. What are the estimated costs to the council for boom barrier installation at the Bakers Road, Shorts Road and Boundary Road railway crossings, respectively?

5. What is the Railway Department policy in relation to the erection of boom barriers in conjunction with local councils?

Mr. RAFFERTY (Minister of Transport): The answer is—

1. Ten.

2. City of Box Hill, City of Brighton, City of Camberwell, City of Caulfield, City of Chelsea, City of Essendon, City of Frankston, City of Heidelberg, City of Knox, City of Melbourne, City of Moe, City of Moorabbin, City of Northcote, City of Nunawading, City of Oakleigh, City of Preston, City of Warrnambool, Shire of Werribee, Shire of Whittlesea.

3. Yes. However, the City of Coburg has indicated it is not prepared to contribute to the cost of boom barrier installations at these three locations.

4. Although engineering design estimates have not been prepared the approximate cost to council in respect of the three crossings is to the order of $38,300 in each case.

5. Except in cases where the erection of boom barriers is carried out as part of a development project, such as provision of additional track or the installation of power signalling, the Government pays two-thirds of the total cost of boom barrier installations at railway level crossings with the municipality concerned meeting the remaining one-third.

PROPOSED HIGH SCHOOL AT SWIFTS CREEK.

(Question No. 2866)

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

With regard to the proposed high school at Swifts Creek—

1. What are the expected student enrolments in each form in each year until 1986?

2. How many students in each case it is expected will travel from areas beyond Omeo?

3. What subjects the Education Department guarantees will be available in each year by—(*a*) direct teaching; and (*b*) correspondence?

4. Whether the department intends to introduce late starting and early finishing times with reduced recess periods because of bus travel time involved; if so, how the department proposed that this procedure will fit in with similar hours at Omeo Primary School?

Mr. THOMPSON (Minister of Education): The answer is—

1. The following enrolments are expected in the years as indicated—

Year	1978	1979	1980	1981	1982	1983	1984	1985	1986
7	24	24	27	20	20	24	23	25	25
8	21	24	24	27	20	20	24	23	25
9	28	21	24	24	27	20	20	24	23
10	20	26	19	22	22	25	18	18	22
11	13	15	20	12	14	16	18	13	13
12	..	9	10	13	7	8	9	10	7
Total number of students	106	119	124	118	110	113	112	112	115

2. The following number of students is expected to travel from areas beyond Omeo—

Year	1978	1979	1980	1981	1982	1983	1984	1985	1986
Number of students	19	8	9	7	3	9	9	Unavailable	

3. The department does not give detailed directions to any school in matters of curriculum so cannot give any guarantee as to actual subjects which will be taught at any given level. However, in common with all schools, Swifts Creek High School will be allocated sufficient staff, based on enrolments, for it to provide a comprehensive curriculum for its students.

4. The matter has been considered at the local level and suggestions have been made that staggered hours may be necessary in the winter term. However, no decisions have been made by the department and will not be made until the high school is established and the new principal and school council are able to recommend what is considered necessary.

HAWKSBURY PRIMARY SCHOOL.

(Question No. 2875)

Mr. FORDHAM (Footscray) asked the Minister of Education—

Whether the Education Department has received from the Hawksbury Primary School council a submission for the urgent upgrading of the school buildings and grounds; if so—(*a*) when the submission was received; (*b*) which of the proposals are to be implemented; and (*c*) when the work will be undertaken?

Mr. THOMPSON (Minister of Education): The answer is—

(*a*) A submission in the form of a letter was received on 13th October, 1977.

(*b*) A complete redevelopment of the school buildings and site will be carried out when finance becomes available.

(*c*) It is expected that it will be three years before finance (in excess of $1 million) is available for this major project. In the meantime, the Public Works Department will advertise tenders for maintenance and repair works required at the school.

REPORT ON RELOCATION OF NEWMARKET SALE-YARDS.

(Question No. 2878)

Mr. WILKES (Leader of the Opposition) asked the Premier—

1. Whether he received a letter on or about 30th June, 1977, from Dr. Ken Coghill, Australian Labor Party candidate for Werribee, whose postal address was given as P.O. Box 271, Werribee; if so—(*a*) whether the letter requested the release for public scrutiny of the report prepared for the Government on the relocation of the Newmarket sale-yards; and (*b*) whether he has replied to the letter; if so, when; if not, why?

2. Whether the Government will release the report for public scrutiny; if so, when; if not, why?

Mr. HAMER (Premier and Treasurer): The answer is—

1. Yes.

(*a*) Yes.

(*b*) Yes, reply forwarded on 18th November, 1977.

2. The report is still under consideration by the Government and it will be made public at the appropriate time.

CO-OPERATIVE FARMERS AND GRAZIERS DIRECT MEAT SUPPLY LTD.

(Question No. 2890)

Mr. HANN (Rodney) asked the Minister of Labour and Industry, for the Attorney-General—

Whether the Minister will lay on the table of the Library all files relating to the Co-operative Farmers and Graziers Direct Meat Supply Ltd., including the files held by the Corporate Affairs Office and the Registrar of Co-operative Societies; if not, why?

Mr. MACLELLAN (Minister of Labour and Industry): The answer supplied by the Attorney-General is—

The Co-operative Farmers and Graziers Direct Meat Supply Ltd. is not registered as a company under the Companies Act. Accordingly, the Corporate Affairs Office does not have a file on the co-operative although it does have files on related companies.

The Law Department has a file on the co-operative which includes material relating to possible criminal offences. In the circumstances, it would not be appropriate to make the file available.

I would be happy to discuss this file with the honorable member.

RAILWAY FARES.

(Question No. 2901)

Mr. CAIN (Bundoora) asked the Minister of Transport—

1. Whether railway fares from Mitcham to Melbourne are 45 cents on weekdays and 60 cents on Sundays; if so, what is the reason for this difference?

2. From what other suburban station, if any, the week-day fare to Melbourne differs from the Sunday fare?

Mr. RAFFERTY (Minister of Transport): The answer is—

1. No. The adult single fare from Mitcham to Melbourne is 60 cents and the return is $1.20. These fares also apply on Sundays.

Off-peak tickets are available at Mitcham for travel to Melbourne. These are return tickets only for travel Monday to Friday (except public holidays) by trains scheduled to arrive at Melbourne after 9.30 a.m. The return portion of the ticket is not available for travel by trains leaving Melbourne between 4 p.m. and 6 p.m.

The cost of these off-peak return tickets is 90 cents. They are also available to children under fifteen at the half fare of 45 cents.

2. Off-peak travel is available at all suburban stations.

CORPORATE AFFAIRS OFFICE INVESTIGATION.

(Question No. 2909)

Mr. CAIN (Bundoora) asked the Minister of Labour and Industry, for the Attorney-General—

1. Whether the Corporate Affairs Office is currently investigating alleged irregularities in the Henry Jones (I.X.L.) Ltd. takeover offer for the Shepparton Preserving Company Ltd.; if so, whether Mr. John Elliott of Henry Jones (I.X.L.) Ltd. is seeking to have the Corporate Affairs Office investigation dropped?

2. Whether the Minister will lay on the table of the Library the file relating to these investigations?

Mr. MACLELLAN (Minister of Labour and Industry): The answer supplied by the Attorney-General is—

1. No allegations have been made to the Commissioner for Corporate Affairs and no investigations are being or have been conducted. Mr. John Elliott of Henry Jones (I.X.L.) Ltd. has not sought to have any alleged investigation dropped.

2. As there are no investigations and have not been any, there is no file.

MINISTERS' STAFFS.

(Question No. 2917)

Mr. ROPER (Brunswick) asked the Premier—

In respect of personal and departmental staff, respectively, provided for Ministers—

1. What is the name, title and salary of each such staff member, specifying whether the person is employed under the Public Service Act 1974?

2. Which staff are entitled to overtime payments or a fixed payment in lieu of overtime, specifying the payments made to each person in the past six months?

Mr. HAMER (Premier and Treasurer): The answer is—

The amount of work and time involved would not justify me ascertaining the information sought by the honorable member. However, if he has a specific question about a particular Minister's staff I shall be happy to have a further look at the matter.

GEELONG RAILWAY GOODS SHED.

(Question No. 2918)

Mr. CAIN (Bundoora) asked the Minister of Transport—

In respect of the Geelong railway goods shed in Mercer Street, Geelong, over the past twelve months—

1. What volume of—(*a*) bulk inward goods; (*b*) bulk outward goods; (*c*) single inward parcels; and (*d*) single outward parcels, has been handled?

2. How many permanent and casual employees, respectively, were employed?

Mr. RAFFERTY (Minister of Transport): The answer is—

1. The Victorian Railways Board has advised me that the following goods tonnages were handled during the 1976–77 financial year at Mercer Street, Geelong—

(*a*) Bulk inwards goods—124,367 tonnes.

(*b*) Bulk outwards goods—45,413 tonnes.

(*c*) and (*d*) Parcels traffic is not handled at the Mercer Street goods shed.

2. Details of staff employed at the Mercer Street goods shed over the past twelve months are as follows—

	Regular staff	Casual staff
31st October, 1976 ..	58	16
31st October, 1977 ..	64	..

REDISTRIBUTION OF MUNICIPAL BOUNDARIES.

(Question No. 2927)

Mr. CULPIN (Glenroy) asked the Minister of Public Works, for the Minister for Local Government—

When the Minister expects a decision will be made in relation to a redistribution of boundaries and the creation of one or two extra wards in the City of Broadmeadows?

Mr. DUNSTAN (Minister of Public Works): The answer supplied by the Minister for Local Government is—

The preliminary proposals submitted at my request by the councils of the cities of Broadmeadows and Essendon in relation to the alteration of boundaries, included proposals for the severance and annexation of portions of the districts of a number of

other municipalities which were not involved in the matter before the Local Government Advisory Board at the public hearing conducted on 3rd March, 1977.

These subsequent proposals are currently being evaluated and, when this is complete, it is my intention to refer them to the board for investigation as soon as is practicable.

YARRA RIVER.

(Question No. 2960)

Mr. ROPER (Brunswick) asked the Minister for Conservation—

Whether bacteriological examinations of the Yarra River or its tributaries have been carried out during 1977 by—(*a*) the Ministry for Conservation; (*b*) the Environment Protection Authority; or (*c*) other organizations; if so, by whom, indicating with what result and what action has been taken as a result?

Mr. BORTHWICK (Minister for Conservation): The answer is—

I am advised that the Environment Protection Authority is currently conducting a twelve-month monitoring programme of the Yarra River and its tributaries at 32 points, from Flinders Street Station to Warrandyte. Sampling is conducted on a weekly and monthly basis for the various tributaries, and the programme is expected to be completed by May, 1978, after which a full report on the results will be prepared.

Preliminary results to date indicate the Yarra River to be much cleaner (in terms of E.coli counts) than most of its tributaries. The polluted state of the tributaries can be related to the relative lack of sewerage reticulation in the respective catchments. The elimination of this sewerage backlog is considered to be the only effective action which can be taken to reduce the high bacteriological counts in these tributaries.

I also undersand that the Melbourne and Metropolitan Board of Works conducts six-weekly routine bacteriological sampling at 44 points along the Yarra and its tributaries from Queen Street to the Upper Yarra Dam and that the City of Doncaster and Templestowe undertakes regular bacteriological examination of the Yarra River within its municipal boundaries.

CASE OF ALAN DUNBAR.

(Question No. 2965)

Mr. CAIN (Bundoora) asked the Minister of Labour and Industry, for the Attorney-General—

With reference to Mr. Alan Dunbar—

1. Whether he was charged with a variety of offences following alleged incidents at a dance at the Collingwood Town Hall in or about May, 1977; if so, what were the charges?

2. Whether he was tried and convicted at the Collingwood Magistrates' Court; if so, what penalties were imposed?

3. Whether he sought appeal papers for lodging; if so, whether he was refused the right to lodge an appeal and, if so, by whom?

4. Whether a letter was sent by a County Court judge to the Magistrate who sat in the Collingwood Court, complaining about the conduct of the case?

5. If he will lay on the table of the Library all files relating to this case?

Mr. MACLELLAN (Minister of Labour and Industry): The answer supplied by the Attorney-General is—

1. Mr. Dunbar was arrested at a dance at the Collingwood Town Hall on 17th May, 1977. He was charged with five offences under the Summary Offences Act 1966 as follows—

(*a*) assault by kicking;

(*b*) using indecent language;

(*c*) assaulting a member of the Police Force in the execution of his duty;

(*d*) assaulting a member of the Police Force in the execution of his duty;

(*e*) resisting a member of the Police Force in the execution of his duty.

2. The charges were heard by Mr. G. Miller, Stipendiary Magistrate, on 9th June, 1977, at the Collingwood Magistrates' Court. Mr. Dunbar was convicted on the first four charges and the fifth charge was withdrawn.

The penalties imposed were as follows—

In respect of charge (*a*)—three months' imprisonment;

In respect of charge (*b*)—24 hours' imprisonment to be served concurrently with the sentence imposed for (*c*);

In respect of charge (*c*)—two months' imprisonment;

In respect of charge (*d*)—two months' imprisonment to be served concurrently with the sentence imposed for (*c*).

The total period of imprisonment to be served was five months.

3. Mr. Dunbar lodged notices of appeal and entered recognizances to prosecute the appeals on 8th November, 1977, at the Collingwood Magistrates' Court. These have been forwarded to the Registrar of the County Court, Melbourne. I understand he was given every assistance in the matter by the Clerk of Courts at Collingwood.

Neither the Clerk of Courts at Collingwood nor the Registrar of the County Court has any record or recollection of Mr. Dunbar asking for information or assistance in relation to lodging an appeal prior to 7th November, 1977.

4. There is no record either in the Law Department or on the court file at Collingwood of any letter from a County Court judge to the magistrate. Since no appeal papers were lodged until 8th November it seems highly improbable that the Magistrates' Court proceedings would have come to the notice of a judge.

5. There are files relating to this matter at the Collingwood Magistrates' Court and at the County Court, Melbourne. These files should remain within the custody of the courts and I do not consider it appropriate that they be made available. I do not know whether there are files in the Police Department or Social Welfare Department and inquiries in that regard should be directed to the responsible Ministers.

HEALTH INSURANCE ORGANIZATIONS.

(Question No. 2984)

Mr. ROPER (Brunswick) asked the Assistant Minister of Health, for the Minister of Health—

In respect of health insurance organizations in Victoria, whether the Minister is aware that the Commonwealth Health Department has a working party on the subject of the democratic right of contributors to elect managing boards; if so—(*a*) whether he or any of his officers have been asked to assist or provide material to the working party; and (*b*) whether he or the Department of Health has any public policy on such questions and if so, what policy?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

Yes, the Minister of Health is aware that the Commonwealth Health Department is undertaking a study on contribution representation on the boards of health insurance organizations and of the feasibility and/or possibility of providing some arrangement whereby contributors have a democratic right to select representatives to these boards.

(*a*) No.

(*b*) This is a matter for the Commonwealth Minister of Health.

AIRCRAFT CHARTERED BY MENTAL HEALTH AUTHORITY.

(Question No. 3003)

Mr. WHITING (Mildura) asked the Assistant Minister of Health, for the Minister of Health—

In each month from 1st September, 1976, to 31st October, 1977, how many aircraft were chartered by the Mental Health Authority for travel to Mildura, indicating the purpose of each visit?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

The Mental Health Authority chartered aircraft to Mildura on the under-mentioned occasions during the period 1st September, 1976, to 31st October, 1977, for the purposes as stated.

9th December, 1976—to gather initial information for planning brief to establish new psychiatric centre in Mildura.

10th February, 1977—to assist the Mildura Base Hospital Committee of Management to overcome difficulties that had arisen in the use of Mental Health Authority facilities for the care of psychiatric in-patients.

12th May, 1977—to discuss with staff of Mildura Psychiatric Centre and Mildura Base Hospital Committee of Management preliminary sketch designs for new psychiatric centre, make recommendations for staffing and extension of child psychiatric services in the area.

ROAD TRAUMA AND CASUALTY SERVICES.

(Question No. 3013)

Mr. ROPER (Brunswick) asked the Assistant Minister of Health, for the Minister of Health—

Further to a question without notice asked on 6th October, 1977, concerning a report on road trauma and casualty services—

1. Whether the committee has completed its deliberations; if so, when; if not, when it is expected to do so?

2. Whether the Minister or the Department of Health has received—(*a*) interim reports; or (*b*) the final report; if so, when, what action, if any, has been taken, and whether a copy of each report will be made available to the member for Brunswick?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

1. Yes, on the 19th August, 1977.

2. The committee submitted its final report to the Minister on the 22nd August, 1977. The report and recommendations contained therein are now being reviewed by officers of the department and the Hospitals and Charities Commission at the request of the Minister. A decision on the release of the report has not yet been made.

EDUCATION OF HANDICAPPED PRE-SCHOOL CHILDREN.

(Question No. 3026)

Mr. FORDHAM (Footscray) asked the Minister of Special Education—

1. On what date the State Council for Special Education Sub-committee with Department of Health representation was formed to examine the education of handicapped children aged up to four-and-a-half years, and on what dates meetings of the sub-committee have been held?

2. What are the names and officers of the sub-committee members, and when the sub-committee is expected to report?

Mr. SCANLAN (Minister of Special Education): The answer is—

1. (*a*) 29th August, 1977.

(*b*) Initial meeting held 14th September, 1977.

2. Mr. J. Phillips, Assistant Director, Special Services (Special Education); Dr. B. McCloskey, Health Department; Dr. D. Barlow, Director, Mental Deficiency Services.

The second meeting of the sub-committee will meet as soon as the working party has completed its task. It is premature at this time to suggest a date for the report.

MONTMORENCY HIGH SCHOOL.

(Question No. 3033)

Mr. FORDHAM (Footscray) asked the Minister of Education—

In regard to the Montmorency High School—

1. What was the student enrolment in 1975 and 1976 respectively?

2. What is the present enrolment?

3. What is the expected enrolment in 1978, 1979 and 1980, respectively?

4. How many students can be accommodated properly in the permanent school buildings at the school?

5. How many portable class-rooms are presently in use at the school?

6. How many further portable class-rooms are to be provided in 1978, 1979 and 1980, respectively?

7. Whether the school council has requested him to purchase properties adjoining the school to provide further needed facilities; if so, what action is to be taken on the request?

Mr. THOMPSON (Minister of Education): The answer is—

1. 811—882.

2. 913.

3. 936—932—915.

4. 750–800.

5. Four.

6. 1978—three. 1979–1980—not determined at this stage.

7. No recent record on land operations group file regarding a request for purchase of further properties. Current policy is to consider properties immediately adjoining site as they come on the market and subject to availability of funds at that time.

WATSONIA HEIGHTS PRIMARY SCHOOL.

(Question No. 3036)

Mr. FORDHAM (Footscray) asked the Minister of Education—

In regard to the Watsonia Heights Primary School—

1. Whether the relevant Public Works Department inspector submitted a report in July, 1977, marked urgent, regarding necessary works to be undertaken; if so, what action has been taken on the report?

2. Whether the Education Department has received a submission from the school council requesting permission to convert a shelter shed to a film centre at no cost to the department; if so, when the request was received and what is the reason for the delay in replying?

3. When it is expected that—(*a*) a multi-purpose room; (*b*) staff room improvements; and (*c*) an art and craft room, will be provided at the school?

Mr. THOMPSON (Minister of Education): The answer is—

1. A report was prepared by the Public Works Department in July, 1977, relating to the need for siteworks. It is expected that works required to rectify the areas regarded as being dangerous to the safety of pupils will commence in the very near future. The availability of finance will determine the completion of the over-all siteworks plan.

2. Yes. The request was received at the Preston regional office on 26th September, 1977. Approval to proceed with the scheme was given on 28th October, 1977. The regional office was in regular contact with the school council during that time.

3. At this stage it is not known when all these facilities will be provided. However, the Public Works Department has been requested to provide an estimate on the existing scheme for replacement of the staff administration area as an interim measure.

MITTA MITTA RIVER.

(Question No. 3047)

Mr. LIEBERMAN (Benambra) asked the Minister for Conservation, for the Minister of Water Supply—

1. Whether any decision has been made with respect to the control of the bed and banks of the Mitta Mitta River, downstream of the Dartmouth dam to the Murray River?

2. Whether the Governments of New South Wales and South Australia, respectively, have been approached to contribute to the maintenance of this section; if so, with what result; if not, whether in the interests of the downstream owners in respect of the maintenance of the section, the Victorian Government will make such approaches to those Governments?

Mr. BORTHWICK (Minister for Conservation): The answer supplied by the Minister of Water Supply is—

1. No decision has been made that would alter the present control of the bed and banks of the Mitta Mitta River, which involves the Mitta Mitta River Improvement Trust acting under the supervision of the Water Commission.

2. I would like to preface the answer by saying that proposals are under discussion for amendment of the River Murray Waters Agreement to empower the River Murray Commission to take action to deal with matters of access on farm properties along the flood plain of the River Murray between Hume dam and the Yarrawonga weir where such access is affected by operation of that commission's works.

The Victorian Government has further proposed to the other Governments concerned, through the River Murray Commission, that any such amendment to the agreement should be so written that it would also authorize the River Murray Commission to deal with similar problems on the Mitta Mitta River downstream of Dartmouth dam should this be necessary. The South Australian and New South Wales Governments have deferred a decision pending submission of draft amendments of the agreement and further study of the nature and extent of problems that might be created on the Mitta Mitta River. A technical committee of the River Murray Commission, on which Victoria is represented, is currently studying relevant questions arising in connection with the release of water from Dartmouth along the Mitta Mitta River to Lake Hume for River Murray Commission purposes.

WERRIBEE PARK EXTENSION.

(Question No. 3050)

Mr. CATHIE (Carrum) asked the Minister for Conservation, for the Minister of Water Supply—

Whether any negotiations have taken place, or are proceeding for the purchase of land at Point Cook by the Melbourne and Metropolitan Board of Works for Werribee Park extension; if so, with whom?

Mr. BORTHWICK (Minister for Conservation): The answer supplied by the Minister of Water Supply is—

Whilst the Melbourne and Metropolitan Board of Works is negotiating for land at Point Cook, these negotiations are not for the purpose of extensions to Werribee Park.

BEECHWORTH TRAINING PRISON.

(Question No. 3056)

Mr. AMOS (Morwell) asked the Minister for Social Welfare—

What are the reasons for his refusal to provide information relating to the Beechworth Training Prison and the reported political party organized barbecue, as requested from time to time by question?

Mr. DIXON (Minister for Social Welfare): The answer is—

As the honorable member might be aware, as a result of police inquiries relating to the Beechworth Prison, the former governor of the prison has been charged with certain offences and is currently awaiting trial on those matters. It would be quite inappropriate to divulge any part of the police investigation, in the interests of justice, before the trial has been heard.

Police inquiry into the alleged political barbecue remains current and I will not provide any such information while it is so. The barbecue, in fact, is relevant to the activities of the former governor that were subject to police investigation.

DISCHARGE INTO WOADY YALLOCK CREEK.

(Question No. 3057)

Mr. A. T. EVANS (Ballarat North) asked the Minister for Conservation—

Whether an application has been received for a discharge licence for surface run-off or sewerage effluent into the Woady Yallock Creek at Cardigan; if so—(*a*) whether he will consult with the Ballarat Fly Fishers Club before a licence is granted; and (*b*) whether the Ministry for Conservation will investigate claims that soil structures between a housing estate at Cardigan and the Woady Yallock Creek are such that seepage from sewerage ponds on the estate will reach the creek?

Mr. BORTHWICK (Minister for Conservation): The answer is—

To date, no licence application has been received by the Environment Protection Authority or its delegated agencies for the

discharge of surface run-off or sewerage effluent into the Woady Yallock creek at Cardigan.

(*a*) On receipt of any such application, the appropriate agency will refer the application to the Ballarat Fly Fishers Club pursuant to section 20 (4) of the Environment Protection Act.

(*b*) The matters raised by the honorable member will be investigated as part of the normal licence assessment process, following the receipt of the licence application.

MIDWIFERY TRAINING.

(Question No. 3067)

Mr. ROPER (Brunswick) asked the Assistant Minister of Health, for the Minister of Health—

In respect of midwifery training—(*a*) what is the estimated requirement for the number of nurses in Victoria with midwifery training; (*b*) what is the estimated number of nurses required to be trained every year; and (*c*) how many nurses are trained every year, specifying the number at each hospital where courses are offered?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

(*a*) At the present time 171 hospitals in Victoria provide midwifery services and employ approximately 3,000 qualified midwives. This figure is regarded as sufficient to meet present-day demands.

(*b*) An average of 850 new registrations of midwives is effected each year—600 local and 250 from outside Victoria. Many of the nurses undertaking midwifery training do not proceed to practise in this area of nursing and the present number of registrations is sufficient to meet present day demands.

(*c*) The following statement details the number of nurses undertaking midwifery training as at the 20th June, 1977—

Box Hill and District Hospital, Nelson Road, Box Hill, 3128	44
Frankston Community Hospital, Hastings Road, Frankston, 3199	16
Mercy Maternity Hospital, Clarendon Street, East Melbourne, 3002	129
Preston and Northcote Community Hospital, 205 Bell Street, Preston, 3072	72
Queen Victoria Memorial Hospital, Lonsdale Street, Melbourne, 3000	
Royal Women's Hospital, 732 Swanston Street, Carlton, 3053	415
Sacred Heart Hospital (discontinued 1977)	40
St. Andrew's Presbyterian Hospital, Cathedral Place, East Melbourne, 3002	14
St. George's Hospital, 283 Cotham Road, Kew, 3101	33
St. Vincent's Maternity (discontinued 1977)	11
Western General Hospital, 25 Eleanor Street, Footscray, 3011	36
Ballarat and District Base Hospital, Ballarat, 3350	14
Bendigo and Northern District Base Hospital, Bendigo, 3550	20
Dandenong and District Hospital, Dandenong, 3175	24
Mildura Base Hospital, 13th Street, Mildura, 3500	
Total	580

CURRICULUM SERVICES UNIT.

(Question No. 3072)

Mr. CAIN (Bundoora) asked the Minister of Special Education—

Whether it is proposed to reduce the staff of the Curriculum Services Unit (project staff) from 170 to 95; if so, which projects will be ended as a result?

Mr. SCANLAN (Minister of Special Education): The answer is—

Proposals for re-structuring of the Special Services Division include provision for the establishment of a curriculum services unit with a staff of 273. These proposals which involve the creation of professional positions across the whole range of services, have to be considered by the Teachers Tribunal and decisions are not expected until 1978. All projects currently being conducted by Curriculum and Research Branch will be continued, unless by agreement among those taking part and for good reasons, some are terminated before conclusion.

(Question No. 3075)

Mr. FORDHAM (Footscray) asked the Minister of Special Education—

Whether the 1977 draft report of the curriculum services inquiry recommended the appointment of specialist support workers, such as journalists, audio visual workers and printers for the curriculum services unit; if so, whether the recommendation has been accepted and what progress has been made in giving it effect?

Mr. SCANLAN (Minister of Special Education): The answer is—

Yes, provision has been made in the Education Department's submission to the Teachers Tribunal for restructuring of the Special Services Division for professional appointee positions in library resources and publications resources. These positions include librarians, journalists and proof readers. In addition provision has been made for 109 Public Service positions in library resources and audio-visual resources.

(Question No. 3076)

Mr. FORDHAM (Footscray) asked the Minister of Special Education—

Whether the proposed professional staffing structure for the curriculum services unit reduces the number of staff engaged in curriculum projects; if so—(*a*) what is the reduction and why it has been proposed; and (*b*) what steps have been taken to see that current projects are not disrupted or terminated?

Mr. SCANLAN (Minister of Special Education): The answer is—

The professional staffing structure for the proposed curriculum services unit in the Division of Special Services provides for a total of 273 offices. Proposals for the new structure must be considered by the Teachers Tribunal and it is unlikely that any decisions will be forthcoming until 1978. There will be no reduction in the numbers of staff engaged in current curriculum projects, and we intend that all on-going curriculum projects will be completed unless by agreement among those taking part, and for good reasons, some are terminated before conclusion. See also the answer to question 3072.

LILYDALE WEST PRIMARY SCHOOL.

(Question No. 3078)

Mr. FORDHAM (Footscray) asked the Minister of Education—

With regard to the Lilydale West Primary School—

1. What was the enrolment in each of the years from 1972 to 1976 inclusive?

2. What is the present enrolment?

3. What is the planned enrolment in 1978, 1979 and 1980?

Mr. THOMPSON (Minister of Education): The answer is—

1.

Year	Enrolment February
1972	275
1973	364
1974	407
1975	556
1976	651

2. Present enrolment—724 pupils.

3. Planned enrolment—

1978	780 pupils
1979	825 pupils
1980	880 pupils.

COMMONWEALTH-FINANCED LIBRARIES IN POST-PRIMARY SCHOOLS.

(Question No. 3082)

Mr. FORDHAM (Footscray) asked the Minister of Education—

Which post-primary schools are using their Commonwealth-financed libraries for normal class-room purposes as a result of a shortage of class-rooms at the schools concerned?

Mr. THOMPSON (Minister of Education): The answer is—

It is the responsibility of the principal of the school to make the best use of the facilities provided.

No records exist to show the use of Commonwealth libraries but it is understood that these libraries are used for the purpose for which they were designed, and they may be used as a class-room to meet the needs of the school curriculum.

FISHERIES AND WILDLIFE DIVISION.

(Question No. 3094)

Mrs. TONER (Greensborough) asked the Minister for Conservation—

1. Whether the proposed move of twenty employees of the Fisheries and Wildlife Division to Victoria Parade, East Melbourne, from their present situation at the Arthur Rylah Institute at Heidelberg, is motivated by a desire to justify the office space occupied by the division at East Melbourne; if not, what is the reason?

2. Whether the research staff so involved have facilities to carry out essential research at the institute; if so, whether comparable facilities will be available at the new location; if not, why?

Mr. BORTHWICK (Minister for Conservation): The answer is—

1. Consideration is being given to the accommodation needs of the Fisheries and Wildlife Division of the Ministry for Conservation both at Victoria Parade, East Melbourne, and at the Arthur Rylah Institute to ensure that the most effective use is being made of available space.

The situations at both locations are currently being assessed.

2. If staff are to be transferred from the Arthur Rylah Institute, it is expected that only those who do not require specialized laboratory facilities would be involved.

GRANNY FLATS.

(Question No. 3098)

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

1. How many applications have been lodged to date for "Granny Flats" in the electoral districts of Mitcham and Doncaster?

2. What is the expected waiting period before such flats will be provided?

Mr. HAYES (Minister of Housing): The answer is—

1. Five in Mitcham and six in Doncaster.

2. Current waiting time is from twelve to eighteen months.

GRANTS TO MUNICIPALITIES.

(Question No. 3102)

Mr. ROPER (Brunswick) asked the Minister of Public Works, for the Minister for Local Government—

In respect of grants announced to Victorian municipalities on 7th September, 1977—(*a*) on what basis population figures were estimated; (*b*) whether the revised population figures were used and whether the Grants Commission considered the accuracy or otherwise of such census results in making their determination; and (*c*) on what basis grants to the City of Brunswick were determined?

Mr. DUNSTAN (Minister of Public Works): The answer supplied by the Minister for Local Government is—

(*a*) As indicated in the news release of 7th September, 1977, issued jointly by the Commonwealth Minister assisting the Prime Minister in Federal Affairs and the Victorian Minister for Local Government, the population figures used by the Victoria Grants Commission in determining its allocations for the 1977–78 financial year were the official estimated population figures as at 30th June, 1976. These are the figures estimated by the Australian Bureau of Statistics, details of which are given in the bureau's publication *Estimated Population Local Government Areas and Statistical Divisions at 30th June,* 1976, (Ref. No. 16).

(*b*) As indicated in that publication, the population figures are the revised estimates; that is, the 1976 census figures adjusted for under-enumeration as measured by a post-enumeration survey. The Grants Commission is in no position to question the accuracy of official population figures produced by the Australian Bureau of Statistics.

(*c*) The bases on which grants to municipalities in the State, including the City of Brunswick, were determined are outlined in some detail in the Victoria Grants Commission's first report 1977, which was tabled in Parliament on Tuesday, 15th November, 1977.

PARENTS ANONYMOUS ORGANIZATION.

(Question No. 3104)

Mr. ROPER (Brunswick) asked the Assistant Minister of Health, for the Minister of Health—

Whether the Minister or the Department of Health have received a request from the Parents Anonymous Organization for financial assistance; of so, whether the funds will be provided to assist the organization and, in that event, when and on what basis?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

Yes. The application was recommended by the Department of Health to the Commonwealth Office of Child Care for consideration under the Children's Services Programme.

On the 9th November, 1977, the Commonwealth Director-General of Social Security advised that a recurrent grant of $8,400 in a full year had been approved to assist the organization in its work with parents in crisis.

ANSWERS TO QUESTIONS ON NOTICE.

(Question No. 3120)

Mr. ROPER (Brunswick) asked the Assistant Minister of Health, for the Minister of Health—

What is the reason for the three-month delay in providing an answer to question No.—(*a*) 2319; (*b*) 2327; (*c*) 2329; (*d*) 2330; (*e*) 2334; (*f*) 2336; (*g*) 2348; (*h*) 2349; (*i*) 2358; (*j*) 2360; and (*k*) 2416, asked on 7th September, 1977, and when each question will be answered?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

The preparation of answers to particular questions referred to, as well as many other questions asked by the honorable member, require an expenditure of a considerable number of man-hours. In some cases the questions involve matters of policy which are only now being determined. Answers will be made available in due course.

(Question No. 3121)

Mr. ROPER (Brunswick) asked the Assistant Minister of Health—

What is the reason for the three-month delay in providing the answer to question No.—(*a*) 2332; and (*b*) 2342 asked on 7th September, 1977, and when each question will be answered?

Mr. JONA (Assistant Minister of Health): The answer is—

Question No. 2342 was answered on the 16th November, 1977.

Question No. 2332 involves matters of policy which are only now being determined. An answer will be made available in due course.

YARRAMBAT PRIMARY SCHOOL.

(Question No. 3155)

Mrs. TONER (Greensborough) asked the Minister of Housing—

When a wash basin will be installed by the Teacher Housing Authority in the teacher's residence of the Yarrambat Primary School?

Mr. HAYES (Minister of Housing): The answer is—

The residence located in Ironbark Road, Yarrambat, had a hand basin and taps fitted and completed on the 30th October, 1977.

CORIO BAY.

(Question No. 3163)

Mr. TREZISE (Geelong North) asked the Minister for Conservation—

1. At which locations around Corio Bay warning signs are situated pointing out the health hazard of eating marine life taken from the bay?

2. Whether further signs are proposed to be installed; if so, at what locations?

3. Whether the warning signs are also in foreign languages; if not, why?

4. What types of marine life in Corio Bay present the highest health hazard to consumers?

5. What are the estimated effects on health of continual consumption of such marine life?

Mr. BORTHWICK (Minister for Conservation): The answer is—

These are not matters which come within my administration.

Joint Sitting of the Legislative Council and the Legislative Assembly.

Tuesday, November 22, 1977.

STATE COLLEGE OF VICTORIA.

A joint sitting of the Legislative Council and the Legislative Assembly was held this day in the Legislative Assembly Chamber to elect a member to be recommended for appointment to the Senate of the State College of Victoria to fill a casual vacancy arising from the resignation of Mr. B. O. Jones, M.P.

Honorable members of both Houses assembled at 6.3 p.m.

Mr. HAMER (Premier and Treasurer): I move—

That the Hon. Sir Kenneth Henry Wheeler, Speaker of the Legislative Assembly, be appointed President of this joint sitting.

Mr. WILKES (Leader of the Opposition): I second the motion.

The motion was agreed to.

The PRESIDENT (Sir Kenneth Wheeler): I thank honorable members for the honour conferred upon me.

Sections 9 and 14 of the State College of Victoria Act 1972 require that when a member of Parliament who is a member of the Senate of the State College of Victoria ceases to be a member of Parliament his office as a member of the senate shall become vacant and the Parliament shall recommend his successor for appointment.

Section 7 of the State College of Victoria Act 1972 provides that a joint sitting to recommend members for appointment to the senate shall be conducted in accordance with rules adopted for the purpose by members at the sitting. The first procedure therefore will be the adoption of the rules.

Mr. HAMER (Premier and Treasurer): Before I submit the next motion, I congratulate you, Mr. President, on being elected to preside over this joint sitting.

I now desire to submit rules of procedure, which are in the hands of honorable members, and I accordingly move—

That these rules be the rules of procedure for this joint sitting.

1. On any debate arising the same shall be conducted according to Parliamentary usage.

2. A member, addressing himself to the President, shall propose a member to be recommended for appointment to the Senate of the State College of Victoria and such proposal shall be duly seconded. When any member is so proposed his proposer shall state that such member is willing to be so recommended for appointment, if chosen.

3. If only one member be proposed and seconded, the President shall declare—

"That
has been chosen to be recommended for appointment to the Senate of the State College of Victoria."

4. If more than one member be proposed and seconded, the members to be recommended for appointment shall be chosen by ballot in the following manner.

5. The President shall announce the names of the members proposed and shall cause each member present to be provided with a ballot paper initialed by the Clerks of the two Houses.

6. Upon such ballot paper the member receiving it shall write the name of the member he wishes to be recommended for appointment; and if any ballot paper contains more than one name it shall be rejected. Having marked his ballot paper as provided, the member voting shall deposit it in a ballot box provided for the purpose.

7. The President shall appoint three members to be scrutineers, who, with the Clerks, shall ascertain the number of votes for each member; and the member who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In any case of doubt arising through two or more members having an equality of votes, the scrutineers by drawing lots shall determine which of such members shall be chosen to be recommended for appointment.

8. No informal vote shall be taken into account.

9. The President shall be entitled to a vote.

10. As soon as the ballot is concluded the President shall declare—"That
has been chosen to be recommended for appointment to the Senate of the State College of Victoria.".

11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments of the State of Victoria, who shall be the custodian thereof, and shall keep the ballot papers safely for one year and thereafter destroy them.

Mr. WILKES (Leader of the Opposition): I second the motion.

The motion was agreed to.

The PRESIDENT (Sir Kenneth Wheeler): The rules having been adopted, I am now prepared to receive proposals from honorable members with regard to a member to be recommended for appointment to the Senate of the State College of Victoria.

Mr. WILKES (Leader of the Opposition): I propose—

That Mrs. Pauline Therese Toner, M.P., be recommended for appointment to the Senate of the State College of Victoria.

Mrs. Toner is willing to be recommended if chosen.

Mr. FORDHAM (Footscray): I second the proposal.

The PRESIDENT (Sir Kenneth Wheeler): Does any honorable member desire to propose any other member to be recommended for appointment to the Senate of the State College of Victoria?

I declare that the time for proposing a member to be recommended for appointment to the Senate of the State College of Victoria has expired. As there is only one member proposed, I declare that Mrs. Pauline Therese Toner, M.P., has been chosen to be recommended for appointment to the Senate of the State College of Victoria.

Mr. HAMER (Premier and Treasurer): I move—

That the President inform the Minister of Education accordingly.

Mr. WILKES (Leader of the Opposition): I second the motion.

The motion was agreed to.

Mr. HAMER (Premier and Treasurer): I propose a vote of thanks to you, Sir, as President of this joint sitting.

It appears to me that although this is a brief proceeding it may be possible for the Standing Orders Committee to devise a simpler method for adopting rules and carrying out procedures at joint sittings. Meanwhile, I thank you for the expedition with which you have conducted the business of this joint sitting.

Mr. WILKES (Leader of the Opposition): I second the vote of thanks proposed by the Premier. Although there have been moments in

this Chamber when you and I, Sir, have not seen eye to eye, on this occasion I congratulate you on the way in which you have carried out the responsibilities entrusted to you.

I also endorse the other remarks of the Premier. Perhaps there might be a better way of making appointments to bodies such as this.

The PRESIDENT (Sir Kenneth Wheeler): I shall ask the Clerks to look at the proposals suggested by the Premier and the Leader of the Opposition, but I do not know whether there could be a simpler way than a meeting that can be conducted in approximately two and a half minutes. I thank honorable members for their remarks and declare the joint sitting closed.

The proceedings terminated at 6.6 *p.m.*

Legislative Council.

Wednesday, November 23, 1977.

The PRESIDENT **(the Hon. W. G. Fry)** took the chair at 10.33 a.m. and read the prayer.

QUESTIONS WITHOUT NOTICE.

PROPOSED BUCKLAND DAM.

The Hon. D. M. EVANS (North Eastern Province): In view of the $2 million commitment made by Mr. Anthony on behalf of the Federal Government in his policy speech, delivered yesterday, for a national water resources programme for the next five years, will the Minister of Water Supply indicate whether the State Government will put in a claim for the proposed Buckland dam in line with the commitment that it made to the Myrtleford Shire Council in 1973?

The Hon. F. J. GRANTER (Minister of Water Supply): I first heard the announcement in the Prime Minister's policy speech on Monday night and was extremely pleased about it. I assure Mr. Evans that the Buckland River dam will be considered in any future proposals of the State Rivers and Water Supply Commission, along with other proposed water storages.

DISCRETIONARY TRUSTS.

The Hon. H. M. HAMILTON (Higinbotham Province): In relation to the formation of discretionary trusts, will the Leader of the House, representing the Treasurer, advise whether these trusts are established for the purpose of minimizing tax or evading or minimizing probate duty; has he any idea of the number of such trusts that may be established in Victoria in any year; and, has he any idea of how many of these trusts have been established by members of the Labor Party?

The Hon. V. O. DICKIE (Chief Secretary): I have no knowledge of the matters raised by the honorable member.

G. & S. TAYLOR PTY. LTD.

The Hon. W. A. LANDERYOU (Doutta Galla Province): Has the Attorney-General received representations concerning the conduct of the liquidator who has been appointed to the company G. & S. Taylor Pty. Ltd. (In Liquidation)?

The Hon. HADDON STOREY (Attorney-General): I have no recollection of receiving any representations about the company, but if the honorable member puts the question on the Notice Paper I shall make inquiries and give him an answer.

PSYCHIATRIC CARE FOR PRISONERS.

The Hon. R. J. EDDY (Thomastown Province): In view of the statement made by Dr. Bill Canning, the forensic psychiatry officer to the Mental Health Authority, in yesterday's *Age*, concerning the need for mentally abnormal offenders to be treated in hospitals, can the Minister

of Health advise what plans the Mental Health Authority has to cater for these people?

The Hon. W. V. HOUGHTON (Minister of Health): A variety of treatments is available for those who have been found not guilty of a crime on the ground of insanity and sentenced to be detained at the Governor's pleasure. The treatment given depends on the psychiatric state of the individual. If the person is criminally insane and needs to receive psychiatric treatment in a high security setting, facilities are available at "J" ward at Ararat. The facility is well run and the programmes are good, but the building is old and the authority is formulating plans to replace it. Some people who have been found not guilty of a crime on the ground of insanity are able to be treated satisfactorily in open situations without confinement, and they are treated in the mental hospitals of the State.

A whole series of treatments is indicated for the different individuals and a whole series of institutions is available for their treatment. The Mental Health Authority, the Department of Health and the Government are constantly seeking to improve the conditions and facilities under which these people are treated.

HAILSTORM AT RED CLIFFS.

The Hon. K. I. WRIGHT (North Western Province): I direct a question to the Chief Secretary concerning the hail disaster at Red Cliffs. Fresh problems become evident every day and I was advised of another problem this morning. Honorable members will be aware that workers compensation payments are calculated in a similar manner to provisional taxation payments. The employer estimates the wages he will pay for the following year and his workers compensation premium is paid on that basis. The growers at Red Cliffs, having lost their crops, will not require labour this year and I ask the Chief Secretary whether he will direct the State Insurance Office to make immediate refunds of premiums paid in anticipation by those growers.

The Hon. V. O. DICKIE (Chief Secretary): I would not direct any company to take that sort of action. Such matters as this are between the people involved and the insurance company and that is where they should remain. If any other problem arises from the question asked by Mr. Wright I shall certainly examine the situation and advise him accordingly, but I would not direct any payment on the basis to which he has referred.

CONVICTION FOR BRIBERY.

The Hon. B. A. CHAMBERLAIN (Western Province): Is the Attorney-General aware of the decision of a Magistrates Court at Mildura where a person was convicted of offering a $2,000 bribe to a policeman and was then fined $1 plus costs? Is the Attorney-General also aware of the severe penalties faced by policemen who accept a bribe? In view of those matters, will the honorable gentleman have the case examined to ascertain whether an appeal would be appropriate?

The Hon. HADDON STOREY (Attorney-General): I am aware of the case only through what I have read in the newspapers. On the face of it the penalty seems to have been extremely lenient in view of the seriousness of the offence with which the person was charged. However, I am not cognizant of all the circumstances and am having inquiries made. I will then consider whether some action needs to be taken by way of appeal.

GISBORNE HOUSES.

The Hon. D. R. WHITE (Doutta Galla Province): Can the Minister for Local Government inform the House of his department's attitude towards representations made to it by a Mr. and Mrs. Jepson and a Mr. and Mrs. Clarke concerning two houses in Gisborne, which the owners claim were

not built in conformity with the Uniform Building Regulations although the local council gave them certificates of occupancy?

The Hon. A. J. HUNT (Minister for Local Government): As I understand the situation, the claims arise under the House Builders Liability Act, which has been incorporated into the Local Government Act. The provisions of the Act are designed to protect people who have new homes built or who buy new homes for a period of six years after construction.

Although there may be some doubt whether these two houses come within the terms of the provisions, in the case of the Clarke house I understand that liability has been accepted by the insurance group concerned. I understand that there is some difficulty in finding a builder to make the necessary repairs to the house, but that indemnity is being provided. In the Jepson case the issues are somewhat more complicated and investigations are still under way. My department is awaiting further facts from the lady concerned, but everything possible will be done to assist her.

DISCRIMINATION IN EDUCATIONAL INSTITUTIONS.

The Hon. D. N. SALTMARSH (Waverley Province): My question is directed to the Attorney-General representing the Minister of Education. Is the Minister aware of a serious form of discrimination that is being practised within some educational institutions in Victoria? I refer to people whose academic qualifications have been recognized internationally, but who, because they are not Socialist philosophers and therefore espouse an anti-Socialist, free enterprise approach, have been denied promotion and have even been denied access to certain classes? Will the Minister undertake to have these matters investigated to ensure that the Universal Declaration of Human Rights will be upheld in Victoria's educational institutions?

The Hon. HADDON STOREY (Attorney-General): I am not aware of those facts. If they are correct, it would seem to be a grave and blatant case of discrimination and action ought to be taken. It is a matter for the Minister of Education and I will certainly pass on the honorable member's comments to the Minister and ask him to investigate and take the appropriate action.

DIVERSION OF WATER.

The Hon. J. A. TAYLOR (Gippsland Province): Can the Minister of Water Supply advise whether, owing to the continuing dry period in Gippsland, the State Rivers and Water Supply Commission and the Melbourne and Metropolitan Board of Works have come to any arrangement to discontinue the practice of diverting water from the Thomson River to Melbourne so that farmers in the Gippsland area can be provided with adequate water for irrigation?

The Hon. F. J. GRANTER (Minister of Water Supply): A conference between the State Rivers and Water Supply Commission and the Melbourne and Metropolitan Board of Works has been held concerning the diversion of the Upper Thomson waters to Melbourne, and I am pleased to advise the honorable member that this diversion ceased on or about the 14th of this month so that irrigators could receive an adequate water supply.

SCIENTOLOGY.

The Hon. R. J. EDDY (Thomastown Province): Since the Church of the New Faith has taken all the necessary steps to be legally registered under its desired and correct name — scientology — after being asked to do so by the Corporate Affairs Office, why will not the Government accede to the request and lift the ban on the name?

The Hon. W. V. HOUGHTON (Minister of Health): The Government of Victoria is most concerned with the psychological practices in

scientology which were disclosed by the Anderson board of inquiry some years ago. However, the question ought to be directed to the Attorney-General, who is responsible for the registration of the names of companies.

The Hon. HADDON STOREY (Attorney-General): A request has been made and it is still under consideration. No decision has yet been given to the people who made the request. However, under the memorandum and articles of association of the company in question, there is a provision for propagating and pursuing ideas which, under the Psychological Practices Act, are forbidden. This creates a problem in recognizing the use of this name in Victoria.

NATIVE PLANTS IN RAILWAY RESERVES.

The Hon. N. F. STACEY (Chelsea Province): I direct a question to the Minister representing the Minister of Transport. My attention has been drawn to the extensive growth of native orchids in the railway reserves in the vicinity of Seaford and Langwarrin. Information suggests that slashing seriously inhibits regeneration of wildflowers. Will the Minister consider reintroducing burning as a control measure in lieu of slashing. Alternatively, will he evaluate the methods of clearing railway reserves and the desirability of preserving native plants?

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): I shall be pleased to bring Mr. Stacey's question and proposals to the Minister of Transport in another place.

CLUSTER TITLES (AMENDMENT) BILL.

The Hon. A. J. HUNT (Minister for Local Government), by leave, moved for leave to bring in a Bill to amend the Cluster Titles Act 1974, the Transfer of Land Act 1958 and the Sale of Land Act 1962 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

LIBRARY COMMITTEE.

The Hon. J. M. WALTON (Melbourne North Province) presented a report from the Library Committee, together with appendices.

It was ordered that they be laid on the table.

PAPERS.

The following papers, pursuant to the directions of several Acts of Parliament, were laid on the table by the Clerk—

Albury-Wodonga (Victoria) Corporation—Report and accounts for the year 1974–75.

Arts Council—Report for the years 1974–75 and 1975–76.

Consumer Affairs Council—Report for the year 1976–77.

Forests Commission—Report for the year 1976–77.

Library Council, National Museum and Science Museum of Victoria—Report of the Building Trustees, together with statements of receipts and expenditure, for the year 1971–72.

Mental Health Authority—Report for the year 1976.

National Gallery—Report of the Council of Trustees together with statement of income and expenditure, for the year 1975–76.

Police Service Board—Determination No. 281.

State Development Committee—Progress Report on the Development and Promotion of Tourism in Victoria, with particular reference to the Development, Control and Operation of Historical Parks/Folk Museums.

Town and Country Planning Act 1961—Shire of Flinders Planning Scheme 1962—Amendment No. 91, 1977.

SUPERANNUATION (AMENDMENT) BILL.

The Hon. V. O. DICKIE (Chief Secretary): I move—

That this Bill be now read a second time.

This is a Bill to amend the Superannuation Act 1958 with respect to three matters—

1. The medical classification of future entrants to the fund and review of existing limited contributors

will become the responsibility of the Superannuation Board.

2. The benefit on retrenchment to be amended to the same benefit which now applies to members of boards and commissions who are not reappointed at the expiration of their term of office.

3. An increase from six to ten in numbers of units for which railway officers who have elected to receive a service grant, but not a retiring gratuity, may elect to contribute.

MEDICAL CLASSIFICATION: In 1970 the Superannuation Board became responsible for the medical classification of entrants to the fund who could not obtain a medical certificate for full benefits. It has become obvious that there is a grave lack of uniformity in what constitutes a satisfactory medical standard for full benefit contributors and the Government believes the board should accept full responsibility for all medical classifications.

There has been a threefold increase over recent years in the number of ill-health retirements under age 35, and there have been several cases where ill-health retirement shortly after entry on full benefits could have been avoided by the application of normal underwriting standards.

RETRENCHMENT BENEFITS: In recent years there has been a substantial increase in the number of entrants to the fund who are employed by statutory bodies whose employment conditions are markedly different from those of the traditional contributors to the fund, namely, public servants, police, railway officers and members of the Teaching Service. These latter groups are in effect permanent employees, whereas the employees of the statutory bodies are usually subject to termination of employment under certain conditions.

In these circumstances the very generous benefit on retrenchment that has applied in the past mainly following the statutory elimination of the duties of contributors, for example, in the case of the Victorian Pipelines Commission, is inappropriate and the provisions in the Bill provide the same benefit on retrenchment as now applies to the members of boards and commissions who are not reappointed at the expiration of their term of office and are less than age 60. If in a future situation where statutory elimination of duties takes place it is considered these benefits are inadequate, appropriate provision could then be made to suit those particular circumstances.

UNIT ENTITLEMENT OF RAILWAY CONTRIBUTORS: In 1961 the maximum number of superannuation units which may be taken up by railway officers who have elected to receive a service grant was fixed as four on the basis that the present value of these units was roughly equal to the retiring gratuity that was being given up. The number of units has been increased progressively to six. Earlier this year with the agreement of the Trades Hall Council the Government increased the retiring gratuity from $68 to $107 for each year of service. The number of units roughly equivalent in value to this is ten and the Bill provides for an increase to this number.

The additional entitlement will be available to the contributors without medical examination provided that they do not exercise their right not to contribute for all or any of the additional unit entitlement within four months of the pay day on which contributions become payable. I commend the Bill to the House.

The Hon. A. W. KNIGHT (Melbourne West Province): The principles outlined in the Bill are in line with the views of the Opposition. Therefore members of the Labor Party offer no opposition to the Bill.

The Hon. B. P. DUNN (North Western Province): This is a detailed measure dealing with superannuation

matters. It is hoped that it will provide the benefits that the Minister outlined. The National Party supports it.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6386 s. 12).

The Hon. V. O. DICKIE (Chief Secretary): I indicate my appreciation to Mr. Knight and Mr. Dunn for allowing this Bill to go through at this stage, without adjournment of the debate. As they have said, it is straightforward and beneficial to the people involved.

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.

STAMPS (AMENDMENT) BILL.

The Hon. A. J. HUNT (Minister for Local Government): On behalf of the Chief Secretary, I move—

That this Bill be now read a second time.

The principal purpose of the Bill is to re-enact section 131AG of the Stamps Act, which provides exemption for short-term money market transactions from stamp duty on credit business. That section was introduced into the Stamps Act in 1974 because discount rates and interest rates in the short-term money market had risen above 14 per cent and transactions in the market became subject to duty. The section ceased to have effect on 1st January, 1976.

However, about December, 1976, interest rates had again risen above 14 per cent in the market and on 22nd December, 1976, in conjunction with the Government of New South Wales, it was agreed to extend by administrative decision exemption from credit duty for the short-term money market until 31st December, 1977. Clause 4 of this Bill reinstates that provision to ratify the administrative action that was taken and extends the exemption until 1st January, 1979, or such other date as is prescribed by regulation.

The opportunity has been taken to make some other amendments to the Stamps Act to protect the revenue against two devices that have been developed for the avoidance of duty and to make three other amendments to the Act that have become necessary.

The first device for the avoidance of duty is a scheme which has been developed to avoid stamp duty on conveyance on sale of real property. In this case advantage is taken of the provisions in the Act which cover payment of duty where consideration for the sale is a series of periodical payments over a period of time. In these cases duty is calculated either on the payments over the first twelve years where the series of payments terminates on the death of the purchaser or, where they are made for an indefinite period, over the first twenty years of payments.

The device is mainly used for transfers between members of a family or between members of a family and a family trust whereby nominal payments are made for the period in respect of which duty is calculated and the substantive payment is made immediately after that period concludes. In one case that has been presented to the Comptroller of Stamps, duty calculated on the transaction for the full consideration payable would amount to $54,000 but, through this device, duty has been reduced to $24. Clause 2 of the Bill overcomes this loophole and is based on a similar amendment that was passed in South Australia earlier this year.

The second device concerns stamp duty on notices of acquisition and applications for registration of motor vehicles. The Motor Car Act and

the Stamps Act exempt, from registration fees and stamp duty respecively, vehicles registered solely for use in interstate trade. This is because of section 92 of the Constitution of the Commonwealth of Australia. Cases have arisen where an application for registration is accompanied by a statutory declaration to the effect that the vehicle will be used solely for interstate trade.

The vehicle is then registered without fee and without stamp duty being payable. The owner then informs the Motor Registration Branch that he proposes to use the vehicle for purposes other than interstate trade and pays the full registration fee. However, stamp duty is totally avoided. A number of instances of this device have now come to the Government's notice.

Clause 7 of the Bill amends the Stamps Act to make full stamp duty payable in these cases.

The two loopholes to which I have referred and which are blocked by this Bill amount to nothing more than blatant devices by which individuals avoid their stamp duty liabilities. The Government's attitude in taxation matters has been quite clearly stated on many occasions, that is, that it is concerned to see taxpayers treated on an equitable basis, one to another, and when cases such as these arise whereby some individuals avoid their responsibilities and, as a consequence, inevitably increase the tax burdens placed on others, the Government will introduce legislative measures quickly and effectively to block these practices.

A problem has also become evident in the operation of section 110 of the Stamps Act. That section is designed to ensure that persons taking out marine or transport insurance with an insurer outside Victoria obtain annual licences and pay duty on the insurance effected in order that local insurers who must pay stamp duty as a percentage of premiums they receive are not disadvantaged. The section imposes a maximum amount of duty on insurance effected with insurers outside Victoria.

That maximum duty is $2,400 and has remained unchanged since 1943. Since then the rate of duty paid by local insurers has increased from 2 per cent to 7 per cent of premiums received and this fact, coupled with the change in money values since 1943, has resulted in a maximum duty of $2,400 being totally unrealistic in the present day situation, and this operates to seriously disadvantage local insurers.

Having regard to the change in the rate of duty and the change in money values since the maximum duty was fixed, it is believed that the amount required to restore parity is $55,000 and clause 6 of the Bill inserts this figure in the Stamps Act.

Two other changes are made in the legislation. Clause 5 updates the penalties contained in the legislation for offences involving intent to defraud the revenue, some of which have remained unchanged since last century. Clause 3 increases the time within which additional duty is payable on a lease where the rent has been increased, from one month to three months. This follows representations from the Law Institute of Victoria that the period of one month was imposing an undue administrative burden on the legal profession.

An explanatory memorandum covering each clause of the Bill has been provided to help honorable members to understand the details.

The Bill is a technical piece of legislation to ratify the administrative action that was taken in respect of the short-term money market and, more particularly, to remove two loopholes that have developed in the legislation and, furthermore, to rectify some other problems that have arisen in the operation of the Stamps Act. 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 later this day.

EGG INDUSTRY STABILIZATION (AMENDMENT) BILL.

The Hon. W. V. HOUGHTON (Minister of Health): I move—

That this Bill be now read a second time.

The main purpose of the Bill is to continue the operation of the egg industry stabilization scheme in Victoria for a further two years from the 1st March, 1978. The Egg Industry Stabilization Act 1973 provided that the Act should operate for a period of three years from the day appointed by the Minister for the commencement of the first licensing season, which was the 1st March, 1975, and the principal Act, unless amended, would cease to operate on the 28th February, 1978.

At the meeting of the Australian Agricultural Council in August, Ministers of all other States supported the continuation of egg production controls throughout Australia and assurances were given that the New South Wales hen quota scheme would be effectively policed from October, 1977, and that the hen quota for the Australian Capital Territory would not be increased without the prior approval of the Australian Agricultural Council.

In view of these assurances it is proposed to proceed with this Bill as it will be necessary for the legislation to be passed during this sessional period if the stabilization scheme in Victoria is to continue after 28th February next.

However, the Government desires to make it quite clear that, although the Bill may be passed by Parliament, the Government will not bring the amending Act into operation unless it is satisfied that these assurances are being honoured. Should the amending Act be brought into operation and it is found that circumstances are not then in accordance with the assurances given, action could be taken to suspend or repeal the operation of the Act.

Therefore, poultry farmers are warned against purchasing high-priced quotas which will be worthless unless New South Wales and the Australian Capital Territory are able to enforce their hen quotas. At this stage, that appears unlikely.

The Australian Capital Territory Legislative Assembly has already carried a resolution to increase its hen quotas by 50,000 to 200,000. While that Assembly does not have the power, at the moment, to enforce this over the wishes of the Minister for the Capital Territory, it is envisaged that within two years the Assembly will be given power to carry out many of its own administrative matters, including the setting of hen quotas. At that stage it is predicted that the Australian Capital Territory would either increase its quota to the amount required to be self-sufficient or abolish quotas altogether.

In the meantime the Australian Capital Territory will continue to prosecute a large producer on a periodic basis for being over-quota. It appears this producer will continue to pay nominal fines but will not cut back production as already new sheds are under construction in the Australian Capital Territory. These surplus eggs, or the New South Wales eggs they make surplus, will find their way across the border into Victoria and will continue to erode our egg industry and cause surpluses which must be pulped at a loss.

In New South Wales a group of poultry farmers, which prevented previous New South Wales hen quota legislation from being effective for three years, has warned that it will not cut hen numbers and will again tie up the New South Wales legislation in the courts.

Although the cutback date for New South Wales was 24th October, there is no evidence that these cuts have taken place. In fact, according to the New South Wales Egg Board publication, the board initially budgeted for a production of 76 million

dozen eggs in 1977–78. It now believes production will reach 80 million—an increase of 4 million dozen eggs.

Eggs coming across the border in vast numbers would mean more and more cuts in Victorian quotas, which would result in our farmers being less viable and less able to compete against interstate producers who can achieve economies of scale with larger flocks. No responsible Government could sit back in that situation and see a Victorian industry taken over because of restrictive legislation. The Victorian Government has done its best to ensure quotas were enforced right throughout Australia. Unfortunately they have not as yet worked in New South Wales.

Regardless of whether quotas continue or not, next year the Victorian egg industry will have a marketing problem—how to beat the interstate trade in eggs—and this must be solved.

Since the commencement of the principal Act which permits the transfer of hen quota by negotiation between the parties concerned, with the formal approval by the Poultry Farmer Licensing Committee, subject to a maximum quota of 100,000 and a restriction on transfers into the scheduled area, it is understood that hen quotas in Victoria have changed hands for up to $7 a hen although the legislation makes no reference to the sale and purchase of hen quotas and such transactions are not encouraged by the Government.

Originally, it was proposed to include in this Bill provisions which would have taken the saleable value out of hen quotas and which would have provided that on the cessation of egg production the holder of a hen quota would have been required to surrender his hen quota to the licensing committee for reissue at a price determined by that committee.

However, following the issue of a statement of principles of the proposed amendments, egg industry organizations united in a submission strongly supporting the continuation of the current legislation and the Government has decided to accede to those representations.

In addition to the continuation of the existing legislation the Bill provides in the main for the validation of existing hen quotas and for the variation of hen quotas, if warranted, more frequently than once a year as at present.

In order to obviate legal challenges to the validity of hen quotas, the Bill provides for the validation of hen quotas as determined by the Poultry Farmer Licensing Committee and further provides that no alteration to the hen quota of a licensee as a result of any legal proceedings in force before the day of the commencement of the Egg Industry Stabilization (Amendment) Act 1977 by or against the licensing committee or the Poultry Farmer Licensing Review Committee shall affect the hen quota of any other licensee.

Under the current legislation the State hen quota may be varied only once each licensing season, that is once a year. In order to allow more flexibility in the adjustment of hen quotas if necessary, the Bill removes the tie-up between the State hen quota and the licensing season so that the Governor in Council may adjust the State hen quota at any time that it is considered appropriate or necessary, thus permitting the licensing committee to make corresponding adjustments in hen quotas.

The Bill also provides that the licensing committee may, with the approval of the Minister, at any time, vary hen quotas, in order to regulate the supply of eggs more effectively, having regard to the seasonal production of eggs or in any other circumstances approved by the Minister, provided that the total of hen quotas at no time exceeds the State hen quota.

Any increase in allocated hen quotas will take effect from the day specified in the notice of the licensing committee but any reduction in hen quota will not take effect until 90 days after the day of issue of the notice.

The procedures for appropriately varying the hen quotas of licensees in proportion to the amounts of their hen quotas have been recast to remove an unwieldy formula in the principal Act, but the concepts in the principal Act regarding no reduction to hen quotas which are below 1,000, exemption from variation of the first 1,000 where a hen quota exceeds 1,000, and no increase above 100,000 except in specified cases, have been retained.

The Bill also incorporates a small number of minor amendments which, in particular, provide for—

An appeal to the review committee where the licensing committee grants a permit for layer breeder or broiler hens for a lesser number of hens than the number sought;

Simplified legal proceedings to overcome evidentiary problems by providing that a certificate signed by the secretary of the licensing committee shall be prima facie evidence of the matter stated;

No right of legal action against the Crown, the Minister, the licensing committee or the review committee or any member of those committees with respect to anything done for the purposes of the Act or by virtue of the repeal of or the suspension of the Act at any time before 29th February, 1980; and

A substituted scheduled area consequent upon changes in State electoral boundaries since 1973; the only change in the actual area covered by the definition under the principal Act is the exclusion of a small area where there are no poultry farms.

The details of the Bill are set out in the explanatory memorandum attached to the Bill. I commend the Bill to the House.

On the motion of the Hon. R. J. Eddy, for 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.

TRANSPORT REGULATION (AMENDMENT) BILL.

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): I move—

That this Bill be now read a second time.

This Bill has three purposes. The first is to enable car pooling without the need to obtain a commercial passenger vehicle licence. The second purpose is to amend the requirements for membership of the Transport Regulation Board. The third purpose is to give the board more flexibility in the renewal of commercial passenger vehicle licences.

More than 6 million person trips are undertaken in Melbourne each day. Of these trips about 2·5 million occur during peak periods. Public transport is the most efficient carrier of people for dense corridor, commuter type trips and the Government is pressing ahead with its programme to improve public transport. However, at this stage, it is difficult for public transport to provide reasonable alternatives for many of the multiplicity of journeys that people wish to make in a large metropolis such as Melbourne. For those people who wish to use their motor cars the road system has no adequate capacity for free movement during peak periods. This problem is aggravated by the fact that on many roads only 25 per cent of the seating capacity of cars is being used.

The Government is concerned to improve transport, to encourage better utilization of available road space, to conserve energy and to facilitate the movement of people in their day-to-day activities. With this in mind, it is proposed to encourage

the use of car pooling as a further step to conserve energy and to reduce the demands, particularly during peak traffic periods, for additional road space.

Car pooling, as honorable members may know, is where two or more people get together and arrange their trips so that they can share a motor car for, say, a journey to work, and thus fewer vehicle trips are required. Car pooling can be arranged in various ways. Perhaps the most common form is where people arrange to share the use of their vehicles on a day-by-day or week-by-week basis without payment of fees or reimbursement of motoring expenses. Another car pooling arrangement is the sharing of motoring costs between passengers.

The Government proposes to encourage car pooling where people get together and share their vehicles—it is not proposed to allow the charging of fees or the reimbursement of motoring costs for car pooling. This would involve problems with insurance and registration of private motor vehicles and could encourage the setting up of unofficial taxi type operations, which may be detrimental to public transport and give rise to unregulated and unsupervised forms of public transport.

Clause 2 of the Bill amends section 3 of the Transport Regulation Act to enable car pooling, without the need to obtain a commercial passenger vehicle licence from the Transport Regulation Board. Honorable members may be aware that section 19 of the Act provides that a commercial passenger vehicle shall not operate on any public highway unless licensed by the board. The present definition of a commercial passenger vehicle includes the carriage of passengers for hire or reward or for any consideration.

The term "any consideration" in its wider sense, can include arrangements to share vehicles on an exchange car pooling basis. Such an interpretation would make it an offence to operate a vehicle for car pooling without a commercial passenger vehicle licence from the board.

This measure makes it clear that car pooling by the sharing of a motor vehicle without the payment of a fee or reimbursement of expenses will not require a commercial passenger vehicle licence from the Transport Regulation Board.

To promote car pooling, the Ministry of Transport, in conjunction with the metropolitan transit authority when this is established, will set up a computer matching bureau to assist persons interested in car pooling to make contact with one another. The Minister of Transport will be writing to industry associations and large employers seeking their support and requesting them to encourage car pooling by reserving prime parking facilities for car pool vehicles.

If there is a good response to car pooling, the Government will look at the provision of exclusive lanes for car pool vehicles where the provision of these priority facilities can be justified.

I turn now to clause 3 of the Bill which amends section 5 of the principal Act to provide that the Transport Regulation Board shall consist of three members appointed by the Governor in Council, of whom one shall be appointed as chairman, one shall be a person with experience as a primary producer and one shall be a person with experience in the carrying on of commercial pursuits outside a radius of 40 kilometres from the General Post Office. Under this provision the Transport Regulation Board will continue to be a three-man board with a chairman and one member with experience as a primary producer and one member with commercial experience outside 40 kilometres of Melbourne.

The amendment makes it clear that the position as a member of the Transport Regulation Board is not a

part-time one and replaces the present requirement to consult with the Chamber of Agriculture and the Melbourne Chamber of Commerce on these appointments.

Honorable members may know that the Chamber of Agriculture is no longer in existence and that it is Government policy that board members are appointed for their expertise, knowledge and background and not as representatives of a particular organization.

Clause 4 amends section 27 of the principal Act to enable the board to renew commercial passenger vehicle licences for periods of up to seven years. Under the provisions of the present Act, where commercial passenger vehicle licences are renewed, they must be renewed for the same duration as the licence being renewed. This means that licences are renewed for periods from four to seven years.

Honorable members will be aware of the private bus study recently undertaken by consultants on behalf of the Government. The consultants pointed out that private bus services in the Melbourne metropolitan area should be rationalized and that better, more viable services could be provided by rationalization of the network and greater utilization of facilities.

There are some 70 private bus operators providing regular route services in the Melbourne metropolitan area. These operators carry some 56 million passengers per annum on more than 900 buses. The network has grown over the years as Melbourne has developed and there is scope for integration of services to better serve the community's present transport needs.

The Transport Regulation Board is currently working on proposals for improved utilization of existing transport resources to provide better, more viable private enterprise bus services tailored to present transport needs, and clearly some rationalization is necessary, over a period of time.

The provisions contained in clause 4 will assist the board in its task to achieve a new transport network designed for the community's present and future travel needs. This measure will help the board to arrange common expiry dates for commercial passenger vehicle licences which will facilitate the rationalization of services in particular areas. The Bill is a further step to improve public transport in Victoria. I commend it to the House.

On the motion of the Hon. D. R. WHITE (Doutta Galla Province), the debate was adjourned.

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

HOSPITALS SUPERANNUATION (AMENDMENT) BILL.

The Hon. W. V. HOUGHTON (Minister of Health): I move—

That this Bill be now read a second time.

The Bill proposes to correct three problems which have arisen in respect of the rights which the Hospitals Superannuation (Amendment) Act 1976 purported to confer on persons who became contributors to the new pension scheme set up by that Act.

When the Hospitals Superannuation (Amendment) Act 1976 was prepared it was intended that persons who were members of the fund constituted under the principal Act but who had continued in employment with a participating institution after reaching the age of 65 years would be eligible to become contributors to the pension scheme which the amending Act introduced.

The interpretation of "Pension contributor" in section 35A of the Hospitals Superannuation Act 1965 included such persons as being pension contributors but this inclusion was not specified in section 35ZF which applied the new pension scheme to established contributors. Accordingly such persons were unable to take up the right to become contributors to the new pension

scheme. Clauses 2 and 5 of the Bill rectify the matter and are designed to apply from 1st January, 1977, when the new scheme commenced.

The second class of persons who are adversely affected are persons who became contributors to the fund between 1st January, 1977, and 30th June, 1977. It was intended that such new entrants to the scheme between those dates would have the right to be credited with 50 per cent of their past service with a participating institution. As the Act stands at present such persons cannot avail themselves of that right to past service entitlements because the Act is worded in such a way as to require them to exercise that right before the commencement of the Act. As the Act came into operation on 1st January, 1977, after being assented to on 7th December, 1976, many intending contributors were unaware of their rights and did not make the appropriate election in time to qualify. Clause 3 of the Bill restores that right to such persons with retrospectivity to 1st January, 1977.

The third matter relates to recognition of past service with a participating institution. The principal Act allows breaks of up to two months in service as a right and enables the board to approve longer periods in a particular case.

The amending Act of 1976 gives persons the right to be credited with all continuous past service but the reference to " continuous service " in the principal Act is severe in that any break whatsoever in service means that service prior to that break does not count.

It is essential that the position relating to recognition of past service be clarified. Accordingly clauses 3 and 4 of the Bill propose that all past service which occurs subsequent to a break of more than six months in employment with a participating institution will be recognized for the purposes of the Act. Any service prior to a break of less than six months will be recognized. This means that all past service is recognized except past service prior to a break of more than six months.

I commend the Bill to the House.

On the motion of the Hon. W. A. LANDERYOU (Doutta Galla Province), the debate was adjourned.

It was ordered that the debate be adjourned until later this day.

POLICE REGULATION (AMENDMENT) BILL.

The Hon. V. O. DICKIE (Chief Secretary): I move—

That this Bill be now read a second time.

The main purposes of this Bill are to—

1. create a second office of Deputy Commissioner of Police;

2. enable the spouse of a deceased member of the force to receive a pension and, within a period of three months, to apply to be granted a gratuity in lieu of the whole or any part of his or her pension entitlement;

3. enable the Police Service Board to determine rates of pay for members of the force who are required to stand by to be recalled to active duty during off-duty hours;

4. increase the maximum monetary penalties which may be imposed on a member who admits an offence with which he is charged or against whom a charge is found to be proven and to increase the penalties which may be imposed on a member guilty of the offence of taking a bribe to forgo his duty.

The Bill also contains provisions the purposes of which are to—

(*a*) clarify the provisions of section 44 which relate to the entitlement of a spouse to a pension or gratuity.

(*b*) create a head of power in section 130 to provide for the making of regulations relating to the granting of leave in the case of pressing necessity, compassionate leave and leave for military service;

(c) spell out an explicit entitlement to the Police Association to submit to the Police Service Board a claim in respect of any matter which it is the function of the Board to determine.

The need for the creation of a second office of Deputy Commissioner of Police arises both by reason of the requirements of a plan for the reorganization of the "Officer" structure of the Police Force submitted by the recently-appointed Chief Commissioner of Police and by reason of the excessive work load of the present Deputy Commissioner of Police.

The plan submitted by the Chief Commissioner of Police is designed to provide for increased specialization of the force consistent with the demands now being made upon it. The chief commissioner envisages that one deputy commissioner would supervise the activities of the crime, operations and traffic divisions whilst the second would oversee the administration, personnel and services divisions and the Internal Investigations Bureau.

As section 4 (2) of the Act provides for the appointment of only a single deputy commissioner, it is necessary to amend the Act as provided for in clause 2 in order to provide for the appointment of a second deputy commissioner.

The provision for the payment of a pension to a spouse of a deceased member of the force pending his or her election to accept a gratuity in lieu of all or any part of the pension entitlement is made at the request of the Police Association and of the Police Superannuation Board. Both the association and the board are concerned to ensure that, during the period in which consideration is being given as to whether to apply for a gratuity, a spouse should not be without means of support from the pension entitlement.

In the absence of a specific provision, it may be arguable that the decision as to whether it is a pension or a gratuity which is to be granted and accepted must be made as from the initial payment.

The new clause 18 inserted into the Fourth Schedule to the Act by clause 9 of the Bill enables a spouse to apply for a gratuity in lieu of the whole or any part of the pension as provided for in section 44 at any time within three months of the first payment of the pension. The opportunity is taken to make more specific provision in relation to those factors to be taken into account in the assessment of the gratuity payable to the spouse of a deceased member in lieu of the whole or any part of the pension entitlement.

Clause 7 of the Fourth Schedule to the Act provides that the amount of the gratuity so payable shall be such as the Police Superannuation Board determines after taking into consideration the advice of the Government Statist as to the value of the pension to which the spouse would be entitled.

The amendment to this provision by way of substitution of a new clause 7 provides that there shall be taken into consideration in the assessment of that gratuity the advice of the Government Statist as to the value of the pension to which the spouse was entitled at the time he or she applied for a gratuity, the proportion of the pension which the spouse wishes to receive as a gratuity and the value of any pension payments made to the spouse after he or she applied for a gratuity.

In addition, Parliamentary Counsel has advised that he considers it desirable to express section 44 of the Act more explicitly. This is effected by clause 3 of the Bill which relates to the pension entitlement of a spouse of a deceased member of the force. It provides for the entitlement of a spouse of a deceased member of the force to the payment of either an ordinary pension or a special pension. It also purports to provide that where a spouse is entitled to a pension, the Police Superannuation Board may, with the

spouse's consent, grant a gratuity in lieu of the whole or any part of the pension.

The provision of a head of power under which the Police Service Board is enabled to determine rates of pay for members of the force who are required to stand by to be recalled for active duty during off-duty hours has resulted from a request by the Police Association. This request is that provision be made for the determination by the board of allowances to members who are required on specified days or during specified periods to keep themselves available for recall to duty. The board is of the view that it has no power to make such a determination.

Sub-paragraph (*v*) of section 69 (2) (*a*) which provides for a determination to be made in respect of certain other specified rates of pay is amended by clause 4 of the Bill in such a way that reference to rates of pay for members of the force who are so required to stand by to be recalled to active duty during off-duty hours is specifically included. In this way, the board is enabled to make a determination in respect of those rates of pay.

The increase in the penalties which may be imposed on a member who is guilty of an offence is considered to be necessary in order to equate the prescribed maximum monetary penalties with present-day monetary levels.

Section 88 (1) of the principal Act creates certain offences with which members may be charged. These offences may be dealt with by either an officer or by the chief commissioner or by the Police Discipline Board. If the charges are admitted or found proved against the member, there may be imposed, amongst other penalties, a maximum monetary penalty of $10, $60 and $100 respectively. These amounts were fixed in 1962.

The amendment to these amounts by way of substitution of the amounts of $50, $200 and $500 respectively for the amounts referred to above relates them in a more meaningful way with present-day money levels.

The penalties which may, at present, be imposed on a member guilty of the offence of taking a bribe, pecuniary or otherwise, either directly or indirectly to forgo his duty as provided for in section 95 of the Act are either a monetary penalty of $500 or imprisonment for a term of not more than three months.

As those penalties are considered to be too lenient in relation to the heinous nature of the offence, they are increased by clause 7 to a monetary penalty of $2,000 or imprisonment for a term of not more than six months.

The creation of a new head of power in section 130 providing for the making of regulations relating to the granting of leave in the case of pressing necessity, compassionate leave and leave for military service is made necessary because the regulations presently made in relation to those matters are believed to be invalid.

Section 130 of the Act provides that the Governor in Council may make regulations for or with respect to certain specified matters set out in that section. It is believed, however, that the matters referred to are not provided for in the heads of power specified in section 130 and that, for this reason, they are *ultra vires*. It is further believed that neither is there power under the Act for the Police Service Board to make determinations in respect of those matters. It seems desirable, however, that they continue to be the subject of regulation. Consequently, a head of power pursuant to which the Governor in Council may make regulations with respect to the matters referred to is provided for in clause 8 which amends section 130. That clause also deems to be validly made the invalid regulations presently made

with respect to those matters provided they may be validly made pursuant to the head of power created by the Bill.

The necessity to spell out an explicit entitlement to the Police Association to submit to the Police Service Board a claim in respect of any matter which it is the function of the board to determine arises from the belief of the board that there is no specific provision in the Act which empowers the association to lodge with it claims for determination. Moreover, the board believes that there is no expressed connection between claimants as defined in the Act and the association.

Section 82 of the Act provides that any member or members of the force, whether jointly or severally, and the Chief Commissioner of Police may make a claim to the Police Service Board to determine conditions of service, including salaries and wages, allowances, hours of duty and rates of overtime, for members of the Police Force of or below the rank of commander.

Clause 5 endows the Police Association with an explicit entitlement to make a claim to the Police Service Board for a determination on any of those matters.

I commend the Bill to the House.

On the motion of the Hon. R. J. EDDY (Thomastown Province), the debate was adjourned.

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

BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL (NO. 2).

The Hon. F. J. GRANTER (Minister of Water Supply): I move—

That this Bill be now read a second time.

The Building Industry Long Service Leave Act was introduced to provide long service leave for certain classes of workers employed in the building industry who, because of the short-term nature of their employment on construction work, were unable to accrue an entitlement to long service leave. The scheme came fully into operation on 1st February, 1977.

Proposals have been put to the Government by interested organizations for changes in the legislation and these have been considered by the Building Industry Long Service Leave Board, which has recommended to the Government that they be adopted.

A substantial change contained in the Bill relates to a change in the registration provisions. It provides for the entry into the scheme of working sub-contractors who work under a contract for labour only or substantially labour only. They will be required to make contributions to the fund in relation to their own hours of work and will accrue an entitlement to long service leave.

As the matters dealt with in the Bill are of a varied nature I propose to deal with them clause by clause.

Clause 1 needs no explanation. Clause 2 proposes several changes to the definitions contained in section 2 of the principal Act. In relation to the definition of "building construction work", it has been rearranged to remove a doubt as to whether foremen, sub-foremen and leading hands were covered by the present definition as was the original intention. It removes from coverage monumental masons and plumbers and gasfitters engaged on ship repair work. It adds "construction workers" so as to include all construction workers engaged on civil engineering construction sites. The phrase "builders labourer" already in the definition did not appear to cover those persons adequately.

The phrase "fixed by an award" is proposed to be changed to "fixed by a prescribed award". This will allow an award or determination or any part thereof to be prescribed by regulation. It will allow the clarification of the application of the Act to certain classes of work.

A new paragraph (c) has been added to the definition of building and construction work to allow employers and working sub-contractors to contribute to the fund in relation to work done outside Victoria.

Interpretations of the phrases "private employer", "registered working sub-contractor", "service in the industry", "worker" and "working sub-contractor" have been included to bring into effect the proposal for the registration of working sub-contractor.

Clause 3 in the Bill provides for the registration of working sub-contractors rather than contractors. Clause 4 repeals section 13 and 14 of the principal Act which are no longer necessary under the new registration arrangements.

Clause 5 amends section 15 of the Act to provide for the payment of long service leave charges by both private employers and working sub-contractors. The amount of the long service leave charge in respect of working sub-contractors is directly related to the rate of pay fixed for foremen in the appropriate award covering work of the class being done by the working sub-contractor.

Clause 6 provides for the payment of contributions on a voluntary basis in respect of work done outside Victoria. It also provides for exemptions where employers or working sub-contractors are domiciled in another State in respect of work done in Victoria.

Clause 7 provides for the fixing of the rate for ordinary pay of a working sub-contractor.

Clause 8 allows the calculation of the period of continuous service of a worker to include service as a registered working contractor in determining eligibility for long service leave.

Clause 9 provides for the determination of the entitlement of a working sub-contractor.

Clause 10 makes consequential amendments to all references to workers, employers and private employers, by making them references also to working sub-contractors. I commend the Bill to the House.

The Hon. W. A. LANDERYOU (Doutta Galla Province): I believe the Minister has adequately explained the reasons for this measure, and the Labor Party offers no opposition to it.

The Hon. A. K. BRADBURY (North Eastern Province): The National Party has no objection to this Bill and believes it is in keeping with present-day methods, particularly in the building industry where many sub-contractors carry out the work of building and the cutting of timber. This Bill makes long service leave available to those people.

The motion was agreed to.

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

EDUCATIONAL GRANTS (CONTINUATION) BILL.

The debate (adjourned from November 10) on the motion of the Hon. Haddon Storey (Attorney-General) for the second reading of this Bill was resumed.

The Hon. I. B. TRAYLING (Melbourne Province): The Bill has two purposes. Firstly, it is an annual Bill and it provides for the payment of *per capita* grants to non-Government schools. It also makes a technical amendment to the legislation which provided for guarantees to be issued in respect of loans to non-Government schools. It brings the definition of a school into line with the definition of "non-Government school" in the Educational Grants Act, and provides that a guarantee may be issued for a loan raised by a school authority.

This Bill is now the responsibility of the Ministry of Education, whereas previously it was the responsibility of the Treasury. I understand that the

Treasury will still calculate the formula on which money is to be distributed on a *per capita* basis to students of non-Government schools. The Minister might explain why there seems to be an increasingly greater percentage increase in aid to non-Government schools than in the percentage increases given to Government schools.

In 1973, under the original Act, each primary pupil in a non-Government school received a *per capita* grant of $62, and a secondary school student $104. This year the grant to each primary school pupil has been increased from $62 to $179, and the grant allocated to each secondary pupil has been increased from $104 to $297, making a total of $49 million this financial year in *per capita* grants to non-Government schools. That is approximately a 300 per cent increase over four years. It cannot be suggested that spending on Government schools has increased by the same percentage. The Opposition has no quarrel if that money is distributed to non-Government schools on the basis of need.

In his second-reading speech the Minister said that the Bill will provide for equal opportunity in all schools. Of course that is absolute nonsense. The same amount of money that goes to Geelong Grammar, to students of privileged families, is given to the poor Catholic parish schools, and to suggest that a *per capita* distribution of $49 million is providing for equal opportunity is rubbish.

The policy of the Labor Party, in line with its philosophy, is that the money should be distributed on the basis of need. I therefore move the following reasoned amendment—

That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and redrafted to provide for the establishment of a Needs Commission to examine and determine the needs of schools and students in Government and non-Government education and to recommend to the Government of Victoria on a continuous public basis the level of expenditure necessary to meet the requirements of Victoria's school children on the basis of needs and priorities, educational experimentation and regionalization".

If the Government is serious about wanting to provide equal opportunity for all children then it should not distribute $49 million, or any greater amount as the years go by, on a *per capita* basis. Equal opportunity implies that schools which are not so well equipped should have their deficiencies made up so as to provide for equal opportunity. I cannot see the logic of the Government in stressing that this Bill will provide equal opportunity. It does not. It only distributes money on a *per capita* basis, which is a ridiculous exercise in the first place, and remains so.

The Hon. S. R. McDONALD (Northern Province): This Bill amends the Educational Grants Act and, as every member knows, it is an annual Bill. It now comes before the House to set the allowances that are payable to primary and secondary school pupils in the independent school system. Mr. Trayling was mercifully brief in putting forward his amendment, because this issue has been debated on a number of occasions at some length in this House and in another place.

The National Party believes the system which is operating now has been thoroughly debated on previous occasions and it supports the Government's amending Bill and is opposed to Mr. Trayling's amendment.

The Bill increases two amounts, those for primary school pupils in independent schools from $155 to $179, and for secondary school students to $297 per year.

The Bill makes another small amendment and brings the definition of a school in the non-Government sector into line with that of Government schools in relation to Government guarantees. As I have indicated, my party supports the Bill.

The Hon. HADDON STOREY (Attorney-General): The Government does not accept the amendment moved by Mr. Trayling. It suffers from the same disregard of facts and figures as previous amendments moved by the honorable member on such Bills.

Mr. Trayling referred to various figures. I do not know the source of the figures to which he referred, but the position simply is that the grant is a mathematical calculation of 20 per cent of the cost of providing education in Government schools. It has always been based on that mathematical calculation. There is no alteration to the way in which it has been done in previous years. Indeed, one should point out that it is the same formula as is applied in New South Wales by a Labor Government, and in Tasmania by a Labor Government, which Governments have obviously considered and rejected the proposal that Mr. Trayling has put forward on this occasion.

There is a needs provision for the schools through Federal funding. This is the State's contribution of only 20 per cent of the cost of education in Government schools to independent schools, and it is adopted by five out of the six States of Australia. It is a necessary supplement to the provision of education through the non-Government school system. For those reasons, the Government opposes the amendment.

The House divided on the question that the words proposed by Mr. Trayling to be omitted stand part of the motion (the Hon. W. G. Fry in the chair)—

Ayes	..	26
Noes	..	9
Majority against the amendment	..	17

AYES.

Mr. Block	Mr. Jenkins
Mr. Campbell	Mr. Knowles
Mr. Crozier	Mr. Long
Mr. Dickie	Mr. McDonald
Mr. Dunn	Mr. Reid
Mr. Evans	Mr. Saltmarsh
Dr. Foley	Mr. Stacey
Mr. Gleeson	Mr. Storey
Mr. Granter	Mr. Taylor
Mr. Grimwade	Mr. Ward
Mr. Hauser	
Mr. Hider	*Tellers:*
Mr. Houghton	Mr. Chamberlain
Mr. Hunt	Mr. Wright

NOES.

Mr. Eddy	Mr. Walton
Mr. Galbally	Mr. White
Mr. Landeryou	*Tellers:*
Mr. Thomas	Mr. Elliot
Mr. Trayling	Mr. Knight

The motion was agreed to.

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

JUDGES SALARIES BILL (No. 2).

The debate (adjourned from November 16) on the motion of the Hon. V. O. Dickie (Chief Secretary) for the second reading of this Bill was resumed.

The Hon. J. W. GALBALLY (Melbourne North Province): This Bill will bring the salaries of judges in the State of Victoria into line with the flow-on of the percentage increase granted by the Commonwealth Conciliation and Arbitration Commission. The sums are high, but so are the ravages of inflation.

I can recall when judges of the County Court received 500 pounds a year, and in 1939 Supreme Court judges were paid not more than 2,000 pounds a year. Until about 1940 the basic wage was under 4 pounds a week. When the late Mr. Chifley left office it was less than 5 pounds a week.

We have embarked on a curious road with regard to salaries in the community, and if the inflationary spiral continues—and it would be a wise man who could predict that it would not—members of Parliament may have to accustom themselves in

the near future to amending Acts to give judges salaries that run to $100,000 a year or more. That sounds ridiculous, but it could happen. Perhaps the answer to the problem of increasing salaries is to discard three noughts from the figure, and that would bring it right back!

With some reservations, the Labor Party must support the Bill, but hopes that Australia will not see the dreaded spiral of inflation continuing for the next twenty years as it has in the past twenty years.

The Hon. S. R. McDONALD (Northern Province): The Bill amends four sub-sections of section 82 of the Constitution Act in relation to the salaries of various members of the judiciary.

Mr. Galbally quite rightly pointed out that the Bill is the result of the increase in the cost of living and decisions handed down by the Conciliation and Arbitration Commission since judges' salaries were last adjusted. He went back to 1930 and outlined what has happened since then.

I can illustrate an instance of rising salaries by stating that when I entered Parliament in 1967, the salary was 2,800 pounds or $5,600 a year. I must admit that I have forgotten the exact amount of my Parliamentary salary now, but the figure has increased about four times in ten years.

I suppose one can only support Mr. Galbally's remarks and hope that the rate of escalation does not continue. The increases in judges' salaries outlined in the Bill are in line with increases in awards in the community generally.

These salaries are not being increased at any greater rate. To a large extent, the system used for the increases is the same as that used for Parliamentary salaries. The National Party supports the Bill.

The Hon. R. J. EDDY (Thomastown Province): I join my Leader, Mr. Galbally, in supporting this Bill. I am pleased to learn that, on this occasion, the Government is prepared to grant increases in salaries to people who deserve them. In most cases the Government opposes increases in salaries, particularly for the workers, but on this occasion Government members are supporting salary increases for people who carry out onerous duties.

We find that once judges, whose salaries are properly increased by this Bill, make decisions the Government often does not approve of them.

It wants to become the judge itself and mete out sentences. The Labor Party supports these increases in salaries for judges but I ask the Government to act more responsibly when increases are granted to other people, and not to appeal to the courts to have those increases taken away from those who deserve and need them even more than people who receive increases in salaries such as those proposed by this Bill.

The motion for the second reading of the Bill was agreed to by an absolute majority of the whole number of the members of the House, and the Bill was read a second time and passed through its remaining stages.

RURAL FINANCE AND SETTLEMENT COMMISSION (AMENDMENT) BILL.

The debate (adjourned from November 16) on the motion of the Hon. W. V. Houghton (Minister of Health) for the second reading of this Bill was resumed.

The Hon. D. G. ELLIOT (Melbourne Province): This measure introduces amendments to Acts administered by the Rural Finance and Settlement Commission to meet the changing conditions of today. Those Acts are the Rural Finance and Settlement Commission Act 1961, the Rural Finance Act 1958, and the Land Settlement Act 1959. The principal proposals in the Bill include changing the name of the commission to the Rural Finance Commission. It will administer the three Acts I have referred to, and that is appropriate.

There will also be changes in the operation of the Rural Finance Fund to enable the inclusion of Government agency money within the operation of that fund. The Bill grants power to the commission to raise money, with the consent of the Treasurer, by the issue of inscribed stock or debentures. This is a logical step, inasmuch as debentures will be guaranteed by the Government and will enable people to invest in their own State. There should be more of this.

The amount the commission may borrow under the Rural Finance Act will be increased to $55 million from the present limit of $40 million and there will be an increase in the amount which may be issued from the Works and Services Account from $40 million to $45 million, within the total borrowing. This is in keeping with the times. There will also be an increase in the amount which may be authorized to be issued from the Works and Services Account, for the purposes of the Land Settlement Act, from $40 million to $50 million.

Further, there will be additional methods of disposing of the developed land held by the commission under the Land Settlement Act. This is all to the good as often, under any plan or scheme, land may become redundant. It is also possible that it may be better that land be sold to consolidate other properties or, in some way, to give someone an opportunity to go on the land. But that is a hazardous undertaking nowadays.

For the life of me I cannot understand how anyone can start from scratch on the land. People have to borrow money to buy land, borrow money to buy machinery, and obtain carry-over finance during cropping and the growth of stock. Only one of these assets was necessary in the old days. But today, a person going on the land must have at least two of them. Perhaps both his land and machinery would have to be paid for. Even then there are many aspects of primary production which are hazardous in the extreme.

In Victoria we now have pockets of rural poor who should be given proper consideration. They are proud people and I do not denigrate them in any way. I think they are the salt of the earth and they are in this situation through no fault of their own.

Under the old soldier settlement scheme, many arrangements were badly planned and, because of weather conditions or inadequate areas for farms, many settlers were compelled to leave their properties. Many had to go back to the city although, in some cases, they were fortunate to be able to stay on the land elsewhere.

Although the establishment of the Rural Finance Commission is a laudable step, we still have a long way to go to deal with the realities confronting the people on the land in Victoria. Infinitely more consolidation finance should be available. We still have the farcical situation—although it is slowly going by the board—that, at least up to now, when a property attracted probate duty, in many cases part of it had to be disposed of to pay the duty. That has always seemed ridiculous to me when the advice has always been that properties should become bigger and more efficient. The application of probate duty to farms has had the opposite effect.

Let us hope that the Rural Finance Commission can assist in more consolidation of farms. Where necessary, it should help increase the number of hectares in a property so that its viability is more positive. That is the big trouble today.

In the Wimmera, for instance, wheat land is being sold at terrifically high prices, prices which I thought would never be reached. I think they are too high. But, in other areas there is good land which, although it is not suitable for cropping, is good for grazing. Because of the state of the grazing industry there are good opportunities available for people with cash to buy this land.

People with cash can take advantage of another man's misfortune, but they cannot be blamed for that. In many cases the property must be sold but there is the tragedy of good families being forced off the land through no fault of their own.

The Hon. S. R. MCDONALD: Would you like to buy one or two good properties?

The Hon. D. G. ELLIOT: I am a complete land enthusiast and Mr. McDonald has personally examined two properties for me and given them his imprimatur. As I have such classic respect for Mr. McDonald's judgment and the quality of his mind I took notice of what he said to the extent that those properties were purchased, but all I have done since is pay out many thousands of dollars. What that says for Mr. McDonald, I leave you to judge, Mr. President.

When there is an increasing number of people who can never on any day, between the time they are born and the time they die, eat enough, when a third of the world's population suffers from malnutrition, and there are great pockets of poor within affluent countries, it is crazy that we should be cutting back on food production. Why this should be, I do not know. It probably means that we should have a one-world concept. I realize, Mr. President, that has nothing to do with the Bill, but it is an important point.

Naturally, the Labor Party supports the Bill. We hope it will help more and more primary producers to consolidate properties into bigger holdings so that they can become viable, not temporarily but permanently.

The Hon. B. P. DUNN (North Western Province): It is amazing that in Australia, a country which relies so much on primary industry, we have always been so slow to accept the needs of producers and do something about them. This has been a fault with Governments, both State and Federal, over decades. They have failed to put themselves out to give primary industry the sort of boost it needs.

Secondary industry receives support and so do many other areas of business and enterprise. But there has been a lack of long-term rural planning by all Governments in Australia. Today, we are starting to pay the price for that. I hope that both the State and Federal Governments will look ahead to the future of primary industry instead of merely providing hand-to-mouth assistance or short-term help to producers in a crisis situation.

I am alarmed and concerned about the financial position of producers, and particularly about the future outlook for primary industry which, as Mr. Elliot suggested, is becoming very poor. There is no possible way in which a young person can establish himself on the land unless he has vast financial backing from his parents, is earning money from other sources, or has capital he has received from another source to pour into his new undertaking. There is no way in which the ordinary person can go about setting up on the land.

If a person is thinking of taking on an average wheat farm near Warracknabeal, say, or in the southern Mallee or the northern Wimmera, he must consider a minimum of 1,500 acres as a good workable area. That land is bringing between $150 and $200 an acre on today's market. Prices fluctuates between those sums but most are in the higher bracket.

The Hon. D. G. ELLIOT: A few years ago it was between $60 and $80 an acre.

The Hon. B. P. DUNN: Yes, but it has gone up considerably since then, and although it fluctuates, it will come down again. That means a person has to pay about $225,000 for the land. Machinery will be required to work the land. Firstly an auto-header, which is a piece of seasonal equipment which not everybody

owns although many are in use, costs between $35,000 and $45,000. An average size tractor to work the area costs in the vicinity of $20,000 to $30,000. With other items, it means a machinery cost in excess of $100,000 which, added to the cost of the land, means an outlay of about $325,000 for a farm that will generate just enough income to provide a living for one family.

The farmers who own such areas are not making half the interest on their capital that they could make if they invested the capital and went on a holiday. I have examined many farming enterprises and they are not returning more than 5 per cent on the capital invested—that is if they are lucky. Most people involved in farming today must have a love for the land, but honorable members should realize that one cannot survive on love alone. Although many have tried to get away with it, I have been told that it is not always possible, and with inflation, it is not easy. The farmer faced with this income situation has to pay the same prices for food and clothing as the person who is on a wage which is gradually increasing through inflation.

The Hon. R. I. KNOWLES: How does this relate to rural finance?

The Hon. B. P. DUNN: I am trying to point out that in the past this Government and the Federal Government have failed to provide the lending arrangements that are necessary to assist primary industry.

I have great respect for the officers of the Rural Finance and Settlement Commission. I have dealt with them constantly over the eight years that I have been a member of Parliament and they have treated me with courtesy. I compliment them on that courtesy and for the attention which they have given to matters I have raised with them.

What type of assistance is available under the present lending arrangements of the commission to the young man who wants to establish himself on the land? The farm build-up scheme provides finance to build up properties, but only to an existing property holder to build up the area of his land. However, if a young fellow—as Mr. Knowles is—is living on a farm and he wants to purchase his first area of land, he will not get finance from the Rural Finance and Settlement Commission.

The Hon. R. I. KNOWLES: I could if I had the deposit.

The Hon. B. P. DUNN: Mr. Knowles is an existing landholder.

The Hon. R. I. KNOWLES: Assistance is available to new purchasers, but one must have 50 per cent of the purchase price.

The Hon. B. P. DUNN: If a property was valued at $200,000, a young fellow in Mr. Knowles's position would go to the Rural Finance and Settlement Commission with $100,000 in his pocket and ask for the rest. From cases to which I could refer, I know that this is a most difficult area and the young fellow who wants to purchase his first piece of land is not in the race. Obtaining the first piece of land is the problem, after that is becomes easier. The son may be at home with his father and wants to buy 600 or 700 acres adjoining or in the immediate vicinity of his father's property but he is excluded from obtaining finance. In many cases he has to enter into a family arrangement to purchase the land; in other words, the mother and father become co-purchasers.

I have argued against that principle, as I have argued against the principle which excludes deals within the family, but thankfully this aspect has been covered in the Bill. As I have said on many occasions, farming is a self-generating industry and usually the sons of existing farmers take over the running of the farm, so there must be a transitional provision from one generation to the next. That means the commission has to be prepared to lend money to sons to purchase the land from their fathers. In many cases the fathers

cannot afford to give the land to their sons and the sons cannot afford to purchase it. It is really a matter of working in with the lending institution, or something else has to happen.

The Hon. D. G. ELLIOT: What if dad does not want to give up any of his land?

The Hon. B. P. DUNN: That happens, and that is when the son has to buy his own land. That has been a point of exclusion from rural financing in Australia for a long time, and in those cases the son has to get out and look for his own property. However, many young fellows cannot scrape up enough finance, and the only time that the Rural Finance and Settlement Commission will provide a loan to the son is if the finance is required for the father to build a house.

The Hon. R. I. KNOWLES: What is wrong with that?

The Hon. B. P. DUNN: Mr. Knowles should update his thinking. If the son obtains a loan of $30,000 that will only allow the father to build a house, but in a deal that costs $130,000, from where does the son obtain the remaining finance?

I refer also to the grain producing areas. A flexible interest rate operates under the build-up scheme for the purchase of properties, but it fluctuates from about 7·5 per cent to 10·5 per cent. In the majority of loans granted in recent months—and I understand this will be the case in the foreseeable future in the grain-producing areas—the maximum interest charged was 10·5 per cent through the rural financing institutions which are supposed to give advantageous lending to primary producers. That is also the present bank interest rate and the only advantage that the Rural Finance and Settlement Commission is offering these borrowers over and above what they could obtain from the bank is an extended period of the loan, of between five and ten years for repayment of the loan, depending on the policy of the lending institution.

People engaged in the grain industry in the wheat–sheep zone are considered to be the wealthy producers of Australia. Perhaps they have enjoyed a number of good years but they have also had their share of bad seasons, as they did this season, when the price of grain, particularly barley, has fallen considerably. The price of wheat has fluctuated and the future situation is not bright. Let us be accurate when we refer to the millions of dollars that are supposed to be made in the grain areas. A high cost input is involved in these properties, and seasonal conditions and prices fluctuate tremendously.

The Hon. R. J. LONG: Should not viability be the test?

The Hon. B. P. DUNN: We could look at viability, but I am talking about long-term assistance for people involved in primary industry, particularly for young people to become established. If a young fellow is starting off and obtains finance through the Rural Finance and Settlement Commission at an interest rate of 10·5 per cent, what is the advantage of the assistance that the Government is giving him?

The Hon. R. I. KNOWLES: In the term of the loan.

The Hon. B. P. DUNN: That is not a great advantage. Previously, the interest rate was 6·25 per cent and that provided some benefit, but what is needed is a loan over a twenty-year period at an interest rate of beween 6 per cent and 7 per cent. That would help to establish a new generation of people in the farming industry. Under our limited scheme it is difficult for people to become established on the land. If they do, they have to prune their costs heavily. As I stated before, in the majority of cases the sons have not that kind of money to purchase the

land from their fathers and no finance is available for them to purchase their first area of land. That problem excludes a considerable number of people from the scheme.

I thought the Government might be sympathetically inclined to meet the need for long-term rural financing. A policy to cover this situation should be implemented by the Government, and particularly by the Commonwealth Government. I am not at all sure that the rural banking arrangements which the Commonwealth Government is establishing will achieve the benefits that the rural community desires. It is a step in the right direction which will allow lending through normal banking institutions but we lag far behind what is done in other countries. Those schemes were recently outlined in another place by the honorable member for Rodney who has studied similar schemes in New Zealand and other countries.

I would like to see, as I am sure would officers of the Rural Finance and Settlement Commission, a more advantageous interest rate. That is an area in which the Government could do something immediately, instead of introducing measures that provide for an interest rate of 10·5 per cent, which is what young people are charged by their local bank managers.

The Hon. R. I. KNOWLES: Over a period of 23 years?

The Hon. B. P. DUNN: They can obtain loans over fifteen years, so the term of the loan would be the only advantage. A local bank manager recently told me that a client had received finance through the Rural Finance and Settlement Commission at an interest rate of 10·5 per cent for a twenty-year loan. He informed me that he could do nearly as well as that himself.

The Hon. C. A. M. HIDER: He was lucky.

The Hon. B. P. DUNN: One can obtain finance at that rate today.

The Hon. C. A. M. HIDER: Of course you cannot.

The Hon. B. P. DUNN: Mr. Hider may have been looking in the wrong places. I am just about fed up with the back-bench members of the Liberal Party. I thought they knew something about primary industry.

The PRESIDENT (the Hon. W. G. Fry): Order! I agree with Mr. Dunn. It is difficult for the *Hansard* reporters to report accurately what is said in this Chamber because of the flow of interjections, which sometimes do not reach the Chair, but which nevertheless distract the reporter and make it difficult to pick up the main thread of the speech. I ask honorable members to remember that *Hansard* reporters are trying to record accurately what is said, which is an extremely difficult task. After all, *Hansard* is the premanent record on which we rely. Therefore, I make a legitimate demand that, when a question is asked by interjection, a minor debate should not develop on that topic before the House continues with the main debate. I ask honorable members to remember that.

The Hon. B. P. DUNN: Back-bench supporters of the Government are sensitive to my comments because they realize that this is an area in which the Government could do something. I have not attacked the Government on this aspect, but I thought it would welcome suggestions to assist in overcoming the problems and the needs experienced in primary industry today. We are prepared to talk about this as long as they are, in the hope that the message will get through to them.

This Bill does a number of important things to the Rural Finance and Settlement Commission. Firstly, it alters its name to the Rural Finance Commission, which probably better emphasizes its present role. As I said previously, the commission works effectively. Its officers have been cooperative and courteous in matters raised with them. In general they themselves experience frustration

because no doubt they would also like to be able to do the job more adequately than they can at present. All too often they find it necessary to refuse applications because finance is not available. Because of the fluctuating levels of finance a person may apply for a loan and be turned down but be successful three months later because more money is available and there is a much freer lending policy. I compliment the commission on the work it has done.

Various amendments are proposed in the Bill but I shall not discuss all of them. One major amendment concerns the disposal of land. The commission now owns a considerable amount of land. In his second-reading speech the Minister said that at present the commission holds some 33,000 acres at Heytesbury, 7,200 acres at Palpara and 1,870 acres at Robinvale. This land is earmarked for future development and for primary producers. Under the Act at present usually such land is disposed of in a fully developed state. An example is the Heytesbury scheme. Applications are called for settlers on those properties to move into a complete working unit, which includes a house, fencing and the other necessary items to enable the incoming farmer to earn an income almost immediately. Because it has had these large areas of land, the commission has developed a proportion of them and disposed of that land to settlers. According to the Minister and the commission they would like to dispose of some of this land without having to fully develop it—in other words, to sell areas of land to whom and on such terms and conditions as they think fit. The proposal is to afford a much wider ability to dispose of land. We trust that right will be exercised responsibly.

The commission has been involved in livestock trading. I could not help smiling when the Minister said—

> The commission has been able to make profits with its livestock trading and still has considerable credit in its accounts as the result of that trading.

That sounded good until the honorable gentleman read the next sentence which showed that the commission, like primary producers generally, has since hit rock bottom, particularly in the meat industry. The Minister said—

> During the past three years, however, with the disastrously low price for beef cattle and the increasing costs, particularly for superphosphate, the commission has incurred losses . . .

That particularly relates to beef producing operations. At present the commission owns a herd of approximately 11,000 cattle. All I can say is that I am glad it has them and not me. If the commission holds land it must get some return from it. The Minister said that over the next five years the commission will take reasonable opportunity, in the light of economic circumstances which prevail in particular industries to sell the land for the most appropriate land use. That refers to land at Heytesbury, Palpara and Robinvale. I understand that the land at Robinvale will not be disposed of. I also understand from the Minister's comments that that land is under a share-farming agreement and that there is a problem because it borders the soldier settlement area of fruit, grapes and so on and there are marketing problems in those industries. Any future development may not be economic or of benefit to the industry. The procedures of sale are also adjusted. In his second-reading speech the Minister said—

> These proposed amendments to the Land Settlement Act are to meet particular circumstances and do not indicate that as a general policy the Government is not continuing its encouragement of young people to settle on the land. The commission, through the various schemes it administers in rural finance and rural adjustment will be providing, whenever practical, means by which sons can take over from fathers and young people can purchase and settle on the farm of their choice.

That aim must be pursued by this Government and also the Federal Government if primary industry generally in Australia is to have the sort of future we want it to have.

The Bill provides for an increase in the ability of the commission to raise funds, loans and so on to further extend its lending to the rural community. It also provides much needed assistance for the fishing industry with an initial allocation of $500,000 for that purpose. Under an amendment it will allow allocations and loans to be made in the metropolitan area which have previously been excluded.

The National Party supports the Bill and hopes it will further assist rural finance in its very important responsibility. I have raised a few areas of need, not because I am critical of the commission but because there is a need for the Government to give the commission the right and ability to deal with some of the areas which are now excluded, particularly the provision of funds to enable young people to establish themselves economically on the land.

The Hon. O. G. JENKINS (Geelong Province): This Bill proposes the modernization of the structures and procedures of what has been known as the Rural Finance and Settlement Commission to enable the commission to adapt to changing times. I wish to comment on only one aspect of this Bill—the extension of the powers of the commission under section 37 to enable it to assist the fishing industry and those in the business of catching, processing, marketing and distributing fish. In recent years research has indicated that new methods must be employed if we are to harvest the resources available on the continental shelf surrounding Australia and particularly in Bass Strait. For many years the traditional fisherman has operated from within the various fishing ports in Victoria. He had a modest boat which he was able to finance himself and which, in most cases, he operated himself or with the assistance of one or two men. He was able to handle his catch himself and arrange for its transportation to Melbourne to be sold. Gradually the fishing industry has changed and it has been found necessary to enlarge the boats and to build processing works closer to the ports where the fish are landed and generally to modernize the catching, processing and distribution of fish.

It is a coincidence that in the Melbourne *Sun News-Pictorial* today there is a well illustrated article on the centre pages which sets out the activities of the Commonwealth Scientific and Industrial Research Organization division of fisheries and oceanography. Dr. Garrey Maxwell, a Scottish marine biologist and his crew are carrying out an extensive survey of the fish resources south of Victoria. Their boat is expensive and carries equipment worth something like $150,000. Whilst this may not be necessary for a commercial fisherman, it gives some indication that if we are to harvest the fish resources surrounding this State, fishermen and the fish processing and distribution industry will have to be modernized.

As Mr. Dunn pointed out, if we are to make a substantial investment in a rural industry, including fishing, long-term finance at a reasonable rate of interest is needed.

The Hon. B. P. DUNN: Is 10·5 per cent a reasonable rate of interest for these purposes?

The Hon. O. G. JENKINS: I do not think it is, but we have to meet the market. There are indications that interest rates are dropping. It is not difficult to get a loan but it is very difficult to service them. Whilst people may be happy about the price of products, a house or a farm they are not in a position to service the high interest rates. That fact alone will gradually force interest rates down. Apart from that, it is necessary, if we are to assist the fishing industry, to make long-term finance available to those men at a reasonable rate of interest. The fishing industry has a long tradition of service to the people of Victoria. Those who enter the fishing industry stay in it. There are some families at Queenscliff, Lorne, Geelong and

Portarlington which have been in the fishing industry for three generations. Two successful co-operatives have been set up in the area which I formerly represented, at Queenscliff and Lorne. They have a substantial investment in the processing and storing of fish and if they are to meet the requirements of the Environment Protection Authority and the Fisheries and Wildlife Division their plants will have to be updated and substantial moneys expended. I welcome the Government's initiative in extending the powers of the commission to enable it to finance the fishing industry and in particular the co-operatives which are doing such a valuable job on behalf of the fishermen of Victoria.

The sitting was suspended at 1 *p.m. until* 2.8 *p.m.*

The Hon. R. I. KNOWLES (Ballarat Province): I support this Bill which widens the charter of the Rural Finance and Settlement Commission and extends assistance to some new areas, particularly the fishing industry to which Mr. Jenkins referred, thereby giving them greater flexibility.

I wish to take up a couple of points raised by Mr. Dunn. It seems an over-simplification that the financing of primary industry will be solved by the provision of long-term low interest rate finance. If the Government took over the total rural debt, about $3 billion would be involved, and the suggestion is impracticable. The terms of the loans, which provide real benefit to primary industry, are not particularly related to the interest rate. I am happy to acknowledge that at present interest rates are too high, but that problem exists in relation not only to primary industry but to all industry. The solution is to lower the rate of interest generally, as is being done by the Federal Government. The rate is falling and will continue to fall, thus providing a solution to the problem.

Mr. Dunn gave an example of a young couple purchasing a farm and spending about $250,000—

The Hon. B. P. DUNN: Not necessarily. I said that that is the average farm. He might buy only half the farm.

The Hon. R. I. KNOWLES: Whatever figure is chosen, my point is relevant. Assuming that the person concerned was able to raise a deposit of $50,000 on that farm, he would still need to borrow approximately $200,000. Mr. Dunn said that the present interest rate on rural finance lending arrangements should be 6·5 per cent. The advantage of finance from the Rural Finance and Settlement Commission is that payments are worked out on a *crédit foncier* basis and not on an interest-plus principal basis. On a 23-year loan of $200,000 at an interest rate of 6·5 per cent, the borrower would have to meet an annual commitment of $15,000. I know of no industry in which, over a period of years, a borrower could meet a financial commitment of that order.

The Hon. B. P. DUNN: Did you work that out at 7·5 per cent?

The Hon. R. I. KNOWLES: I worked it out at 7·5 per cent *crédit foncier* repayment.

The Hon. B. P. DUNN: It is 11·5 per cent.

The Hon. R. I. KNOWLES: Mr. Dunn said that the interest rate should be 6·5 per cent. If so, because the person concerned has to borrow $200,000 he is still required to meet a financial commitment of $15,000 each year, which is completely unrealistic in primary industry. Mr. Dunn will agree with that. Therefore, the argument that Mr. Dunn advances as being the solution to this problem will not work.

Young people are moving into primary industry, and the only way in which they can do so is by purchasing a small area of land and having an outside income until they are able to

borrow further and come within the scope of the farm build-up scheme which Mr. Dunn mentioned. I support his remarks. That is the most effective form of financial assistance.

Mr. Dunn also mentioned family deals and stated that the Rural Finance and Settlement Commission is not prepared to assist sons who purchase their father's farms. Mr. Dunn did not acknowledge that in cases where the father has to purchase a home or build a home off the farm, up to $50,000 is provided. That is a correct and proper course for the Rural Finance and Settlement Commission to adopt.

I am not particularly happy if public money is provided to allow a son to buy out his father so that his father can reinvest that money at a higher rate of interest. If the father has a house in the city, he leaves the rest of the money in the property and the son pays him interest and pays him off in the same way as he would pay off a debt to the commission. I believe it is extremely important that the commission should use the limited funds available to it to help young people who do not have access to finances within the family.

The role of the Rural Finance and Settlement Commission is essentially one of lender of last resort, because the commission attempts to provide assistance to people who are not able to borrow on the commercial money market, but who, in the judgment of the commission, have the ability to make a success of a particular enterprise. The commission's success has been well established and it should be commended on its success rate. The Bill will provide the commission with increased opportunities. I agree that it will be able to operate only within certain limitations. Undoubtedly, all honorable members would like the commission to have greater resources available to assist more people. However, the general thrust of the assistance that is provided is right and proper and I dispute Mr. Dunn's remark that low interest rates will be the panacea for primary producers' financial arrangements.

The Hon. B. P. DUNN: I did not say that.

The Hon. R. I. KNOWLES: That was certainly the import of Mr. Dunn's argument and that is good parish pump politics, but it is completely off the mark if we are genuinely interested in examining the problems—and there are real problems, from which I do not run away—of financing primary production and primary producers. I support the Bill and commend the Government on its initiative.

The Hon. S. R. McDONALD (Northern Province): Many honorable members have already spoken on the Bill and I shall not deal with it in detail. I intend to make three points. Firstly, I pay a sincere compliment to and commend the present commissioners of the Rural Finance and Settlement Commission, the chairman, Mr. Morton, and the members, Mr. Harry and Mr. Kerr. My remarks apply equally to the officers of the commission. I have been in this place for some years and I can say without reservation or qualification that the members and officers of the commission have carried out their duties with as much dedication, zeal and application as those of any other Government department or instrumentality with whom I have had to deal.

They have operated under some difficulty with regard to available manpower resources. I know from personal experience the long hours that senior officers of the commission have had to work. They also operate under fairly severe financial restraints. It has often concerned me that the commission had to operate under these financial restraints while other Government departments did not have the same restrictions applied to them. The commissioners and staff have done

an excellent job and have carried out their responsibilities commendably and adequately.

The second point is one which Mr. Dunn and other honorable members have alluded to, the recently formed Australian Rural Bank, for which legislation was passed by the Federal Parliament only two or three weeks ago. The establishment of the bank fulfilled an election commitment in 1975, but I have always held the view that the proposal was not likely to be successful in achieving its objectives. If the Commonwealth Government had put its energies and resources, particularly financial resources, into the State instrumentalities—in Victoria the Rural Finance and Settlement Commission is the appropriate one—far more would have been achieved in assisting those who would be helped under the appropriate legislation.

My final point is one that I have made previously, and I shall not go through the correspondence in detail because I have already placed it before the Premier and had the proposal rejected. This House has discussed at some length the proposition of enabling primary producers to purchase farms and for younger members of the community to have the same opportunity. I do not know why the same concept and principles that have applied to land settlement schemes over many years should not apply in this instance.

I have been involved with the commission's land settlement schemes in the Goulburn Valley, and more recently the new settlement at Rochester West. Now that those schemes have been completed, it is logical for the Government to accept that it should be possible to make the same opportunities available to selected and appropriate applicants. I refer generally to sons of present farmers or any other young person who wishes to purchase a property under the same conditions that applied at Rochester, Cobram, Heytesbury and a number of other places. If honorable members are genuinely interested in getting young farmers and other young persons into primary industry, this is the only effective way of achieving that end.

If action along these lines is not taken, the present trend of farms aggregating in size and the number of active farms diminishing will continue. In the long run, in terms of food production and agriculture, this will be to the detriment of everybody in the community.

I repeat my commendation of the members and officers of the Rural Finance and Settlement Commission for their tremendous work in the interests of Victoria. If the Commonwealth Government had seen fit to make available to appropriate State institutions the same financial and other resources that it has put into the Australian Rural Bank, our rural industries would be better off. If we are going to achieve anything in promoting and providing incentives for young farmers and other young persons to become involved in farming, it is necessary only to expand the present land settlement scheme. With those remarks, I indicate my support for the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Change of name of commission).

The Hon. W. V. HOUGHTON (Minister of Health): I am grateful to those honorable members who contributed to the second-reading debate. Differences of opinion have arisen, but everyone agrees that the Rural Finance and Settlement Commission, henceforth to be known as the Rural Finance Commission, has served the State and the primary producers of this State very well. There is no question that, within the limits of its resources, the commission has made available to primary industries

finance on terms which are better than can be obtained elsewhere. As Mr. Knowles points out, the total resources required to finance primary industry in Victoria, let alone Australia, are astronomical. Within the limited resources available to it, the commission has done a great deal to assist primary producers. It will always be possible to say that the commission could do more, but that could be said of anyone and anything at any time. At least, the commission has made a splendid contribution.

Interest rates are not the whole essence of the problem, as Mr. Knowles pointed out, but I am sure that he acknowledges that interest rates are a minor part of the problem. We have been discussing small parts of a total problem, and I am sure that the Government and the commission are gratified with the remarks that have been made.

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.

TRANSPORT WORKS AND SERVICES BILL (No. 2).

The debate (adjourned from November 9) on the motion of the Hon. D. G. Crozier (Minister for State Development and Decentralization) for the second reading of this Bill was resumed.

The Hon. D. R. WHITE (Doutta Galla Province): The Bill deals with the capital works programme for railways for the next financial year and the Opposition does not oppose it. However, certain comments should be made about it.

The expenditure on capital works for railways will be increased from $42·32 million to $45·96 million during the next financial year, but that is not a sufficient increase for public transport. Members of the Opposition are also concerned that the Federal component of this expenditure has diminished from $8·8 million to $6·8 million, so that there will be a decrease of $2 million in the amount provided by the Commonwealth for the Victorian Railways capital works programme in Victoria.

Not only is the Federal contribution towards the programme insufficient, but there is a lack of co-ordinated capital works programmes by the State Government. It is ridiculous that there should be a significant surplus of funds available for capital expenditure on roads and insufficient funds available for expanding railway facilities. Better co-ordination is urgently required between Government departments in developing their capital works programmes. Some attempt has been made since 1973, through the State Co-ordination Council, to improve co-ordination between Government departments, but to date those attempts have been grossly inadequate and have not come anywhere near ensuring adequate planning for capital works expenditure.

The lack of co-ordinated planning by the Government has seriously affected not only public transport expenditure but also the provision of adequate public transport facilities, particularly in satellite towns. Because of the absence of Governmental planning, too many satellite towns have been established on too many frontiers on the fringes of Melbourne. The establishment of these towns has increased demand for new forms of transport and, because the Government does not have sufficient funds available to provide that transport, many people living in the satellite towns have been disadvantaged. This situation applies particularly to the towns of Melton and Sunbury, which are within the province that I represent.

On the one hand, there has not been proper co-ordination of capital works programming among State Government departments to provide for public transport needs, and on the other hand the lack of planning that has gone into the growth of satellite towns such as Melton

and Sunbury has meant that the needs of the people in those towns are not being met. The provision of funds for capital works for railways over the past few decades has been so meagre that very few capital works projects have been carried out. The duplication of the railway line from Werribee to Geelong, which is perhaps the most important capital works project of the Railways Board, has not been achieved. Until that project is completed there is little prospect of the duplication and electrification of the rail link to Melton and the expansion of the link from Broadmeadows, as well as many other duplication programmes, being undertaken.

The failure of the Government properly to co-ordinate transport needs, in conjunction with its failure properly to plan for satellite towns and their public transport needs, means that the Government has been unable to put before the Federal Government appropriate and consistent programmes. It is obvious that until planning at a State level is carried out properly, the transport needs of the people in the new satellite towns will not be met.

The fact that insufficient finance is being provided for these capital works is due not only to the tardiness of the Federal Government and its failure to provide adequate funds in the same way as the Whitlam Labor Government was able to provide those funds, but also to this Government's failure adequately to plan the future transport needs of the people of Victoria and to ensure that where it has created satellite towns on the fringes of Melbourne the public transport needs of the people who live in those towns were dealt with before the towns were developed.

I reiterate: The Opposition has serious reservations about the failure of the Government to deal adequately with the transport needs of the people of Victoria, but it does not oppose the measure.

The Hon. B. P. DUNN (North Western Province): I shall make a few comments on the over-all transport situation, with particular emphasis on the aspects of transport that affect honorable members who represent country electorates. No doubt the problems encountered in the city will be canvassed by honorable members who represent city electorates.

Transport in Victoria faces tremendous difficulties because of the great distances involved and the small centres of population scattered throughout the State, which require, and are entitled to, transport services. Over a long time the railways have been allowed to deteriorate. This is obvious in the condition of rolling-stock. In many cases services have also deteriorated because there has not been sufficient financial provision to allow them to be maintained properly.

An example of this situation occurs on the line that serves the Wimmera and southern Mallee areas. It is the main line between Melbourne and Adelaide, and I am speaking particularly of the service between Melbourne and Dimboola, and farther on to Serviceton. Both Mr. Knowles and I use that service. Mr. Knowles travels as far as Ballarat and I travel to Murtoa. The 4.56 p.m. train arrives in Dimboola at approximately 10.30 p.m., which means a five-and-a-half-hour journey. Usually there is one air-conditioned car in the first-class section of the train and one air-conditioned car in the economy-class section, provided that the air-conditioning is working. The other carriages have no heating of any kind, although some of them contain the old foot warmers.

Many elderly people, particularly pensioners, use this train service when they come to Melbourne for medical or dental treatment or to obtain new glasses. They travel for five and a half hours in the middle of winter from Melbourne to Dimboola or other destinations in between in

unheated carriages. The only food the can purchase on the way is a pie or a sandwich and a cup of tea or coffee at Ballarat.

I suggest that the longer the distance a train has to travel, the better should be the quality of the carriages provided. If a person is sitting in a train for only twenty minutes he will not be too worried about the condition of the carriage, but if he has to travel in it for five and a half hours it will worry him greatly. This applies particularly to elderly people and to young mothers who have to travel with children and babies. It is an almost impossible situation for them.

On a number of occasions I have asked the Government to upgrade the service, and this morning I received replies to two of those requests. The Secretary for Railways, in a letter dated 18th November, 1977, said—

> Ideally, we would like to be in a position to provide air-conditioned carriages on all country trains but because we possess only a limited number of these carriages this is not possible. What we therefore try to do, to ensure that all patrons gain some benefit from these facilities, is to distribute air-conditioned carriages more or less evenly throughout the State by endeavouring to provide at least one first and one economy class air-conditioned carriage on each train.
>
> We are currently investigating the possibility of replacing wooden body country carriages but we would require increased capital allocations or a special grant of funds before we would be able to prepare a programme for construction of new passenger rolling stock.

The Minister of Transport, in a letter dated 21st November, 1977, advised—

> The Government recognizes the need to replace old rolling stock being used on country services and has plans to introduce new air-conditioned carriages on regular country services. This programme will be implemented as soon as available funds will allow.

That may be never. The people who use these services to country towns and cities are entitled to a better standard of service. The new silver trains that are operating around the metropolitan area are a great improvement on the previous carriages. Quite a lot of money has been spent on transport services in the Melbourne metropolitan area, which is fair enough, because Victoria should be working towards a fixed rail system that can be improved and reduced expenditure on roads and freeways. However, more should be spent on country services where people are travelling in railway carriages for five or six hours.

Last Thursday, when I returned home, I left Parliament House at 4.15 p.m. and the train was three hours late in arriving at Murtoa. It took me nine hours to travel the distance between Parliament House and my home, three hours of which was spent with the train sitting on the railway line behind a broken-down locomotive.

The Hon. R. I. KNOWLES: What we really need is more locomotives.

The Hon. B. P. DUNN: Yes, locomotives are breaking down. If a person had travelled on that train for the first time, as some travellers did, one could well understand his making a decision never to travel on it again. That is how passengers are lost to the railways. It is necessary either to fold up the whole show and give it away, or to try to improve it. More can be done.

I wish to compliment the staff who provide excellent service on the *Overland*, which runs between Melbourne and Adelaide. Both Mr. Knowles and I use that train and, as members of Parliament, we have been treated with great courtesy by conductors and other staff. It is a credit to them, and I pay tribute to them for it.

Another matter about which I am concerned is rail freight charges. The Minister will be aware of the importance of these charges to country areas, particularly to industries such as the grain industry that makes substantial use of the railway freight system. I hope the Government will

avoid any increase in rail freight charges this year, particularly on grains and primary produce. People ask why those industries should be excluded from increases, but over the past few years the Government has avoided increases in passenger fares and various other freight charges, and if there is to be a general rise the industries that have been hit by rises in the past should be excluded. Figures provided by the Victorian Railways show that the freight paid on grain is their main source of freight revenue. I ask the Minister and the Government to avoid increases on grain and superphosphate. Most people involved would agree that the freight now being paid is far in excess of what should be asked for the service provided.

Another matter of concern to me is the Balmoral railway line. I hesitate to raise it again, but members of the National Party intend to keep this issue alive in an effort to ensure that the line is not closed.

The Hon. H. M. HAMILTON: It carries two passengers a year.

The Hon. B. P. DUNN: I am not talking about a passenger service on the Balmoral line. There is not one.

The Hon. D. G. CROZIER: There was once.

The Hon. B. P. DUNN: We all know that, but it has gone. I am talking about retaining and improving this line, especially to service the port of Portland, which will be expanded enormously in future, particularly for grain. The Melbourne–Adelaide line is already completely choked with trains using the interstate service, especially between Ararat and Dimboola. If the Balmoral line is not there to divert grain through to Portland, all the grain from the lines north of Dimboola, Warracknabeal and the west Wimmera must pass via Horsham, Stawell and Ararat to Portland. I hope that with the support of the Minister, the Government can retain this line and improve it. I am convinced that should be done.

In reply to a question in the House a week or two ago, the Minister said that he had an open mind on the matter. I am not sure whether that meant he was in favour, or was against, or was non-committal. However, that issue certainly needs attention. I hope the Government will see fit to upgrade the line and keep it operating, not only for the present generation but also for future generations, to handle the produce that will flow through Portland for as long as we can see into the future. Transport is tremendously important to country people.

The Hon. R. J. EDDY: And to city people.

The Hon. B. P. DUNN: Yes, but I am referring mostly to the country at this stage. I hope more money will be poured into country rail services because they should not be allowed to deteriorate to the extent that they will be virtually non-existent.

The Hon. H. M. HAMILTON (Higinbotham Province): I take up some of Mr. White's comments. The honorable member demonstrated an astonishing lack of knowledge of the transport arrangements in this State when he referred repeatedly to the need to co-ordinate transport. Apparently he is not aware that transport comes under the one Ministry and there is one Director of Transport. Not much more can be done to co-ordinate a service than to have it under one Ministry.

The Hon. D. R. WHITE: How does that relate to the creation of satellite towns? There is no relationship.

The Hon. H. M. HAMILTON: The only relationship is that the honorable member is doing his best, as he did the other night, to lay a false scent in an attempt to pour a bucket on the Government. I emphasize that transport is co-ordinated under one

Ministry. That rather negates the entire argument of the spokesman for the Opposition.

I draw attention to one or two other aspects of the Bill. I am pleased to note that, despite the financial stringencies that apply in transport these days, provision is still made for the continued construction of new suburban electric trains. For many years this area was totally neglected and the suburban electric train fleet fell behind the needs and requirements of a modern society. Over recent years the continuing efforts to develop a new fleet in conjunction with the construction of the underground rail loop will mean that within a relatively short time the railways will become virtually a new-look operation in this city.

There is also the continuing programme to update the wagon fleet. My friend, Mr. Dunn, appears to have overlooked that there is provision in the Bill for a continuing allocation of funds to upgrade the wagon fleet of the Victorian Railways.

The Hon. B. P. DUNN: I was talking about passengers.

The Hon. H. M. HAMILTON: I understood that the honorable member was talking about freight. I referred to passengers at the rate of about two per annum on one line that the honorable member was discussing and he said that he was not talking about passengers.

The Hon. B. P. DUNN: You are misrepresenting my argument completely.

The Hon. H. M. HAMILTON: I am sorry, but that is the way in which it came across to me. I make a critical comment on one aspect of the development of the suburban railway system. I commend the efforts being made to upgrade the system generally throughout the whole range of rolling-stock and capital installation, and so on, that are necessary to make it function. I note in particular that the railway between Caulfield and Mordialloc is being duplicated. The ultimate object is to extend this duplication through to Frankston, which is a necessary development in the most rapidly growing section of the community. I express disappointment that in this additional development that is being carried out provision is not being made for grade separation.

In the early days of the development of the suburban railways, someone showed great foresight—even though the basic transport apart from rail was horse-drawn—and established the lines on the basis of grade separation and provided the necessary overpasses. Today the error is being made of building the railways and providing level crossings wherever there is development of this nature. Although grade separation is most expensive, it should be faced at this stage because it will never get any cheaper. We should be providing for grade separation. This applies particularly to the developments on the Caulfield–Mordialloc line. I ask the Minister representing the Minister of Transport whether at this late date it is not possible to re-examine the situation and perhaps provide for grade separation, at least in the inner areas.

Within the constraints of the finance available to it, the Ministry of Transport is doing a good job. As honorable members know, it could do much more if more funds were available. Mr. White referred to the funds from the Commonwealth Government. In the years 1972 to 1975, funds were made available on a generous scale. Equally, honorable members know that that was all part of the disaster that overtook this country in the form of galloping inflation. The restriction on public expenditure must be accepted as the main ingredient in restoring the economy, which got away to virtually uncontrolled inflation in those halcyon years when everyone threw money around like water. Honorable members should not lose sight

of the fact that even though funds are desirable, they must be achieved within the limits of responsible financing. I commend the Ministry of Transport for what it is doing in these difficult times.

The Hon. Dr. FOLEY (Boronia Province): Honorable members will be pleased to learn that on this occasion I will be very brief.

The Hon. D. G. ELLIOT: It is not a matter of being brief but of not repeating yourself. I am giving a brilliant young man some good advice.

The Hon. Dr. FOLEY: I shall not do that. The Transport Works and Services Bill 1977 appropriates $84·9 million from the Works and Services Account, which stands in the Budget at $426·6 million. I point out that $360 million of that sum comes through the Australian Loan Council. I rise, not to comment on the excellent work that has been done on the Croydon–Bayswater–Ringwood duplication, but rather to refer to the explanatory memorandum.

Since I have spent a lot of time criticizing the financial documents that have been received in this House, it is appropriate that at the first available opportunity I have of looking at a document which provides substantial information, I should compliment those responsible, and I do so. I compliment the Minister and those of his staff who were responsible for presenting, not adequate data, but much more data than honorable members are used to in financial documents—certainly, I suspect, enough information for one to be able to make fairly intelligent estimates of the intent of the Bill.

Having said that, I raise two queries which perhaps the Minister might touch on at the Committee stage. On page 1 of the explanatory memorandum I notice railway funds for 1977–78 amount to some $2·81 million. We are informed later that this comes from the sale of railway assets. One could justifiably inquire what assets were sold or are to be sold.

Again on the first page of the memorandum in paragraph (*b*) reference is made to the Commonwealth allocation for 1977–78, which stands at $6·85 million. It is now November, 1977. We are well into the 1977–78 fiscal year but are informed in the explanatory memorandum that that sum is "tentative". If I were conducting planning operations within the Railways Board I would certainly express some concern that a considerable way through the fiscal year substantial Commonwealth funds are still—to use the word in the explanatory document—tentative. With those few brief remarks, I commend the Bill to the House.

The Hon. D. M. EVANS (North Eastern Province): Naturally, the subject of transport is extremely important to people who live outside the metropolitan area. I have no doubt that from a personal point of view it is important also for those who live within the metropolitan area, particularly that transport be comfortable, efficient and available when needed. Surely those are the criteria on which the railway services should operate. I wonder whether they have indeed been doing so. I seriously doubt it.

I refer briefly to a few railway lines in my area which at this stage are in extreme danger of being closed. The railway line between Wodonga and Cudgewa, the highest railway line in Australia, generally provides a goods service to the Upper Murray area. This line will increase in importance with the development of the proposed Australian Newsprint Ltd. mill in Albury in the next year or two. Following that development, an enormous quantity of pulp logs will come from the Shelley–Koetong area into Albury–Wodonga on the local road system, unless the railway system is developed and a real effort is made by the railways to obtain that traffic.

This will increase the costs of the community road system, and if in a few years' time the oil prices increase, there will be a serious downward trend in available energy resources.

Similarly there is a problem with the railway line between Bowser, Myrtleford and Bright. The Minister has given an assurance that this line will be kept open, but there is nothing finite about that assurance. Next year the Minister may change his mind and then another country line will be taken out of service. Members of the National Party can point to similar problems all over Victoria. The closing of railway lines is of great concern, and I have indicated those that are worrying me in my area.

I asked the Minister of Transport question No. 486 on notice, as follows—

(*a*) How many new passenger carriages have been brought into service in Victoria in the past five and ten years, respectively, for use on non-metropolitan train services?

(*b*) What is the current cost of new passenger carriages?

(c) How many passenger carriages are currently available for use on country rail lines in Victoria?

(*d*) How many of the carriages currently available for use on non-metropolitan lines are more than 30 years old?

I elicited some interesting information. There are 371 carriages currently available for the whole of Victoria, and of those 330 carriages are more than 30 years old. Seventeen new carriages have been provided for country passenger trains in the past ten years. That is an interesting statistic. The Government wonders why country rail services are not attracting passengers!

The Hon. W. A. LANDERYOU: That is nearly two carriages a year.

The Hon. D. M. EVANS: It is a tremendous total! The Government wonders why country passenger services are not providing a significant proportion of the transport needs of the State. If that is the general philosophy of the Government, it can be understood why this is so. It can be said, quite fairly, that there is a limit on the amount of money available. This Bill allocates a certain amount, but there is no forward planning or intention by the Government to provide extra carriages and to begin to replace the old "red rattlers" in which people have to sit for several hours at a time or, as Mr. Dunn said, for six hours in his case.

The Hon. B. P. DUNN: You need to be mad.

The Hon. D. M. EVANS: It certainly helps. At this stage there does not appear to be any programme for a progressive replacement of the country passenger rail carriages. If the 371 carriages were replaced the cost, according to the answer I received from the Minister, would be $350,000 per carriage based on a minimum order of ten carriages. Therefore, about $130 million is required to replace all the carriages in Victoria. I am not silly enough to suggest that could be done in twelve months. It cannot. It is an enormous sum of money. But if $10 million were made available every year for the progressive replacement of carriages, there would be a replacement of 30 carriages a year. There would then be a modern railway service which would return income on investment, and it would be able to compete with other transport services. The result would be that passengers would begin to use the services. If the railways are not prepared to give service, they cannot expect to attract passengers and trade.

The Cudgewa line is an example of what is occurring. A few months ago, if a farmer wanted to get a cattle truck from Wodonga he had to wait three weeks after he ordered it. The service usually does not fit in with the cattle market at Newmarket, and this entails the cattle having to spend time in the trucks. Despite the additional cost of road transport, farmers in the area are continuing to

use road transport for transporting cattle and further business is being lost to the railways. If the railways are not providing a service at present, the Government might say that the lines are not needed—"Let them wither on the vine like old soldiers." In a few years' time people will be wondering what used to run on the rails across the countryside. They will be recording the sounds of steam engines on railway lines. Memories are what the railway lines generally evoke at this stage.

I believe the railways are an important and integral part of the transport system in Australia. They were in the 19th century, and as we are progressing towards the end of the 20th century and the beginning of the 21st century, they are becoming even more important. Over a long period these vital services have been neglected and it is now time for the Government to look closely at its priorities and at the way in which it is running the railways. It should provide services that will attract passengers who will increasingly need them as time goes by.

Three months ago a complaint was made by a constituent of mine that the Sunday evening train between Melbourne and Albury contained an unlighted carriage. I complained to the railways and wrote to the Minister of Transport on 9th August asking why no efforts were made to fix the fuse in the carriage. I still have not received a reply. It has taken three months to work out why the lights on the train did not work. If that is the type of service the railways provide, it is an indictment of the Government, the department and the Minister. It is time they shook themselves up. I hope what I have said today will direct their attention to the current neglect and the lack of services in Victoria.

The Government will always say that it does not have sufficient money, but $2 million has been spent recently on repairs to the Hume Freeway and, as Mr. Long reminds me, it is still not finished. An article in tonight's *Herald* states that the Education Department, through the Public Works Department, paid $624,000 to rent a building at 35 Spring Street which remained unoccupied for 27 months. Some of these funds could have been diverted to the railways to upgrade facilities.

The Hon. N. F. STACEY (Chelsea Province): I disagree with Mr. Evans, who posed the question whether trains should be phased out. He had some doubt about the continuing use of trains. Let there be no doubt about the need for multi-passenger vehicles within the metropolitan area to move people quickly, efficiently and effectively. Mr. Evans referred to reduced energy resources. The use of multi-passenger vehicles, such as trains and buses, will improve the means of moving people throughout the State, and, in particular, in the metropolitan area.

I refer particularly to the many thousands of people who travel daily on the Frankston and Dandenong lines to their work in the city or adjacent suburbs. Their needs will be met to a great extent when the underground rail loop is completed, and the frequency of trains is increased. They will be able to travel more quickly because many more trains will be express, and people who work in the inner-city area will be able to step out on a station closer to their place of employment. This will greatly increase the return to the passenger rail service.

The Ministry of Transport is planning for the development of the underground rail loop. People's needs in travel have to be anticipated and people have to be educated by providing services which, in the short term may not be profitable but which will induce them to use public transport. I specifically refer to providing feeder bus services to railway stations and providing parking facilities at suburban railway stations to encourage people to use trains.

I now refer to the additional track on the Caulfield–Mordialloc line, which Mr. Hamilton mentioned. This work is in progress. It will be a continuing programme and will increase the frequency of trains.

Item 403 refers to automatic power signalling and signal box amalgamation, for which there is a proposed expenditure of $1·7 million. On the railway line between Mordialloc and Frankston, in the past twelve to eighteen months automatic signalling equipment has been installed in anticipation of a third railway line reaching that area.

Item 110 refers to bridges, for which there is a proposed expenditure of $3·3 million in the past twelve months work has been carried out on the rail bridge that crosses Patterson River, and in the past couple of months the Railways Board has commenced work on the Mordialloc Creek bridge. Both those bridges were in a poor state of repair. New piles are now being put in. The money allocated under this Bill is necessary to maintain the efficiency of the service.

Item 105 refers to level crossings, for which $100,000 has been allocated. For the railway line between Mordialloc and Frankston, some four or five boom crossings are in the process of construction. I have written to the Minister of Transport and I am still concerned about the need for a boom crossing at the Argyle Avenue crossing in Chelsea. A boy was killed on that crossing in tragic circumstances about a month ago. The crossing was designed for cars and not sufficient thought was given to a crib crossing for pedestrians, which should be on the north and south side of the crossing because a number of school children cross there.

In my view boom gates are ideal for use with car traffic, but unless there is a proper crib crossing beside the gate, it does not provide enough safety for pedestrians. It is necessary in this area because there are three schools close to the line.

Item 412 refers to an allocation of $200,000 for passenger interchanges. This is an important area, and I should like the House to know about the transport modal interchange that is being built in the Frankston area. The programme will take a number of years to complete. Already work has started on relocating the goods handling facilities from Frankston to Langwarrin. There will be a need for stabling facilities for trains and buses and for electrification of the line from Frankston to Langwarrin. When that is completed, it will be possible to build this transport modal interchange, which is an imaginative concept, for buses, cars, taxis and trains all in one unit, presumably including commercial buildings. This is an important development that is taking place, and money is now being provided for it.

I ask the Minister to consider providing feeder transport services to the Frankston station, and perhaps building them up, but, more importantly, to make use of the proposed electrification of the line at Langwarrin and ensure that there will be room for people to park their cars there. As new estates develop in the Robinsons Road area, bus services should be started now to transport people to the railway station. It is no good letting people go to the expense of buying a car and making their own travel arrangements, because once they get used to using a private car, they will not come back to using public transport. As people move into the area the Government should provide buses to take them to the railway and make use of the effective, efficient and inexpensive mode of transport. People can travel from Frankston to Melbourne by train in a shorter time than they can drive, and that message has to be emphasized.

I direct the Minister's attention to the need for purchasing the easement for the rail connection between

Frankston and Dandenong. The Ministry of Transport is now drawing up plans in anticipation of this connection being built. The planning zone requires this corridor between Langwarrin and Lyndhurst to be left free. In the short term the Parliament has to be asked by the Government to pass a Bill enabling this corridor to be purchased for the rail connection.

Again, I emphasize that the bus services between Frankston and Dandenong have not increased in frequency a great deal in the past twenty years, although the population has doubled or trebled. More buses should be run to increase the use of this link in anticipation of the railway line that will be built in perhaps ten or fifteen years' time.

I conclude my remarks by pointing out that the transport of people in the next 50 or 100 years will be done increasingly by multi-passenger vehicles such as trains and buses. However, the transport of goods in the metropolitan area will be done by road, and the need to save costs will require these road vehicles to be able to travel on freeway-type roadways. I do not suggest that everyone should leave his car at home and use public transport, but the number of cars on the road must be reduced, not only to save valuable energy, but also to make possible the more efficient transport of people. However, the transport of goods will be done by road for a long time.

I congratulate the Minister and the Ministry of Transport on their efforts to improve transport in Melbourne. I believe people realize that the service that is being provided is improving and that the Government is starting to look at the needs of the 21st century, as it should.

The Hon. B. P. DUNN (North Western Province): On behalf of Mr. Wright, may I move that the debate be adjourned until later this day?

The Hon. V. O. DICKIE (Chief Secretary): No, there will be no adjournment of the debate. We have a very tight programme.

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 Works and Services Account for transport purposes).

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): I have listened to the informative and interesting debate, and I assure honorable members who took part in it that I will direct their comments to the attention of the Minister of Transport, particularly the specific recommendations for road separation made by my colleagues, Mr. Hamilton and Mr. Stacey, as well as the thoughtful comments of Dr. Foley on the analysis of the explanatory notes. I am certain that the Minister and the Victorian Railways Board will be pleased, as I would if I were in that position, to have the commendation of, albeit qualified, of one as highly qualified as Dr. Foley to carry out this type of analysis.

I refer to Mr. White's comments. Certainly there has been a decrease of about 22 per cent in Commonwealth funds for reasons which, again, were referred to in the debate. I have no knowledge of the Cudgewa line; I listened with interest to the description of that line given by Mr. Evans. That argument is one with which I am fairly familiar, and it is partly tied in with Mr. Dunn's comments on a railway line that is closer to my electorate.

I will not use the discussion on clause 2 to debate this matter in detail, but simply say in reply to Mr. Dunn that I certainly agree with him that if this line and other such lines listed for closure or partial closure in the future are to be upgraded, the case for upgrading depends largely

on the type of logistical arguments that he was advancing. As I said in reply to a question without notice to which he referred in his comments, I, with my colleagues on this side of the Chamber who represent the area, have endeavoured to keep an open mind about the arguments that have waxed warm over the past several months about the retention of this line. Basically, the argument depends on accepting the premise that the retention of the Hamilton–Noradjuha line is essential to trade through the Port of Portland.

As most honorable members know, particularly those who represent rural areas, the grain trade through that port has recently been given a stimulus, and it looks as though it will be used for the handling of about half a million tonnes of wheat, including the wheat from the freight advantaged areas and some from the other parts of the State and New South Wales that the Geelong terminal may not be able to handle or that comes through Portland for other reasons.

If the argument rests on pure logistics, the Victorian Railways are maintaining their approach. Railways Board officers are the people who are responsible for running the railway system, and these arguments, though superficially plausible, do not stand up.

This line of argument received some substantiation recently from none other than Mr. Kevin Shea of Ararat, the chairman of the transport section of the Victorian Farmers Union. He is a knowledgeable person, and at a recent meeting of the Victorian Farmers Union he told the farmers that the Victorian Railways could handle all the grain that is likely to be sent to Portland through Ararat, so I must treat Mr. Dunn's argument with some reservation.

The Hon. B. P. DUNN: That is Mr. Shea's opinion.

The Hon. D. G. CROZIER: It is the opinion not only of Mr. Shea, but also of the Victorian Railways. I remind the House that the Government's transport policy, particularly in relation to country lines, is based on the recommendations of the Bland committee of inquiry brought down in January, 1972. Fundamental to the process of rationalization was the recognition by Sir Henry Bland that the poorly patronized light lines that provide the feeder services and have done so traditionally since the inception and development of the Victorian Railway network must be examined critically. The process of replacing with alternative services lines that are poorly patronized and expensive to maintain was part and parcel of an over-all rationalization.

That does not mean that railways are being progressively phased out throughout the State. It means the Government is committed to a policy of working towards providing an equal choice of transport by road and rail.

The concept of the freight centre to which reference is made in the Bill, the explanatory notes, the second-reading speech and the Victorian Railways report is fundamental to this policy. I believe this development, which also implies a progressive reduction in the restrictive regulations concerning the present permit system for road users, is also closely related to it. I have said publicly on more than one occasion that there are few State Government areas of jurisdiction that can be more beneficial to approved decentralized secondary industries than the acceleration of this stated policy, which the Premier announced in his policy speech on 3rd March last year when he said that all road restrictions would be abolished progressively within five years.

In the summary of recommendations of the Bland report, paragraph 19.14 on page 171, it is stated that the recommendation refers specifically to changes in the railway lines to which Mr. Dunn and I have alluded, so there is no mystery about this; it is part of a progressive

rationalization. The case for the retention of that line depends on logistics. The report foreshadows that the line would be kept open on a seasonal basis, and in my view there is, as I have explained to the House, a case for its retention, certainly for the time being. This is the Government's policy, because on 28th April this year the Minister announced that the line would be kept open for this purpose until at least 1st July, 1979.

What Mr. Dunn is arguing for is that the line should be restored to its former use, but to do this it would have to be upgraded and that would require a substantial outlay of funds. Again, referring to the quantum of funds provided in this Bill, it would be difficult to justify such an expenditure in the logistical argument that Mr. Dunn and others are promoting. Mr. Shea does not believe it is justified; I am increasingly doubtful whether it is justified; and the railways have never accepted the view that it is justified.

Again, I thank honorable members for their constructive and interesting contributions and, as I said before, I will ensure that their comments are brought to the attention of my colleague, the Minister of Transport.

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.

PUBLIC WORKS AND SERVICES BILL (No. 2).

The debate (adjourned from November 15) on the motion of the Hon. D. G. Grozier (Minister for State Development and Decentralization) for the second reading of this Bill was resumed.

The Hon. A. W. KNIGHT (Melbourne West Province): Much can be said and much will be said about the public works of Victoria and the way in which they are carried out throughout this garden State. I pay tribute to the personnel of the Public Works Department, from the hierarchy to the workmen and the cleaners, for the magnificent work they do, sometimes under tiring conditions and pressure.

I well recall a former Minister of Public Works who revamped the department, and some of the benefits of that can be seen now. The Public Works Department was very often maligned because of its ramifications. But the public relations exercise of opening the doors of the department to members of Parliament and to the public has paid big dividends.

One can see the magnificent work that has been done in this Chamber by the staff of the Public Works Department. Mr. Deputy President, you will recall that in the earlier stages of this sessional period a tribute was paid to those who carried out the renovations and repairs to this magnificent Chamber. On behalf of the Labor Party, I take this opportunity of paying a similar tribute to those workmen.

There are many knockers of the Public Works Department, but when one sees the magnificent work carried out, both externally and internally, on these Parliament buildings one appreciates that we still have tradesmen as good as those of yesterday. I pay tribute to the tradesmen and apprentices who assisted in this work of bringing up to a proper standard this building which is of fine architecture, so that it will be appreciated and enjoyed by the people of Victoria and by members of Parliament well into the future.

However, I must make some slight criticism of the department in respect to its system of selective tendering. I appreciate the reason why this system is used but at times it may leave itself open to abuse if it is not checked along the line. This type of safeguard must be considered not only by the present Government but by any future Government, no matter who forms it. It is easy to get into a rut but it is hard to break a

practice. I believe there should be a watch-dog committee on tendering for public works. A committee of this type was referred to in the debate on the Appropriation Bill which, it was suggested, should concern itself with the finances of the State, and a watch-dog committee on public tendering is equally necessary.

I must, of course, come to the parish pump. I thank the Ministers concerned, as well as the various departments, for the building of the Newport Technical School which is now being erected. I looked at the building the other day. I foreshadow some excellent tradesmen coming out of the school. Last week I spoke at a social function for people heavily involved with the fabrication of steel and the petro-chemical industry as well as other heavy industries. I am sure that the tradesmen who come from the Newport Technical School will be as good as those who came from the technical school which was located at the railway workshops, at the corner of Market Street, when I was a lad knocking around that area.

I also thank the Ministers, because, after a long wait, finality was reached about the Werribee Technical School. It is now almost completed. It is a magnificent building and was well worth waiting for. I thank the Ministers for listening to the continued representations I made to them prior to the school getting under way.

The same comments apply to the Sunshine Technical School which is well under way. It caused some heartbreaks and problems before construction started. In the Footscray local rag last week, there were certain references to the Footscray Technical School. As a result, I tried to advise councillors of the municipal council that there are no rates on universities, schools or football grounds; they do not produce votes in municipal elections, but they create more problems than enough. I am not being derogatory of teachers but schools do cause problems for ratepayers with congregations of people once a school has been established.

The old Footscray Technical School was near School Street. It is an area I recall well. My friend who is now writing at the table would also know it well as he is an old Seddon, and Footscray Technical School, boy. He knows where the school once existed. The House of Friendship was set up for elderly citizens but that has now been moved to a site adjacent to the Middle Footscray station. After long negotiations there will now be a new technical school in the area which I am sure will be worthy of teaching the sons of my constituents.

I want to make one thing clear. The Minister should consider making the school a co-educational technical school, even if it had already been planned as a male only school. The demand exists. We do not have to look far to see a young lady serving her apprenticeship as a painter with the Public Works Department. Today, many girls want to take up trades which they would not have contemplated in the old days, when you, Mr. President, were a school principal.

Once, girls thought of certain trades as being reserved for men but now they want to become mechanics and to follow other trades. If I had my way, girls would be taught trades at technical schools. One often sees a woman who is distressed, even physically distressed, because she does not know how to change a wheel when a tyre becomes flat. If women had trade training during their secondary-school years they would be able to overcome problems like this in a way in which men are expected to do—although I know it is hard for some men to overcome practical problems. I again thank the Minister for the schools being erected in the Melbourne West province and I ask him to pass on my thanks to his colleague.

I am sorry that the Leader of the House is absent for the moment as I wanted to make some complimentary remarks about him in his role as Chief Secretary. I thank him for his understanding about the need for a "V" district police headquarters at Altona, for which this Bill provides an appropriation. I can be critical only in a minor way by suggesting that, before that station is built, the department should clear up the mess in the western suburbs resulting from the headquarters being located at Montague and the police from that headquarters being expected to control places as far distant as Williamstown.

It is obvious that whoever dreams up situations like this has never pounded the beat and does not understand the problems and difficulties of the police who have to patrol such large areas and contain places so difficult to reach from their headquarters. So I again ask the Chief Secretary to clear up the district problem in the western suburbs before the new "V" district headquarters at Altona North gets under way. Of course, I welcome the establishment of the headquarters at Altona North and I thank the Chief Secretary for what he has done. I know it has not been easy.

Certain statements have been made, and some of them are true, that political considerations come into making some Government decisions. One tends to be parochial and when one sees something he wants in the province that he represents going to an area represented by a member of another party, he tends to believe the worst.

I should also mention the Melton police station. At present, the police are located in temporary quarters at this satellite town which the Government boasted would go ahead. The police had to be shifted across from the old, condemned police station. The old police station on the Western Highway must have come out of the Ark. How policemen worked in it with all its deficiencies, I do not know. If it was not for their dedication they might have refused to work in Melton until reasonable conditions were provided. If they had done that, one could have understood their actions.

But the members of the Police Force are dedicated men and they do a marvellous job. They deserve a modern, air-conditioned station and that should be built soon, whatever Government is in power. Each of us tends to blame the Governments of the other political parties about these things because that is the political catch-cry.

A police station should be established in Melton now so it will not be claimed in the future that it cannot be constructed because it will cost "X" amount of dollars. If it is constructed now it will not cost as much. People are prone to run around and make a lot of noise over these things when they do not know all the facts.

I am sorry that the Attorney-General is not present in the Chamber, as I should like to thank him for noting the constant requests I have made for the construction of a new court house at Werribee. The present temporary quarters in rented premises have been welcomed but provision is made in the Bill for the construction of a new court house to be located near the police station. The court house is long overdue and I thank the Attorney-General for noting my plea and for obtaining Cabinet approval for the construction of this much-needed court house.

I request the Attorney-General to keep up the good work and to have a referral court established in this area —a court similar to the one operating in the Preston area. This will expedite court procedures and help people who have been waiting long periods for court trials to take place. I believe the Preston referral court has been very successful, and I ask that the same facility be provided for people living in the western suburbs. Perhaps it could be constructed near

the new "V" district police headquarters, for which an allocation has been made. If a referral court could be established alongside the district police headquarters, the needs of the people residing in the western suburbs would be met, similarly as those residents in the north-western suburbs. Whilst on the same subject, I ask the honorable gentleman to have a further look at the Footscray court. I have already spoken to the honorable gentleman about that problem and I shall not elaborate on it further.

I am pleased that the Fisheries and Wildlife Division of the Ministry for Conservation has received an allocation to provide additional enforcement vessels. On previous occasions I have spoken about the need for the Fisheries and Wildlife Division to have these enforcement vessels. Although an allocation has been made for this type of craft, I leave it to the engineers of the Public Works Department to determine the design of the vessels. I thank the responsible Minister for the efforts which have been made over the years to provide an efficient and modern enforcement arm within the Fisheries and Wildlife Division of the Ministry for Conservation.

Whilst referring to the Ministry for Conservation, I refer to the marvellous job which the Ministry has performed at the Royal Zoological Gardens. It is not widely known but that is the correct title. I was privileged recently, together with most members of Parliament, to be in company with members of the Zoological Board of Victoria. We had a wonderful evening and we were able to see at first hand the improvements which have been carried out. Without going into detail, I pay a tribute to those people who have done a magnificent job at the Royal Zoological Gardens.

I also mention the work being carried out on the Fauna Park at Chirnside Park. In its wisdom the Government purchased that old property which was formerly a seminary for the Jesuits before they moved farther afield into the eastern suburbs. The Government was wise in making that move, and the magnificent work which has been carried out in the Royal Zoological Gardens is also being undertaken at the Fauna Park which is being established. I look forward to the day when I can take my grandson to the Fauna Park to look at the monkeys, and to assure him that all the monkeys are not in Parliament but that some are in the Fauna Park.

I refer to the process of selective tendering engaged in by the department. I suggest that a watch-dog committee should be established. It would be better if it had a non-political persuasion, but I do not know how that could be achieved at the moment. In this area of selective tendering, many accusations are made and if a watchdog committee was set up to oversee selective tendering, this would stop the accusations from being made. The committee could comprise experts in their own fields and could report on the tenders submitted by the various organizations and this would take the whole matter out of the political arena.

It has been my privilege to participate in this debate. I wish the Public Works Department well for the future and compliment it for its past good work and hope that it continues the good work in the future.

The Hon. D. M. EVANS (North Eastern Province): On behalf of the National Party, I have a few comments to make on the Bill but no doubt other honorable members will make comments on areas of concern which affect them personally.

This is a housekeeping Bill for the Government, and as I understand it, this House has no power to amend the Bill or to do anything of that nature. The Legislative Council can simply pass or reject the measure. The latter is not our purpose but I shall discuss how the Government could improve its allocations under

this Bill. I do not propose to be particularly critical but to put forward positive suggestions.

I turn first to the work carried out in Parliament House. One of the first allocations in the schedule refers to work carried out on the Legislative Council costing $134,000 and provides for a further $235,000 to be spent in the main vestibule and certain other areas of Parliament House. Honorable members tend to be a little shy about referring to expenditure on the seat of Government of Victoria. I do not believe we should be shy, and quite deliberately I refer to the amount of work that has been undertaken, because the work which has been performed is excellent. It is a tremendous credit to the craftsmen who have been engaged on it, and to my mind, it is a credit to the people of Victoria and something of which they should be proud.

I draw this work to the attention of those who might be unwise enough to wander through the pages of *Hansard* and who happen to spend a few moments on my remarks. I hope they read that I have mentioned the amount of money which has been expended and that they subsequently take the time and trouble to examine just what has been done, because it has been extremely well done.

The Bill also makes provision for an allocation of $150,000 for forest roads. That is the amount of money made available by the State Government to those municipalities whose road systems flank or penetrate the forest areas of Victoria. This is constantly a matter of concern to shire councils because, as a general rule, whilst they provide the road system and the State Government contributes towards this, nevertheless the councils find it difficult to translate this facility in the forests within its boundaries into income for their own municipality. I have no doubt that they incur a much higher cost than they would otherwise be subjected to if the forest areas were not developed within their boundaries.

Certain municipalities carry the costs—actually the costs are carried by the ratepayers on behalf of the whole community—and in my view the amount of money made available in this area is not equitable to the councils involved. I draw this matter to the attention of the Government on behalf of municipalities in north-eastern Victoria and also in many parts of Gippsland where timber is won as it creates extra problems for the councils concerned.

I do not think it is reasonable for the Government to pass over the whole responsibility in this area and claim that it can be met from within the 1·52 per cent of funds made available to municipalities from the Commonwealth Government. No doubt the municipalities concerned use this argument as one of the points upon which they base their case to obtain extra funds. Nevertheless, it is a State Government responsibility and greater attention should be paid to it.

In the area of mental health, certain allocations are made towards the provision of mental hospital facilities in this State. I note particularly an allocation for construction and renovation of wards at Beechworth. In this current year it is estimated that the total allocation will be $707,000.

Two weeks ago I was involved in negotiations, deputations and letters to the Premier regarding the provision of a better food distribution centre at the May Day Hills Hospital to take advantage of the excellent facilities which were available at the adjacent Ovens and Murray Home for the Aged. The project was knocked back by the Treasurer on 7th July this year but subsequently after deputations and all the facts were put before the Premier, the honorable gentleman agreed to make an allocation, slightly in excess of

$2·03 million, to provide the food handling facilities to make the whole set-up operate efficiently.

My understanding was that the allocation would be included in the Public Works and Services Bill. Whilst I do not doubt in the least that the Premier will carry out his undertaking on this matter, I am nevertheless concerned that it is not included in the Bill, and I draw the attention of the responsible Minister to this omission. No doubt I will receive an answer in due course.

At least two or three times during the past days, and as late as this afternoon, I have referred to the energy problem which appears to be becoming of immense importance to Victoria, Australia and the whole world. Numerous suggestions have been made on how to overcome it, ranging from tidal power to wind power and to uranium. One of the possible areas of research is that of solar energy. I welcome the allocation of $500,000 by the Government for that purpose. As I understand it, certain inquiries will be made to determine whether solar energy can be integrated into the total power needs of the State of Victoria.

This is a forward thinking move and I congratulate the Government on it. It is well in keeping with the remarks I have previously made on other Bills and no doubt with the thoughts and sentiments of other honorable members in this House.

Another important area is hospitals, which is mentioned on page 23 of the explanatory memorandum. The one thing that is important to every member of Parliament and of the community is the provision of good hospital services. Every one of us has been faced with urgent hospital projects, which could not proceed because of the lack of money. Perhaps if the National Party was part of the Government or the Labor Party was the Government, the priorities would be somewhat different.

I doubt whether sufficient cognizance has been given to the needs of the community. Nevertheless, a great deal has been done. Some weeks ago I spoke with Dr. Wilder, Chairman of the Hospitals and Charities Commission, who indicated that the commission was pleased with the attention given to it by the Victorian Government because of the withdrawal of Federal funds. This is a most important area. I express my pleasure at the number of community services that are being provided throughout the State. This assists community health, particularly in the more isolated areas of which there are a number of examples in my electorate and in other country electorates, by reducing pressure on public, private and bush nursing hospitals. If people can be treated in their homes, that is a far more efficient and cheaper way of providing reasonable public health care to the community. I welcome any extension of services in that area.

The next item I mention is the Tourist Fund. I notice that $350,000 has been allocated for the connection of public toilet blocks to sewer mains at bayside beaches and other inland and coastal resorts where pollution is causing problems. Tourism is a rapidly growing industry in Australia. People have more leisure time, and, rightly or wrongly, they receive a 17·5 per cent loading on their pay, which gives them the opportunity of having a holiday. About 50 per cent of the community never take advantage of that opportunity. Many people, particularly those in the metropolitan area—I do not blame them—think it is no holiday unless they can get away from Melbourne and go to the bush, breathe the fresh air and see some of north-eastern Victoria or other parts of the State.

The Hon. A. W. KNIGHT: What about Myrtleford?

The Hon. D. M. EVANS: Yes, Myrtleford is a tremendous place. One of the immediate problems is that people on holiday and tourists

need public facilities, whether they be toilets, better roads or roadside picnic areas and all the other things that make a comfortable holiday. The sum of $250,000 is a minor amount of money to provide for this purpose. The result is that because the provision of many of those facilities falls back on the municipalities, the matter is of great concern to the councils that have major tourist facilities within their boundaries. It is difficult to turn tourist policy into local Government revenue. The community demands good facilities, and that is reasonable. The responsibility for those facilities falls on a relatively few people, particularly in country municipalities and shires, where many people get no benefit from tourism. In fact, it is more of an interruption to their way of life than a matter of doing business. It is necessary for the Government to take a clear look at the responsibility placed on municipalities.

The Hon D. G. CROZIER: The best way of stopping tourists is not to put up a new toilet?

The Hon. D. M. EVANS: Unfortunately, other facilities are available in the north east of Victoria; there are a lot of trees for people to get behind. Some business people in the municipalities benefit from tourism, but for the majority there is difficulty in translating tourist policy into municipal revenue. It is unfair that under the present system the whole of the responsibility is passed to the municipalities. The Government must look at this area. I have no doubt that this matter has been broached with the Minister on many occasions and I would support any efforts he could make to alleviate the situation.

I notice that a small amount has been allocated for the fishing industry. One of the things that have come to my notice in the past few weeks—it is almost tied in with tourism—is the lack of fish in some streams, particularly in the north east of Victoria. Licence fees are collected and the money is ostensibly used to police the game laws. Perhaps some funds could be used to stock the streams with fish. Water is a diminishing commodity, but there are few fish mixed with it. Attention should be paid, perhaps not to putting more trout there, but to how many are in these streams. That would benefit the tourist industry and the fishermen. Fishermen pay licence fees so they have a right to expect something for their money.

As I previously indicated, there is nothing this House can do to amend this Bill. It is reasonable that those of us who have a point of view should put it forward. I have attempted to outline some of the points that I think are important from the National Party point of view.

The Hon. Dr. FOLEY (Boronia Province): When speaking to the recent Appropriation (1977–78, No. 1) Bill, I mentioned that the Works and Services Account can be regarded as the capital element of the Consolidated Fund. I also mentioned that prior to 1970 the Victorian Budget comprised three funds—the Consolidated Revenue Fund, the Loan Fund and the Trust Fund.

The Consolidated Fund, as mentioned, contains two accounts, the Current Account and the Works and Services Account. The Public Works and Services Bill 1977–78 appropriates $399 million from that second account, which currently stands at $427 million. I would like to dispute the contention put forward by Mr. Evans that this is indeed a housekeeping Bill. My guess is that he did not mean that in a trivial sense. It is certainly not a trivial Bill, but is one of the most significant annual documents to come before this House. It is the second major appropriation Bill as the title indicates.

The Public Works and Services Bill, as one might appreciate, has the same deficiences as the Appropriation Bill. Since I covered those weaknesses in some detail on another occasion I will not repeat them for this Bill. Suffice it to say

that all the points raised previously regarding format process, links with the Australian Constitution and Commonwealth economic policy, apply with equal force to this Bill—even accepting the unusually comprehensive explanatory notes which accompany the Bill. Though one should pass a compliment to the Minister for providing such detailed explanatory data it is nevertheless inadequate for the purposes to which we are supposed to put it.

As with the Appropriation Bill, I again prefer to leave discussion of detail to others. That is not to disparage that approach to this Bill. I will concentrate, as I did with the Appropriation Bill, on those factors or indeed, in this case, the factor that determines the size of the annual Victorian Public Works and Services Bill.

Before showing how this Bill is linked to and constrained by a quite fascinating interaction between Commonwealth economic policy and the Australian Constitution, I draw attention to page 2 of the Budget where the Works and Services Account is summarized. In the course of discussing the Appropriation Bill I mentioned that some 75 per cent of the funds shown in the 1977–78 Budget are derived from Commonwealth sources. Since almost all of the funds in the Works and Services Account come from the Commonwealth Government, far in excess of 75 per cent, one would expect that here, above all, in the Public Works and Services Bill we would find some cross-reference to the Commonwealth Budget documents. Of course, there are none.

Let me illustrate that point by referring to page 2 of the Budget summary 1977–78. I refer specifically to the second account, the Works and Services Account. There are a number of headings. I should like initially to draw attention to two. Item 8—Proceeds of loan raisings—stands in this document at $240 million. Item 10—Works grant—stands at $120 million. There is no further comment on those figures and some persons looking at this document might be struck by the coincidence that the second figure is exactly half of the first.

In the Budget documents honorable members are not told, but they should be if they are to have a proper appreciation of the source of the funds and the facts that determine why those funds are the amounts that they are, that one-third of the funds that the State derives from the Australian Loan Council comes as an interest-free grant; and two-thirds has to be paid for at the going bond rate. Information on that split up, on the nature of that grant and why $120 million is granted interest free, is to be found on page 29 of the Commonwealth Budget Paper No. 7, to which I referred earlier—Payments to or for the States and Local Government Authorities.

Table 9 on that page provides the information that I suggest honorable members should have if they are to make a more intelligent appreciation of the Bill. Item 11—School building grants, $49 million—table 18 of Budget Paper No. 7 provides the information needed. Item 12—Urban public transport grants—is an area that interests Mr. McDonald. The information necessary for the proper understanding of that figure of $4·5 million is to be found on page 67 of the Commonwealth Budget Paper No. 7, in table 44. Finally, item No. 13—Sewerage advances—to which I have already referred, is detailed in table No. 90 on page 107 of the same document. There it is explained why there is no amount against that heading. I shall not elaborate on the reasons for that. It has already been canvassed at length and with some cogency by Mr. Trayling on a number of occasions.

The size and the nature of the works and services Bill is governed by the only operative Commonwealth–State economic co-operative

body specifically mentioned in the Australian Constitution. That body is unique, certainly in the Westminster system and, I suggest, in the Western World. I refer to the all-persuasive, ubiquitous and indeed somewhat mysterious Australian Loan Council—a body which this fiscal year contributes $360 million towards our Works and Services Account.

Because of the quite profound influence of that council on State works and services, and indeed on the capital development of the States, and because that influence is not generally understood—I believe that is an understatement——

The Hon. A. J. HUNT: It is.

The Hon. Dr. FOLEY: Thank you, Mr. Minister. For those reasons I should like to spend some time explaining the character of that body and illustrating the manner in which it constricts the capital development of Victoria and, generally, in quite insidious ways, intrudes into State jurisdiction.

The Australian Loan Council was born out of competitive and overly-expensive borrowing that occurred just after the first world war. The Commonwealth and States were competing on international markets for loan funds. The council was consummated by the 1927 Financial Agreement Act and derived its constitutional support from an amendment to the Australian Constitution.

My comments regarding the Australian Loan Council may seem a little critical; at the outset may I say that I believe it was a long overdue political-economic instrumentality. It has an effective and important role in the economic management of the country. Macro-management would be impossible in a Federal system without the existence of a body such as the Australian Loan Council.

The immediate effect of that co-operation between the Commonwealth and the States was more orderly, efficient and cheaper borrowing. However, during the euphoria following the Commonwealth's agreement to take over State debts and help meet sinking fund payments, few, with the notable exception of the New South Wales Premier, Jack Lang, saw the deeper and longer-term implications of the Financial Agreement Act. One of those implications, 50 years later, is beautifully borne out by the following data: At 3rd June, 1977, the public debt of the Commonwealth was $3·929,000 million and the Commonwealth net interest cost was $256 million. On that same date the net State debt was $16·512,000 million and the Victorian debt and interest on that date were $4·163,000 million and $253 million respectively—$3 million less than the Commonwealth interest cost. In June of this year Victoria was paying just $3 million less in interest payments than the Commonwealth.

It is an interesting story—I do not have time to tell it—that in 1969 the Commonwealth was a net creditor. That situation is probably unique in the Western World, and certainly unique in any Federal system that I have examined. That anomalous situation is an inevitable result of the existence of the Australian Loan Council and the way in which it has been used by the Commonwealth. Indeed, in some cases it has been misused, but that is another story.

Briefly, the Australian Loan Council has seven members, one representative from each Government. It usually meets twice a year and almost invariably that meeting is associated with the Premiers Conference. Each State has one vote. The Commonwealth representative chairs the council and has two votes, plus a casting vote. The Commonwealth can call a meeting at any time, as can any three States.

I should justify commenting on something which might seem extraneous to the Works and Services Account. I am trying to indicate to

the House, as I did in relation to the Appropriation Bill, that if honorable members want to understand the works and services Bill, the first place they must look is to the Australian Constitution. In this case, the relevant section is section 105A, which gives constitutional force to the Financial Agreement Act. If one seeks to increase the size of the Works and Services Account from $399 million to the figure the State has sought, one must look to the Commonwealth, the Australian Constitution, and the operation of the Australian Loan Council.

The Australian Loan Council derives its legislative authority from the 1927 Financial Agreement Act—the way in which that was signed is an interesting story that unfortunately I cannot go into—and derives its constitutional powers from section 105A. It is at once the most interesting, intriguing and fascinating element of the Australian Constitution. It is one of the most profoundly influential weapons in the Federal Government's economic armoury, and it is a primary source of Federal fiscal dominance over the States.

I again digress slightly. Honorable members will recall that last evening, in speaking to the Appropriation Bill, I omitted a large section of my proposed address. That section related to constitutional factors that gave the Commonwealth pre-eminence over the States in fiscal matters. In that discussion I would have been making some comments on the Financial Agreement Act and the Australian Loan Council.

Decisions made twice each year by the Australian Loan Council bear on all of the major economic variables —the price level, the level of employment, the balance of payments, and, in a significant way, the rate of interest, to name the more obvious and more important factors. Furthermore, through its ability and extra constitutional authority to determine the availability of the major proportion of funds for capital works in this country, the Australian Loan Council influences the level and even the character of the Australian taxation system. It is a remarkable economic instrument and a remarkable element of the Australian Constitution. The Financial Agreement Act is an almost unbelievable Act of Parliament. I hope to convey to the House, that the Australian Loan Council is potentially Australia's single most influential economic forum. Unfortunately it is not used in that manner, although I believe it could and should be. One of the unfortunate things about the Australian Loan Council is that the States appear and, within half a day, are really given their loan allocations as a *fait accompli.* It is not a forum; it is a place where the States receive their twice-yearly ultimatums from the Commonwealth.

The Australian Loan Council is potentially one of the major economic forums of the nation, a forum wherein decisions have a profound effect on the economic variables of the community, yet matters are dealt with in half a day and dealt with unilaterally. The Australian Loan Council, a forum essential to a Federal system of Government is, to underline the points I have just been making, grossly underused by the all-dominant Commonwealth and, to repeat an earlier comment, is quite often misused.

As some honorable members would know better than I, the Loan Council itself, the Financial Agreement Act and section 105A of the Australian Constitution, receive very little treatment in the literature. Parliament has almost totally neglected them to our great detriment. To the extent that we have neglected to consider the Loan Council, we are deficient in our understanding of Bills such as the Public Works and Services Bill. Where those issues have been examined, it has usually been in the legal sense. In fact, section 105A is the most intriguing, most

interesting and most powerful section of the Australian Constitution. It is very interesting to look at the Loan Council through legal eyes, but it is even more fascinating to look at it through the eyes of the economist. Describing the Loan Council, R. S. Gilbert, in a monograph, *The Future of the Australian Loan Council,* said—

> There is the fact, unpalatable and anachronistic though it may be, the financial agreement . . . has the power of constitutional law. Section 105A puts the operations and efficacy of such an agreement beyond the control of any of the seven Parliaments and prevents any constitutional principle or provision operating to defeat or diminish or condition the obligatory force of the agreement.

I remind the House that I am referring to a body which determines the amount that the Victorian Government may borrow each year.

Before signing the Financial Agreement Act in 1927, the Victorian Premier sought the advice of counsel, one of whom was R. G. Menzies.

The Hon. A. W. KNIGHT: Oh, old Pig Iron Bob!

The Hon. Dr. FOLEY: Mr. Knight might make those comments, but in this advice, as indeed in many of the cases in which he acted as a constitutional lawyer, Sir Robert Menzies was right, as I will now indicate. Of that advice, he said—

> My colleague and I issued, quite in vain, a series of warnings about the probable effects of the agreement upon the financial independence of the States.

The Hon. A. K. BRADBURY: How true that was!

The Hon. Dr. FOLEY: It gets even better. He continued—

> In particular . . . we said the High Court will be inclined to put a very extended meaning upon the words of the proposed constitutional alteration, and that, if this were so, there would be practically no limits to the extent of interference with the property and activities of the State which might be regarded as coming within the words "carrying out or giving effect to any such agreement".

It was in the face of that advice that the Victorian Premier, when signing the Financial Agreement Act, was able to describe it as "a good deal for the States".

That points to another area that I should comment upon. As one contemplates the Constitution and the history of the High Court cases that impinge on Commonwealth–State financial relations, one is struck by the fact that at the State level, there seemed to be very little appreciation at the time of the implications of some of those changes. This is one of the more profound of them. The Financial Agreement's substantial ability to influence State finances was further increased in 1932 by the *Garnishee cases* and by the 1936 Gentlemen's Agreement, and was converted to absolute authority by the banking legislation of 1945. That absolute authority most obviously, but not totally, manifests itself in this House through the works and services Bills.

Let me turn briefly from the somewhat dry and abstract subject of the Constitution to a concrete example to illustrate the dependence to which I refer and the extent to which major decisions are beyond our control. The concrete example is the Melbourne and Metropolitan Board of Works (Borrowing Powers) Bill, which this House debated and passed only a few weeks ago. It is of some considerable relevance that, even if the Board of Works wishes to borrow the $1,300 million which is the limit the Bill provides, it can only do so if the borrowings have the approval of the Australian Loan Council. To be more accurate, the amount of funds which can be sought, in this case by the Board of Works, but generally by any State instrumentality, semi-Government authority or any large local government authority, is determined by the Loan Council because of the existence of the 1936 Gentlemen's Agreement.

Although the Victorian Parliament may amend section 187 of the Melbourne and Metropolitan Board of

Works Act, as indeed it did; although the Governor in Council may approve each of the borrowings up to the limit of $1,300 million, and although the Board of Works may be able to borrow that sum on the open market, as indeed it must; in the final analysis, the Loan Council can determine whether or not the Board of Works can actually achieve that limit.

The Hon. A. J. HUNT: Not quite directly.

The Hon. Dr. FOLEY: That is generally true. As I pointed out earlier, the annual loan allocation made to the State is $360 million and the State has discretion over the distribution of those funds; it can allocate them as it sees fit. However, the Board of Works must go indirectly to the Loan Council for its borrowings and it must have Loan Council approval. In short, the Loan Council view on borrowings of semi-Government authorities and statutory bodies and the larger local government authorities is pre-eminent. As Gilbert has pointed out, the Loan Council is extra-Government and extra-constitutional.

Through the operation of the 1936 Gentlemen's Agreement, the Loan Council's influence on infrastructure extends to State instrumentalities such as the Board of Works, the State Electricity Commission, and, as I mentioned before, all local government authorities that borrow more than $1 million. Indeed, it is the Gentlemen's Agreement itself which determines that that should be the limit for those bodies.

The Australian Loan Council which has a profound and determining influence on the capital development of the States, employment, the bond rate, the price level, the balance of payments and in fact almost all of the economic variables, has also, because of the existence of the Gentlemen's Agreement, the ability to influence the extent to which the State can finance or transfer the cost of financing its infrastructure to future generations.

Not even those with only a very rudimentary knowledge of State finances and Commonwealth–State financial relations, and I include myself in that category, can challenge the fact that the Gentlemen's Agreement is critical to an understanding of the works and services element in the Victorian Budget. This is the point that the Minister for Local Government was raising earlier. The Gentlemen's Agreement does not have any direct bearing on the amount of funds allocated by the Federal Government to the State Government through the Loan Council, but it has an indirect bearing in that it determines the level of loan funds made available to those other bodies to which I have referred.

For all of its importance, and it is indeed profoundly important, the Gentlemen's Agreement is not widely understood—in fact I would go so far as to say that many people are not even aware of its existence. It was only in the last year that the Gentlemen's Agreement was made public. During the 41 years of its existence and influencing the capital development of the States, it has been a secret document, as are all the proceedings of the Australian Loan Council. In fact, the Gentlemen's Agreement, which was released publicly, I think just this year, is the only Loan Council document that I know that has ever been placed on the public record. Because of the importance of the agreement as amended on 1st July, 1977, because it has such a substantial influence on State finance and because it is rarely sighted, I seek leave to have it incorporated in *Hansard*.

The PRESIDENT (the Hon. W. G. Fry): Order! I have been considering the matter since Dr. Foley was kind enough to provide me with a copy of the document, which is headed, " Australian Loan Council—Borrowing By Semi-Government and Local Authorities—the ' Gentlemen's Agreement ' ".

I am not in favour of allowing the inclusion of the document in *Hansard*. There is no doubt that the document is authoritative and fact-filled and anyone interested in the Australian Loan Council should read and study it. However, I am concerned about the general principle involved in incorporating documents in *Hansard* because it opens many possibilities.

The points I am about to make refer to the broad principle of the incorporation of material and do not refer to the particular document. If the general principle were accepted, a document could be incorporated in *Hansard* without other members having had an opportunity of reading it. It might later be found that the document was offensive to certain honorable members in a philosophic sense. Those members could then demand that the material be deleted from *Hansard*. As many honorable members would be aware, that situation actually arose in another Parliament in Australia and the whole of the incorporated material had to be deleted.

Another situation about which I am concerned arises in the United States of America. Lengthy submissions can be incorporated in the official record without the member who files the submission even being present. The documents are simply submitted and are incorporated.

Another matter that worries me is that certain people outside Parliament would like to be able to use Parliament on every possible occasion so that their views could be incorporated in *Hansard* without honorable members who might oppose those views having an opportunity of hearing them. That practice could reduce members of Parliament to the sort of Parliamentary agents who used to frequent this place a long time ago. They have all withered on the vine because of the forms and usages of this House that require members who wish to make known their views to put those views forward. If they desire to do so, they are permitted to quote from certain documents.

The point of most concern to me is that the incorporation of material in *Hansard* precludes refutation. Some honorable members may not agree with the material but they are unable to refute it if they have not heard it. They are afforded no opportunity of studying such material in the brief time before it is actually incorporated into the record.

The question I ask is: What is the object of incorporating the material? If the object is to allow honorable members to be informed of the contents of a document, I then ask: Is it necessary to have it incorporated in *Hansard*? I ask myself that question when I see many of the statistical tables that are incorporated in Commonwealth *Hansard*. They go on for page after page after page and no one reads them, except perhaps a student who wishes to study them. The same object could be fulfilled by citing the name of the document and explaining where it is available. In this case I suggest that Dr. Foley reads the preamble and then makes copies available in the Library so that any honorable member who wishes to do so can examine the document. It can be stored for use by future generations of Parliamentarians.

I appreciate that this is a special document that has been issued for the first time in 40 years, but I can foresee many cases in which honorable members could argue that they also wished to incorporate special documents that supported their cases.

On balance, I am not prepared to grant leave for the documents to be incorporated in *Hansard*, and I suggest that Dr. Foley follows the course I have outlined.

The Hon. Dr. FOLEY (Boronia Province): Thank you, Mr. President, and, of course, I accede to your ruling. The document is entitled,

"Australian Loan Council—Borrowing by Semi-Government and Local Authorities — the 'Gentlemen's Agreement'". The preamble states—

(As amended to 1st July, 1977, at 109th Meeting of Loan Council).

Members of the Australian Loan Council have agreed that the following conditions will apply to future borrowings of Commonwealth and State semi-Government and local authorities. These arrangements consolidate amendments made to the original Gentlemen's Agreement since 1936 and, where necessary, modify the agreement (as amended) in the light of Loan Council practices that have developed since then.

The PRESIDENT (the Hon. W. G. Fry): That will sufficiently identify the document for honorable members who are interested.

The Hon. Dr. FOLEY: I shall make a copy available to the Library. By way of conclusion, and in an effort to convey to honorable members the almost incredible influence that the Australian Loan Council has on our lives, I will briefly enumerate some of its more interesting characteristics. As I mentioned earlier, the Financial Agreement Act is extra-constitutional. Section 105A (5) of the Australian Constitution was amended in 1928 and that amendment was ratified in 1929. The subsection provides—

Every such agreement and any such variation thereof shall be binding upon the Commonwealth and the States and the parties thereto, notwithstanding anything contained in this Constitution or the Constitutions of the several States or in any law of the Parliament of the Commonwealth or of any State.

That is the nature of the constitutional support for the Financial Agreement Act. Since 1901 and prior to the three constitutional amendments that were made recently, approximately 250 words have been added to the Australian Constitution; approximately 200 of those words are contained in section 105A. But in addition to that, section 105A gives constitutional authority to a 6,000-word financial agreement. That financial agreement can be amended, and has been amended at least seven times, by an Act of the Commonwealth Parliament. I may not be technically and constitutionally correct, but in a sense there is a facility, through the Financial Agreement Act, for changing the Australian Constitution, because any agreements reached under the Financial Agreement Act are binding over and above each of the seven State Constitutions and Governments.

The points I am making are somewhat random but they illustrate the interesting character of the body that determines the character of the document now before honorable members.

The Australian Loan Council comprises a representative from each of the States and one from the Commonwealth. The Commonwealth representative chairs the meeting. In fact, almost invariably the Commonwealth illegally has two representatives. As Sir Robert Menzies pointed out—

The Treasurer is the Chairman of the Loan Council and in my time as Prime Minister the Prime Minister always sat next to him and, in the most impertinent fashion, took a hand in the argument.

Sir Robert Menzies, of course, was one of those impertinent Prime Ministers. The practice has continued.

Another point I have already raised relates to the fact that the Loan Council meets for half a day twice a year. This is quite incredible for an influential body that deals with the really significant economic variables in Australia.

The final point I make is that in the history of responsible government in Australia, only two heads of Government have been sacked by the Crown. The first occurred in May, 1932, when Premier Lang was sacked, and the second occurred on 11th November, 1975, when Prime Minister Whitlam was sacked by the Governor-General, Sir John Kerr.

The PRESIDENT (the Hon. W. G. Fry): Order! What the honorable member has said has been interesting and relevant, but I feel it would have more relevance to the Appropriation

Bill. It has a direct bearing possibly on the amounts of money. A works and services measure is principally a bread and butter Bill.

The Hon. Dr. FOLEY: Thank you, Mr. President. That was my final point. This important Bill ranges across the State's entire spectrum. I argue that the Public Works and Services Bill is influenced almost totally by the Australian Loan Council. Another influence is the Gentleman's Agreement.

Only two heads of Government have ever been sacked in this country, both because they sought to circumvent the provisions of the Australian Loan Council. Premier Lang was sacked because he sought to evade the provisions of the Financial Agreement Act. In the case of Prime Minister Whitlam, he sought to evade one of the provisions of the Australian Loan Council.

That is something of the character of the Australian Loan Council, which has been instrumental in determining that the Bill before us is $399 million and not the considerably larger amount that the Government would have preferred to apply to this very important area of economic activity.

The Hon. F. S. GRIMWADE (Bendigo Province): I congratulate my colleague and friend, Dr. Foley, on a most interesting and enlightening speech about the Australian Loan Council and the way in which it affects the running of the country and the State. Unfortunately, I have only a few mundane matters to which I briefly refer. They are item 35, Agriculture—General; item 36, Agricultural Education; and item 37, Agriculture—Research Farms and Stations. When a department creates a new section which makes demands on services and facilities we are somewhat hesitant to ascertain what might happen and whether it will grow out of all proportion. Happily, this is not the case in the new livestock marketing reporting service which has been established by the Department of Agriculture. This has been perhaps the most significant action that the department has taken in assisting the farming community in these troubled times.

The Hon. D. G. ELLIOT: How often is it published? Is it published weekly?

The Hon. F. S. GRIMWADE: This service is created by the department. At present it monitors auction sales within Victoria, principally at Newmarket. It publishes the results of these monitorings in a weekly news release. These results are published daily, and by dialing a certain telephone number one can obtain the results of sales within the State almost immediately. It has been a small and perhaps under-equipped and under-staffed section but it has developed rapidly. I believe it will develop further in the future as more people use the marketing reports that are being issued by this service. It is interesting to note that the figures which it compiles are being used by the Australian Meat Board in its October report. For the first time, the average livestock marketing prices are listed on the back page of the board's monthly report. It states that these are now being gathered by the department's livestock marketing report service.

I link this to the Bill because I should like to encourage the Government to further expand this service to the community. It will need specialized equipment in the future. I should like the service to consider extending its market reporting into, say, retail meat. That will require a lot of time and effort to perhaps find the average price for meat in terms of whether it will be a T-bone steak or a lamb chop and how it will be recorded and reported back to the community at large. Probably computers and computer ability will be needed. There will certainly be a need for communication to get the reports back as rapidly as possible to the community and to the people who will use these figures.

I also suggest that input from farmers should be considered. These farmers might sell their livestock through the abattoirs or paddock sales. These need to be put into the system so that it can report accurately to assist people in making decisions on whether to send their livestock to market. I commend the gentlemen who have established this branch. I wish them luck and hope the Government will encourage further their good management by the provision of proper facilities and manpower to enable them to monitor not only Newmarket but also Bendigo and other markets throughout Victoria, and link with the other livestock reporting services throughout the States. This will enable farmers to enjoy accurate information on what is happening in the livestock area. I commend the Bill.

The Hon. RALPH HOWARD (Templestowe Province): I have selected item 3 in this latter-day version of *Pick a Box* and I wish to say a brief word of gratitude. I think gratitude is probably one of the most difficult of human emotions. This was demonstrated clearly to the Americans when they established their aid programmes. Nevertheless, in this instance my gratitude is very warm and I am sure it is shared by all members of the Parliament. I refer to the provision by Parliament of electorate offices, and I am thinking in terms of communication. I shall expand on that subject a little later. This is proving to be a worth-while exercise in communication between Parliament and the people. It is certainly working very well for me and in the interests of all my colleagues to whom I have spoken, both in this House and in another place. It is, in fact, a real indication that the amenities of Parliament have probably taken their first major step into the twentieth century. I commend it most highly.

However, we may be falling down in other areas to some extent. There is one area in which there is room for some action. In many cases this action has been taken individually by honorable members but it could be the subject of more general activity. I suggest that general announcements should be made to the public from time to time about the existence of these services in the electorates. The names of Parliamentarians now appear in the telephone directories, both in the State listings and also under their personal listings, but this is not enough. From time to time the public should have the availability of this service brought to their attention.

Another criticism I make relates to the communication facilities in this House. The communication system within this building is worthy of the utmost condemnation. Almost daily there occurs what amounts to a French farce with people attempting to contact members from outside by telephone and with people coming to Parliament and attempting to contact members around the House.

The Hon. D. G. ELLIOT: It may not be a French farce, it could be Ben Travis's *Rookery Nook.*

The Hon. RALPH HOWARD: That is one possibility. The attendants do a magnificent job and the switchboard operators also do their utmost, but when honorable members are considering expenditure on Parliament House, they should direct attention to bringing communication with the public into the twentieth century.

The Hon. D. G. ELLIOT: What about a paging system?

The Hon. RALPH HOWARD: That is an excellent idea. It would be the answer to the problem. The development of paging systems is such that it would be possible to remain in communication unobtrusively in this House. I have a paging system and if anyone wishes to contact me at Parliament House, it is easier to do so through my office at Boronia than by ringing Parliament House. This system has been introduced into the Federal House and I commend it to honorable members' attention.

In addition I would like to say that the accommodation in this Parliament for the Ministers, particularly with regard to their ability to receive guests and deputations, is absolutely abysmal. Their patience is probably beyond the stage at which it can be commended. It is almost at the stage where it should be condemned, because their patience is probably one of the factors which has allowed this situation to continue. I believe the situation requires urgent attention.

The Hon. S. R. McDONALD (Northern Province): I will not delay the House for long but I refer to items 5 and 167. Item 167 refers to the establishment by the Premier of the Victorian Solar Energy Research Committee. The explanatory memorandum to the Bill outlined that this year $500,000 is to be allocated to solar energy research. Much can be said about solar energy. It is greatly over-simplified and misunderstood by laymen. We should all be better informed.

The Premier has established this expert committee and I know most members of the committee, either personally or by reputation, and without doubt they have a tremendous amount of knowledge and experience at their disposal. At the same time, all the other States are setting up solar energy committees. The Federal Government is slowly moving in the direction of setting up a national energy resource advisory body. Energy resources and energy development is so important to Australia generally, that we should go further than setting up a Federal body with six separate State committees or bodies doing the same thing in their own State. This State should get together with the other five States and the Commonwealth on this important issue so that in Victoria and in Australia the limited resources of energy can be used to the best advantage and at the same time provide for the proper and adequate development of solar energy.

The other item I wish to refer to comes under the heading of Police Department. There is a need for new police headquarters in the Loddon district and a new police station in Bendigo. Item 5 provides for an expenditure of $11 million for the year ending 30th June, 1978, on various capital works for the Victoria Police, mainly in the form of new police stations and the provision of new equipment. I have taken the trouble of spending two or three hours inspecting the Loddon police headquarters in Bendigo, and also the station there. Although a number of Chief Secretaries have visited there and said that a new station would be built——

The Hon H. R. WARD: They did not say when.

The Hon. S. R. McDONALD: That is true. I was about to say that. It is unfortunate that a new station is not being built this year and that provision for it is not included in this Bill. The communications centre and the D.24 section in the station are located in cramped quarters and this places a limit on the number of persons who can work there. That effects the service and protection which the Police Force is able to give to the Loddon district, which covers a large area of northern Victoria. There are also inadequate facilities for ordinary individuals who go to the police station with inquiries covering a range of subjects. There is no privacy, and the individual who wishes to inquire or report on a particular matter has to discuss his business almost in the streets. No inquiry or interview room is available, and when the court is sitting in Bendigo witnesses have to wait outside to be summoned. This presents a bad image, and the image that the police in Bendigo or anywhere else present to the public is very important.

The Hon. R. J. LONG: What about Sale?

The Hon. S. R. McDONALD: I am not saying that Bendigo is the only station of this type in Victoria. I accept Mr. Long's invitation to go to Sale and inspect the police station there. The third point I make concerning the Bendigo station is that the police at that station have to guard prisoners detained overnight and also prisoners who are there during court hearings. That in itself may not be a tremendous disadvantage, but if one examines the layout and the general format of the cells at the police station, it will be seen that the police are in a difficult, and at times a dangerous, situation.

I am not critical of the Police Force or its members in making those remarks because, as I have said, I have a high regard for their work, but unless the police are given modern headquarters they are not able to realize their full potential in the protection and service that they give to the community. I urge the Chief Secretary, and the Government, to review the priority of the Bendigo police station to see whether it can be included in the next Public Works and Services Bill.

My next point relates to police services within my electorate. There is no resident police officer or a police station on the Loddon Highway between Bendigo and Kerang. Recently the Shire of East Loddon made representations to the Government for a police station to be built and for a police officer to be stationed at Serpentine. I know there are restraints on finance, but on this highway and other busy highways the presence of a policeman and a police car has a salutory effect on the motoring public. I support the Bill.

The Hon. R. J. EDDY (Thomastown Province): I wish to speak on several items in the Bill. Firstly, I refer to schools within the Thomastown Province which have been sadly neglected by the Government over the years. The Shire of Whittlesea is growing in population and the number of students exceeds the capacity of the schools within the shire. I speak of the Thomastown West High School. I have asked the Minister to set up an annexe west of the present Thomastown West High School in Main Street. On 26th October, 1977, I asked a question on notice of the Attorney-General, for the Minister of Education, on the expected maximum enrolment for the school in 1978. The answer was 937 pupils. This school was built to accommodate 824 students. The school council has said that it will not enrol more than 824. That will mean that more than 100 students will not be accepted at the school.

The Minister must be aware of the growing population in the Shire of Whittlesea and the number of houses being constructed in this area. This growth warrants an annexe being erected to the Thomastown West High School.

I also refer to the Lalor High School. The estimated enrolment for 1978 is 1,490 students. Fortunately, there is an annexe to this high school on a site farther north, but it consists only of portable class-rooms. The Minister and the Government have known about the population explosion taking place in Lalor, Thomastown and throughout the Shire of Whittlesea. About 1,000 people have moved into the Mill Park area. There are 350 occupied homes and 450 houses have just been completed. Children moving into the area who require secondary education can go only to the Lalor High School. This makes it necessary for a new high school to be built in this area to allow students to be accommodated and educated at the same level as students in the southern suburbs of Melbourne.

I am pleased to say that according to the programme two new schools are to be erected in the Thomastown Province next year. A primary school to be built at Coolaroo will accommodate some of the 1,000 children from the area. At Meadow Fair North development it also taking place. The people in this area

have been waiting for three years for a new school to be constructed, and at long last it is to happen.

The population in the northern suburbs is increasing and unless the Government provides additional schools in these areas, students will have to be transported by bus to schools farther north or south from where they reside. I ask the Minister responsible to refer these matters to the Minister of Education.

I now refer to the Reservoir Primary School. I have correspondence dating back to 1956 from the school principal and the president of the school committee. I have photographs of the boys' toilets, which are situated 110 yards from the school building, and they are a disgrace. In 1955, and again in 1966, the school committee requested that these toilets be replaced. That request has gone on right through to 1976. The district inspector at that time said that the toilets needed replacing. Again in 1971 the same gentleman said that the toilets needed replacing and he condemned them. The district inspectors from then until 1976 said similar things. The present district inspector states that the facilities for staff at the school are most unsatisfactory, and he strongly recommended that a high priority should be given to upgrading the facilities. He said that the school toilets were in a deplorable condition and should be replaced as soon as possible.

I have received many similar letters and will not read all of them, but some items should be mentioned because the Education Department is not doing anything to improve the deplorable conditions that exist at the school. The principal of the school to which I referred enclosed a photograph of the toilet block and stated that the children were still expected to go to a school where the conditions are such that, if the school were a factory, there would be immediate strikes because of the condition of the toilets.

I have seen them and I believe that a responsible Minister of Health would close the school or the toilet block, which would necessitate sending the children home. It is disgraceful that the Government has allowed conditions like this to exist for such a long time.

As I said, the first recommendations were made back in 1955 to the Education Department, and over the years the department kept on making promises to the school council but did not carry them out. Today the toilets are in about the same condition as they were twenty years ago; no repairs have been carried out. The boys' toilet block is 110 yards from the school. The girls' toilet block is built up against the fence, and trouble has occurred because people can walk in from the street, and little girls have been molested.

It is not good enough that the Government has allowed these conditions to remain, because over the years the school council and district inspectors have made these requests to the Education Department, which has promised to carry out improvements in the interests of the children attending the school, but has still done nothing.

If something is not done about the conditions at the Reservoir Primary School, the only alternative is for the staff to take action and send the children home until the Government is prepared to update the toilet blocks.

The next item I refer to deals with the Police Department. Although the allocation has been increased by 17·5 per cent for the 1977–78 financial year, no mention is made of a proposal to erect a 24-hour police station in the Shire of Whittlesea. I have been over this matter repeatedly, but I have to keep reminding the Chief Secretary about it because nothing is being done. There are two or three police stations in the area, including one at Thomastown, but it is open

only from 7 a.m. to 11 p.m. In that time there are sixteen men on duty on two shifts.

In answer to a question on notice asked by an honorable member in another place about the staff at the Thomastown police station being transferred to Greensborough, the Chief Secretary stated that only one man on each shift was involved, and that he was taken from Thomastown to Greensborough only on occasions. This is not so. There is one man from the afternoon shift, from 3 p.m. to 11 p.m., who is stationed in a van at Greensborough, and during the other week two men are placed on this shift. That means that two men are removed from the number of staff on duty on the night shift at Greensborough from 11 p.m. to 7 a.m. in the second week, so three of the sixteen men from the staff at Thomastown are missing.

I have been endeavouring to obtain the support of the Chief Secretary or the Government for a 24-hour station to be built. The Government has the land available and the station is needed, because the population of the shire exceeds 60,000, and it is served only by the Thomastown police station.

The Epping police station operates only from 7 a.m. to 5 p.m. and four men man that station, and another station at Whittlesea, which is a two-man station, operates for the same hours, so no police protection is provided after 11 p.m.

The Minister will probably say that a "divvy" van goes around the area, but it has to cover the whole of Greensborough and the Shire of Whittlesea, and the members of the Police Force at Thomastown can tell him that the people of Whittlesea see the van for only ten minutes between 11 p.m. and 7 a.m. Therefore, there is no police protection for the people of the area against crimes that may be committed between 11 p.m. and 7 a.m.

The Mill Park area is now being developed, and it is estimated that its population will be about 22,000, so a police station will be needed for that area alone. However, the Government cannot see fit even to build an urgently needed 24-hour police station in the Shire of Whittlesea. The Minister and Government supporters recently spoke in the House about increased penalties for crime, but a shire like Whittlesea with a huge, growing population has no police protection during the hours I mentioned, and the Government must make funds available for that purpose.

I refer next to item 10, which relates to social welfare, and states that at Allambie reception centre works are continuing to enable the centre to cope more efficiently with the care of large numbers of children pending longer term placement. However, the money that was spent at Allambie has not been used to benefit the children; it was used to improve the administration block at Allambie instead of relieving the overcrowding of young children in rooms. About twenty children are crammed into a room, and I defy the Minister of Health or anybody else to tell me that that is not a health hazard. The administrators would have preferred the money to be used in the interests of the children. However, the Government went ahead and did what it wanted to do and forgot about the children who are living in an extremely dangerous situation.

The Minister of Health has allowed this to go on and should do something to improve the conditions there. The Minister or one of his officers should visit Allambie. The Minister may have gone there on an open day. as he said by interjection, but I do not believe he looked into the rooms of which I spoke to see the overcrowded conditions there.

I refer next to item 44, which deals with mental health. I asked the Minister of Health a question about

the Aradale Mental Hospital and "J" ward at Ararat Mental Hospital. The question was—

> How many medical practitioners and psychiatrists are presently working within Aradale Mental Hospital and "J" ward at Ararat Mental Hospital?

The answer was—

> 1 psychiatrist superintendent;
>
> 2 medical officers.

"J" ward alone houses 50 men, and the mental hospital has about 300 patients. I am concerned about "J" ward because the Minister said something would be done to improve it, and it is long overdue. In a book entitled *Correction Handbook of Victoria* by Stanley W. Johnston and Richard G. Fox, it is stated at page 114 that—

> Ward "J" is used for male security patients who are certified insane, usually the confused and impulsive psychotic prisoner or psychopathic personality.

The report goes on to state—

> The prison was built in 1859–60 to accommodate 30 and was handed over to the Lunacy Department in 1886 to relieve temporary overcrowding. But it was never returned to Prisons. By the addition of a 14-room block, accommodation has been increased to 50. Recently a new recreation room has been built, and the dining room renovated. In 1905 an urgent recommendation was made that the building be no longer used for the detention of criminal mental patients. In his 1908 report, the Inspector-General of the Insane asked that it be no longer used, saying, "Its continuance as an adjunct to a mental hospital in this the 20th century is more barbaric than barbarism".

These statements were made back in 1908, and today the same building still houses mentally sick people in conditions that were described in this report 70 years ago as in effect not being fit for animals.

Yet, today, we are still sending men to the same building in Ararat. The Government must stand condemned because it has known of this report for some time but has done nothing about it.

The Hon. B. A. CHAMBERLAIN: The former Labor mayor of Ararat strongly disagreed with that.

The Hon. R. J. EDDY: As I have said, that is in the report. The report points out that the Government is lacking in knowledge and is prepared to send people anywhere to get them out of the way. It treats them as being animals instead of human beings. If the recommendations of that report were carried out, the place would be closed immediately and the people there could be transferred to other places.

The Hon. W. V. HOUGHTON: Such as?

The Hon. R. J. EDDY: Such as Mont Park.

The Hon. W. V. HOUGHTON: Mont Park is not a security establishment.

The Hon. R. J. EDDY: Accommodation could be provided at Aradale. There is not much security in "J" Ward. These are men who are mentally ill but they are locked away.

The Hon. W. V. HOUGHTON: They are criminally insane.

The Hon. R. J. EDDY: Not all of them. Some of them have not yet had an opportunity to plead.

The Hon. W. V. HOUGHTON: They pleaded not guilty on the ground of insanity.

The Hon. R. J. EDDY: Not all of them. The report described what sort of place it was 70 years ago, and it has not improved. Instead, it has deteriorated and it should be closed down. It is up to the Government to decide where to house the people who are there now.

I also want to direct attention to the need for a hospital in the Shire of Whittlesea. A steering committee has been working there for some time. It has made representations to the Minister who has received petitions on the subject, signed by many thousands of people. It is not good enough for the Government to say that there is already a bush nursing hospital at Whittlesea. As I have indicated at other times, there are already more than 60,000 people in the

area and development is taking place at such a rate that it is expected that the population of Mill Park, alone, will be 20,000 by the year 1990.

The Government should be planning now, not waiting until the people are living there, and then realizing that there has been a need for a hospital. There is no doubt that a hospital is needed now. The Minister advised Mrs. Harris, the secretary of the committee, that there will be no hospital in the Shire of Whittlesea although, I understand, the Government will set up a community health centre in the area. But that will cater only for people who can attend during the day. The nearest places where people can be hospitalized are the Preston and Northcote Community Hospital and the Austin Hospital, both of which are miles from the area.

The same position applies to the City of Broadmeadows, where people live miles from the nearest hospital. The hospital at Essendon cannot be considered because, at the moment, it is purely a maternity hospital. These are problems which the Government must face. There is a need for a hospital to be constructed either within the City of Broadmeadows or within the Shire of Whittlesea. There are committees working towards the objectives of having hospitals established in Broadmeadows and Whittlesea. I ask the Minister to give some consideration to these people who, I am sure, he appreciates are hard-working people, and to their efforts to have hospitals established. Land is available in Broadmeadows on the far side of the highway and there is plenty of land available in Whittlesea on which a hospital could be built for the huge population which will live in the area within the next ten years.

The Hon. W. V. HOUGHTON: Which one should we build first?

The Hon. R. J. EDDY: That is up to the Minister. I am advocating that a hospital should be built in either Whittlesea or Broadmeadows. The places are not really far apart and if there were a hospital in one area people could travel to it conveniently from the other area, along Mahoneys Road. But I emphasize that a hospital is needed either in Broadmeadows or Whittlesea. Wherever the Government can see its way clear to construct a hospital, the people concerned will be happy.

I ask the Minister to take note of what I have said and to do something about the matters I have mentioned.

The motion was agreed to.

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

VICTORIAN GOVERNMENT TRAVEL AUTHORITY BILL.

This Bill was received from the Assembly and, on the motion of the Hon. D. G. CROZIER (Minister for State Development and Decentralization), was read a first time.

WYCHEPROOF LAND BILL.

The debate (adjourned from the previous day) on the motion of the Hon. W. V. Houghton (Minister of Health) for the second reading of this Bill was resumed.

The Hon. H. A. THOMAS (Melbourne West Province): This Bill concerns the Wycheproof Recreational Reserve which is under the control of a committee of management comprising three councillors of the Shire of Wycheproof. The reserve is used by a tennis club, a croquet club, a golf club and a racing club. There is a club-house used by the golf club which maintains and improves it. Extensions have been built to the golf house, and further improvements are intended. The purpose of the Bill is to authorize the committee of management to grant a lease to the golf club of that area of land on which the club-house is built so that the club will have security of tenure of the building.

The race club uses the rooms on race days and its interest will be provided for. I have checked up and have been informed that all four clubs have taken part in discussions on the Bill and all are agreeable with what is proposed. The Labor Party does not oppose the Bill.

The Hon. K. I. WRIGHT (North Western Province): Wycheproof is that well-known town in north-western Victoria where the railway line runs along the centre of the street. However, in keeping with what is happening or going to happen with 26 other lines, passenger trains have stopped running and a bus will be taking over. What is more relevant to the Bill is that there is an excellent golf course in Wycheproof on which I have had the pleasure of playing. On one occasion, during an election campaign, I had the stupidity to finish six up in one event.

The PRESIDENT (the Hon. W. G. Fry): And I have played full-back on the same ground!

The Hon. K. I. WRIGHT: I will be interested to discuss this with you later this evening, Mr. President. The golf links are actually on the racecourse and some fairways cross the track. The whole area is under a committee of management of the Wycheproof Shire Council.

The problem arises that it is necessary for the golf house to be under separate tenure so that the golf club can raise much-needed money to improve the facilities. With other members of Parliament representing the area, I have had discussion with Ministers and the committee of management. They have all agreed that it is necessary for these steps to be taken and, naturally, members of the National Party support the Bill.

The motion was agreed to.

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

ADJOURNMENT.

The Hon. V. O. DICKIE (Chief Secretary): By leave, I move—

That the Council, at its rising, adjourn until tomorrow, at a quarter-past ten o'clock.

The motion was agreed to.

The House adjourned at 6.3 *p.m.*

Legislative Assembly.

Wednesday, November 23, 1977.

The SPEAKER **(Sir Kenneth Wheeler)** took the chair at 11.5 a.m. and read the prayer.

QUESTIONS WITHOUT NOTICE.

LAND PURCHASES.

Mr. WILKES (Leader of the Opposition): Is the Premier concerned by the resignation of the former Federal Treasurer, Mr. Lynch, because of his implication in the Victorian land scandals? If he is concerned, what action does he propose to take in respect of the Minister for Local Government and the Minister for Planning because of their direct implication with the Victorian land scandal?

Mr. PLOWMAN (Evelyn): On a point of order: The honorable member is plainly asking for an opinion of the Premier, but I cannot see how the Leader of the Opposition can ask a question which has nothing to do with the administration of the Victorian Parliament. He is clearly asking for an opinion.

The SPEAKER (Sir Kenneth Wheeler): Order! In respect to the first part of the question, I do not believe it is in order. It has nothing to do with this Parliament or the Premier's concern for Mr. Lynch. The second part of the question of whether the Premier intends to take action in respect of the Ministers named is a different matter.

Mr. HAMER (Premier and Treasurer): I first of all point out to the Leader of the Opposition that this matter was debated in this House only a few weeks ago and a decisive vote was expressed upon it. The Victorian Government set up the board of inquiry in order to make plain and make public all the facts relating to land purchases by the Housing Commission at Melton, Sunbury and Pakenham. The Government has constantly said that whatever action is required, whatever the appropriate action to be taken as a result of the findings, will be taken, and the fair and proper thing to do until the facts are known and the findings are made known is to reserve judgment.

The SPEAKER: The Leader of the Opposition has asked a question: Part of it was ruled out of order, part of it is in order. I ask him to listen to the reply. It is strange that expert advice is expressed loud enough for me to hear in this place. If honorable members on either side of the House have any doubt about a ruling, then a course is open to them.

Mr. HAMER: Anybody who had anything to do with the land purchases is entitled to be heard and to give evidence, and is also entitled to fair play. As far as I am concerned, that is exactly what they will get and I want to say at this point that I have not the slightest doubt—and in fact, on the contrary, have full faith and confidence in the integrity—of the two Ministers concerned.

PUBLIC SERVANTS.

Mr. ROSS-EDWARDS (Leader of the National Party): Can the Premier give an explanation of why the number of civil servants in Victoria increased by 5·5 per cent in the year 1976–77 according to the Public Service Board report, whereas the estimate given by the Premier at the beginning of that year and the expectation and hope was that the increase would be 1 per cent, excluding teachers and members of the Victoria Police Force?

Mr. HAMER (Premier and Treasurer): In the first place, the number of positions in the Public Service did not increase by 5·5 per cent. The numbers increased because there were a number of created but unfilled positions at the end of June, 1976. The actual increase in positions in the Victorian Public Service between June, 1976, and June, 1977, was 1,048. Of the increase in actual numbers, 800 approximately were in the Mental Health Division and that resulted from the implementation of the five-year plan for improvements in mental health services. I see the Deputy Leader of the Opposition nodding his head.

Mr. FORDHAM: That is fully supported.

Mr. HAMER: It resulted from the five-year plan to improve and upgrade the mental health services which in turn involved the construction of a number of new centres and the renovation and improvement of a number of existing ones. As they came into operation, of course, they had to be staffed, so that approximately 800 out of the 1,600-odd increases are accounted for in the Mental Health Division.

I believe in the light of that it can be seen that we have, in fact, practised what I preached. We have exercised and insisted on restraint in the growth of the Public Service last year and again this year. I assure the honorable member that the growth will be retained at less than one per cent this year, which is less than the growth in the population.

DRUG USERS PARENTS ASSOCIATION.

Mr. REESE (Heatherton): Will the Minister for Social Welfare consider granting assistance to the Drug Users Parents Association which operates from offices in Hampton

Street, Hampton, and whose valuable activities are well known and fully supported by the honorable member for Sandringham and myself?

Mr. DIXON (Minister for Social Welfare): For some time now, the Drug Users Parents Association has been helping parents of young people who use drugs largely in a voluntary capacity and certainly without any recourse to funds which might in some way be described as an honorarium or part-time salary. The president of that association, Mrs. Pat Searles, has done extremely valuable work in the community. I should like to see her activities and those of the volunteers she has around her encouraged. To that end I have approved a grant of $5,000 to that association.

VICTORIA POLICE FORCE RECRUITMENT.

Mr. LIND (Dandenong): I direct a question to the Minister representing the Chief Secretary in this House. Is it a fact that the Victoria Police Force is advertising in Great Britain for recruits? If so, how is it that service in the Police Force is not an acceptable category for entry into Australia by the Commonwealth Department of Immigration and Ethnic Affairs?

Mr. SCANLAN (Minister of Special Education): I cannot answer that question. I will make certain inquiries on the attitude of the Commonwealth Department of Immigration and Ethnic Affairs towards that matter.

STORM DAMAGE AT RED CLIFFS.

Mr. WHITING (Mildura): Is the Premier able to advise the House yet whether any additional financial assistance can be provided for growers in the Red Cliffs and Mildura areas who recently suffered from hail storm damage, by way of remission of water rates or underwriting of a hail insurance scheme or a donation to the hail disaster appeal fund? If not, when will the Premier be able to inform the House of this assistance, and if it is after the House rises will the Premier undertake to advise honorable members in the area?

Mr. HAMER (Premier and Treasurer): I have now received suggestions from the appropriate group of authorities for further assistance to the hail-affected areas in the vicinity of Mildura. The Government proposes to assist through water rates in some way or other. The exact way to best assist the growers is still under consideration, but it is proposed to help them with their water rates in one way or the other. I will be glad to let the honorable member know as soon as a decision is reached. It is under consideration now.

In addition, the Government proposes to make a contribution to the hail disaster fund which I believe is being administered by the Shire of Mildura. It is proposed to contribute $50,000 to the fund for relief as was done in the case of the bush fires in Western Victoria earlier this year. If that is in order it can be administered on the spot and bring relief when it is required to the families worst affected.

PORT PHILLIP PILOT SICK AND SUPERANNUATION FUND.

Mr. CRELLIN (Sandringham): I direct a question to the Minister of Public Works. Following the Minister's undertaking given in this House yesterday that he would convene a meeting of all interested parties concerned with the Port Phillip Pilot Sick and Superannuation Fund, will the Minister now advise the House when such a conference will be held?

Mr. DUNSTAN (Minister of Public Works): Telephonic advice is being conveyed today to representatives of the Pilots Superannuation Board, the Government Actuary, the in-service pilots and their actuary, the retired pilots and their solicitor, the Chairman of the Subordinate Legislation Committee, that is the honorable

member for Geelong West, the Leader of the National Party, and the honorable member for Knox. The meeting is to be held on Thursday, 1st December, at 10.30 a.m. in the conference room of the Ports and Harbors Division, 168 Exhibition Street. If the honorable member for Knox cannot find that building, it is 100 metres from Centenary Hall.

As I said, the meeting will be held to try to reach a satisfactory agreement between the in-service pilots and the retired pilots. The doors will be locked, and not opened until a satisfactory agreement has been reached. Those attending should bring their own sustenance.

HOUSING COMMISSION LAND PURCHASES.

Mr. SIMPSON (Niddrie): Is the Premier aware of correspondence from a Mr. Peter Stirling to himself dated 12th January this year, which is exhibit No. 180 at the board of inquiry, wherein he put forward proposals and sought the Premier's assistance in relation to the Pinmoore development of the land at Sunbury? If the Premier is aware of that correspondence will he advise the House if he made a reply, and if so, will he make that reply available to the House and to the board of inquiry?

Mr. HAMER (Premier and Treasurer): Yes, I am aware of a letter containing what I call a brochure of the proposal under discussion with the Housing Commission. The letter was sent to me in January. I was away. The only reply to it was a formal acknowledgment from my private secretary, which I will make available if the honorable member wants it.

GRAIN ELEVATORS BOARD.

Mr. TREWIN (Benalla): Will the Minister of Agriculture inform the House whether the Grain Elevators Board will be receiving oats through its system as the official receiver of oats for those who purchase oats, and if not, when will the board commence receiving oats on behalf of those who purchase them? Could the Minister also inform me whether negotiations for the purchase of the Victorian oat growers pool facilities have commenced and who will be assessing the value on behalf on the Grain Elevators Board?

Mr. I. W. SMITH (Minister of Agriculture): The Grain Elevators Board will be making a statement about the handling of oats in due course. The negotiations between the Victorian oat growers pool and the Grain Elevators Board have commenced, but as yet they are at such an early stage that I could not answer the remainder of the honorable member's question.

QUESTIONS ON NOTICE.

Mr. PLOWMAN (Evelyn): I ask the Assistant Minister of Health, in view of the volume of questions on notice asked by the honorable member for Brunswick of him and the Minister of Health in another place during the spring sessional period, whether he could obtain some advice on the number of hours spent by public servants in obtaining answers to these questions, and the cost to the taxpayer of doing so. Does the honorable gentleman intend to provide answers to questions Nos. 2995 and 2996 on the Notice Paper and thus involve public servants in spending additional time seeking those answers to questions which are asked on an electorate basis and for blatantly party purposes?

The SPEAKER (Sir Kenneth Wheeler): Order! If the honorable member wants to ask a question he should come to the point specifically and not elaborate on the question or debate it.

Mr. JONA (Assistant Minister of Health): I shall be delighted to answer the question because of the significant effect these questions on notice have had on the work load of officers of the Department of Health and the resultant cost to the department, and because Parliament is entitled to have this information.

During this sessional period 137 questions on health matters were placed on notice by the honorable member for Brunswick. The estimated time required by officers of the department to answer these questions is 1,900 hours, as many of them require a considerable amount of detailed information. This represents the time of one person working full time for a year to answer the questions placed on the Notice Paper by the honorable member in this sessional period alone.

Honorable members interjecting.

The SPEAKER: Order! I do not know whether my voice was not clearly heard or whether what I asked honorable members was understood, but if honorable members persist in interjecting when Ministers are answering questions I will have no alternative, after one or two warnings, but to name them.

Mr. JONA: In addition to this cost one should consider the time involved by the permanent head, other senior officers of the department, typists and others concerned with the preparation of these answers. The cost to the Department of Health in this sessional period alone of answering the questions was approximately $20,000, and the cost to the State of answering questions on health alone asked by the honorable member for Brunswick for this year is estimated at $50,000.

EDUCATION DEPARTMENT PURCHASING SYSTEM.

Mr. FORDHAM (Footscray): What action has the Minister of Education taken following the complaints from many reputable firms that they are being excluded from the purchasing system of the Education Department Stores Branch? Has this system resulted in the creation of yet another "magic circle" of favoured suppliers, and will the Minister take action to ensure that all reputable suppliers have access to the system?

Mr. THOMPSON (Minister of Education): I am glad the Deputy Leader of the Opposition asked that question. Approximately 80 per cent to 85 per cent of the State Government's education stores expenditure goes through the Tender Board on long-term contracts of a year to two years in duration. Approximately another 10 per cent goes to the Tender Board for approval, because the order involves expenditure of more than $500. The remaining 5 per cent would be used for the purchase of small items valued at under $500.

The important point to remember, however, is that a system of registration of suppliers has been operating for 20 or 30 years, as far back as I can trace. I have the complete assurance of the head of the stores branch, Mr. Minter, a man whose integrity and ability I respect, that anybody who wishes to register in a particular area may do so.

Mr. WILKES: That does not alter it.

Mr. THOMPSON: Of course it does; there is no restriction whatsoever. To suggest in any way that there is a secret club is completely incorrect and in line with the irresponsible allegations that we have consistently heard from the Opposition for election purposes in recent weeks.

A recent request by the Education Department to supply stores in the science area involved 130 suppliers who were registered. They were invited by the Stores Branch of the Education Department to submit quotations. Some 75-odd took advantage of the opportunity and 35 were given contracts for supplies. If any firm has been refused the opportunity to register in any area, I should be pleased to have the name of that firm because I have specifically asked whether all interested firms are given the opportunity. In fact, I have been assured that all suppliers are entitled to be registered for the supply of any particular line. All

that is necessary is for the firm to go to the counter of the Stores Branch or write a letter.

PAY-ROLL TAX.

Mr. COX (Mitcham): I ask the Premier and Treasurer: Following a great deal of discussion recently concerning pay-roll tax, will the Government support a proposal to abolish pay-roll tax at the expense of tax incentives for wage-earners?

Mr. HAMER (Premier and Treasurer): Over and over again, I have made it clear that the Victorian Government would get rid of pay-roll tax if it could; that is if equivalent funds were provided by the Federal Government to replace pay-roll tax which was handed to the States in 1971. The primary objective, in my view, ought to be to abolish pay-roll tax for those on whom it has the greatest impact, the small family businesses, farms, and so on. This should be done for two reasons: Firstly, because for them pay-roll tax is the greatest proportional burden; and, secondly, if it is abolished for them, we would get the greatest proportional result in the form of job opportunities. I suggest that the possibility of losing tax-cuts in February would be disastrous because they are essential to the restoration of the economy.

Mr. WILTON (Broadmeadows): On a point of order, the question related to pay-roll tax, which is clearly within the ambit of responsibility of the Treasurer of Victoria. At the moment, the honorable gentleman is expressing an opinion on certain tax cuts that some Federal Government in the future may or may not introduce. In my view, that is clearly outside the area of responsibility of the Victorian Treasurer.

The honorable gentleman's remarks also breach the rule of anticipation. If the Treasurer wishes to do anything about pay-roll tax it is clearly a matter for him and not for any other Minister in any other Parliament. Expressing an opinion as to what effect some decision by the Federal Government may have on taxation is outside the Treasurer's area of responsibility.

The SPEAKER (Sir Kenneth Wheeler): I cannot uphold the point of order. The question asked by the honorable member for Mitcham related to pay-roll tax and the Premier and Treasurer is replying to that. I ask the honorable gentleman not to elaborate more than is necessary to explain the situation concerning pay-roll tax.

Mr. HAMER (Premier and Treasurer): I accept your ruling, Sir. I am not now expressing an opinion, but a fact. The tax cuts in February are essential to the economic recovery of Australia. They are essential to provide an incentive for higher earnings, especially overtime. It would be disastrous if they were removed, even at the expense of pay-roll tax.

FREEWAY F19.

Mr. RICHARDSON (Forest Hill): I direct a question to the attention of the Minister of Transport, concerning Freeway F19 and, most importantly, concerning truthfulness in this House. It is necessary for me to quote several sentences from *Hansard.*

The SPEAKER (Sir Kenneth Wheeler): Order! The honorable member may not quote from *Hansard.* He may simply ask a question.

INDUSTRIAL NOISE.

Mr. ROPER (Brunswick): Further to previous answers given by both the Assistant Minister of Health and the Premier, some in answer to questions on notice and some in answer to questions without notice, concerning the introduction of protection for workers in industry against noise, is the Assistant Minister of Health aware that the Minister of Health and his department have not sent a copy of the draft regulations to the Trades Hall Council, as promised in the answers to which I have already referred? Is the honorable gentleman

also aware that the Trades Hall Council has not been approached by the Minister of Health or the department concerning these regulations, which are being discussed at the moment?

Mr. JONA (Assistant Minister of Health): The answer is, "No". However, I will draw the honorable member's comments to the attention of the Minister of Health.

MINISTRY OF HOUSING.

Mr. WILTON (Broadmeadows): A firm of management consultants was appointed earlier this year to conduct an investigation into the internal operations of the Housing Commission. Has the Minister of Housing received a report from that company and will the honorable gentleman make a copy of the report available? If the Minister is not prepared to do so, will he explain why?

Mr. HAYES (Minister of Housing): The firm of management consultants, Cresap McCormick and Paget, were appointed to review the organizational structure of the Ministry of Housing, not just the Housing Commission. The report was to be completed at the end of September. Not long after that I received the report, which has not yet been considered by the Government. The report will not be made public until it has been considered by the Government.

VICTORIAN INSTITUTE OF MARINE SCIENCES.

Mr. STEPHEN (Ballarat South): Because of the difficulty being experienced in the purchase of land at Portsea for the establishment of the Victorian Institute of Marine Sciences, can the Premier advise whether there is any possibly that the institute might be relocated at Queenscliff?

Mr. HAMER (Premier and Treasurer): Negotiations with the Federal Government are at present being conducted concerning the price to be paid for the land to be excised from the quarantine reserve at Portsea for the Victorian Institute of Marine Sciences. I have on previous occasions informed honorable members that the amount suggested by the Commonwealth was outrageous and that negotiations are now being conducted seeking a more reasonable and rational price.

In the meantime, reports have been made on behalf of the Geelong area and Deakin University in relation to a site at Queenscliff. If by any chance the present negotiations are not satisfactorily resolved, then attention will certainly be given to the alternative site at Queenscliff.

METRICON PTY. LTD.

Mr. CATHIE (Carrum): In view of the statement made by the Minister of Housing that the directors of Moore Williams and Son Pty. Ltd. had divested themselves of any interest in the building company, Metricon Pty. Ltd., has the honorable gentleman been able to discover who were the beneficiaries of the contract with the Housing Commission and why Metricon Pty. Ltd. was the only company invited to tender for building homes at Patterson Lakes?

Mr. HAYES (Minister of Housing): I thought I made it clear last week that two building companies were each given contracts to build 25 homes at Patterson Lakes. One company was Jennings Industries Ltd. and one was Metricon Pty. Ltd. I am sure that if the honorable member has any interest in the ownership of Metricon Pty. Ltd., he and his confrères can check accordingly.

PERSONAL EXPLANATIONS.

Mr. WILLIAMS (Doncaster): Mr. Speaker, I wish to make a personal explanation. I claim to have been misrepresented in this morning's press, both in the Melbourne *Sun News-Pictorial* and the *Age* newspapers, in relation to the petition that I presented yesterday concerning the Richmond City Council and Protean Enterprises Pty. Ltd. The report contained no reference to the

fact that a notice of motion is on today's Notice Paper which would have given me the opportunity of elaborating on that petition. I am also most concerned that the press has played up the anonymous caller who offered me a bribe on behalf of a company director whom he named. I have discussed this matter with the Clerks and have been advised that because I cannot name the informant, although he said he was an agent acting on behalf of the named person, this does not give me sufficient grounds to raise a matter of privilege. Therefore, Mr. Speaker, I was unable to present to you the relevant documents. However, I am taking advice from a solicitor and drawing up a statutory declaration, which I will be placing in the hands of the appropriate authority for a full investigation. However, I apologize, Mr. Speaker, for the reflection on you by the press.

Mr. RICHARDSON (Forest Hill): I wish to make a personal explanation on my use of the word "truthfulness" in the question I was beginning to ask at question time. I was not intending to reflect on the truthfulness of the Minister of Transport but on the truthfulness of remarks that were made by a member of the Opposition in this Chamber. I shall take up the matter at another time.

PETITIONS.

Motor Vehicle Charges.

Mr. EDMUNDS (Ascot Vale) presented a petition from certain citizens of Victoria praying that action be taken to reduce car registration, insurance and licence fees payable by pensioners. He stated that the petition was respectfully worded, in order, and bore fifteen signatures.

It was ordered that the petition be laid on the table.

Dandenong North Technical School.

Mr. LIND (Dandenong) presented a petition from certain citizens of Victoria praying that action be taken to ensure the construction of a co-educational technical school on land owned by the Education Department at Brady Road, North Dandenong. He stated that the petition was respectfully worded, in order, and bore 1,625 signatures.

It was ordered that the petition be laid on the table.

Motor Vehicle Charges.

Mr. TREZISE (Geelong North) presented a petition from certain citizens of Victoria praying that action be taken to reduce car registration, insurance and licence fees payable by pensioners. He stated that the petition was respectfully worded, in order, and bore 99 signatures.

It was ordered that the petition be laid on the table.

Liquor at Tertiary Education Institutions — Motor Vehicle Charges.

Mr. BIRRELL (Geelong West) presented two petitions from certain citizens of Victoria. Firstly, praying that no approval be given which will allow the provision of liquor for students at universities and colleges of advanced education. Secondly, praying that action be taken to reduce car registration, insurance and licence fees payable by pensioners. He stated that the petitions were respectfully worded, in order, and bore 32 and 15 signatures respectively.

It was ordered that the petitions be laid on the table.

Local Authorities Superannuation Scheme.

Mr. CRABB (Knox) presented a petition from certain contributors to the local authorities superannuation scheme praying that the House take action to have a full scale actuarial assessment made for the purpose of correcting existing anomalies and to upgrade the scheme to the standard

of the scheme applying to Victorian public servants. He stated that the petition was respectfully worded, in order, and bore 8,365 signatures.

It was ordered that the petition be laid on the table.

On the motion of Mr. CRABB (Knox), it was ordered that the petition be taken into consideration on the next day of meeting.

LIBRARY COMMITTEE.

Mr. McLAREN (Bennettswood) presented a report from the Library Committee, together with appendices.

It was ordered that they be laid on the table.

PAPERS.

The following papers, pursuant to the directions of several Acts of Parliament, were laid on the table by the Clerk—

Albury-Wodonga (Victoria) Corporation—Report for the year 1974-75.

Consumer Affairs Council—Report for the year 1976-77—Ordered to be printed.

Dried Fruits Act 1958—Statement of accounts for the Victorian Dried Fruits Board for the year 1976.

Forests Commission—Report for the year 1976-77—Ordered to be printed.

Melbourne and Metropolitan Tramways Board—Report for the year 1976-77.

Mental Health Authority—Report for the year 1976—Ordered to be printed.

National Gallery of Victoria—Report for the year 1975-76.

Police Regulation Act 1958—Determination No. 281 of the Police Service Board.

State Development Committee—Progress Report on the Development and Promotion of Tourism in Victoria with particular reference to the development control and operation of Historical Parks/Folk Museums—Ordered to be printed.

State Library National Gallery National Museum and Institute of Applied Science Act 1960—Report and statement of accounts of the Building Trustees of the Library Council National Museum and Science Museum of Victoria for the year 1971-72.

Stock Foods Act 1958—Proclamation altering the chemical standards of bran and pollard.

Town and Country Planning Act 1961—Shire of Flinders Planning Scheme Amendment No. 91, 1977.

Victorian Council of the Arts—Report for the period 1st July, 1974 to 30th June, 1976.

Victorian Egg Marketing Board—Report for the Pool year ended 2nd July, 1977—Ordered to be printed.

UNIVERSITY OF MELBOURNE.

The SPEAKER (Sir Kenneth Wheeler): Order! I have received the following communication from the Minister of Education, which I ask the Clerk to read—

23rd November, 1977.

Dear Mr. Speaker,

Allan Clyde Holding, Esq. M.P. was appointed to the Council of the University of Melbourne pursuant to the provisions of section 5 (1) (*a*) (ii) of the Melbourne University Act 1958 which provides that two members of the council shall be members of the Legislative Assembly recommended for appointment by members thereof.

Following his resignation from the Parliament I should be grateful if you would arrange for the Legislative Assembly to recommend a member to replace Mr. Holding on the Council of the University for the unexpired portion of his term—that is to say for the term ending 16th December, 1979.

Yours sincerely,

L. H. S. THOMPSON,
Minister of Education

Mr. THOMPSON (Minister of Education): By leave, I move—

That John Joseph Ginifer, Esquire, be recommended to the Governor in Council for appointment to the Council of the University of Melbourne.

The motion was agreed to.

MAGISTRATES (INTERSTATE ENFORCEMENT) BILL.

Mr. RAFFERTY (Minister of Transport): I move—

That this Bill be now read a second time.

The purpose of the Bill is to enable action to be taken to overcome the evasion of the payment of road maintenance charges through the setting up of interstate "straw" companies.

Part II. of the Commercial Goods Vehicles Act 1958 requires the owner of commercial goods vehicles with a load capacity in excess of 4·1 tonnes, except when the vehicle is used for specific exempt purposes, to make a contribution towards compensation for wear and tear of public highways in Victoria. All States except Tasmania have similar legislation, which has been held to be constitutionally valid by the High Court.

In 1965 legislation was enacted by this Parliament, and subsequently adopted in other States, which made the directors of a corporation which is the owner of a commercial goods vehicle liable to the same obligations as the corporation. The 1965 amendment was most effective in ensuring that road charges were paid.

Unfortunately, in the case of *Welker* v. *Hewitt and another* 120 C.L.R. 503, and subsequently in *Cox* v. *Tomat* 126 C.L.R. 105, it was decided by the High Court by a majority that the law of a State could not impose an obligation on a person not resident or domiciled in the State simply because he was a director of a company which operated a vehicle in the State. This has led to an expanding use of the device of registering a company in a State other than the State in which the directors are resident, and in particular in South Australia. The companies are invariably "straw" companies in the sense that they have no assets, and there is no point in seeking to recover fines or road tax contributions from the companies.

Because of the High Court decisions, no action can be taken against the directors unless it can be proved that they were actually involved in the operation of the vehicle in the State. To make this virtually impossible, the directors of the straw companies are usually persons who have no real connection with the companies. Transport operators who make use of this device are put in the position of being able to compete unfairly against other transport operators who do not and cannot adopt such devices.

The problem has been discussed on many occasions by the Australian Transport Advisory Council and by the Standing Committee of Attorneys-General. As a result of these discussions, it has been agreed that the only practical way to deal with the straw company device is for complementary legislation to be enacted in all States and Territories which imposes on every person who is resident or present within a State or Territory, and who is a director of a transport company, an obligation to ensure that fines and road contributions are paid by the company or in default by themselves.

To ensure that an honest director who has done everything that he might reasonably be expected to do in relation to the operation of the company is not made liable, provision is made for a person who would otherwise be liable under the proposed legislation to be exculpated if he can prove that he had reasonable and probable grounds for believing that the company would be able to meet its liabilities, and that he had taken all reasonable steps in carrying on the business of the company to ensure that the company would be able to meet its obligations as they became due.

It is also proposed to amend the existing legislation, which is still effective in relation to the directors of Victorian companies, to enable those directors to similarly exculpate themselves from liability.

This Bill is an important piece of legislation that has been developed through the co-operation of State and Commonwealth Governments in Australia. The Bill is necessary not only to protect the revenue of the State, but also to ensure that the law applies equitably to everyone engaged in road transport. I commend the Bill to the House.

On the motion of Mr. CAIN (Bundoora), the debate was adjourned.

Mr. RAFFERTY (Minister of Transport): I move—

That the debate be adjourned until next day.

Mr. B. J. EVANS (Gippsland East): This is a far-reaching Bill which is intended to meet a problem that has been exercising the minds of transport operators and the Government for many years. The time proposed for adjournment of the debate seems to be altogether too short to allow honorable members an opportunity of researching the Bill. Although the Minister has indicated that it is designed for one specific purpose, I am not sure that the measure will not have a far wider ranging application in the community. An adjournment period of more than 24 hours is required to research the Bill.

Mr. RAFFERTY (Minister of Transport): By leave, the Bill came from another place and further time has been allowed.

Mr. B. J. EVANS: That has nothing to do with it.

Mr. RAFFERTY: I am making a point, if the honorable member will listen. Time was allowed. The matter is of considerable importance in relation to the finances of the State. The subject is not new; it has been bandied about for a long time. This is the first occasion on which all States have been able to reach a conclusion that they believe will be effective. I have therefore moved that the debate be adjourned until tomorrow.

The motion was agreed to, and the debate was adjourned until next day.

STATUTE LAW REVISION BILL (No. 2).

Mr. MACLELLAN (Minister of Labour and Industry): I move—

That this Bill be now read a second time.

As is usual with Bills of this kind, the purpose of the present Bill is to correct printing and other errors in Acts to ensure that the patent intention of Parliament is given effect. The Bill does not, of course, deal with matters of policy, and it implements the recommendation of the Statute Law Revision Committee in its report of 8th March, 1977, that such a Bill be presented to Parliament every twelve months.

I can assure the House that the Bill does not include any substantive alterations. The Bill has been considered by the Statute Law Revision Committee and now incorporates the amendments referred to by the committee in its report dated 17th November, 1977. I commend the Bill to the House.

Mr. EDMUNDS (Ascot Vale): This Bill has been through another place, and, as a member of the Statute Law Revision Committee which made the original recommendation that there should be an annual review of Acts, I indicate that members of the Opposition believe the passage of the measure should be expedited.

Mr. WHITING (Mildura): This is one of the usual statute law revision Bills that come before the House. The reason for setting up the committee was to revise the statutes of this State and to come up with minor amendments from time to time that are necessary to keep the statutes fully up to date. Of course, the committee has a much wider application in that it studies other aspects of amendments of the laws of this State and, in some cases, of other countries.

The National Party has no objection to the Bill. It is well worthy of the work of the committee.

The motion was agreed to.

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

COMMUNITY WELFARE SERVICES BILL.

Mr. DIXON (Minister for Social Welfare): I move—

That this Bill be now read a second time.

Honorable members will be aware that on 27th April this year, I said that new legislation would be presented this session to establish a change in emphasis and approach for the Social Welfare Department. This Bill fulfils that commitment. It introduces legislation further to the Social Welfare (Amendment) Act 1977, which facilitated the restructuring of the department. That restructuring enabled the change of name to the Department of Community Welfare Services.

At the same time, the Bill seeks to promote the integration of the department's community services with those of other departments, local government, and the voluntary sector. This recognizes the importance of greater consultation, co-ordination, and co-operation at all levels of government and community in welfare service delivery.

The Victorian Government has given close consideration to the ways in which we can make our services more personal and more accessible to people in need. In particular, it has sought ways to give the widest community support for services to children and families.

In recent years, there have been a number of major reports on child care and family services, including the report of the Consultative Council on Pre-School Child Development, the report of the Committee of Inquiry into Child Care Services in Victoria, and the report of the Child Maltreatment Workshop.

These reports reflected similar values and approaches including: A concern for the basic rights of children; recognition of the importance of the family in securing the rights of children; and acceptance of the principle that all generations of families require basic services to assist them to fulfil their functions.

The Committee of Inquiry into Child Care in particular stressed the importance of developing a comprehensive family policy for Victoria, and establishing programmes to meet the needs of children and families. It pointed out that services should be geared to the needs of the people who use them, and should be provided on a neighbourhood, local and regional basis.

The central implementation committee has been established to handle the recommendations arising from that Committee of Inquiry into Child Care. This implementation committee comprises representatives of a wide range of Government departments, the Children's Welfare Association and the Victorian Council of Social Service. Its final report is expected early next year. However, many of its interim recommendations have been incorporated in this Bill.

The implementation committee has already recommended that a comprehensive family support programme should be developed throughout the State, marshalling all resources of statutory, local government and voluntary agencies. This programme will seek to establish a full range of child development and family services within an integrated community framework. These services have, in the past, been seen in too narrow a light and often the community has seen " the welfare " as negative and bureaucratic.

It is vital that we bring the community back into planning for child development and family services. We must establish co-operative relationships between all those involved in providing services, and all those who use them.

For this reason, it gives me great pleasure to announce that the Bill incorporates three very substantial amendments to the 1970 legislation. These very substantial changes arise from close discussions between Government departments in Victoria which sought to establish a basis for a co-operative approach to the development of community welfare services in this State.

The first amendment establishes the Department of Community Welfare Services in place of the Social

Welfare Department. For too long, the department's real service capacity for the community has been hampered by apprehension of "the welfare" being both negative and bureaucratic.

The Act provides that, in future, the department should assume responsibility for community service development, including—

1. Facilitating development of services administration of welfare programmes at local and neighbourhood levels.

2. Identifying the continuing and emerging needs of families in local communities and neighbourhood, and providing and encouraging development of preventive and supportive services.

3. Co-ordinating local welfare services, ensuring that such services are accessible and that information about them is readily available, and encouraging voluntary and self-help activity in the provision of these services.

The second major amendment establishes a Child Development and Family Services Council jointly responsible to the Minister responsible for the administration of the Health Commission with respect to early childhood development, and the Minister for Community Welfare Services. I have been very grateful for the co-operation received both from the Minister of Health and the Minister responsible for early childhood development services. I should also add that complete agreement has been reached between the Assistant Minister of Health—who currently has responsibility for the aforementioned areas of health administration—and me on these matters.

The membership of the council will comprise representatives of relevant State Departments, the Commonwealth and local government, nominees from the Victorian Council of Social Service, the Children's Welfare Association, the Australian Pre-school Association, the Institute of Early Childhood Development, and persons representing welfare recipients in the community at large. The council will have 26 members, including a chairman on a part-time salary basis. It will have a secretariat and research staff.

The council will advise the Ministers, carry out investigations, maintain liaison with related agencies and individuals, initiate public discussions, and advise on principles relating to licensing, contracts and registration.

The council will present an annual report to the Ministers, which shall be laid before Parliament.

The third major amendment seeks to replace the present Prisons Advisory Council with the Correctional Services Council. The new council will have a broader mandate in relation to community correctional programmes of the department. I have indicated that an integrated correctional service should enhance the prospect of further decentralization, and provide opportunities for the development of alternatives to prison such as work attendance programmes, work fine options, and programmes for the re-integration of the offender into the community whenever this is possible.

I will ask the Correctional Services Council to examine social indicators linking social conditions such as property, unemployment, family organization and juvenile delinquency with adult crime, to provide some ongoing base of research which might lead to the reduction of social problems and improve social conditions.

It is now recognized that we need a social welfare system which seeks to prevent conditions emerging which would create social problems. It is also recognized that while some specialized services must be provided on a state and regional scale, the main need is for services to be immediately available and within the locality of people's homes. There

must be effective communication between neighbourhoods, local community and appropriate regional bodies.

In addition, we know that different communities require different types of services. Accordingly structures must be sufficiently flexible to reflect local neighbourhood needs and processes of change. Services must be allowed to fit the people who use them, especially the "vulnerable" and the "disadvantaged". For example, throughout the State, there are worth-while local initiatives in child development and child maltreatment programmes, and in such instances, departments will seek to enhance the developmental capacity of the persons and organizations involved.

Family and child welfare services have, in the past, tended to be somewhat narrow. They have tended to focus either on limited groups of children, or be concerned mainly with services to children and families who are in crisis situations, or who have in some way already failed.

These concepts do not meet the developmental needs of families within the framework of our increasingly complex, changing society. So the need for a family welfare policy which will establish and maintain the well-being of all families is recognized. At the same time, we acknowledge the necessity of providing services for families with particular disadvantages and stresses.

My department is co-operating with the Department of Health and various voluntary and statutory organizations through the central implementation committee of the child care enquiry and other consultative processes, to develop a child and family policy. We believe this should be founded on the acceptance of basic rights. Children have a right to be wanted, and be born into an environment which will provide them with the most positive path of development.

Mr. Dixon.

These needs can best be met within a family setting. Children must be able to relate with other children, with caring adults in their own family circle, and with other adults and children in the wider community.

Parents also have a right to enjoy their own experience of family life, and to feel their contribution to society in creating worthwhile citizens of the future is recognized and esteemed. They must be able to feel that society accepts responsibility for helping develop their skills as parents, and supporting them in periods of stress.

Parents must also be able to feel that their strengths and insights are valuable to society. In turn they must feel they can play a part in helping others. Society must understand that different ethnic and social groups may hold somewhat differing values, and that family life may take a variety of forms.

All these rights should be accepted and promoted in a diversified and tolerant society. However, where stress results from differences within society, the society has an obligation to mediate and help families. We believe most individuals and families have reasonable resources. We understand they prefer to seek support and help from their own families and networks of relatives, friends, and neighbours. However, the family should be able to supplement its own internal resources with services which are designed to reduce stresses on parents and improve standards of child care.

My department accepts that child and family welfare programmes must be based on the following principles—

1. Services must be based on a humane understanding of the ways in which the members of families behave towards each other, and the expectations parents and children have of themselves. We are making increasing use of behavioural science

insights and the observations of welfare practitioners as our services develop.

2. Developmental and supportive services for families must relate to real needs, as seen by family members and those professional people who work with them. To this end, we support the development of neighbourhood and community self-help groups through specific projects such as the Family and Community Services Programme, and through our innovative funding arrangements in association with the Early Childhood Development Committee programmes of the Health Commission.

3. Services should be specifically designed to meet and assess the needs of parents and children. Therefore, voluntary and statutory organizations, professional and community groups, and representatives of families themselves must work together on the design of these services.

4. Services must be easily accessible. They must be physically situated within easy reach of potential users, and people must feel comfortable in approaching them. The regionalization programme of the Social Welfare Department aims to meet this need. Fifteen regions have already been established, and approval has been given for the establishment of two more in 1977-78, and the remaining region in 1978-79. The department is also developing a network of sub-offices which bring the department's services within reasonable reach of most people in Victoria.

5. Services must be developed and delivered on a co-ordinated basis. Fragmented, narrow services, which require people with diverse problems to pass from agency to agency are of little value. Families should be able to get all their needs met with a minimum of fuss and travelling. They should not have to tell the same story to a number of different organizations and go through endless explanations, with a risk that their needs will still be inadequately met. Service co-ordination ensures that limited resources are used to their fullest extent, and that people stand the best chance of receiving the help they need.

6. Services must be evaluated if their relevance and effectiveness are to be maintained. This principle is well understood by my department, and as new programmes are developed, evaluation is built in as part of policy.

Child development and family services will be provided through family support programmes, the Family and Community Services programme and the early childhood development programme of the Health Commission, in line with these principles. I draw attention to some existing programmes which provide excellent examples of the approach to basic programme philosophies that the Department of Community Welfare Services will seek to develop.

The Action and Resource Centre for low-income families—ARC—provides one good example of a positive self-help concept of welfare. It has operated as an independent project since January, 1976. It grew out of the first three-year phase of the Family Centre Project of the Brotherhood of St. Laurence, which commenced in 1972. Although largely funded by the brotherhood, ARC is designed to achieve autonomy over the next three years.

The centre is a unique experiment in collaboration between professionals and non-professionals in that it is basically run and staffed by low-income people with professional back-up. It provides access to information on such matters as housing, employment, social security and consumer rights. It has shown that by transferring skills and resources to low-income families they are better able to manage the social and economic conditions affecting their lives and can help influence society for the better.

The centre is concerned with the causes of inequality and poverty and constitutes a social action base for low-income people. Through the centre, low-income people have developed a sharing caring community, built on family and friendship networks. The centre has also provided a sense of "belonging" which helps motivate people to participate and to change existing services and injustices.

The centre operates on a system of openness and sharing. All meetings are open and all personal files are open to the person upon whom the file is kept. It is run by an elected council of low-income people, and the minutes of the council are distributed to members by fortnightly bulletin.

Staff share their knowledge and skills with others and this transfer is seen as an important part of the role of professionals in the centre. This has enabled professionals to be used constructively while also denuding professionalism of its mystique. Language has been simplified and skills identified. For example, while the centre uses typists, an accountant and a receptionist, it refers to them as support workers. They help the organization function, but also transfer their skills to others.

The centre is endeavouring to bring about change in society constructively and gradually. It is an anti-poverty programme run by low-income people, which utilizes the skills and resources of a wide variety of professionals, government departments and other organizations.

A good example of a local initiative is that of the St. Kilda Community Group, formed in 1971 by representatives of St. Kilda's charitable organizations to act as a local co-ordinating body for welfare work in the municipality. The community group conducts an extensive range of services—an occupational therapy programme, a Citizens Advice Bureau, a legal service, an accommodation service, a youth centre, and a short-term employment programme and a community activity centre. Local government, community groups and non-government agencies contribute to its funding. It is currently employing young people as youth workers to reach out to groups of young people traditionally reluctant to approach welfare organisations.

The group enjoys substantial volunteer involvement in all its services. It has sought to create community awareness and encourage involvement in its work through a regular newsletter, a fortnightly "Community Group Involvement" column in the local newspaper, a series of open-forum meetings on welfare issues, and a community education programme.

Another example of programme philosophy is the Broadmeadows Welfare Advisory Committee, established to co-ordinate welfare services in the Broadmeadows area. Its very large volunteer and community membership distributes funds to unemployed persons and families in necessitous circumstances, and undertakes a range of local community programmes.

It provides support, encouragement and guidance programmes for the whole community, and aims to develop self-help groups with strength and continuing motivation. This is seen as a positive way of reaching people at all levels, to bring them information, and to help them link in with others who may be able to assist them or remove them from isolation. It is a means of exposing and rectifying needs, and where necessary presenting needs to suitable authorities at local, state, or federal level.

This sort of programme provides the backbone for a new approach to community welfare service. There are hundreds of organizations and thousands of services in existance in local communities. It is essential that these services are known to the people who need them, and that people who wish to help their community by volunteering are given full opportunity to take part in community life and service.

I have recently made a grant to the Victorian Association of Citizens Advice Bureaux to help it promote co-ordination and integration of a Citizens Advice Bureaux and Information Service, and through this, various locally based services.

The Family and Community Services programme will help this new approach to community welfare services. It is now nearing its first allocation of funds through the establishment of the regional consultative committees. Advertisements were placed on 19th November, indicating the resources available through the community services grants. Honorable members will be supplied with periodic progress reports on the development of these grants. In addition, local government is being approached regarding the Family and Community Services information and co-ordination programmes.

Future policy for planning and delivery of services should be based on a scientific and humane understanding of the various needs and rights of the child, family and community. Wide-ranging discussions between the Department of Community Welfare Services, the Health Commission, the Education Department, and all those involved in child and family services are required.

At the State level, the Government is moving very rapidly to provide a comprehensive, consultative, co-ordinated, and co-operative community welfare services programme. The Victorian Government has recognized these principles in establishing a Cabinet sub-committee on social development to co-ordinate and integrate the work of the relevant departments.

The Government has also established a supporting inter-departmental committee of permanent heads of these same departments. This committee will commission research, recommend policy and define and co-ordinate training requirements as appropriate. The Government is now establishing the Child Development and Family Services Council as a further forum for consultation and co-operation. As indicated in the Bill, this council will be established under this proposed legislation and, at the same time, is established pursuant to section 29 of the Health Commission Bill 1976. I cannot stress too highly the importance of this last co-operative measure. It reflects the earnest desire of many sections of the community for greater co-ordination and integration of the basic service systems.

In addition to the major proposals mentioned previously, the functions of the department with respect to family services will be subject to the following changes—

(*a*) Section 34 of the Act will be amended to repeal reference to "uncontrolled" children and remove the implication of guilt in obtaining wardship on the application of the parent—child care inquiry report, chapter III page 26.

(*b*) Section 35 of the Act will be amended to limit the duration of wardship on the application of a parent and to permit a unilateral termination of wardship by either the parent or the department, subject only to a short period of notice. In addition, amendments will also provide for the child's wishes to be ascertained in appropriate cases, and where only one parent has been involved in the application, for the wishes of the other parent to be ascertained and considered—child care inquiry report, recommendation II (*a*).

The child care inquiry report made other recommendations in relation to present legislation concerning children, but these matters will be considered in relation to the present examination of the Children's Court Act 1973.

(*c*) The current provisions within the Act will be modified so that maintenance payments from the parents of children who came into care will

be sought, where required, through the Maintenance Act. However, the discretion to seek such payments is exercised infrequently nowadays because the department takes account of the financial circumstances of parents or family breakdown.

Additional amendments to the existing Act are proposed to—

(*a*) Reduce the number of Adult Parole Board members appointed by the Governor in Council from three to two.

(*b*) Authorize the Youth Parole Board discretionary powers regarding the variation or cancellation of parole orders.

(*c*) Authorize the Secretary of the Youth Parole Board to sign parole orders.

(*d*) Enable the Minister to authorize the Youth Parole Board to make reports and recommendations with respect to persons detained for Commonwealth offences.

(*e*) Enable the superintendent to suspend the operation of an attendance order in the event of a person being unable to attend a centre due to a reasonable cause.

(*f*) Provide that, if an attendee is subsequently sentenced to imprisonment or detention in a youth training centre, the attendance order shall be suspended until further dealt with by the court.

(*g*) Provide that a young person, who is imprisoned and subsequently committed to be detained in a youth training centre in default of payment of a fine may serve the period of default in a prison.

I want to also take this opportunity to refer to the development of the Department of Community Welfare Services through public participation, and in particular the development of a White Paper on community welfare services. Of course, the critical component of this is its process.

The Victorian Government is committed to the widest possible involvement in the development of the community welfare services in this State.

The feelings of those who are likely to use the services of the department should be sought as an important component of future policy development. It is considered essential that Victoria's social welfare system should be subject to the widest possible debate.

For too long some families have lived in fear of "the welfare". A recent survey shows that farmers were reluctant to take up rural adjustment grants because they considered it possible that "the welfare" might take away their kids. This is an appalling commentary on the department's image. It must be rectified through a variety of educational and information services for the community. The need for opportunities for the community to let us know of the services it needs is even more urgent. We must know what people feel about emergency services. We must know how people see local services being brought together. It is important to soundly establish the changes we should make in moving from the Social Welfare Department to a Department of Community Welfare Services.

The issues for consideration are clear. However, they have often been presented in language which is incomprehensible to the community that will actually use the services. For this reason I have asked the Victorian Consultative Committee on Social Development to undertake further widespread consultations with all sections of the community, particularly consumers.

An Implementation Committee has been established comprising Commonwealth, State, local government and voluntary organizations under the chairmanship of Mr. Peter Moss of the Youth Council of Victoria to undertake the White Paper consultation. This team will simplify and refine the issues and prepare questionnaires that are meaningful to those who will take part in the discussions in the early part of 1978.

The Implementation Committee will consider the following issues—

1. What is the responsibility of the Social Welfare Department with respect to social planning, community development and local services?

Section 5 (1) of the 1970 Social Welfare Act assigns the Social Welfare Department broad responsibilities in the areas of social planning community development and local services. It states that the Social Welfare Department has responsibility—

> For strengthening and expanding all existing services provided by and through the Government of Victoria for the social welfare of the community, and providing further services for co-ordinating the activities of Government, municipal and voluntary organizations engaged in social work in the community, and planning the effective use of their resources . . . . . and for the better promotion and development of services, organizations and institutions relating to the social welfare of the community, and in particular, of children and young persons . . . . . .

The Committee of Inquiry into Child Care Services in Victoria recommended that provisions under this section be systematically implemented by the Social Welfare Department. One of the main purposes of the White Paper consultation is to discover the views of the community as to how this should be done.

2. What should be the basic philosophy of the social welfare system?

If they are to be effective, social welfare systems must reflect prevailing community values. There is a tendency for large Government bureaucracies to express in their practices the social philosophies of a distant past. To a large extent this is because there are inadequate mechanisms for the community to influence the policy making processes of these bodies. The State-wide consultation on the White Paper will seek to set up continuing mechanisms for community consultation in the making of welfare policy. Its immediate purpose will be to identify current community values concerning, for example—

1. the principles on which services are made available to persons in the community;

2. the types of services available;

3. the division of responsibilities between the Federal, State, local government and voluntary sectors in welfare;

4. the funding of welfare services.

3. How should the Social Welfare Department relate to the welfare services of Commonwealth, State, local government and community organizations?

This Government is committed to identifying concrete proposals to implement the new federalism policy of the Fraser Government at the State level. A central tenet in that policy is that the States should once again become the principal source of delivery in health and non-monetary social welfare services.

The Bailey Task Force on Co-ordination in Welfare and Health has been assigned responsibility by the Federal Government to make recommendations for the improvement of the administration and delivery of programmes in the health-welfare field through—

(*a*) devolving detailed administration where possible to the States;

(*b*) merging related specific and overlapping programmes into broader, block granted programmes;

(*c*) clarifying the responsibilities of Commonwealth, State and local agencies in programme administration and delivery; and

(*d*) devising improved methods of consultation and joint planning at the Commonwealth level, between the Commonwealth and the States, and between States and local bodies.

4. Who should take responsibility within the social welfare system for the provision of primary, secondary and tertiary welfare services?

A comprehensive social welfare policy requires an appropriate balance of primary, secondary and tertiary services. No one level should be emphasized to the exclusion of the other two. We need to give equal consideration to broad goals of social development emphasizing a wide range of services accessible to persons as citizens of Victoria and to goals of ensuring priority to vulnerable and high risk groups in the community. At each level it will be necessary to define the appropriate division of responsibility between the Federal, State and local government and voluntary sectors.

The three levels are—

1. The primary level—family and neighbourhood support towards improvement of the individual—At this level, the social welfare system must attempt to provide and contribute to the provision of services directed towards the social enhancement and development of individuals, families, and communities, and the provision of broad social welfare services which link persons in need of care with available social facilities and resources.

2. The secondary level—community services to those at risk—At this level, the social welfare system seeks to provide services which contribute to the social safety of individuals, families and communities, through the provision of services related to the needs of people who are at risk, vulnerable and dependent.

3. The tertiary level—care and containment where necessary — At this level, the social welfare system is required to provide services related to the care and containment of individuals who constitute a threat to the safety of the community and its members.

5. What measures are proposed to ensure the integration of Government and non-Government sectors of welfare service delivery?

A co-ordinated and integrated social welfare system requires consideration of the future role of the non-Government sector. The Bailey task force identified three major problems associated with non-Government activity.

1. Insecurity of funding: (and a lack of consistent rationale in Federal and State funding arrangements) with consequent difficulties in staff recruitment, and so on.

2. Inequitable delivery of services: Either through access difficulties created by a multiplicity of agencies delivering services, or through the most needy missing out because they are not able to mobilize their own or others' resources to take advantage of available funds.

3. Lack of co-ordination of services provided by Governments, especially State.

The task force suggested that to minimize these problems, administrative arrangements by Federal and State Governments for the use of non-Government agencies should—

1. Give reasonable guarantee of continuity of funds, for example, through contractual arrangements or forward planning commitments.

2. Allow for complementary delivery of services by Government, especially at State level, where non-Government cannot provide an acceptably comprehensive service.

3. Provide for co-ordination by Government, largely at State level, to ensure an equitable and efficient, but not necessarily uniform, distribution of assistance rather than the present *ad hoc* approach in many programmes of merely responding to applications for assistance.

6. What measures are proposed to co-ordinate services of those involved in the provision of welfare services to ensure the involvement of numerous welfare agencies, profession organizations, community groups and citizen and consumer bodies?

This question asks for specific proposals to establish continuing mechanisms for the participation of community groups in the formulation of social welfare policy.

The Victorian Council of Social Service, in a report for the poverty inquiry in 1975, advanced seven major principles fundamental to the operations of both the Government and non-Government sectors in the social welfare system. A co-ordinated and effective system, they wrote, requires services to be—

(*a*) Focused upon the people who need and use the services.

(*b*) Adaptable to change and flexible in operation.

(c) Accountable not only to the tax-paying public, but also to the consumers of the services.

(*d*) Accessible to people needing assistance.

(*e*) Clear in their stated goals and objectives in publicly providing full information about the service.

(*f*) Evaluated regularly in terms of efficiency and effectiveness in achieving those stated goals.

(g) Involving consumers to obtain feedback on the effectiveness and fairness of the service.

7. How does the Social Welfare Department ensure maximum feasible involvement of service consumers and promote their capacity for self-help and personal growth?

There are two main conditions underlying effective consumer involvement in the programmes and policies of welfare agencies. Firstly, for social welfare to be established as a legal right, then it is necessary for structures to be established so that this right can be upheld. The establishment of the Ombudsman's office was one step in this direction. The reorganized Social Welfare Department will also introduce an appeals mechanism in the form of a tribunal where clients may take any complaints about their treatment.

Secondly, the consumer must have the right of access to information. Consumers need to know their rights and entitlements in order to participate effectively in the decisions of welfare agencies. Local information services have a key role in this area.

8. How can the Social Welfare Department ensure that the community is fully informed of the services that are already available and enable them to make the best use of such services?

This Government has fully recognized the importance of information in an effective and accessible social welfare system.

Under the Social Welfare Department's Family and Community Services programme a grant of up to $2,000 is available for local government information services.

In September of this year $25,000 was granted to the Victorian Association of Citizens Advice Bureaux to appoint an officer responsible for linking the existing Community Advice Bureaux network to the information services developed under the Family and Community Services programme.

The State Government intends to move towards a comprehensive information service system in Victoria. The objectives of the information and co-ordination grants under the Family and Community Services programme are one part of this over-all goal. Those objectives are—

(*a*) To support a range of information and/or co-ordination projects at municipal or neighbourhood levels, which are supported by the relevant local council.

(*b*) To encourage the development of information and/or co-ordination services, especially where they presently do not exist.

(*c*) To ensure that services within each municipality are properly co-ordinated, and that local government has access to resources to undertake this task.

(*d*) To work towards the provision of 24-hour information and referral services within the next two to five years in all local government areas in the State.

This is an ambitious objective, but worth working towards.

(*e*) In this way, to develop a range of information and referral projects and service co-ordination activities at the local level which will provide a firm basis for the development of regional systems.

9. What proposals for change are made to ensure the most efficient and effective use of public money on welfare service provisions?

A dilemma in social welfare policy has been the extent to which it should emphasize the goal of selectivity, ensuring that services reach people most in need, against the goal of universalism, ensuring that all people in need are served.

Cost effectiveness: (" efficiency ") of social welfare programmes is measured by the extent to which each dollar of benefit is allocated to those most in need. The major concern is that there be no waste of resources. Under this criterion, individual treatment varies according to individual circumstances. A high degree of selectivity, usually employing means tests, is involved in determining eligibility for benefits. Applied in the extreme, this value can produce harmful distinctions among people, dividing the community into groups of the dependent and the independent, the incompetent and the self-sufficient.

Social effectiveness: (" effectiveness ") is related to the goal that nobody who is potentially eligible for benefits should feel inhibited about applying because of shame, stigma, or the procedures organizations employ to determine eligibility which may be seen as degrading.

Where resources are scarce it is necessary to determine the most appropriate balance between goals of efficiency and effectiveness.

I might add that these nine issues were all addressed at the world conference on social welfare which I attended in Puerto Rico. I believe them to be not only of importance in Victoria, but also on a national and international basis.

At the same time a departmental working party will examine the service system of the department in relation to the findings of the Central Implementation Committee of the Child Care Inquiry.

All staff will be given the opportunity to present their views as to means of improving the performance and management of the department. Emphasis will be placed on achieving a more personal, approachable and accessible welfare service delivery system which meets the needs of the community and consumers.

The departmental White Paper team will assist with consultations on issues which relate directly to improving the products, process and performance of the Department of Community Welfare Services. In particular the team will examine six issues.

Although the departmental team is examining the following six issues, it will still be under the umbrella of the Victorian Consultative Committee for Social Development and public participation in these issues is still equally desired.

10. How can the Social Welfare Department make sure its services are more personal, more approachable, and more related to the needs of the community?

Since 1971 the Social Welfare Department has established regional centres and regional offices in Victoria's eighteen regions. This programme will be completed in the coming year. The main goal of the current reorganization of the Social Welfare Department is to formalize the role, objectives and functions of the Regional Services Division as the major service area of the Social Welfare Department.

In my statement on the Family and Community Services programme on 27th April, 1977, I argued that existing service systems must be made more accessible than at present, and placed as close as possible to the daily lives of people. Services must be decentralized in order to make it easier for people to seek what they need and they should be able to do so at places and times suitable to them.

On the other hand, fragmentation and overlap should be avoided. Services delivered at the local level need to be integrated. Where public and voluntary services co-exist, they should supplement one another whilst preserving the characteristic freedom and responsibilities of those providing the services.

Local information systems are an essential aspect of service. Effective access requires that people know what is available.

It is accepted that while services should be generally community based some centralized services will still be necessary for special needs.

11. What proposals for change in the Social Welfare Department system do you propose to ensure that it adopts an integrative philosophy to fit in with the total welfare scene?

In the past, the Social Welfare Department's services have been based on a remedial or "safety net" approach to social welfare. The majority of its resources were concentrated on providing services to individuals and families to ameliorate the consequences of a breakdown which had already occurred. Its main emphasis was "social protection" which meant protecting individual children from society—in the case of family breakdown—and protecting society from the consequences of the behaviour of certain individuals—in the case of youth and adult lawbreakers.

The reorganization of the department, the Family and Community Services programme, the Child Care Inquiry, and the Child Maltreatment Workshop all suggest that a new philosophy of social welfare is needed if the department's services are to be relevant to future needs in Victoria. In particular, the department will need to enlarge its involvement in the provision of services to vulnerable families before breakdown occurs and in the provision of services aimed at the promotion and restoration of family life.

12. How can welfare service systems be simplified and localized to the maximum degree?

The argument for localized services springs from this Government's commitment to ensuring access to the social welfare system. A major task of the consultation will be to spell out the implications of this commitment for—

(*a*) The planning, co-ordination and integration of services at the State-wide level;

(*b*) With focus on the foundation of the system at the local level.

The goals of a decentralized service system include—

(*a*) Reducing the complex, impersonal services of State and Federal bureaucracies to a "people sized" scale.

(*b*) Restoring a greater degree of real local control over these institutions.

(*c*) Increasing the sensitivities of Federal and State programmes to demographic variations and maximizing local choice. This must be balanced against the need for central standard setting and enforcement.

(*d*) Local service as an alternative to institutionalization of individuals and families at risk of breakdown.

(*e*) Encouraging maximum consumer and local involvement in the policies and practices of local services.

13. What recommendations are proposed concerning the objectives specified in the reorganziation of the

Social Welfare Department as outlined in the Ministerial statement of 27th April, 1977?

The department has undertaken to re-examine its existing structures, programmes and approach so as to—

(*a*) Expand the family and community service functions of the department.

(*b*) Promote a personalized service in all regions of the State in conjunction with existing local government voluntary agencies, self-help groups and other government departments.

(*c*) Establish a correctional service which incorporates services geared to the containment of individuals who constitute a threat to the safety of the community and its members.

It is hoped that all Victorians will feel they have a part to play in this reorganization, the over-all objective of which is the creation of a caring community service ministry.

14. What should be the relationship between the Regional Services Division, other divisions of the department and the community in the development of a comprehensive family welfare service?

Three major dimensions of service are to be incorporated in the restructured Social Welfare Department—

(*a*) A basic structure of regionalized services delivered through a network of eighteen regional centres.

(*b*) Two specialist divisions (Corrective Services and Family and Adolescent Services) which will each be assigned two main tasks—

(i) A transitional task: To progressively phase out as many centralized services as possible and to delegate responsibility for their administration to regional centres.

(ii) An emerging task: To undertake responsibilities associated with the State-wide planning and allocation of resources, the development and provision of standards and standards maintenance, and the provision of guidelines and resources to assist the regional administration.

(c) Three divisions (Management Services, Office of Research and Social Policy and Training) to provide a range of supporting services and skills for a fully regionalized administration.

The Regional Services Division as a community based service arm of the Social Welfare Department will undertake responsibilities on behalf of the Family and Adolescent Services Division and the Corrective Services Division at the regional level.

15. What recommendations arising from the Norgard inquiry into child care in Victoria should be incorporated in social welfare policy?

The Committee of Inquiry into Child Care Services submitted its final report to the Premier of Victoria on 30th July, 1976. It made 22 major recommendations, and a number of supporting recommendations. The first recommendation reflects the report's general philosophy—

> We recommend that a comprehensive family welfare programme be developed and progressively implemented throughout the State, marshalling all resources of statutory, voluntary and local government agencies to provide a full range of family developmental services.

Early in 1977, a Central Implementation Committee was set up to implement the central recommendations of the child care inquiry. It has three sub-committees the membership of which consists of representatives of all levels of responsibility, government and non-government. The sub-committees are to deal with—

Family Policy; Family Needs and Services; and Legislative Review.

These fifteen issues taken together will be open to all sections of the community for comment and suggestion.

I make it clear that this Bill, together with the fifteen issues, is purposely brought before Parliament in

this sessional period so that the entire community can have the opportunity of commenting on all of the matters contained therein. Next year I will be introducing a new Bill, which will take into account all of those comments.

In this way, the Community Welfare Services Bill will be laid on the table to invite the widest comment and suggestions for change. I hope that Federal and State Government departments, local government, the voluntary sector, community groups and individuals will take the opportunity to help us draft a community welfare services Bill which will take us into the 1980s.

Honorable members will be supplied with full details of the White Paper activities and their participation is invited in consideration of the best possible social welfare system and the most effective Department of Community Welfare Services.

There is a new spirit of community care and concern. We must turn that spirit into a commitment to build the best society possible. I commend the Bill to the House and seek leave to have it lie on the table for public discussion.

Mr. ROPER (Brunswick): Yesterday members of the Opposition were somewhat surprised when we learnt that the Minister intended to introduce this Bill and wished to read it a second time today. We were somewhat disturbed for a number of reasons.

In the last session of Parliament the Minister rushed in a Ministerial statement on the Family and Community Services programme. During that statement he said that he would be introducing a White Paper and also legislation in this sessional period. There has been an odd situation in which legislation continually precedes the White Paper or the document on which the Minister claims to be basing that legislation.

At the end of his speech, the Minister quoted the report of the Norgard inquiry into child care in Victoria. That report was given to the Premier on 30th July, 1976. He quoted the first recommendation concerning the general philosophy about the need for a comprehensive family welfare programme to be developed and progressively implemented through the State. In his second-reading speech, the Minister is saying that the Government is still looking into this matter and hopes one day to have a White Paper and a Bill by which these proposals can be carried into effect.

The view of the Opposition is that this is not good enough. The Government has had plenty of opportunities to lay before Parliament its detailed views on the numerous reports that have been put in front of it. It is no longer a matter of asking another fifteen questions, as the Minister did in the second half of his speech. It is the Government's job to have looked at all the reports that have been prepared and to take action to ensure that those recommendations are put into effect.

Indeed, as I said, we have an odd situation in which there have been two major statements, one on the development of the Family and Community Services programme and another on this occasion, and we have still not had the White Paper on which the Bill was to be based.

I attended a public meeting with the honorable member for Warrandyte and when he was asked questions about the Family and Community Services programme he said that he could not answer them because only the Minister has the knowledge.

That is what the honorable member said. All the people who attended that meeting know that full well. The Minister called this a comprehensive Bill. It is a lengthy Bill, and the Minister is suggesting that the members of the Opposition can consider the Bill now, but I point out that we do not have the White Paper on it.

Another matter relates to the implementation committee, which was referred to frequently in the Ministerial statement and in the Minister's second-reading speech. In the statement made now, the Minister said that the Central Implementation Committee has been meeting, but it has published no interim report. He has not suggested that this Bill is in any way based on the views of that committee.

Mr. DIXON: Yes, I have. It is stated in my speech. The interim recommendations are incorporated in the Bill, so don't lie.

Mr. ROPER: The Minister would not know a lie if he tripped over one. On the previous occasion when the Minister brought in his Ministerial statement on the Family and Community Services programme, the implementation committee had not finished considering that matter, and the Minister knows that to be correct because the implementation committee told him so. The Minister said that the implementation committee has made interim reports, but he has not produced them. Those interim reports or those interim recommendations are not known to anyone in this House.

Mr. DIXON: You cannot have it both ways.

The SPEAKER (Sir Kenneth Wheeler): Order! The Minister has given a second-reading speech. If he wants to refute anything, he can take that opportunity when he closes the debate.

Mr. ROPER: The Opposition expresses its concern at the failure of the Government to act on the numerous reports it already has before it. The Government has a plethora of reports on health and welfare, and I emphasize health and welfare because the Minister emphasized them both strongly during his second-reading speech.

Let me consider some of the reports the Government has either had before it, or, alternatively, is currently conducting. The first report is the Syme–Townsend report. It was completed more than two years ago. That made detailed recommendations concerning regional administration, which the Government has not acted upon. The Syme-Townsend report made many other recommendations which the Government has not adopted.

The Department of Health caused a major inquiry to be conducted into pre-school and child care services. The Minister knows full well that many of the recommendations of that committee in its report produced to Parliament before the last election have not been acted upon and many of the recommendations of the Norgard committee, which could have been adopted, have not been. Instead, the implementation committee is going through them.

The Minister, in his second-reading speech, did not mention the committee on mental retardation which the Premier set up more than two years ago with a great deal of fanfare. One would imagine that this is the kind of report, the kind of committee, that the Minister might have taken into account when he was dealing with this Bill. The Opposition knows full well that the Premier received a copy of the report more than two months ago.

About eighteen months ago an inquiry was launched into domiciliary services, particularly for the aged. Nothing has been heard of it since. The seriousness of the Government's silence on this matter was shown by the report of the Henderson inquiry into poverty, which found that there was total inadequacy of welfare and health services for the aged in the community. Both of these reports were called for by the Premier and, as far as can be ascertained, there has been no result from those reports.

The Norgard committee has presented its report, but the Opposition is not sure how much of that report is to be acted upon. I emphasize that very little of the recommendations of the Norgard report is to be found

in the Bill currently before the House. Things are still being questioned and given further consideration. I am going through the various reports that have been called for. The Minister called for a White Paper to be prepared, and it was understood that the White Paper would be produced before any proposed legislation. How are people to work out the Government's real intentions when a Bill is produced before the White Paper? That seems to be the Government's intention.

Mr. DIXON: Knock it off! You deliberately distort everything you say.

Mr. ROPER: The Minister knows full well that he has rushed this Bill into the Parliament, largely as a public relations exercise. No doubt the press were given copies of it before the Opposition.

Mr. DIXON: Rubbish!

Mr. ROPER: The Minister will have an opportunity to set at rest the information I have put to the House. The facts of the matter are that the Minister has rushed this Bill into Parliament, and then leaves no opportunity in this sessional period for honorable members to discuss it. In many ways that is unfortunate, because the Minister has not discussed what is in the Bill. After I read through the Bill and the Minister's second-reading speech I was no wiser, because most of the changes that are made in the Social Welfare Act 1970 are not mentioned in the Minister's second-reading speech. Ministers normally try to explain why titles have been changed and why changes have been made in relation to parole or whatever. The Minister has not treated the House in the way other Ministers treat the House when producing amendments to legislation.

Mr. DIXON: The intention is that the Bill should lie on the table for wide community participation.

Mr. ROPER: I take up the Minister's interjection. How can the community know what the Minister means by some of these clauses if in his second-reading speech he makes no attempt to explain what they are. The honorable member for Warrandyte suggests that the community at large is in some way intelligent enough to understand what the Minister is attempting to do. Some people certainly might be, but the honorable member knows and understands that it is difficult for lay people to appreciate the detailed drafting of a Parliamentary clause. For that reason, the Minister has an obligation to explain the amendments to the Act which he has placed before the House, but he has not. Instead he has been concerned to ask fifteen new questions.

The Minister in his speech mentioned that fragmentation and overlapping should be eliminated. In what other process in the community is there more fragmentation and overlapping than in the development of social welfare policy? There is the Minister's White Paper, and honorable members are told today that there is a White Paper team headed by a gentleman from the youth organizations; there is a departmental White Paper team; there is the Central Implementation Committee that seems to be moving separately from the White Paper team. One wonders why that should be occurring. A special report was called for from the Victorian Council of Social Development. The last proposition this council put to the Minister under the Australian Assistance Plan was thrown out the window. There are at least four separate bodies at present busily working on various aspects.

Mr. DIXON: All under the umbrella of the Victorian Council of Social Development.

Mr. ROPER: It is interesting that they are under that particular umbrella. I imagine that some of those organizations would not have seen themselves under that umbrella.

Mr. DIXON: As far as the White Paper is concerned.

Mr. ROPER: In that case, are we moving into a situation where the White Paper will address itself to some matters and the other organizations, which have been given terms of reference, will spend their time on different matters?

Mr. DIXON: There are fifteen issues of comprehension.

Mr. ROPER: I will move on to those fifteen issues later, but there are other matters as well. The Child Maltreatment Workshop Committee is continuing its activities. I notice that in the Bill there are no proposals, apart from one small clause, for legislation on that matter. The Minister in his second-reading speech did not mention how the Government plans to deal with that social problem. For some reason or another honorable members are not let into the secret.

The Government's record in the child maltreatment area has been absolutely atrocious. The Minister refers to the need for consultation in this matter, but the Ministry of Health has had four separate reports over the past ten years on child maltreatment and presumably it is now to receive a few more reports. The Ministry of Health is to be commended for its excellent workshop, which had broad representation, on child maltreatment, but the Government unfortunately walked away from the conclusions of that workshop. The chairman of the workshop said the Government started the infant off and then wished to have it aborted. Apparently this was because many of the recommendations were difficult for the Government to implement and they would have cost money.

Mr. JONA: You were going to give notice of your own Bill this session. We have not seen it.

Mr. ROPER: It is nearly ready. As the Minister is aware, this sessional period has been cut short—not by the Opposition, but by the Government. The Government wants to get out of this place today. It does not want to wait for the major items of general business on the Notice Paper for tomorrow. If Parliament had gone its full time, and if the Government had been prepared to allow the Opposition's Bill to be debated, the Minister would have benefited. The Government has all the resources of the Department of Health, the Social Welfare Department, and its legal advisers, but has not been able or willing to bring in a Bill dealing with one small area of crisis in social welfare and health. The Assistant Minister of Health is not dealing with any area. He knows full well that the first report on child maltreatment was given to the Government in 1967 and that most of the recommendations contained therein have not been put into effect.

Mr. JONA: You ask a question on what we have done since then, and we will give you three pages of achievements.

Mr. ROPER: I will take that opportunity, and before the day is out I will place a question on the Notice Paper. I shall be interested to see the Minister's response. I hope he can answer it with more speed than he is able to answer some of the other important questions currently on the Notice Paper relating to hospital finances.

The point I make is that the Government has more inquiries in the health and social welfare area than one could possibly tolerate. I cannot understand why the Minister cannot start putting some of the numerous reports before the Government into legislative effect. As I said before, there is no excuse for the lack of a Bill on child maltreatment in this sessional period. The Governments of New South Wales, South Australia, Western Australia and Tasmania—not all Labor Governments, I add—have been prepared to tackle child maltreatment.

The sitting was suspended at 1 *p.m. until* 2.5 *p.m.*

Mr. ROPER: Before the suspension of the sitting I was making the point, firstly, that the Government had introduced this measure without giving Parliament a White Paper setting out its full intentions in the area of social welfare and, as far as the Opposition can gather, had no intention of even introducing such a White Paper before proceeding with the Bill, and, secondly, that the Government had been receiving advice from everywhere and doing everything it could to get out of making a decision based on that advice.

I was referring particularly to child maltreatment, which, as the Minister would be aware, is a major part of any social welfare or health programme in Victoria, and said that at present hundreds of children throughout Victoria are being placed at risk because the State does not have an adequate programme to prevent child maltreatment or to assist families where it is likely to occur or occurs.

The Minister well knows that that is the situation, and I am sure he would like to overcome it. I know he has continuing difficulties, despite what he said, in obtaining the co-operation of the Department of Health and the Minister of Health on this problem.

Mr. DIXON: We receive nothing but co-operation.

Mr. ROPER: I am pleased to hear that remark, because it makes me more concerned about the previous praise I gave the Minister. If nothing but co-operation is received, I wonder whether it is a joint exercise in "do nothingdom", because it is ten years since the first report on child maltreatment was made to Parliament. The basic recommendations about voluntary notification that were made in that report have not been implemented, including provisions to protect people who notified cases of child maltreatment, and proposals about Allambie Reception Centre, that one might have imagined had been carried out, have still not been carried out. Allambie is still as disastrous for many children as it was in 1967.

It is fine for the Minister to speak, as he did in the second-reading speech, but the Government should be judged not by what the Minister says, but by what has been done. In the area of child maltreatment the Government has done virtually nothing. It has received a number of other reports on which it could have acted, but has chosen not to do so. It ignored the report of the child maltreatment workshop. It has taken no action to introduce into Parliament legislation based on the model of the measures introduced in New South Wales, South Australia and Tasmania. The result of this is that no matter what might be provided in the Bill, the Minister for Social Welfare is not facing up to one of the most serious social difficulties in Victoria, namely, how to overcome the problem of children and babies that are battered by their parents or by others, and how to provide the educational services to assist families in the social welfare and health areas.

This is another example where committees of inquiry have been set up, research has been done, but when it comes to taking action, the Government has been unprepared to act. The result of that is that the Government does not propose to act immediately on the information that Dr. Bishop and others have been presenting to the Victorian community for the past decade.

I do not know whether the Minister is aware, but the House should be, of the excellent work being done in this area in New South Wales. The Act passed by the New South Wales Parliament and put into effect by the Minister for Youth and Community Services, Mr. Jackson, evoked an immediate community response, not in the terms of punishment, but of ascertaining the extent of the problem and assisting families and children that are in that situation.

The child life protection unit that was set up in New South Wales provides care and assistance 24 hours a day. It is linked with the pattern of regional and sub-regional services

available in New South Wales and is most effective in providing a service for families and for babies and young children that might otherwise be battered.

Mr. JONA: Mr. Jackson said last week that he would like to achieve the standard that has been reached in Victoria. You might also mention that.

Mr. ROPER: The Minister well knows that the New South Wales Government has taken action; the Victorian Government has prepared reports, but there is a significant difference between preparing reports and taking action. The New South Wales Government is strong on action, and the Victorian Government is strong on reports. I know the New South Wales Minister for Youth and Community Services thought highly of the report of the child maltreatment workshop. He also pointed out that the New South Wales Government is doing something about implementing those recommendations, whereas the Victorian Government is doing nothing about it. It seems to be bogged down in the numerous committees of inquiry that the Minister for Social Welfare and the Assistant Minister of Health have set up.

I recommend that both Ministers should visit New South Wales and examine what is being done there in the area of child maltreatment. They should also look at the example of other States in Australia, in the United States of America and Canada, and introduce effective legislation for the prevention of child maltreatment, because clearly that is something they have not been prepared to do. I regret that the House will be rising before the Opposition has an opportunity of introducing its Bill, which I assure the Government is an effort to come to terms with this major social difficulty.

In his second-reading speech the Minister also referred to the Family and Community Services programme. The House has already discussed the Ministerial statement on the programme, but since then a number of things have occurred that can only reflect on the future ability of the Family and Community Services programme to do what the Minister says it should do. The honorable gentleman well knows that allegations of stacking meetings and of political preferment have been made, and that there have been suggestions that not nearly enough time was left for community participation in the introduction of this programme.

The latter allegation was particularly emphasized, and the Minister will recall that I raised the question that in the north western and a number of other regions only three weeks was allowed between the time of nominations and applications for enrolment as electors being received and the closing of nominations. Originally only fourteen days had been allowed.

In the electorate I represent the material was finally published in the newspaper circulating in the area on 26th October, and nominations closed on 28th October. Many people were unaware that they had to nominate or enrol; they did not know where to obtain the forms and had no opportunity of doing so. Many people who applied to enrol received their forms a day or so late and were not able to enrol, because the time allowed was sufficient.

In most areas no attention was paid to the fact that a substantial proportion of the population does not read the English language newspapers. Virtually no advertising of these matters was published in the ethnic media.

The Minister for Social Welfare may talk, as he did in the Ministerial statement, about the need for adequate information to be supplied, but on the first test on the ability of the Family and Community Services programme to get information out to the community, the Minister and his officers—more so the Minister, I suspect—have failed dismally. Similarly,

the Minister has failed in areas like Westernport to choose a person with whom everyone, including the local council, agrees; rather, a Liberal appointment has been made.

I do not intend to repeat all the criticisms that the Opposition has of the Family and Community Services programme, but the Opposition still adopts the view stated in the report prepared by the Labor Party, that the Australian Assistance Plan was a much better vehicle for ensuring community participation and the adequacy of local welfare services than the Family and Community Services programme.

After 10th December, we will have the opportunity to assist in the reintroduction of the Australian Assistance Plan when the then Prime Minister, Mr. Whitlam, provides in one of his earliest appropriation Bills for the funding of those programmes. The honorable member for Mitcham says it was a waste of money, but he supported the Australian Assistance Plan with great enthusiasm. So did the Minister until he found that he could not persuade the Cabinet that it should continue.

Mr. DIXON : I wish you would stop telling lies. You lie in your teeth! It is all smears and lies!

The SPEAKER (Sir Kenneth Wheeler): Order! The Minister must retract the statement about smears and lies ; it is unparliamentary.

Mr. DIXON (Minister for Social Welfare) : On the basis of its being unparliamentary, Mr. Speaker, I retract it.

Mr. ROPER (Brunswick) : As my colleague, the honorable member for Dandenong, so carefully said, it is the Minister who has discredited his own selection programme by choosing someone who did not have the confidence of the people in the area and by ignoring the choice of the local councils. If we are to talk about the Minister being defeated in the Cabinet, there are some things we should consider.

The SPEAKER : Order! I suggest that the honorable member for Brunswick speak on the Bill, not about what happened in Cabinet.

Mr. ROPER : In his earlier statements, the Minister said that he would be introducing a Bill to set up a community services department. The Minister well knows that he was forced to reintroduce the word " welfare " into the title of the Bill. It was obvious during his second-reading speech that that grated very much on him. For good reasons, which the Labor Party would support, the Minister wanted to remove the word " welfare " from the title. The Labor Party agreed with the connotations of the word to which the Minister referred. Members of the Labor Party regret that on the fairly important matter of the title, the Minister's original proposal was not proceeded with.

I cannot speak on behalf of his colleagues, but I do not understand why they deliberately wanted the word " welfare " included. I am sure that, in the fullness of time, the sense of the proposal to delete that word will finally prevail.

The Minister also spoke about co-operation between the Department of Health and the Social Welfare Department. I am sure I speak on behalf of many people when I say that I hope that co-operation is starting to occur and will grow significantly. We know full well of the lack of co-operation in the past on, for instance, the question of severely handicapped children. The Mental Health Authority and the Social Welfare Department have had difficulty with each other for some time. There are also the questions of child maltreatment and early childhood development complexes.

I know that at one meeting the Assistant Minister of Health spoke about these complexes becoming family development centres. Clearly that concept does not relate well to the

proposition for more community involvement, which was put forward earlier by the Minister today. There has not been enough co-operation between the two departments. Members of the Labor Party will support the Minister in these various structures that he is proposing to set up to improve that co-operation. A Labor Government would ensure that there was co-operation between the various departments. It would not have the continuous stand-offs, which cause so much damage in such areas as child maltreatment.

The Opposition regrets that the Government has still not provided adequate funds for regions to be set up throughout the State. Certainly, in most of the top priority regions, the regional structures are now well developed. We hope that the development of the sub-regional offices will continue. It seems to us that if a policy is to be based on the system of regions and the Government agrees to the statement the Minister put before the House, the Treasurer should have been prepared to provide the funds for all regions in this financial year, not to provide them in the next financial year.

We are also concerned about the various different ways in which the Minister proposes that services will be delivered to families. We are particularly concerned about the early childhood development centres, childhood development centres, which, in many cases, are not community based. They are formed by groups of professionals, who are placed upon the community but are not of the community. By and large, these people provide diagnostic services, not treatment services. I am not sure whether the Minister has had a report prepared on the early childhood development centres. This is the kind of area that ought to be examined thoroughly by the Government because the centres are not nearly as successful as the Assistant Minister of Health would like us to believe.

Members of the Opposition take the view that this Bill has not been adequately explained to the Parliament. Certainly there has not been sufficient explanation of the clauses that amend the Social Welfare Act 1970. We hope that, before the Bill comes back to the Parliament, the Minister will prepare explanatory notes on his various intentions, including an explanation on the correctional services council that he proposes to set up. It is to be hoped that he will explain why there is no provision for it to report to the Parliament. I am not sure whether the Minister is aware that that provision is not in the Bill. If he had given us the normal, detailed explanation of the clauses, the Minister might have picked up that failing.

We also hope that the various questions that have been put to the community will be satisfactorily answered. On a number of occasions we have expressed our concern about the Bailey report. Particularly, members of the Opposition have been concerned about why, under the so-called new federalism, responsibility was transferred to the States, but there was no guarantee of funding. The Minister will know some of the results that occurred because of that in relation to the Australian Assistance Plan. He was extremely critical of them at the time.

It was unfortunate that it was not dealt with in the Minister's second-reading speech, but we hope that the Government will consider the type of administration which will develop. State departments are not necessarily closer to the people than Commonwealth departments. Local government is not necessarily closer to the people than State or Commonwealth departments. We must consider the style of administration of various departments.

The Minister knows that one of the most centralized departments in Australia is the Victorian Department of Health. Many decisions, which should be made locally, must be made at the centre. In contrast, a department such as the Federal Department of Social Security has taken steps—even

before the Minister's own department —to decentralize many of its activities. What we need is a system of administration which ensures that decisions are made at the appropriate point, and that is not necessarily by the State Government or, for that matter, by local government.

We are concerned that the Bailey inquiry was not given unrestricted terms of reference. The terms were restricted by what is now the discredited new federalism policy, which has caused so many difficulties to so many groups.

The fact is that the Commonwealth has now in many ways reduced its commitment in the social welfare and health area. It has made unilateral decisions about the community health programme, which has a substantial welfare component, and the school dental programme, which was severely curtailed. Even the Premier and Treasurer in his Budget speech mentioned this lack of consultation and the unilateral decisions by the Commonwealth. The Commonwealth reduced its aid for handicapped children by changing the system of funding from $4 for $1 to one of $2 for $1. It changed the financing of aged persons' housing in the same way. It cut the amount of money available for aged persons' housing and hostels and it substantially reduced the ability of local government to provide welfare officer services.

I received an answer from the Assistant Minister of Health to one of the numerous questions remaining on the Notice Paper, in which he pointed out something that should be known throughout the State. He said that no new welfare officer approvals have been made by the Commonwealth Government since the change in Government in late 1975. In this important area of welfare where municipal councils should assist the aged, and assist in providing welfare services, the Commonwealth Government has not been prepared to provide the necessary funds.

We cannot really rely on a Liberal Party Government providing the funding to enable the questions asked by the Bailey inquiry to be answered realistically. The State must obtain guarantees in writing about funds, but, even then, it cannot rely on the agreements not being unilaterally changed by the Federal Liberal-National Country Party Government.

The Opposition has prepared a detailed social welfare policy, much of which has been presented on the occasion of the last State election.

Mr. KENNETT: When it was rejected by the majority of the people!

Mr. ROPER: The honorable member for Burwood, earlier this year, was talking about responsible hardship. Even he must realize that it sometimes takes a while to get the message across, but the Labor Party started to get its message across at the last State election when it added to its numbers the honorable member for Knox, the honorable member for Carrum, the honorable member for Bundoora and the honorable member for Glenroy. That policy is now becoming more appreciated by people working in the welfare area. We will continue to refine the policies and to put them forward.

I should imagine that when this Bill comes back to Parliament, it will be in a substantially amended form; I certainly hope so. The detailed policy of the Labor Party, where possible, will be put forward by way of amendments proposed to the Bill. Members of the Opposition will also seek to ensure that the Bill amends the relevant parts of the Social Welfare Act and sets up, with other Acts, provisions to ensure that the child maltreatment situation is improved. We will also be seeking, in co-operation with the Federal Labor Government, which will be in office by then, to ensure that the Australian Assistance Plan is reintroduced to overcome many of the problems of the present Family and Community Services programme.

We will be seeking to ensure, in co-operation with our Federal colleagues, that adequate money is provided for the States to carry out their welfare programmes. One of my annoyances about the previous Labor Party Government in Canberra was that it did not reach the stage at which section 96 grants were being effectively made available to the States for welfare purposes. Those types of grants have significantly improved the education system in Australia and also the health system, but in my view the Federal Labor Party Government did not come quickly enough to providing funds to assist States in their welfare activities.

We would hope our own Federal Labor Government after 10th December will regard the Federal report on family and children services as a vehicle and system for assisting the States in providing this service.

Mr. JONA: Will that be additional to the $3,000 million for which Mr. Whitlam has provided?

Mr. ROPER: I imagine the Assistant Minister of Health is not aware of the responsible way in which the Federal Labor Party has gone about costing its programme. Honorable members do not even know the cost of the Liberal Party's programme. The point I am putting is that the provision of Federal funds for social welfare is an extremely vital matter.

It is not good enough today, as the present Federal Government has proposed, to transfer responsibilities without also transferring the funds. This can be demonstrated clearly by looking at the social welfare expenditure provided in the Appropriation Bill. Disregarding the amount for deserted wives under the State Grants (Deserted Wives) Act, the increase in funds for social welfare in this State is totally inadequate. I am sure the Minister for Social Welfare would agree with that statement. If we are to provide adequate social welfare services, more money will be needed. I hope the Treasurer will allocate additional funds to maintain a high priority for social welfare. Honorable members who have visited "J" ward at Ararat would realize that in the final analysis the Government must attach a high priority to social welfare.

What the Opposition looks for is a continued programme of building improvements and the provision of additional staff because what has occurred in the past is a condemnation of the way in which the Government has treated social welfare.

The Opposition looks forward to the Minister tabling the White Paper in the Parliament before this Bill is further considered by honorable members. In the absence of an accompanying White Paper, Bills to amend the Social Welfare Act make little sense in terms of the Government's total programme. If the Minister persists in introducing Bills of this type without an accompanying White Paper, the honorable gentleman will be making a major mistake. It is vital that honorable members should be aware of the reforms which will occur; they may be retracted if the Government's White Paper is not tabled.

The Opposition believes the Government has most of the material available to enable it to complete the White Paper. There have been plenty of reports published in the field of social welfare.

Mr. DIXON: That is the point the honorable member is missing. It is Victoria's White Paper; it is not the Government's White Paper.

Mr. ROPER: It is the Government's White Paper. The Opposition has no connection with the people writing these reports and will take no part in determining the decisions made in the White Paper or the results flowing from the White Paper.

Mr. DIXON: Are you going to refuse to participate in it?

Mr. ROPER: The Minister well knows that the social welfare policy of the Labor Party has been responsible for improvements in this State

in the field of social welfare. If it had been left to the Minister and his colleagues, no improvements would have been effected. The Minister knows that many of the questions that the Government is now asking were asked by the Labor Party and answers provided in the publication, *Let's Be Human*, which was published in the 1960s. The Minister knows that and we hope the Opposition will have the opportunity to examine the White Paper before this Bill is further considered by Parliament.

Mr. DIXON: Are you going to make a contribution to it?

Mr. ROPER: The Labor Party has made numerous contributions to the debates on social welfare in Victoria, and it will continue to do so when it forms the Government.

Mr. DUNSTAN: When will the Opposition form the Government?

Mr. ROPER: After 1979.

Mr. JONA: With six members?

Mr. ROPER: I think we will require 41, and that will be fairly easily achieved. It will mean that this corrupt and lazy Liberal Government will finally be put out.

The Opposition looks forward to debating this Bill on another occasion. It also looks forward to substantial changes in the Bill and to some sense emerging from all the inquiries which the Government conducts into social welfare.

On the motion of Mr. KENNETT (Burwood), the debate was adjourned.

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

VICTORIAN GOVERNMENT TRAVEL AUTHORITY BILL.

The debate (adjourned from November 10) on the motion of Mr. Balfour (Minister for Minerals and Energy) for the second reading of this Bill was resumed.

Mr. TREZISE (Geelong North): This measure establishes a statutory authority to be known as the Victorian Government Travel Authority to take over the role of the present Victorian Government Tourist Bureau and to cater for the future needs of the tourist industry.

The Victorian Government Tourist Bureau has for many years—in fact, since 1908—operated as a Government department to handle the tourist trade in this State. In many respects it has been considered that it should be developed into a statutory authority. It has been Labor Party policy for the past few years for this step to take place and therefore the Opposition will not oppose the measure.

The tourist industry is a fast growing and lucrative industry which should serve the State well in future. The staff of the present tourist bureau will be offered positions with the new statutory authority and this staff will provide the foundation and the nucleus of the future staff of the Victorian Government Travel Authority. The staff will take with it into the new authority, its expertise and experience in travel matters and form a foundation which heralds a great future for the new statutory body.

The Opposition notes with satisfaction that the rights of public servants who are presently employed by the Victorian Government Tourist Bureau will be protected in future. Their superannuation rights and their right to transfer, if they so desire, back to the Public Service at any time, will be protected.

The new authority will comprise three members, headed by a full-time chairman, a part-time member who will be well versed in banking or finance and another part-time member who will be experienced in the travel industry and tourism as a whole.

The objects of the new authority, which are set out in clause 13, are—

(*a*) to promote and market travel;

(*b*) to make travel arrangements;

(*c*) to provide travel information services; and

(*d*) to advise the Minister upon any matters relating to the foregoing paragraphs that are referred to the authority by the Minister for advice.

Therefore, there is no doubt that in this fast growing industry, the Victorian Government Travel Authority will expand and continue to foster tourism, alongside the private travel agents who also participate in the promotion of tourism in the State.

Honorable members are aware that tourism is increasingly becoming an industry to cater for the needs of Victorians and non-Victorians. You, Mr. Speaker, were a member of the Public Accounts Committee which presented a report in 1970 upon Government expenditure on tourism. To illustrate that tourism is now big business, I shall quote from the report—

> Tourism is big business. The amount of money spent by Australians on goods and services associated with travel is estimated by the Australian National Travel Association to exceed $2,000 million per year—8 per cent of the gross national product. Expenditure by Victorians on a *pro rata* basis is estimated by that association to be in the vicinity of $600 million.

That was in 1970. The report continues—

> Tourism stimulates the industries of the State, from the service industries, in the provision of accommodation and so on to pastoral industries in the provision of food and other commodities. The direct financial benefits to the State are insignificant by comparison with the substantial indirect gains achieved from stimulation of the tourist industry. Primarily, movement by Australians is what will give stimulus to the tourist industry as it is this group which constitutes the greater percentage of tourists in Australia, international tourists comprising only 10 per cent of the total number.

Since 1970 up to the present time, in this modern era of shorter working hours and earlier retirement, Victorians have been seeking to travel more and demanding more services and better facilities in the area of tourism both throughout Victoria and Australia generally.

With the increase in the modern mode of travel, by air, the world is becoming smaller and Australia is no longer a "down under" country. For example, the number of people travelling into Australia from overseas over the past ten years from 1966 to 1976 has increased by something like 300 per cent. I know that many of those people come to this country for business, but many people are here for pleasure, being attracted to Australia by its various resorts and the developing tourist industry, particularly in Victoria.

Millions of dollars are spent in this State by tourists, and this not only directly assists businesses, such as motels, but also assists indirectly, as was stated by the Public Accounts Committee in 1970, in the employment of thousands of Victorians and Australians in their own tourist industry.

This has an effect on the local community. Again I refer to the Public Accounts Committee's inquiry into tourism in 1970. It was an expert committee and it took many months to formulate its report. The committee pointed out the effect of tourists on the community in Victoria and it took Mildura as an illustration and the effect of the tourist dollar on that city.

All honorable members are aware of the attractions of various parts of Victoria. For instance, Melbourne has the attractions of the spring racing carnival, the Melbourne Cup, the League Football grand final and the Royal Agricultural Show, all of which bring tourists from all over Victoria, Australia and even the world. There are other places which are attractive to tourists, such as Ballarat, with its Sovereign Hill and Kryal Castle.

At page 9 of its report, the Public Accounts Committee stated—

The tourist dollar has a very rapid turnover in the economy, estimated to be 3·5 times in the year of spending. To equate this to a city such as Mildura, which attracts in the vicinity of 300,000 tourists each year, and allowing for an expenditure of only $20 per head, would represent more than $20,000,000 in value to the economy of that city. The immense value of key-point development can be readily appreciated in the light of these figures.

As I said before, the tourist industry in Victoria has a bright future.

Victoria is attractive to tourists all year round, particularly in the Murray Valley which has good weather compared with the southern parts of the State. I trust that the Victorian Government Travel Authority will take advantage of this challenge. It will have the backing of the Victorian Government Tourist Bureau officers. It is hoped it will provide a profitable return in future and assist the travelling public of Victoria. The establishment of an authority of this type has been a policy of the Labor Party for many years. The Opposition does not oppose the measure.

Mr. McINNES (Gippsland South): The National Party opposes this Bill in its entirety. I first register my interest in the travel industry as a travel agent. It is vital that I bring to this debate some of the problems that confront the industry and which this Bill, if passed, will exacerbate. The Bill steps up the marketing arm of the Ministry of Tourism, the Victorian Government Tourist Bureau, known as Victour, and develops this as a virile, aggressive marketing organization, somewhat divorced from the functions of the State Ministry of Tourism. According to the Minister's second-reading notes it will continue only in liaison with, for instance, the regional tourist authority and major tourist projects, which provide grants and loans for tourist facilities. Simply, it does create a Government-backed travel agency.

Mr. ROSS-EDWARDS: A Socialist agency in every town and suburb when Labor comes to Government!

Mr. McINNES: I take up the interjection. It is regrettable that this has been a feature of the Government's proposed legislation during this sessional period. Here it is, with all of the resources available to it, stepping up its marketing division, ostensibly to bring tourists to Victoria. I have no argument with that, but one must not forget that equally the functions of the proposed Victorian Government Travel Authority is to sell and market travel overseas—in other words, to take people out of Victoria. It is counterproductive in many ways.

The relevant part of the explanatory memorandum is the comment that it will be a relief on Treasury funds and that the authority will be to some extent self-supporting. The question is whether it ought to be self-supporting because a large percentage of the functions that legitimately belong to a State tourist operation is the stimulation of people within Victoria and interstate to visit points of interest in the State and perhaps even around Melbourne. Because of the level of charges for those services, the return available to any agency would be so low that it would not normally be worth while to engage in that type of marketing. And yet that is what Victoria needs to promote.

Like the railways, this is one of the services that a State has to bear. Who will sell trips to the Grampians or other places when the total revenue might be only $1 although it might take 15 or 20 minutes of a consultant's time, plus the time to prepare documents? We are not encouraging commercial travel agents to sell these tours and so it has been left to Victour. Now the Government is saying Victour should get into the private market. In answer to the interjection, "They are doing that now", I point out that is true.

Victour holds an International Air Transport Association accreditation, which is annually reviewed by

that organization. Tasmania, which is the leading State in Australia in the promotion of domestic tourists, has held an International Overseas Travel Association accreditation for its Hobart office, but it was suspended or lost at one time because that office took the view that it was not its role to move into the commercial market of travel to the disadvantage of the commercial industry and that international travel was not its role. Victour has a part to play in overseas travel in the provision of tours for visitors from overseas but not to emphasize outbound travel.

I have consistently supported the Government in its endeavours to bring overseas airlines to Tullamarine. The State has played an important role in the provision of services at that airport. An endeavour should be made to assist the accommodation industry because that industry is going downhill in Melbourne. Yet the Government says it wants conferences and conventions held here. A convention bureau has been set up, but it is not receiving the support it deserves. When the Collins Street headquarters of Victour are remodelled, provision should be made for the Melbourne Convention Bureau in these offices, because their functions are parallel. Other services can also be provided.

I received a letter from a company run by Mr. Norman Elsom, who at one stage put forward a proposition for an airline transport transfer system. It one arrives by plane in Melbourne one has to catch a cab to the city or virtually has to bum a ride on one of the domestic airline coaches. No transport services are tied in with the international airlines. Mr. Elson put forward a proposition under the name of the Blue Riband Tourist Coaches for the purpose of encouraging tourists. He proposed to operate on a seven-day time-table tied into the services coming through Tullamarine. Every jumbo jet unloads 300 or 400 people. This service would deliver them to such hotels as the Hilton, the Southern Cross and the Windsor, which is owned by the State Government.

Mr. GUY: What would it cost?

Mr. McINNES: I do not know the cost. In Hong Kong and other international cities an airport transfer service is available from the airport to deliver people to hotels.

Mr. ROSS-EDWARDS: In Rolls Royces.

Mr. McINNES: They use a range of vehicles from luxurious cars to highly efficient coach services. Mr. Elsom went to the Transport Regulation Board and the initial reaction was that he would receive a licence for three months which would, after then, be subject to appeal by other transport services within the industry. The board considered that it was a good idea. It had the support of travel agents and the various airlines and hotels, and even that of the Victorian Government Tourist Bureau. I believe the Melbourne City Council, the Premier's Department, the Ministry of Transport all initially thought it was a good idea, but, somewhere along the line, probably within the Minister of Transport's jurisdiction, it was decided it was too radical a step and pressure was brought to bear, possibly by commercial airline operators, who are already protected by the Government, and the service was not approved. Mr. Elsom has waited for a year and is still no further forward.

The Government should assist such a proposal. It is almost impossible for each hotel to provide that sort of service in Melbourne. It would certainly be good to have a round robin type service to take passengers to the major international hotels.

The Australian Federation of Travel Agents also saw the Minister of Tourism to discuss the proposed authority. According to the State Development Act 1970, which is related to tourism in Victoria, Victour's duty is to sell, promote and develop tourism to and within Victoria.

The new authority will sell travel on a word-wide basis, so there is a broadening of the legislation for this. It has the acceptance of the commercial travel industry so long as the traffic is being brought from overseas, interstate and intrastate to visit places of interest in Victoria. Strangely enough the legislation does not have the support of the people within the department. The legislation seems to have originated from either the Minister or his departmental head—a nice operation cooked up for what reason we do not know. Perhaps it was a criticism of the staff. It may have been considered that, by going outside the Public Service, and creating a statutory authority, a far more efficient staff could be obtained. That might well be so. It is an indictment on the Public Service if opportunities cannot be given for promotion to bright and aggressive people capable of advancing in their particular field.

The Bland report on the inquiry into the Victorian Public Service stated that statutory authorities were a reasonable proposition where they related to undertakings of a sufficient size to be viable within themselves and offer opportunities for promotion to their staff. But one could never expect that from this body, which is only part of the Ministry of Tourism.

Initially it will operate from 1, 2 or 3 outlets throughout the country as well as its main office in Collins Street, Melbourne. It will not be of a size to generate career opportunities, which are so necessary. From that point of view, under the criteria that Bland personified, it is not a reasonable proposition and the Victorian Government Tourist Bureau should remain as it is.

The bureau already receives a lot of business from Government officials who book through them and it rightly attracts a commission which goes back to the Government. This is already taking business from commercial operators. The travel industry is not the get rich quick game that most people think it is. It is a tough game and operates on fine margins of 5 per cent on domestic travel, 8 per cent on international travel and 11 per cent on packaged travel, which includes transportation, accommodation and ground arrangements for tours.

Anyone in business realizes the fine margin on which this industry operates. However, because it is an interesting type of business, it seems to attract all sorts of people.

Mr. FOGARTY: Dickie's Travel Service?

Mr. McINNES: I have indicated my personal interest. I do not know whether any other honorable members have an interest in travel.

The industry was originally comprised of smaller agents and was the sort of business that I should have thought a free enterprise Liberal Government would support, but that has not been the case. Members of the Government party and the Labor Party have combined to oppose the National Party in its attempt to aid the smaller businessman to make a living in an industry which is geared as much to smaller operators as it is to larger operators. Already banks, the Royal Automobile Club of Victoria, the Australian Council of Trade Unions and the Victorian Football League have entered into the arena. I do not know whether those organizations believe they will make a fast dollar. Before too long there will be some burnt fingers.

While on the subject of burnt fingers, I point out that in his second-reading speech the Minister stated that over the years the travel industry has been criticized because a number of agencies have failed to fulfil their obligations to clients. What will be the position if the proposed Government-backed authority has a major deficit? That situation could easily arise. The present Government authority is operating at a loss and has been backed up by the

taxpayer. That position will continue, and taxpayers who are struggling to make a living and to pay rates and charges to carry on businesses will be forced to meet a double imposition and to bear the full share of the losses of this operation. There will be no complaint if the public believes a service is being provided to the community in an area in which little financial reward is available.

It is a rather arrogant assumption in the Minister's second-reading speech that the Government-backed authority will set a standard that will require to be matched by many private operators and that it will be a pacesetter in the field, thereby bringing stability and confidence to the industry. I point out that the people who have failed in this industry have not been travel agents but travel consolidators. They often have no accreditation, are not members of the Australian Federation of Travel Agents and do not hold International Air Transport Association or shipping accreditation. They have, in the main, been hot-shot entrepreneurs, out for a fast dollar. In most instances they have made clandestine arrangements with some of the major airlines, including Qantas, which at present is facing a loss of great dimension as a result of the operations of the AUS Student Travel Pty. Ltd. Trans Australia Airlines has lost approxinmately $450,000, which the public is forced to meet. Once again the Government is becoming involved in this area.

It is stated in the Minister's second-reading speech that the real purpose of the Bill is to arrest the increasing net drain upon Government funds. I assure the Government that that will not happen. If the bureau is to carry out its work effectively, additional funds will be needed.

Tourism in Victoria is a poor relation. One has only to consider what has been done in other States by the Tasmanian bureau, the West Australian Ministry of Tourism and the Queensland bureau. They actively sell overseas and bring people into Australia. That is illustrated by the fact that a new international airport will be established in Brisbane.

While attending conferences overseas with the Australian Federation of Travel Agents I have seen aggressive marketing by tourist bureaux of other States, but nothing is done by the Victorian Government Tourist Bureau. It has perhaps been represented by one or two officers, but no promotional work has been carried out. The West Australian bureau flew from Perth to Singapore, in a large ice-encased bowl, a sample of all the wild flowers available in Western Australia. That is the sort of aggressive marketing Victoria needs, but all the Government is doing is setting up a commercial travel agency, backed by the Government, and designed to dilute the already overloaded retail, wholesale and travel industry in Victoria, to join with the banks and other organizations like the Australian Council of Trade Unions in running the smaller operator out of business.

I have received assistance and support from the Victorian Federation of Travel Agents. The same Mr. Elsom to whom I referred, of World Wide Travel Service, sent a letter to every member of Parliament and has received replies from industry.

Mr. GUY: I should not quote from that.

Mr. McINNES: What he said is valid and completely in accord with the views of the Australian Federation of Travel Agents. I wonder whether members of the other side of the House are prepared to table the documents they have received from Mr. Elsom.

In Tasmania a similar organization to the one proposed in the Bill was established. However the State

has reverted to the original position. Likewise, in New South Wales the emphasis has changed and returned to the original situation. However, Victoria, always behind, is making the move when everybody else has put their toe in and decided not to go in after all.

This Bill seems to have no support except that of the Government party and its cohorts, the Labor Party. In Allans Building, which is adjacent to the tourist bureau, in Collins Street, a service is provided which can cope with 6,000 telephone calls a day. The public can telephone and inquire about excursions, points of interest and so forth. As I indicated earlier, most of these valuable services generate little income to the commercial travel agents who give scant attention to them. The services may be placed in some jeopardy because of the provisions of this Bill.

A suggestion has been canvassed through some of the trade papers that Victour should provide commissions to the network of travel agents, of whom there are several hundred in Victoria, making it profitable for them to assist in selling domestic travel. That would be a step forward. It would be a subsidy, but the Victorian Railways are being subsidized to the extent of $150 million a year, and, if effort is put into the promotion, more people might be attracted to the rail tours offered by the Victorian Railways Board. Some of the burden of the railways would be relieved. It would lead to an upgrading of the services and accommodation in Victorian towns, including Melbourne, which suffers tremendously in that regard. I do not know how many rooms are available in Melbourne, but there is not a large number. In Bermuda, for instance, about 5,000 rooms are available, although that island is only about 9 miles long.

These are the types of matters that the Victorian Tourist Bureau should promote. It should promote Victoria, Australia, as a destination for overseas people. People from other States should be encouraged to come here. The tourist bureau should not be flogging international travel, which takes people out of this State.

The Government ought to be listening to the pleas of the legitimate travel industry for licensing. I realize that this is outside the ambit of the Bill to some extent, but it would be welcomed and encouraged by the industry. In 1973 I asked the Premier about this matter and the honorable gentleman stated that he would be prepared to introduce a Bill during the next sessional period, if the Federal Government did not do so. Federal Governments have come and gone but nothing has been done about it. To the credit of the Labor Party, it attempted to do something about it but dropped the matter when it became involved in an election campaign, which it subsequently heavily lost.

The National Party totally opposes this Bill, which has the ramifications of a Socialist measure. It will dilute an already overcrowded travel industry. It is opposed by the industry, which has had no prior advice about the measure and which has not been taken into consideration. It is opposed by people in Government departments, who see difficulties with it. The measure has only minimum support by the Minister and his senior departmental head, by the Government back-bench members and by members of the Labor Party, who, I believe, have not fully understood the ramifications of it. If they had considered it more closely, they might have supported the National Party.

Mr. KENNETT (Burwood): Honorable members should realize the ramifications of this Bill, which does two things. The first is to establish yet another statutory authority; and the second is to continue the operations of Victour into a new area of competition with private enterprise.

The rationale behind these two specific parts of the Bill is soundly based. The Minister is endeavouring to ensure that Victour, in a new form, obtains the expertise that it presently does not have, to make the new travel authority more effective and efficient.

Obviously, if the Government expends any money on a tourist bureau or authority, efficiency is of great urgency. This Bill should be considered as a sort of stop-gap measure. At this time I believe the tourist industry is not capable of performing, and does not perform, the functions that will be required of this travel authority, or that have been required of Victour to date.

As I see it, primarily that is promoting Victoria to residents of the State and people interstate and overseas to try to bring them into Victoria. No travel agent is doing this job adequately. Obviously, the State has some magnificent resorts, which should be promoted professionally. It is a misnomer to believe that, by establishing another statutory authority, the promotion will necessarily be more efficient. I do not buy that argument. At this stage, I see the new authority as being one of two ways of achieving the desired result.

Honorable members have to be sure that, when the legislation is implemented, the primary purpose of the new authority is not to compete with the smaller travel agents, particularly for overseas travel. One of the major factors in the Bill is the establishment of a new Victorian Government Travel Authority, but its credibility and financial responsibility to enable it to break even financially must be proved without necessarily ensuring that it makes a profit. Any money that it does make should be devoted to the promotion of its responsibilities.

At the moment, the tourist bureau has a charter to sell travel overseas which, as the honorable member for Gippsland South said, is by far the most profitable sector of any travel agency's operations. I see a tremendous future for the travel industry and in the years ahead travel agents will be fiercely competitive and, as happens in any other business, some may fail. Then, the public may see fit to run a State-backed organization where their funds are secure. This places the new authority at an incredible advantage over private enterprise. Parliament should ensure that the primary responsibility of the new travel authority is to import people into this State and not, in trying to break even financially, export Victorians out of the State.

Mr. B. J. EVANS: How can you be sure that the authority will not do that?

Mr. KENNETT: No one can be sure of that and I am directing my remarks to this point. I request the Minister and the people running the authority to ensure that the emphasis will be placed on the promotion and exploitation of our resources in Victoria. The new authority should put together packages to sell Victoria at a very reasonable commission so that these packages will be viable for both the authority and private enterprise to market and sell. We must ensure that, by this Bill, the authority is not allowed to compete with the profitable side of those businesses which have been established for many years. Many of them have been extremely profitable and many are looking hopefully for a livelihood in the years to come.

Mr. MCINNES: If an agency holds an accreditation, it is obliged to promote overseas travel.

Mr. KENNETT: I accept that, but the Victorian Government Tourist Authority should not place its emphasis, in trying to find that financial balance, on overseas travel. This is where it comes down to the responsibility of the people, such as the members of the authority and the general manager to have enough initiative and enterprise to be able to put together

packages that can be sold through the authority and through Victorian travel agents to promote Victoria.

With legislation of this type, as a Parliament it is important that we review in twelve months' time the performance of the new authority to determine what effect it is having on private enterprise and how viable it is within itself. The Government should not introduce legislation of this nature with a broad blanket of responsibilities without making the authority totally responsible to Parliament. Often, when a new statutory authority is established, Parliament tends to lose control over the responsibilities and activities of that authority.

Mr. MCINNES: They are expected to make money.

Mr. KENNETT: They are expected to make money, but at the same time they should provide a service and, in this instance, the authority should provide a service of promoting Victoria with people within and outside the State. This Bill should be reviewed and I ask the Minister for an undertaking that in twelve months' time the legislation will be reviewed and the performance of the authority will be considered in the light of the competition that the authority will be providing to private enterprise. It is so easy for Governments to introduce legislation of this type on the basis that the proposed authority will do a job that has been undertaken by a Government department that already exists, but there is a need for the promotion of Victoria. The Bill defines the authority's responsibilities very clearly, but it is the responsibility of the Government to ensure that a viable free enterprise system continues. The authority's activities in competing with private enterprise must be minimal and, if the Parliament accepts the legislation, it must condition itself to a future review of the activities of the authority.

The Government has no responsibility and no right to compete with private enterprise. I suggest that where the Government already competes with private enterprise in certain areas, it should consider getting out of those areas.

I do not intend to speak further on the Bill. It has two separate functions. One is setting up another statutory authority and the other is to promote and market travel. I do not accept the first function, because it has not been proved that this will necessarily result in what we want to achieve. However, I ask the Minister to ensure that the authority places emphasis on those matters, which, to some degree, are set out in clause 13 —the promotion of Victoria. The Government should not allow the Victorian Government Travel Authority to compete to the detriment of private enterprise. I believe an authority such as this will have so much advantage over free enterprise.

Mr. REESE (Heatherton): I support the Bill and indicate a few basic points which I believe were overlooked by the honorable member for Gippsland South. The Bill provides basically for a change of the name but not of the functions that have been operated by the Victorian Government through its tourist bureaux since 1908 in various forms, and at the present address in Collins Street since 1939. The functions and powers of the present bureaux are in essence identical with those in the Bill.

The Bill provides for a change of name and for the setting up of a three-man authority of management. It does not provide for a change in the functions or the powers that have been exercised by Victour over many years. As has been the previous operation of Victour, the basic responsibility under the Bill is to promote and market travel by Victorians and to Victoria. The term "to market travel" refers to more than selling tickets. It refers to the sale of the notion of travel and it is more than promotion in the usual sense of the word.

The House is dealing with what is the most rapidly growing industry in the world. Currently, it is about the

seventh largest industry in the world and its international, interstate and intrastate aspects are tremendously important. I should have thought that members of the National Party would realize the benefits that will flow to country areas of Victoria from a more effective operation of Victour in this tourist and travel area. The Bill provides the framework to enable the Victour operation to be much more effective than it has been in the past.

The real basis of tourism is contact with people, and, in this case, the promotion of the desire to travel and to move from one place to another. In this instance, it is to bring into this State those people who do not want to be provided merely with the idea that they want to come to a dirty big city. One of the primary functions of the statutory authority is to get into the minds of the people the idea of coming to see what this State has to offer; to get into the minds of people living in this metropolis the thought of what can be seen and what they can enjoy outside the metropolitan area. That is one of the basic thoughts that come to mind whenever I think of the travel industry.

It is interesting to note that the Bill does give some consideration to recommendations made by the Public Accounts Committee six or seven years ago when that committee examined the problems of tourism. In its recommendations, the committee highlighted the need for career opportunities within the Government travel operation and the deficiencies that then existed. I am happy to note that they are now covered in the basic concept of this Bill.

I refer the House to the report of the Public Accounts Committee on Government Expenditure on Tourism, which was ordered to be printed by the Legislative Assembly on 9th March, 1971. The report contained a series of recommendations, and one or two of them are well worth quoting. Some of the recommendations were—

> That consideration be given to the creation of a sufficient classification of tourist officer with a suitable automatic progression right.
>
> That staff training schemes etc. should be introduced as soon as possible.
>
> That a special research section be established in the Ministry of Tourism to assist the tourist industry.

Those two aspects are covered in the proposed legislation.

The need for expertise in the tourist industry was commented on at the time of the report by the then Director of Tourism, Mr. Harkins, who indicated that great difficulties were being experienced in developing career tourist officers. Mr. Harkins said—

> The operations of the Tourist Development Authority require specialist knowledge of tourist resorts and development, tourist operating practices and tourist facilities.
>
> It is necessary that officers should be aware not only of activities, procedures and facilities relating to Victoria, but their knowledge should be broader and according to their appointments, embrace the wider fields of Australia and overseas.
>
> The training of tourist staff is a lengthy process. It takes at least five years to produce an officer who has a reasonable grasp of tourist work.

The Bill will provide an opportunity for a career structure in tourism and ultimately that can only be of benefit to the travel industry.

The honorable member for Gippsland South would have us believe that the changes proposed will be detrimental to the commercial travel industry. That is totally inaccurate. The Bill will assist the commercial travel industry by providing a framework for more active promotion and allowing the development, as the honorable member for Burwood pointed out, of tour packaging on a basis that will encourage the participation of the retail agent in the work of wholesale packaging operations. The impetus of the new authority will be very real in this field.

The views expressed by members of the Australian Federation of Travel Agents run counter to those expressed by the honorable member for Gippsland South. At discussions held with representatives of the

federation, the comments made were in favour of the initiative proposed by the Government, and one of those comments was—

The more aggressive you get, the better.

I do not wish to delay the passage of the Bill, because I support it and wish it well.

Mr. ROSS-EDWARDS (Leader of the National Party): I intend making only one point, but I wish to make it extremely clearly. When there was a Federal coalition Government in Canberra before 1972, it introduced a great deal of legislation that would have worked as it meant it to work, in favour of free enterprise, if the coalition Government had continued to govern in Canberra. What that Government did not realize, and what this Government does not realize, is that Governments are not in power for ever. If honorable members have taken any notice of the Gallup polls and the public opinion polls being taken in Melbourne at the moment, they will realize that many members of the Government party would not be re-elected if an election were held tomorrow.

The point is that when a Government is passing legislation it must assume that the legislation will be administered by a Socialist Government. This proposed legislation could mean that there will be Government travel agencies in every suburb and every country town in Victoria. Small businesses could be forced out by a Government monopoly. That would be the result of the proposed legislation. The Bill encourages the growth of a Government monopoly in an industry that is ideally suited to small businesses. The Premier and other Government members say that they stand by small business and will support it but time and time again they do this sort of thing. It is beyond my comprehension how backbench Liberal members can go out to the blue rinse meetings in the suburbs and underneath the bright blue flag say that they will support free enterprise and then come in here and introduce a Socialist measure. They are hypocritical.

If the Bill had been introduced by a Labor Government the House would be hearing speeches and arguments in opposition to it, clause by clause, on the basis that it was a Socialist measure. In this connection I must give full marks to the honorable member for Burwood because he at least stated his position.

Mr. GUY: He is in favour of it.

Mr. ROSS-EDWARDS: No, he had certain reservations and he stated them. However, other members of the Government party will vote blindly with the Government and in years to come, when they see the Socialist monopoly the Bill will give rise to, they will have to remember that they were responsible for it.

Mr. GUY (Gisborne): I do not intend voting blindly with the Government. Perhaps that is because I know a little about the travel industry. Like the honorable member for Gippsland South, I should declare that I have interests in the travel industry, although none of those interests could affect in any way my opinion of the proposed legislation, because I feel the Bill has been misunderstood.

The contribution from the Leader of the National Party highlights that misunderstanding. Although I respect the honorable member's opinions on most matters, I cannot agree with his opinion on this subject. He asks what a Socialist Government would do if it got hold of the proposed legislation after it was passed. If a Socialist Government came to power in Victoria it would be quite entitled, as would any Socialist Government anywhere in the world, to bring in its own legislation and do what it desires.

Mr. ROSS-EDWARDS: It may not have the numbers in another place.

Mr. GUY: That is a completely hypothetical situation. We should deal with the facts. We are talking about creating legislation that ought to have held over it the fears and bogies of what Government will come to power and whether it might use the legislation for devious purposes.

Mr. ROSS-EDWARDS: It is about time you did think about it. You are not being very practical.

Mr. GUY: The interjections only indicate that certain members do not understand that any Government can bring in whatever legislation it wants. If they feel so strongly about the proposed legislation, which they claim will nationalize the travel industry, they must realize that the matter rests on the numbers in this place and another place. Before going any further we should be realistic about that fact and dispense with it.

The point of the proposed legislation is to establish a travel authority. I have some doubts about it but they are not political, philosophical doubts. I am not having philosophical nightmares about supporting the Bill and no one else should have them either, whether about supposed Communism, Socialism or any other political ism.

The success of the travel authority will ultimately depend on the person who runs it. If the right man is not found the authority will not be successful. It is as simple as that. If the right man is found the authority will do a great deal for Victoria and for Australia. A viable tourist industry must be developed in Victoria. It is an industry that has been neglected in Australia and any one who understands the Federal Treasurer's approach to tourism and tourist facilities will readily appreciate that not too much money will be spent on those facilities and services by the Federal Government. That is where the Federal Government diverges from the views of the Victorian Government. The Federal Government suggests that private enterprise and overseas money will have to subsidize and create tourist facilities. In many respects I am in favour of that philosophy, but the State Government understands that private enterprise in Victoria cannot do all that. The smaller travel agencies are not too interested in attracting tourists to Victoria in order to develop a viable tourist industry, and the whole point of this debate is the development of a viable tourist industry in Victoria. The tourist industry could be the key to great success in solving decentralization and unemployment problems.

It is not a good analogy, but it is possible to compare the racing industry with what the Government is trying to do through the proposed legislation. Like racing, it is the industry itself that has to benefit from any involvement of the Government or any Government interference. In the racing industry there are the Totalizator Agency Board and the bookmakers. The bookmakers are a very colourful part of racing and represent the private enterprise side of that industry. The Totalizator Agency Board, on the other hand, takes one's investment and returns a dividend, if one is lucky enough, but it also looks after the industry.

Racing is an enormous industry in Victoria and the Totalizator Agency Board is the authority that can clearly be compared with the sort of authority the Bill proposes. The paramount point is that it looks after its industry. This debate is concerned with developing and looking after the tourist industry.

The racing industry creates enormous employment and community recreational opportunities and provides financial benefits that flow back into the industry itself. That is what must happen with the tourist industry, as the honorable member for Burwood said, and I support him on that point. The benefits from the proposed authority must flow back

into the tourist industry. The honorable member for Burwood mentioned the packaging and marketing of tours within Victoria and spoke about involving travel agents. So, in fact, the Government is talking about generating business for the smaller agents and discounting those tours to as great an extent as possible, depending upon the profitability of the authority itself.

That is the essential service that the authority ought to provide. It should not go into business to make huge profits. If it is lucky enough to make profits they ought to go back into the industry and not into the Consolidated Fund. But that is not going to happen as an arm of the Ministry or within the Public Service, because I do not think the right man will be found.

The only way to successfully market our large investment in the travel industry in Victoria is to ensure that it is responsibly marketed through the proposed authority. It is not possible to wholesale and then leave it to the discretion of the industry and hope that the product will be successfully marketed. If the Government is to be involved in supporting tourism within the State it must have a marketing arm to promote the facilities it provides, because tourism within Victoria does not provide a sufficient percentage for the smaller travel agents. The smaller businesses do not make sufficient money in attracting people to Victoria. They receive a far higher remuneration on overseas trips than they do on having someone visit Daylesford or any other town in Victoria.

It will be the responsibility of the authority to make sure that tourism within the State is made attractive and that the rewards and returns are ploughed back into the industry. That cannot be done unless the authority is structured properly from the ground floor up. That is not being done at the moment with the Victorian Government Tourist Bureau, which is not in a position to carry out this task responsibly within the framework of the Public Service.

The industry must be stabilized. Travel agency business is not a stable industry. Honorable members can talk about the sort of Federal legislation that might be needed and which they hope will come about, and the sort of legislation that should be introduced into the House to stabilize the travel industry, but the establishment of an authority is the first stage in stabilizing the industry and giving it an effective voice. At present the travel industry in Australia has absolutely no effective voice in Canberra. No one in the country lobbies effectively on behalf of the industry. It is enormously important and yet it does not speak effectively with one voice where it counts, federally.

I envisage the chairman of the new authority speaking most effectively for both the Government of this State and the industry with the restraints of neither upon him. The chairman is in a unique position. He can speak effectively without being fearful of perhaps one of the bigger airlines saying, "You cannot say that. We will not send our business through you. We will not accept it." There are plenty of small agents in the industry which fear the airlines, excellent airlines as they are, such as Qantas, because if they attempt to effectively lobby in Canberra and it goes against the interests of the bigger airlines they could find themselves not ticketing anything in those areas. That is hanging over the heads of the smaller agencies and is probably one of their greatest fears.

We must have the right man as chairman or there is no point in setting up this authority. Selling is also one of the keys. This authority cannot be restricted to selling travel

only within Victoria. Although its main purpose is to attract visitors and tourism to Victoria, it must be able to market all types of travel. The right chairman and the right staff can interest people in looking at travelling around the world. Travel agencies can be an attractive proposition for someone who wants to travel, but it is what is sold to them when they get inside the front door that is important. The authority should be really geared to selling Victoria, not only to Victorians but to anyone else who comes in the front door. If it has the art of selling it can ensure that its facilities are patronized around the State. The Government is pouring much money into tourism but if this travel authority is not set up the Government might as well get out of tourism.

Mr. B. J. EVANS (Gippsland East): I suggest that Government members who have supported this Bill have in fact damned it with faint praise. Firstly, the honorable member for Burwood has so many reservations about the effectiveness of the proposed legislation that he suggested that it should be brought back before Parliament in twelve months' time to ascertain how it is working. It is extraordinary for an honorable member to have such grave reservations about the effectiveness of a Bill he is supporting that he seeks to have Parliament consider it again in twelve months' time. I suggest that the honorable member for Burwood is talking with his tongue in his cheek when he maintains that he supports the proposed legislation. Obviously, he has the same doubts regarding the Bill as have members of the National Party.

The honorable member for Heatherton claims that the Bill is changing only the existing structure to a three-man authority at the top, and that to all intents and purposes nothing else is changed. The honorable member should have another look at the Bill to make sure what it is all about. He claims that the travel business—I take it that he meant the Australian Federation of Travel Agents—has been consulted and has expressed support for the Bill. However, that organization is far from happy with the proposed legislation, and I feel confident that it will support the National Party's stand.

Mr. GUY: That is not true.

Mr. B. J. EVANS: I refer to a letter written by the Directors of the Australian Federation of Travel Agents to the Minister of Tourism on 22nd November expressing their opinion of the proposed legislation. It is important that honorable members should know where these people stand. The letter states—

> We have since had the opportunity of looking more fully at the Victorian Government Travel Authority Bill 1977 in the light of your comments upon it at our meeting with you last Friday.
>
> While accepting your reasons for its proposals and your assurances that, if any bureau was seen to be doing other than primarily selling Victoria, you would 'steer it back' on the right path we feel this is more easily said than done. What sort of proof, for instance, would you need in order to agree that a bureau was not fulfilling its prime duty? Possibly such kind of proof would be impossible to obtain.
>
> Also, we understand, that as a statutory authority, pressure would be on to make a profit and, therefore, management would tend to promote those activities which would bring in most revenue. If this supposition is not correct, is it intended that the authority would be permitted to operate with a deficit budget?

These are valid questions which have not been satisfactorily answered so far in the debate. The letter continues—

> From our study of the State Development Act 1970 relating to tourism in Victoria, it seems the only duty laid down in that Act was to sell, promote and develop tourism to and within Victoria. The new authority is to sell travel worldwide, not only to and within Victoria.
>
> As stated before, we accept your assurances, but are most concerned that these are verbal and there is nothing in the Act's written words that stops the bureaux from competing aggressively, with Liberal Government backing, against private enterprise.

I hope the honorable member for Gisborne is listening to these words as he has sought assurances in this regard. However, he appears to have lost interest now that the argument is going against him. The letter continues—

> The bureaux, too, already have a commercial advantage in that State Government official travel has to be given to the bureaux and this is not a negligible amount to a private enterprise operator.
>
> We would point out that the Victorian Government's proposed operation of its tourist bureaux necessarily attracts comparison with that of other States. In varying degrees, all other State bureaux see their role to aggressively market in a professional manner, their own State to the public, and through the travel industry to whom they give their utmost support. We would remind you of the recent change of policy by the New South Wales Government travel centres back to their original concept of selling New South Wales.
>
> Mr. Minister, we are concerned about what appears the undue haste with which the Victorian Government has proposed this radical change after announcing its plans. It is our view that Victorian tourism would be better served by obtaining the support of the tourism industry as a whole through consultation and the understanding of the concept of the proposed Bill.
>
> Thus we ask that the passage of this Bill through the House be deferred until the autumn sitting, thereby giving all interested parties the chance to thoroughly understand any need for this Bill.
>
> Yours sincerely,
>
> for Hazel Berry, Trevor Nelson, George Porter, Directors, Federal Board of Directors, Australian Federation of Travel Agents.

That puts into perspective what the travel industry feels about the proposed legislation. If nothing else, it is certainly a plea for a delay in the passage of the Bill until it can be thoroughly examined. That is a reasonable proposition. Not only that organization but another extremely large organization has a vital interest in the Bill. I am surprised that I have not heard a reference to this by previous speakers. I propose to refer to a letter from the General Secretary of the Victorian Public Service Association, Mr. Andrews, to the Leader of the National Party. In the letter, the general secretary points out the concern of that organization to the change in the status of people employed in the Victorian Government Tourist Bureau, as it stands at present. Again I believe these are valid points which suggest that the Bill should be deferred for a further period until more serious and mature consideration can be given to the proposal.

I suggest that the tourist industry in this State has been functioning reasonably effectively for a considerable time. Members of the National Party see no great urgency for this legislation. We believe it should be opposed, but at the very least we would accept the Minister's assurance if he is prepared to adjourn the legislation until the autumn session so that more mature consideration can be given to the details of the Bill.

I have many reservations about the effect that the proposed authority will have on regional tourist promotion. I find some difficulty in establishing where the current programme of regional tourist promotion will fit in under the new travel industry authority. As I understand it, regional tourist promotion will remain a function of the Ministry of Tourism and it will be separately run, organized and financed from the new authority. Therefore, it appears that there will be a system of duplication in promotion. Obviously when there is duplication there is conflict and inefficiency and the system is not as sound as it might be if properly organized.

The point which worried me was the analogy drawn by the honorable member for Gisborne with the racing industry and the establishment of the Totalizator Agency Board. The history of that set-up is that the Totalizator Agency Board was established because of the growth of illegal starting price operators. The Government was concerned about that because it was not getting any rake-off from the illegal bookmakers.

It received tax from the registered bookmakers but the illegal bookmakers were completely free from Government tax or Government control.

The basic reason for the establishment of the Totalizator Agency Board was not to provide a service in competition with the registered bookmakers, but to get more revenue for the State to apply to the purposes for which the State is responsible. The analogy drawn by the honorable member for Gisborne was that a similar theory may be applied to the new travel authority and that, in course of time, by reason of competition, the private travel agents will be pushed out of business. It is obvious, particularly in the smaller country towns, that people may be more disposed to make their travel arrangements with a Government authority because, to some degree, a Government authority is more secure than a private travel agent.

With the process of time the small travel agents will be pushed out of business. The only agency then operating will be the Government agency and it will be able to make as much profit as it chooses in the absence of competition.

I also do not understand the logic of the argument of the honorable member for Gisborne who talked about the authority being able to support and promote travel within the State. It is completely inconsistent to argue that if the authority provides some form of assistance in promoting internal travel in Victoria, helping travel agents with package deals and the like, it will be able to make money. The reverse will apply. One would expect that to provide the funds for this to be carried out the new authority would embark on a vigorous promotion of overseas travel because that is where it will get the funds to promote travel internally in the State. The National Party is disturbed that this will take the bread and butter from local travel agents.

I completely support my colleague, the honorable member for Gippsland South, whom honorable members will acknowledge has a good deal of experience and knowledge in the operations of the travel industry. I believe he has given this House an excellent run down on the effects of the Bill. He has expressed real fears which are relative to his understanding of the Bill.

I ask the Minister for Minerals and Energy to consider these matters so that the ramifications of the Bill can be thoroughly studied and understood. I share the view of my Leader that this is the thin edge of the wedge to a Socialist travel industry.

Mr. BALFOUR (Minister for Minerals and Energy): I listened with interest to the various contributions on this Bill. Its main purpose is to set up a tourist authority to take over the work now being done by the Victorian Government tourist bureaux. This action has not been taken lightly. The Government has given much thought to it and believes that in the proposed form, the authority will be able to do a much better job of promoting tourism in Victoria than has been done in the past by the bureaux.

The honorable member for Gippsland East asked me to suggest to my colleague that the debate on the Bill be adjourned until the autumn sessional period. I do not think it is necessary to do that. I believe the Bill ought to be passed so that the new authority will have an opportunity to operate.

The honorable member for Burwood suggested that the legislation should be reviewed in twelve months' time. It is open to Parliament, or any member, if legislation is not working satisfactorily, to request that it be reviewed.

Questions have been asked concerning members of the Public Service working with the bureaux. I believe there is a total of 159 on the staff, comprising 123 in Melbourne, some 20 in Victorian country

centres, and 16 interstate. There have been discussions between the Secretary of the Victorian Public Service Association, Mr. Andrews, and the Minister. Mr. Max Brerton has met members of the staff of the bureaux and I believe they know the situation. Although they may have had qualms about their future, I am given to understand that in the main both the Victorian Public Service and the Public Service Association staff members of the bureaux, are reasonably happy with the Bill. As I said in my second-reading speech, most of the people presently employed with the Victorian Government tourist bureaux will become staff of the proposed authority.

The House divided on the motion (Sir Kenneth Wheeler in the chair) —

Ayes	..	66
Noes	..	7
Majority for the motion	..	59

AYES.

Mr. Austin	Mr. McArthur
Mr. Balfour	Mr. McCabe
Mr. Birrell	Mr. McClure
Mr. Borthwick	Mr. McKellar
Mr. Burgin	Mr. Mackinnon
Mr. Cain	Mr. Maclellan
Mr. Cathie	Mr. Mutton
Mr. Coleman	Mr. Plowman
Mr. Collins	Mr. Rafferty
Mr. Cox	Mr. Ramsay
Mr. Crabb	Mr. Reese
Mr. Crellin	Mr. Richardson
Mr. Culpin	Mr. Roper
Mr. Dixon	Mr. Scanlan
Mr. Doube	Mr. Simmonds
Mr. Dunstan	Mr. Simpson
Mr. Ebery	Mr. Skeggs
Mr. Edmunds	Mr. Smith
Mr. Evans (*Ballarat North*)	(*South Barwon*)
Mr. Fogarty	Mr. Smith (*Warrnambool*)
Mr. Fordham	Mr. Stephen
Mr. Francis	Mr. Stirling
Mr. Ginifer	Mr. Suggett
Mr. Gude	Mr. Templeton
Mr. Guy	Mr. Thompson
Mr. Hamer	Mr. Trezise
Mr. Hayes	Mr. Weideman
Mr. Hudson	Mr. Wilkes
Mr. Jennings	Mr. Williams
Mr. Jona	Mr. Wilton
Mr. Kirkwood	Mr. Wood
Mr. Lacy	*Tellers:*
Mr. Lind	Mrs. Patrick
Mr. Loxton	Mrs. Toner

NOES.

Mr. Evans (*Gippsland East*)	Mr. Whiting
Mr. McInnes	*Tellers:*
Mr. Ross-Edwards	Mr. Hann
Mr. Trewin	Mr. Jasper

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Constitution of Authority).

Mr. McINNES (Gippsland South): The clause relates to the members of the authority, and states that one shall be chairman and general manager, one shall be a person experienced in banking or finance and one shall be a person experienced in the travel industry. I point out that banking institutions throughout Australia are heavily involved in travel. Almost every bank is involved in this aspect and has travel departments and currently is carrying out, through the tremendous reserves at the disposal of banks, considerable promotion of travel. For this reason is is almost inevitable that if a person experienced in banking or finance is a member of the authority, it will be lopsided. The Minister should examine this aspect.

Recently it was mentioned in Parliament that travel agents do not obtain licences to operate banks, and one could easily ask why banks should have the privilege of holding licences to extend their activities so widely into the travel field. This is a cause of concern to members of the association of travel agents.

Mr. COLLINS (Noble Park): It is vital that the appointment of a chairman and general manager to the authority is made extremely carefully. I caution the Government that when it is inviting applications for this position, it must ensure that the appointee is chosen from the travel industry, but also that he or she will not be shackled or inhibited by the former Victorian Government Tourist Bureau and its officers who have been transferred to the new authority to the ex-

tent that the initiative, innovation and motivation this appointee will require to perform the job properly is stunted before the authority gets off the ground.

I strongly suggest that the applicant be given the opportunity of using his or her initiative to run the authority in accordance with Government policy, otherwise there is no justification for the appointment being made.

The clause was agreed to, as were clauses 4 to 12.

Clause 13 (Functions of Authority).

Mr. McCLURE (Bendigo): This clause is the key to the Bill because it lays down the functions of the proposed Victorian Government Travel Authority. Sub-clause (2) is most important because it states—

> In carrying out its functions under this Act the primary responsibility of the authority shall be to promote market and arrange travel to and within Victoria.

I am a little disturbed and puzzled why that should not be stated before the basic functions of the authority are listed. I hope that in carrying out its functions the new authority will pay due regard to this provision. If it does, then it will be worth while.

Until now the Victorian Government Tourist Bureau did not primarily promote travel to and within Victoria, but rather it sent Victorians away. This pattern needs to be reversed, and, therefore, this small portion of the Bill is the most important part of the measure.

Mr. COLLINS (Noble Park): As previous speakers have said, clause 13 sets out the functions of the authority, which include the promotion and marketing of travel, and I hope the authority will give the lead to the Victorian Government and the Federal Government on what should be done on the licensing and registration of travel agents in the travel industry as a whole, because the industry has finally recognized the need to have a proper licensing system, including bonds and so on. That will help it to overcome unfair competition from a Government travel authority whose members are chosen by the Government.

I hope that in carrying out the provision contained in the first part of clause 13, which states that one of the prime functions of the authority is to promote and market travel, the chairman and members of the authority will quickly show the Victorian and Federal Governments that the licensing of travel agents in the industry as a whole is something that should be done and has been sought and needed for a long time.

Mr. KENNETT (Burwood): As my colleagues have indicated, clause 13 is the crux of the Bill, and the success or failure of its operation will decide the future of the authority.

For that reason, as I said earlier, I ask the Minister for Minerals and Energy and his colleague in another place, the Minister of Tourism, to be prepared to reassess the viability of the authority in the years ahead. I cannot stress this point enough, because of the areas I mentioned previously of competition with private enterprise.

Sub-clause (2) states that the primary responsibility of the authority shall be to promote, market and arrange travel to and within Victoria. If that provision is carried out to the letter, it will be exactly what the authority should be doing.

However, if the clause is applied mainly to marketing, it will determine whether the authority will ultimately be successful and whether it will go a long way towards upgrading the promotion of Victoria as a tourist resort, not only to people in Victoria but also to people throughout Australia.

I reiterate that clause 13 is the fulcrum clause of the proposed legislation. Its terminology is broad, and it is important that the Ministry of Tourism, the Minister, the proposed authority and the Parliament should

keep a watchful eye to ensure that, if the Treasury needs to pour in large amounts of money to enable the authority to succeed, then Parliament should be prepared to reassess the operation of the authority in one year's time. I ask the Minister to do that.

Mr. McINNES (Gippsland South): The myopic view of the Government has once again totally overlooked the true purposes of clause 13, which are, *inter alia*—

(*a*) to promote and market travel;

(*b*) to make travel arrangements;

(*c*) to provide travel information services;

In a supplementary sub-clause it says that the primary responsibility of the authority shall be to promote, market and arrange travel to and within Victoria. That is a sop at the end of the clause. The Minister made it clear in his second-reading speech that it was in the best interests of the State that the Government's travel marketing arm should become more skilled and totally involved in the industry.

This was reiterated later in the speech when the Minister said that this promotion would thereby increase the amount of business likely to be written by private travel agents and hence add to Victoria's share of the many millions of dollars that the industry generates. He added that this meant that the bureaux will be set up to actively sell Victoria and at the same time provide a total travel service to the public.

Therefore the purpose of the authority has not been clearly identified. Some unfair innuendos have been directed at the commercial travel industry. I resent that and no proof has been supplied to support them.

The second-reading speech points out that only part of the operation will be involved with travel and that the other part will continue the formal functions of a regional tourist authority.

I believe, as the Australian Federation of Travel Agents believes, that although it may be a pious hope, the creation of a statutory authority with a "whip" on the board to reduce the increasing drain of Government funds, will force the Victorian authority to enter areas of travel marketing with the highest return. That refers to the field of international travel, not so much because of the high rate of commission it attracts, but simply because each transaction is larger and may involve an overseas trip costing $1,000 or $2,000, in comparison with a trip to the Grampians at a cost of $5, $10 or $15. Therefore on a comparative scale it is inevitable that the proposed authority will be involved far more heavily and with stronger emphasis in the international travel field.

As I said before by interjection, while the authority holds accreditation from the International Air Transport Association, which is held by Victour, it is obliged to promote overseas travel arrangements from the point at which the agency is located, and that is in Collins Street, in the heart of the airline belt and the commercial centre of Melbourne.

Victour has been exporting business overseas instead of bringing it in. It ought to review its overseas representation. I understand that there is only one person, the son of a former member of this House, who is employed in the office of the Agent-General in London and probably has some out-of-date pamphlets and brochures that can be handed over the counter, but that is not marketing. These agencies ought to be located in the main travel information centres in countries like Germany, Japan, England and America, and Victoria should be flying its flag if it wants to attract visitors here. The Government ought to be selling travel to people overseas and encouraging accommodation and attractions of a high standard so that this State is an interesting place to visit, instead of sending Victorians away.

Mr. McARTHUR (Ringwood): As other speakers said, this is the key clause to the Bill, but other clauses should also have been taken into consideration when the argument was presented by the National Party. The honorable member for Burwood said that he would like the Government to undertake a review of the operation of the new travel authority in a year's time. I believe the terms of clause 13 should dissipate any fears which members of the National Party have. It should be remembered that there is a protection in that the Governor in Council has the supreme power.

Mr. WILTON: That is the Minister.

Mr. McARTHUR: And the Minister. The primary function of the authority will be to promote, market and arrange travel to and within Victoria. If it does not carry out this function properly and it interprets its role in any incorrect way, the Minister or the Governor in Council has a supreme power over it. I cannot for the life of me understand why the National Party should be worried about this.

The clause was agreed to, as was clause 14.

Clause 15 (Officers and employees).

Mr. KENNETT (Burwood): As the honorable member for Noble Park said in speaking to clause 3, this Bill is important to the future of the travel industry in Victoria. I was a little concerned about a report in the daily press recently, allegedly a statement by the Minister, that the people who are now employed by Victour, some 179 people, would be given the opportunity, and in fact would be invited, to join the new authority. I make the point that if the authority is to be successful, and I certainly hope it will be, it will need a tremendous injection of new people with fresh ideas and with private enterprise backgrounds and expertise.

It may be that a transfer of the public servants from Victour into the new authority will be detrimental to its success under these new arrangements. That is not to say that those people will not be protected. They can be disseminated throughout the Public Service if they do not stay with the new organization. But if the new authority is to be successful the three men comprising it will have to be stringent in considering applications for employment, regardless of where the people come from.

Mr. McINNES (Gippsland South): I again refer to the letter from the Public Service Association, which my colleague, the honorable member for Gippsland East, read, and which expressed the real concern of that organization. The honorable member for Burwood has indicated that the Bill provides that the entire staff of Victour will be taken over or will have the opportunity to move to the new authority. If that happens one of two other things will be necessary. Either more people will have to be added which will make the authority even more top heavy, if that is the accusation levelled against it, or there will have to be a savage culling out process. But, either way, what the honorable member for Burwood has said is a severe indictment of the Public Service, which I do not think is warranted.

Mr. McARTHUR: Do you want efficiency?

Mr. McINNES: That is exactly what I am talking about; of course we want efficiency, but are we going about it in the right way? Members of the Government party have indicated a total lack of confidence in the Public Service, although Sir Henry Bland, in his report, said that frequently people move from commercial industry into the Public Service when there was a need for the skills they were believed to hold. There does does not seem to be much point in setting up the statutory authority when the honorable member for Burwood says that it will be torn down within twelve months.

Any person who is appointed as chairman can look forward to a pretty short term of office.

Mr. COLLINS (Noble Park): This clause states that the authority may employ as many officers and employees as it considers necessary to be employed for the purposes of this Act. I sincerely hope that the chairman and his cohorts on the board of the authority are allowed to carry out the provisions of clause 15 (1) to the letter. At the moment the role of the chairman has been curtailed because some 173 employees of Victour have been invited to move sideways into the new authority.

In all fairness I should say that there are many good people in Victour who have served the State well for long periods. But there are others who are not promotionally activated. It may be said that some are warming seats. They should not be employed by the new authority if it is to work properly. I am afraid the chairman will find his hands tied if he has to accept as many as 173 employees from Victour without being given a chance to set new guidelines. If he were able to set guidelines, it might be found that the majority of that staff could be usefully employed.

However, some of them may not be at home in a busy, promotional atmosphere. Perhaps their time in the Public Service is coming to an end and they should be given the opportunity to fill jobs more suitable. We should give these people a chance to join the new authority, but it should be remembered that we need people who can do the job.

The clause was agreed to.

Clause 16 (Consultants).

Mr. KENNETT (Burwood): The authority will have a difficult job and, if it is to work properly, this clause is particularly important. I hope it means that the Minister will have at his disposal a committee of people drawn from private enterprise and and consumers who, at all times, can make an input into the Minister's directory as to the requirements and needs of the travel industry in Victoria and information about what is happening overseas. If that were done, the Minister would have a group separate from the authority advising him on the requirements of the travel industry of the State.

If the authority is to be successful and the Minister is to have a considerable amount of responsibility in its administration or direction, such a body would be important. I hope a committee of this type, reflecting expertise in the industry, will be set up quickly after the three-man board has been appointed.

The clause was agreed to, as was clause 17.

Clause 18 (General funds).

Mr. McINNES (Gippsland South): Clause 18 concerns finances and guarantees and it indicates that public money will stand behind this authority. Clause 18 (4) provides for refunds where payments have been made for services, by reason of services not being provided or available in accordance with a reservation or arrangement. This is a necessary provision because this already happens in the commercial travel industry, and the record in what I would call the legitimate travel industry, has been extremely good in this regard. In the case of the collapse of the agency known as Four Seasons, the industry got behind the company and, as a commercial operation, ensured that everyone either had their money refunded or had their bookings honoured.

On the other hand with travel consolidators such as AUS Student Travel Pty. Ltd., the money lost was a cost to the public. Trans Australian Airlines is down the drain to the extent of $482,376, and Quantas for $792,254. A scheme of arrangement which, frankly, most industry people do not believe has a hope of working, has been set up. But the public purse will make up for what was lost by this privileged group. It

provided cut rate fares for students in many categories. One could still be a student if one was a solicitor and had attended the university many years ago. That is the loose sort of arrangement that was being abused. Some arrangements were also contrary to the Federal Air Navigation Regulations.

But the Government suspended inquiry into that organization although I am glad to hear that, after some pressure was brought to bear on him, the Minister of Tourism agreed that an inquiry should continue into that company.

The point is that when we provide guarantees we should not take them lightly. Are we assisting businesses to go to the wall? After having helped to demolish the small tourist agencies, which have generally kept their houses in order, are we to advantage such organizations as banks or is the authority to control the whole industry, as our friends of the Labor Party would like?

The clause was agreed to.

Clause 19 (Borrowing by authority).

Mr. COLLINS (Noble Park): We are now getting into the area of Government guarantees, which this authority will enjoy. This is a privilege that is not extended to other areas of the travel industry except for the recent arrangements made regarding the AUS Student Travel Pty. Ltd., which owed a debt of some $4 million to seven international airline carriers.

I understand that Victour has operated at a loss of $1·6 million for the last year. One can reasonably expect that promotion of tourism should be subsidized by the taxpayers of Victoria to the extent that it benefits the whole of the community. But if we approach this new authority with the thought that the Government should subsidize it, it should be subsidized only inasmuch as tourism as an industry will be assisted.

I am concerned about the manner in which the new authority starts with, as it were, a built in loss factor from the word go. I understand that it will probably incur a loss of $1·9 million in the first year in order to give it a flying start.

In considering the losses of the travel industry generally, without such funding it must be realized that something has to be done quickly to help those who are trying to do a good job. I am not talking about the charlatans. There are still a few of them, but they can be got rid of. However there are many decent travel agents who try to work with the airline system and who provide great services for small returns.

A person who wants to buy a ticket for international travel may have an itinerary drawn up by his local travel agent. The agent is so close that the customer can walk to his office. It is possible that two or three days' work can be put into drawing up an itinerary for no return at all. The customer may then decide to buy his ticket from the Victorian Government Tourist Authority because he knows that his money will be guaranteed by the Government.

We will have to monitor the operation of the Act to ensure that legitimate travel agents are not victimized. This sort of thing happens with the airlines already. In many cases itineraries are drawn up by travel agents and then the individual concerned buys his ticket direct from the airline. We must try to help the travel agents who are doing the right thing. They, in return, can work with the authority to achieve the objective of promoting travel. It is rather a pleasant way to be able to commence a new business, having a new tourist authority with a considerable bank balance and the Government behind it. I only hope there is profit orientation amongst those who assume control of the authority. It is important that those persons are profit conscious and profit motivated, because if they are

not, by the year 1980 the Government will be providing a subsidy of $2·5 million to keep the authority operating.

Mr. KENNETT (Burwood): I support the remarks of my colleague, the honorable member for Noble Park. This clause is the financial clause which gives the new Victorian Government Travel Authority a considerable advantage over existing travel agents. It gives the authority the right to borrow almost unlimited funds dependent only upon the approval of the Minister. Quite obviously these unlimited borrowings are not available to small businesses and provided that a justifiable reason can be given to the Minister, as the clause provides, there is almost unlimited finance available to the authority.

If these funds are utilized in the way I would envisage, they will be used for the promotion of Victoria. This will affect the business chances of small travel agents who do not promote Victoria to the same extent. One could say that if the authority promotes Victoria to this extent, it will attract the custom of the people in this State and therefore its operations will have a detrimental effect on small businesses.

I again direct this aspect to the attention of the Minister, as I believe the Government has to be extremely careful in the implementation of this authority, especially with its charter, to ensure that it does not enter too heavily into competition with private enterprise. Therefore, the expenditure of its moneys should be solely for the promotion of Victoria as a tourist resort and should not in any way deal with the travel of people out of this State by utilizing neighbouring State tourist authorities or overseas travel agencies.

It is for that reason that I again urge the Minister to ensure that every year for the next couple of years the Parliament should keep a stringent watch on the operations of the authority and, if necessary, the Government should be prepared to change the character of the authority to ensure that the Victorian Government Travel Authority will be a travel authority solely concerned with the promotion of Victoria as a tourist area and that the marketing of travel should be left to private enterprise.

Mr. McINNES (Gippsland South): The concern expressed by the honorable members for Burwood and Noble Park is well founded, because on the question of financial underpinning, the Committee should briefly examine how a travel agent becomes established.

Firstly, the person has to open a business to market travel. This involves selling travel tours and documenting them, all without return to himself—without a cent of commission in most cases—until such time as he is able to establish productivity levels to the satisfaction of principals involved in the travel industry, on the one hand to the International Air Transport Association—IATA—and on the other hand to an association called the Australian Passenger Agency Committee—APAC. Only when those associations are satisfied that the agent is capable and has the ability to generate travel—that is new travel and not simply to divert travel from other agents—and that he employs competent and professional staff and is able to remain in business, does he become recognized and accredited.

What the Government is now doing is giving a tremendous financial advantage to its own travel authority, similar to that available to the Royal Automobile Club of Victoria and the banks—the strength in this area—which have the capacity and financial resources. The Government, instead of assisting the travel agent, is running him out of business.

The clause was agreed to, as were clauses 20 to 29.

Clause 30 was verbally amended, and, as amended, was adopted, as were clauses 31 and 32.

Clause 33 (Regulations).

Mr. COLLINS (Noble Park): My final comment on the Bill will be this: Although I wish the authority well, I hope the chairman who is appointed will be able to keep its operations pointed in the right direction in terms of its philosophy and business development.

For some time I have been concerned about the number of regulations related to Acts and amendments to Acts that daily arrive in my office because of my position as a member of this Parliament. There is no possibility of my keeping up to date by perusing them.

However, I can assure the officers of the Victorian Government Travel Authority and the Governor in Council that I will read every single word of each proposed regulation for this authority. If I do not agree with the proposals, I shall bring them before the House to seek clarification. Later, if there are any changes that I do not like, I shall also bring them to the attention of those members of the House who are concerned with the manner in which the authority conducts its business.

It is difficult for a member of Parliament to keep up with these changes by regulation which seem to be occurring at an increasing rate. Today government by regulation is almost the name of the game, but I hope there are not too many regulations for this authority, which I wish well for the future.

Mr. McARTHUR (Ringwood): Like the honorable member for Noble Park, I still have the feeling, which has pervaded this debate, that there is a worry amongst members of the National Party, and perhaps to a lesser degree amongst members on the Government side of the Chamber, that this Bill will detrimentally affect the small businessman engaged in the travel industry.

However, if honorable members examine the Bill, they will see that the primary function of the authority is to promote and market travel, to make travel arrangements, to provide travel information services and to advise the Minister. Its operations are totally predictable, and if the authority does not adhere to them there is power for the Minister and the Governor in Council to take the necessary action.

If honorable members logically examine the Bill and if they hold fears for the travel industry, then a careful reading of the clauses will reveal that those fears are not justified.

Mr. McINNES (Gippsland South): I compliment the honorable member for Noble Park, who expressed the view that in this State it is rapidly becoming government by regulation. It has been a feature of this Government for far too much to happen behind the backs of members of Parliament. When regulations are changed, quite frequently the first honorable members know about it is when they read it in a newspaper. I suggest that honorable members are abdicating their responsibilities as Parliamentarians in far too many ways and I hope the warning given by the honorable member for Noble Park is noted and that the Government and the Parliament take action.

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

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

LAND TAX BILL (No. 2).

The debate (adjourned from November 10) on the motion of Mr. Hamer (Premier and Treasurer) for the second reading of this Bill was resumed.

Mr. CRABB (Knox): This is an annual Bill which comes to the House to ratify the rates of land tax that will apply for the ensuing year. However, this Bill is a little different, because as I understood

the second-reading speech of the Premier and Treasurer, the Bill will remove the need for annual Bills for at least the next three years. What it purports to do is to introduce a new scale, which has been indexed in line with the average increase in land values.

One of the concerns of the Opposition regarding the Bill is that there has been no explanation of how the average increase in land prices has been arrived at. It has been introduced with a factor of 120 per cent and the method of indexation that has been adopted has been to increase the parameters of the total land taxes by 120 per cent. If the value of a piece of land has increased in the four-year period by 120 per cent, then the owner of that land will pay duty at the same rate as he would have before, but on the new value and not on the old value.

What the indexation aspect has achieved is to remove the progressiveness of the tax scale so far as inflation is concerned. Nevertheless there will be a significant increase in land tax receipts because of the introduction of this Bill and it is to that aspect I now turn.

It seems to me that if the values of land have increased by 120 per cent, one ought to have expected the tax receipts being received to have increased by 120 per cent, not by any more, because people should be paying the same land tax rates as they were before, but on a higher land value.

From the Budget Papers—and I think the Premier and Treasurer mentioned this in his second-reading speech—it appears that the estimated income for the State from land tax this financial year is $72·7 million, which is a 21 per cent increase on the previous year when it was $60 million.

According to that estimate there has been an increase of 150 per cent in land tax receipts in the past six years, the equivalent of an annual increase of 17 per cent, which certainly seems higher than the rate of inflation for that period. The last time there was a huge rise in land tax rates was in 1974–75 when the new valuations took effect. In that year land tax receipts increased by 60 per cent from $33 million in 1973–74 to $53 million in 1974–75.

This scale of taxation, which will be included as the Second Schedule in the Act after this amending Bill is passed, will have the effect of increasing tax receipts by 120 per cent—for every $100 taken last year one would expect $220 under this schedule. The scale is now lower; the parameters are wider by 120 per cent. I am aware of the fact that there is a 15 per cent discount in the first year, a 10 per cent discount in the ensuing year and a 5 per cent discount for the year after that. I would have expected an 87 per cent increase in a year. Since the Budget Estimates are for half a year I would have expected the estimate to be 43 per cent up on the Budget figure of last year.

The Premier, by interjection, says that the rise is the effect of indexation of the scale. I do not think the Premier understands the point I am making. The point is that the indexation of the scale has taken out of the taxation progression which would have been there if the scale had not been indexed. People ought to be paying the same tax rate as before. They will stay in the same tax bracket but pay that tax at an increased value. If values have increased by 120 per cent the tax should have increased by 120 per cent.

Mr. WHITING: Hasn't the rate been reduced

Mr. CRABB: No, the rates are exactly the same as in the previous schedule. The parameters have changed. Whereas the starting

figure on the old scale was $17,500, the starting figure now is $38,500—2·2 times as much. Each of the starting points of the new tax rate have increased by 120 per cent but the tax rates stay the same. Logically one ought to be getting a tax increase of 120 per cent because the values have increased by 120 per cent. Everyone would welcome that. The rates have stayed the same because indexation has stopped the rates from going higher. The only basis upon which I can see that the estimate of $72·7 million has been arrived at must be the increase in the statutory exemption, which would have some effect in reducing the estimated figure. I would not have thought it was as much as indicated by the figures I have outlined.

I would have expected a 120 per cent increase in taxation but there is a 15 per cent discount in the first year. That takes it to an 87 per cent increase in a full year. It is only included for a half year in this financial year so I would have expected a 43 per cent increase. However, there is a 21 per cent increase—what has happened to the other 22 per cent?

In South Australia, where a similar situation was introduced, I am informed that the actual income from land tax the year after the amendment was made was much higher than it was expected to be. I would be grateful if the Premier and Treasurer would explain this inconsistency.

Mr. HAMER: Are we not taking enough land tax?

Mr. CRABB: I am not asking that. I am seeking an explanation of the inconsistency in the figures that the Treasurer has presented.

One of the other questions in my mind is how the average was arrived at. I have certainly received representations from the municipal valuers group of the Australian Institute of Valuers. They are somewhat concerned that they have no idea how that average was arrived at. However, that is a minor point. It is still important to Parliament to know how these averages were arrived at.

In purchases in Wodonga there was an average value calculated by the Valuer-General that applied to all land sales in the State for any purpose. There was an index calculated for the Geelong area and what concerns me is that the Wodonga figure came out at a much higher level than the figure used in Geelong. A great deal of care is needed in arriving at an average figure for the increase of land values. Some industrial land has decreased in value.

Mr. BIRRELL: The Victorian increase used in Wodonga was 109 per cent for three years.

Mr. CRABB: It was something like that. It was taken as an average for the whole State.

The fact is that the one in Wodonga came out at a much higher figure. If an average was calculated on a sample basis, one would have to be sure that the sample was representative of the State as a whole because it is important when using an index for taxation, as the consumer price index is used in income tax, to use a sample that is right. Arguments occur about the consumer price index and its validity. The Treasurer should inform the House how this index was arrived at and whether it represents an average increase in land values.

The other aspect of this Bill I wish to raise is the general level of land tax rates in Victoria. According to the information I took from the annual summary of the Taxpayers Association of 1976, Victoria's top rate of land tax is 4 per cent—four cents in the $1—which remains the same under this Bill as the previous Bill. Victoria's rate is higher than that of any other State in Australia. South Australia's rate is marginally lower at 3·8 per cent; Tasmania

at 3 per cent; New South Wales at 2·4 per cent and Queensland is the lowest at 2·1 per cent. Western Australia has a two-tier system under which a charge of 2·4 per cent is levied on improved land—that is, on the unimproved value of improved land—and a charge of 5·25 per cent on unimproved land. I do not know if the Henry George League has had more success in Western Australia but it seems to be the only Government to make a distinction between improved and unimproved land.

A matter of concern to me is that Victoria has the highest land tax, which causes a lot of problems for the community at large. It tends to rest largely on business and industry and particularly those who use large spaces of land or expensive land. In that regard it becomes a tax on business and is inevitably passed on in rising prices. If, as I have suggested, one is really looking at an increase of something like 100 per cent in a full year, that is inevitably a tax that will lie heavily on business and, in these difficult economic times, it will either be passed on in terms of higher prices or unemployment will increase, because companies will cut costs in other areas, namely, wages.

Another matter which concerns me about land tax is the way it increases the holding of development land and land subdivided for new homeowners. There are certainly problems for those people who buy a block of land on which to build their first home. The problems are enormous. There are high interest charges and the enormous expense of providing services for a block. The holding costs for developers are one of the significant areas contained within the price of a block of land. This land tax bears heavily on new homeowners. Consequently, I would like the Treasurer to have taken more positive steps to reduce land tax as a burden on the community. Land tax is a worse burden on the community than is probate duty at its highest levels. The same applies to pay-roll tax—it is a far greater burden on the community at its highest levels.

Mr. WHITING: Except on farming properties.

Mr. CRABB: I do not want to go through that again. The honorable member for Mildura knows that the Opposition understands the difficulty of primary producers, but they do not pay land tax. They are exempt from land tax and consequently I would have thought that the National Party would have considered it a good tax since it does not affect primary producers. There are also rebates on land tax—not within this Act but within the Decentralized Industry Incentive Payments Act—for approved decentralized industries of 100 per cent of land tax. That is to be welcomed. The only remark I make about that is that the rebate is restricted to manufacturing decentralized industries, as are pay-roll tax rebates. I would have thought the Government could consider that being extended to primary and service industries in the country.

The Opposition welcomes the increase in this statutory exemption so that people can reasonably expect the land on which their homes are erected not to be subject to land tax. That is a sensible provision because it would not raise much tax in real terms and would be expected to cost a great deal to collect small amounts of tax from many people. The Opposition welcomes that provision and does not oppose the Bill.

Mr. WHITING (Mildura): As the honorable member for Knox mentioned, this has, up to this stage, been an annual Bill before Parliament to set the rate of land tax that is to be levied throughout the State for the forthcoming twelve months. The situation will change now because of the indexed scale that the Premier and Treasurer introduced into this Bill. In future amendments will require the scale to

be altered only every 2, 3 or 5 years, depending on how the trends of values throughout the State change and the need to raise finance through this method. The complexion of the Government and how much it needs to raise for Budgetary purposes from this sector are also factors that will have a bearing on the scale.

Every year the National Party has moved an amendment along the lines that businesses outside the metropolitan areas be exempted from land tax. It has not met with much success in that field so it changed its tack slightly last year to include a provision that all small businesses, as defined in the Small Business Development Corporation Act 1976, be exempted from land tax.

That fell on fertile ground because at that stage the Premier indicated that he would have an investigation carried out and would consider the situation carefully because he believed there was room for some development in the area. I do not know whether any consideration was given to the matter, but nothing has eventuated from that proposal. I therefore foreshadow that I shall move a similar amendment later in the debate.

All honorable members will agree that at present small businesses are under considerable pressure to overcome their difficulties, particularly in the light of the current economic situation. Provision could have been made in the Bill to exempt small businesses from land tax. Members of the National Party are disappointed that the Premier did not follow up the proposal made twelve months ago.

The Premier referred to the fact that the discounts would be available for the next three financial years—1978, 1979 and 1980—on a reducing scale, and that they would help to reduce the burden of the indexation proposal. In his second-reading speech, as reported at page 11225 of *Hansard*, the honorable gentleman stated that the first proposal of the Bill was to introduce a new land tax rate scale, which has been indexed to the average amount in land values, to remove the effect of progression of land tax rates. As the progression factor has been taken out of the measure, the discounts will probably be required for at least three years, as the honorable member for Knox said, to ease the indexation system into being. Members of the National Party have no quarrel with that proposal. The interesting point is that despite the claims by the Premier that there will be an easing and improvement in the implementation of land tax, the revenue from this tax will increase by 21 per cent this financial year. Obviously, somebody will be paying more land tax than in the past. That is one of the inevitable factors of increased land values.

The National Party does not oppose the other provisions of the Bill—the increase in the level of exemption from $15,000 to $27,500 and the provision to increase from $2 for every $1 above that to $5 for every $1. That will be of some assistance and the raising of the maximum exemption from $22,500 to $33,000 will also be of assistance.

However, the National Party was more concerned with having small businesses, as defined in the Small Business Development Corporation Act 1976, exempted from land tax. That proposal should be pursued with vigour. The definition of a small business, as contained in the Act, reads—

> "Small business" means any business undertaking—
>
> (a) which is wholly owned and operated by an individual person or individual persons in partnership or by a proprietary company within the meaning of the Companies Act 1961 and which—
>
> (i) has a relatively small share of the market in which it competes;
>
> (ii) is managed personally by the owner or owners or directors (as the case requires); and
>
> (iii) does not form part of a larger business or enterprise; or

(*b*) which is owned and operated by any person or persons, whether corporate or unincorporate, specified by proclamation of the Governor in Council published in the *Government Gazette* to be a small business for the purposes of this Act.

A fairly definable group of small businesses could be exempted, should the Premier so desire. It is interesting to note that on 30th November, 1976, when the Leader of the National Party raised this matter, as reported on page 5042 of *Hansard* No. 19, the Premier replied to the proposal—

However, I thought I should indicate the Government's attitude to the amendment. I take the words of the Leader of the National Party to mean that the amendment is intended as a kind of pointed suggestion of which the Government should take notice during the review next year of the whole land tax structure, the rates, and so on. I do not believe it is feasible to withdraw the Bill and redraft it. We certainly would not do that unless we were aware of the impact it would have on the revenue, which we do not know at present because no one has carried out an assessment of how many small businesses are occupying premises on which land tax is payable.

The honorable gentleman went on to say that he would not accept the amendment, but agreed that small businesses desperately needed all the help they could obtain. That situation prevails even more so today than twelve months ago. Therefore, I believe the Premier, if he has not already carried out the investigation that he mentioned last year, should certainly do so this year. The Bill should be withdrawn, redrafted and returned with that provision in it. I move—

That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and a new Bill introduced with a view to declaring the rates of land tax and exempting land on which a 'small business' (as defined in the Small Business Development Corporation Act 1976) is situated thereon".

The DEPUTY SPEAKER (Mr. McLaren): Any further discussion will be on the Bill and the amendment.

Mr. WHITING: I believe the motion is so straightforward that honorable members will be fully aware of its purpose, particularly as a similar motion was moved twelve months ago. At that time the Premier believed it probably had some merit, but stated that he would investigate the ramifications of such a measure being implemented. The honorable member for Gippsland East indicated his delight at the Premier's response and hoped that something would come from the matter. He agreed that it would be difficult to withdraw the Bill at that stage without knowing the ramifications of the proposal.

Having had twelve months in which to investigate the situation, the Premier should be in a position to indicate to the House whether he will accept the amendment and make provision for the exemption from land tax of small businesses, which are having considerable difficulty in staying afloat in the present economic situation.

Mr. KIRKWOOD (Preston): The most staggering effect of this Bill is that the proposed amount of land tax payable in 1978 will be an increase of 87 per cent on that payable in 1977.

In April, 1977, the Minister stated that the new land tax rate scale had been indexed to the average movement in land values to remove the effect of progression of land tax rates. However, the honorable gentleman did not say that the application of the proposed new rates will result in an 87 per cent net increase in the amount of tax paid. The indexation rate has obviously been fixed at 120 per cent. That factor was used to upgrade the old taxable value to the new taxable value. The same factor has been used to increase the amount of land tax payable on the new valuations, and in 1978 the net increase, even after allowing for the proposed 15 per cent reduction, will again be 87 per cent.

I cite an example. In 1977, on a taxable value of, say, $20,000 the tax payable was $89. Indexed at 120 per

cent, the taxable value increases to $44,000. Tax payable on that amount will be $195.80. If the 15 per cent discount of $29.37 is deducted, the net amount payable will be $166.43—an increase on the 1977 tax of $77.43, or 87 per cent. This 87 per cent increase applies throughout the whole table.

The Minister stated that the exemption level will be increased to ensure that the normal home block will not be subject to land tax, in accordance with the declared policy of the Government. This may be the situation in relation to the majority of home blocks, but what about homes on land which is physically and lawfully capable of being developed for other purposes, such as for flats, home units, factories, shops and so forth, and which is valued for rating and taxing purposes on that potential? In part of the Preston electorate more than 200 homeowners will this year be liable for land tax because their properties have the potential for this other type of development, even though they continue to be used for single dwelling purposes and will do so for many years.

All honorable members will quickly grasp what I am saying. In any business district there can be a home that has been there before the strip development took place. A family could have been living there for 50 years or more. An old infirm lady or gentleman may be living there and may have to pay land tax based on a valuation determined by the business potential of the property.

The house may be situated in an industrial area or one which, under council by-law, is designated for flat development. The by-law will provide that a block with a certain frontage may be used for flat development and, if the block on which a single dwelling is situated conforms with those measurements, it will be subject to this potential valuation.

This position applies in many municipalities throughout the State and perhaps authority should be given to the Commissioner of Land Tax, upon application by an owner-occupier of residential use land, to levy land tax at a lower rate as is currently done by councils when levying municipal rates in the form of a residential use rate.

Honorable members will be aware of legislation passed over the years and perhaps an amendment to the Local Government Act, which provided that if a church sold its property it had to pay to the local municipal council the rates that would have been payable on that property over the previous five years. The Commissioner of Land Tax should be empowered to exercise similar progressive thinking with a single dwelling unit situated in a non-residential area.

The Government should amend the Local Government Act to provide for improved properties to be valued on the basis of the use to which the land is being put at the time of the valuation. There is no reason why those people who are active in municipal affairs and in making decisions in council ought not to be seen to be humane and dispense some sort of justice to those people, such as the 200 homeowners in the City of Preston, who will have to pay this anomalous rate of tax when they live in a single dwelling unit.

Twelve months ago, on a similar Bill, the Labor Party adopted a particular attitude towards a similar amendment moved by the Deputy Leader of the National Party, and I suggest that the party still holds the same attitude. The National Party seems to be good at pushing barrows but never seems to make the wheels turn. The Labor Party would not be in favour of the amendment moved by the honorable member for Mildura.

Mr. CRABB (Knox): The Deputy Leader of the National Party has indicated that the amendment is similar

to one which the honorable member moved last year. I was surprised at how pleasant the honorable member was when he moved it this year because, during the debate last year, the Premier was quite effusive in welcoming the suggestion. Indeed, the honorable member for Mildura did not withdraw the amendment but did not pursue it to a division. At that time, the Treasurer stated that it was one of the aspects the Government would be considering when land tax was reviewed this year. I am disappointed that on this occasion the Treasurer has not mentioned that any review has been undertaken.

The Opposition is unable to support the amendment for two reasons. One is the same as was put forward last year: That the Bill must be passed in order that the tax may be levied from 1st January next year. Therefore, it is fatuous to suggest that the Bill ought to be withdrawn at this stage. Nevertheless, members of the Opposition understand the motive behind the amendment, which is to assist small businesses. The Opposition would support assistance in cases where help is really needed. Many small businesses are in great difficulty and have special difficulties of their own. Everyone wants to assist these small businesses.

From the employee's point of view it is preferable to work for a small employer because a real relationship is built up between the two without the bureaucracy and the paternalism which comes with the larger employers. During my lifetime, I have preferred to work for a smaller employer. Of course, working for oneself tends to be better than any of them.

Mr. WHITING: Is that the capitalist streak coming out?

Mr. CRABB: No, working for oneself is not being a capitalist; it is being an individual. The concern of the Opposition with the amendment is the extent to which the exemption from land tax would really assist small businesses. One cannot make a judgment on that without some data to show what effect it will have. Obviously, a small business which occupies a lot of land, especially expensive land such as a city property, would benefit greatly, but maybe that is not the sort of small business which needs help. Perhaps the ones that need the help do not pay land tax anyway. Decentralized industries in country towns do not pay land tax anyhow and small businesses in the country come into that category. Admittedly this would not necessarily apply to retailers or the service industries generally.

The Opposition certainly supports assistance to small businesses, but in the absence of factual data to support the claim that the exemption proposed by the amendment would be proper and equitable, and would actually assist small businesses, the Opposition cannot support it.

I would have expected the Treasurer to provide this sort of information in his second-reading speech because last year it seemed to be understood by all honorable members that this would be done. It would have been of benefit to honorable members to know what opinion has been arrived at. It appears that, having considered the amendment moved last year, the Treasurer has decided not to incorporate the proposal in the Bill. If that is the case, the Treasurer ought to explain what aspects were considered in arriving at that decision.

Mr. HAMER (Premier and Treasurer): Several matters have been raised during the debate and I shall deal with the main points, especially where questions were asked. The honorable member for Knox asked how the average increase in land tax valuations was arrived at. This was arrived at in precisely the same way as any valuations are decided upon, on advice of the Valuer-General. All honorable members will accept that the Valuer-General has the best range of information and data in this State

readily available to him. He has suggested that 120 per cent is the increase between 30th June, 1970, and 30th June, 1974, which are the two relevant dates. I direct attention to the fact that the valuations now operating for next year, 1978, are in fact valuations prescribed by the Valuer-General as at 30th June, 1974. He has given the figure of the average increase which is not difficult for him with the information he has available.

The honorable member for Knox also asked why there will be an increase in land tax of only 21 per cent. There are various reasons for that. I am not sure whether the honorable member for Knox was complaining that the tax was being increased by 21 per cent whereas he would have expected a 42 per cent increase or some greater figure. Land tax has risen very little in the past few years, about 6 per cent each year. This has been caused because of various reasons, one being new taxable properties coming into the field. The scale of valuations has been increased and so the payers of land tax have had a fairly easy run. Even the increase of 21 per cent next year is not unreasonable; when spread over three years, it is really quite small.

Mr. CRABB: That is only for one-half of the year.

Mr. HAMER: That is so, so that the increase will be 42 per cent in a full year. The reason why it is not more than that is that it equals about one-third of the 120 per cent figure given by the Valuer-General and then there is the effect of indexation, which will increase it progressively over the next two years to the full 120 per cent. Therefore, the honorable member need not be despondent if he wants a higher tax—I do not—because it will appear in due course. Meanwhile, I welcome the fact that, by and large, the increase spread over three years has only just about kept pace with inflation.

The amendment moved by the National Party is the same as the one moved last year. The Government certainly did look at this whole proposition as part of the considerations in establishing what would be a reasonable scale of land tax and what would be reasonable exemptions under the Bill. Problems arise in trying to relate a tax on site value to what is going on on a particular area of land. This is quite difficult, as the Government found, and if a house is used for a residential home, the Government will have to provide an exemption and it is then necessary to get specific returns showing which properties are in fact used for residential purposes.

It is much more difficult when trying to determine whether a small business is operating on a particular piece of land. Firstly, there is no register of small businesses. Small businesses can qualify for certain assistance but they must approach the Small Businesses Development Corporation and establish that they are small businesses. There is no register, municipal or otherwise, showing that a particular piece of land is occupied by a small business.

Another problem is that it is a flexible category. A business may be in a small business category one year and then it may change, be sold, or have more partners than prescribed in the definition, or may have a larger turnover, and so it is no longer a small business. It is a fluctuating, flexible category and this is a very unsatisfactory basis for making an arbitrary decision as to tax.

Mr. WHITING: It could be done by rebate.

Mr. HAMER: It could be done by way of rebate. This is exactly why, for the purposes of decentralization, the Government has chosen to apply a rebate system in regard to the payment of pay-roll tax and land tax. In this sense, a business which applies for a rebate has to show its qualifications. I am not saying that this would be impossible in this case, but the Government did run into these difficulties.

On the present information, I am not able to inform the House how much revenue would be affected by exempting small businesses from land tax. I hope to have that information but I am not in possession of it now. I am not prepared to accept an amendment which would have an undefined effect. I know that I said this last year, but when the Government examined it this year, it found that it needed more information.

As I was last year, I am fully sympathetic to the plight of small business. The Government has done all within its power to assist small businesses with advice, finance, pay-roll tax exemptions and in every way possible. As a result of the recent power strike, the Government deferred the payment of pay-roll tax. The Government has assisted in every way it can.

I also pointed out that a large range of small businesses is already exempt from land tax. That category comprises all small businesses involved in primary production and all small businesses that qualify as decentralized industries. At least members of the National Party, honorable members who represent country electorates and the people within those electorates have substantial concessions on land tax in connection with farm land and small decentralized establishments.

The other point I make is that land tax is deductible as a business expense, so that if the Government made a rebate available the unfortunate result would be that approximately half of the amount paid out of our penury by way of rebate would inflate the coffers in Canberra.

Mr. CRABB: That also applies to decentralized industry.

Mr. HAMER: I am aware of that. In this case and in other similar cases where the Government is attempting to assist decentralized industry, I would like the Federal Government to take a different view and create an exemption. The State Government would then be much happier about granting this type of rebate.

There are obvious difficulties in establishing this type of exemption and the Government needs a lot more time and information before it is prepared to do so, although it is deeply sympathetic to the plight of small businesses and is extremely anxious to do whatever it can do reasonably to solve their problems.

A somewhat similar observation applies to the matter raised by the honorable member for Preston. He put forward a case on behalf of people who were liable to land tax who were rated on the basis of the intended use of their land. When I was Minister for Local Government the Local Government Act was amended to allow rates to be levied on a different basis for land that was zoned for residential use. That is the problem the honorable member was discussing. This is a difficult problem to solve because to levy land tax on sites valued on the basis of present or intended use is a concept that requires data that is not available at present and would be expensive to provide. However, I shall investigate that matter and consider its inclusion in a future Land Tax Bill.

I think I have answered all the queries raised in the debate. The Government cannot accept the amendment, although it has sympathy for the plight of small business. I am prepared to continue the investigations already made in some detail in an effort to ascertain how the Government can assist by way of rebate.

The amendment was negatived, and the motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6289 s. 6).

Mr. CRABB (Knox): I shall reiterate the matters raised in the second-reading debate because I believe they were not dealt with adequately. The fact is that the Second Schedule, which will be inserted in the principal Act by the provisions of clause 2, will mean that the 120 per cent increase in the rates contained in the schedule will result in a corresponding 120 per cent increase in the tax payable, not the 21 per cent increase indicated in the Budget Estimates between one financial year and the next. A person who owns land, the valuation of which has increased by 120 per cent in the financial year, will find that his land tax has also increased by 120 per cent. The figure in the Budget Estimates does not reflect that.

The only amelioration of this is a 15 per cent discount. If the discount of 15 per cent is subtracted from the 120 per cent increase over the period, the resultant increase in tax is 87 per cent. In the next calendar year, compared with the last calendar year, the tax payable will be almost double. It is not good enough for the Premier to say that the increase will be only 21 per cent because if one doubles that figure and multiplies it by three one arrives at a figure of approximately 120 per cent. The fact is that in one year people whose land has increased in value in line with the schedule will pay 87 per cent more tax in 1977-78 than they did in 1976-77.

Mr. WHITING (Mildura): Although I appreciate that the Premier has sympathy for small businesses, there is an old saying that an ounce of help is worth a ton of sympathy. While it is nice to have the Premier's sympathy, I should like to see a little more help.

I am not quite sure that I follow the arithmetic of the honorable member for Knox, but perhaps the Treasurer will explain more fully whether there has been an increase of only 21 per cent or whether the increase in the tax collected will be 87 per cent in the full twelve-month period.

Mr. HAMER (Premier and Treasurer): I draw attention to what I actually said during the second-reading debate. I said that the estimate for land tax to be collected in the financial year from 1st July, 1977, to 30th June, 1978, was 21 per cent higher than that collected in the previous twelve months. Obviously that takes into consideration six months at the current valuations and six months at the new valuations, but at a reduced rate. The over-all effect within the three-year period will be to equate the tax with the increase in valuations.

That is necessarily so. It would have been iniquitous to have applied the existing rates to the increased valuations. That would have increased the tax payable by an enormous amount. It has been indexed so that people will pay, in equivalent dollars according to the valuation of their properties, what they would have paid three years ago. They are protected against the progression of the tax rates.

That principle has been approved of by both the Opposition and the National Party and it is a sound principle. Of course, the tax will rise, but it will rise overall, as affected by the discounts I have mentioned and also by the fact that there has been some increase in the past two years—it was a slight increase of approximately 6 per cent a year. Overall, people will pay an equivalent in dollars according to the rise in valuations.

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.

CRIMES (MARRIED PERSONS' LIABILITY) BILL.

The debate (adjourned from November 15) on the motion of Mr. Jona (Minister of Immigration and Ethnic Affairs) for the second reading of this Bill was resumed.

Mr. CAIN (Bundoora): The Bill deals with the legal liability of married persons in a number of criminal matters. Its introduction was recommended by the Law Reform Commissioner, Mr. Smith, who has recently retired.

On behalf of the Opposition I pay tribute to Mr. Smith's work during the three years he occupied that position. Mr. Smith was the first Law Reform Commissioner this State has had and he carried out his functions with great distinction. On previous occasions I have pointed out that he also carried out those functions with very little assistance. Unfortunately, Victoria runs its Law Reform Commission on a shoestring. Mr. Smith had the assistance of one researcher and one typist. The commission's total budget is approximately $40,000 or $50,000 a year. It is virtually a one-man show.

Victoria comes off very badly in a comparison between what it is prepared to spend on a law reform commission with what the other States and the Commonwealth are prepared to spend. In New South Wales there are six full-time commissioners, who are paid large salaries and who do a lot of work. In most other States the commissions have a number of full or part-time commissioners and the Australian Law Reform Commission now has five full-time commissioners and six or seven part-time commissioners. It has a total establishment of 26 or 27 people and an annual budget of approximately $750,000. An annual meeting of law reform bodies in Australia is held and the three bodies concerned with law reform in Victoria compare unfavourably with those of the Commonwealth and other States.

I am concerned that the measure has taken so long to come before Parliament. The Opposition does not oppose any of the matters that have been dealt with in the commissioner's report. They are concerned with a number of old rules, some of which are quite quaint in their application and effect. The rule relating to marital coercion presumes that if a wife commits a crime in the presence of her husband, she has committed that crime under his coercion and therefore must be acquitted. That rule has been the law for hundreds of years.

In dealing with the history of that rule, Mr. Smith's report relates how there were attempts to reform the law as long ago as 1883. In later years there were several more attempts. In Canada, the rule was abolished in 1882; in New Zealand, in 1893; in Queensland, of all places, the State which people say is reactionary, the rule was abolished in 1889; in Western Australia, it was abolished in 1902; in Tasmania and New South Wales, in 1924; and in South Australia in 1940. It was abolished in 1925 in the United Kingdom.

It is an anachronism in law, as are the other matters dealt with in the report and in the Bill, such as the relationship between married persons in the concealment of a felony, in being accessories after the fact, receiving stolen goods and conspiracy between husband and wife. I do not wish to comment in detail on any of those reforms. The history of the law and the need for reform are set out in the report.

But why has it taken two and a half years for this Bill to be presented to Parliament? The report of the Law Reform Commissioner was published in June, 1975. He not only set out all of the measures concerned with a great deal of expertise, and enunciated why these reforms should take place, but drafted the amendments required. There was no need for the

Parliamentary Counsel to be involved, except to check that the proposals were in order.

What is wrong with a Law Department that takes two and a half years to ensure that a matter is brought before Parliament? What happens after a report is presented by the Law Reform Commissioner? Does it fall into a hole in the office of the Attorney-General or the Solicitor-General? I understand that a report goes first to the Solicitor-General. Where does it go after that? Perhaps the Attorney-General or the Solicitor-General should prepare a list of the reports and recommendations they receive so that some check can be kept on what is happening.

Mrs. PATRICK: The Attorney-General is doing a fantastically good job.

Mr. CAIN: Compared with his predecessors, he is doing a good job. I do not want to elaborate on how bad his predecessors were, but there is no excuse for delaying law reform about which there is no contest for two and a half years. Since I have been a member of Parliament matters which have been referred to Parliament by the Law Reform Commissioner, the Chief Justice's Law Reform Committee and the Statute Law Revision Committee have been waiting in limbo, sometimes for eighteen months. The longest wait was eleven years. Presumably the report gathered dust in some office in the Law Department.

Honorable members are entitled to know why these measures take so long to come before Parliament. I have not received an answer to that from anyone. I wish there was an answer. I have hoped that back-bench members of the Government party who are involved with and who show interest in law reform might stir the appropriate Minister. I concede that he is more easily stirred than his predecessors, but he still needs a lot of stirring. Many other matters have been waiting for a long time.

Mrs. PATRICK: What do you base that on?

Mr. CAIN: On the time it takes for them to come to Parliament.

Mrs. PATRICK: How long has the Minister been Attorney-General?

Mr. CAIN: More than eighteen months.

Mr. ROSS-EDWARDS: It is a matter of moving papers from there to there.

Mr. CAIN: As the Leader of the National Party interjects, it is a matter of moving these things from there to there, and it happens all the time. In almost every instance there is no contest. The legal profession has been pressing for reform in these areas for years. As the honorable member for Brighton knows, the profession has co-operated magnificently in law reform over the years. It is prepared to make a contribution without reward.

I have had experience as a part-time member of a law reform body and I know that there is nothing more frustrating than proposing law reform and then seeing the recommendation lie idle without being translated into legislation. The enthusiasm that is generated in a law reform body will vary in direct proportion to the certainty with which its proposals will be translated into legislation. Nothing is worse than labouring day after day and week after week without results. After serving his three years, Mr. Smith retired from his position, perhaps a little disappointed that more of the measures for which he laboured were not translated into legislation during his period of service. I think I am correct in saying that seven of the reports were presented to the Government during the time he filled that office and that this is the third report of his to come before Parliament. He retired at the end of 1976, some ten months ago.

I hope the Government will attempt to rustle the dust lying on so many of these matters in the Law Department. The department has a defensive approach to these subjects. Often

it does not want to stir because it has been doing things its way for so long that some officers are concerned about the consequential effects on their jobs if these reforms are brought about.

There is a report by the commissioner concerning delays in the courts, which has not been dealt with by the Government. Honorable members should have something to say about a report which has been lying in the office of the Law Department for two and a half years.

Mr. ROSS-EDWARDS (Leader of the National Party) : The National Party supports the measure. I will not comment on the amendments because they have been unanimously received, not only by members of Parliament but also by the Law Institute of Victoria and the Law Department, and they were recommended, of course, by the former Law Reform Commissioner. What concerns me is that when legitimate, sensible and calm criticism is made of a Minister or the Government, members of the Government party rubbish it. The honorable member for Bundoora took up my interjection that this represents a piece of paper being moved from here to there. There have been no alterations, no debate and no contentious issues.

Mr. CAIN : The section was drafted for them.

Mr. ROSS-EDWARDS : That is correct. It is eighteen months since the Attorney-General came into office. Last Thursday, members of Cabinet and members of the legal profession in both Houses were invited to the Law Institute to have discussions on a social basis with members of the institute. I am sure the ears of those who were not there must have been burning because of the criticism levelled at the Government about the lack of law reform. I do not know whether the honorable member for Brighton attended the discussions but she was invited. I do not know whether it was worth while from the point of view of a member of Parliament, but it is certainly an outstanding social occasion.

The legal profession receives a lot of criticism from the public but in this case it is not the profession itself that is being criticised. It has contributed financially, as the honorable member for Bundoora said, a certain amount of its income being put into a guarantee fund.

I have a high regard for the Attorney-General, but he needs a new broom in his department and more initiative himself. If this rate of progress continues, it will be a sad story in Victoria.

One of the dangers of a Government being in power for a long time is that administration becomes lax. There have been many examples of that lately, many much more serious than this one. If the back-bench members of the Government party can present a defence, now is the time to stand up and do so.

The motion was agreed to.

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

The sitting was suspended at 6.14 *p.m. until* 8.6 *p.m.*

PRIVILEGES COMMITTEE.

ALLEGATIONS CONCERNING THE MEMBER FOR CAULFIELD

Mr. McLAREN (Bennettswood) presented the report from the Privileges Committee relating to allegations concerning the member for Caulfield as published in the newspaper the *Australian Financial Review* and in the letter tabled from Mr. B. Beach, Q.C., together with extracts from the proceedings of the committee, appendices and minutes of evidence.

The SPEAKER (Sir Kenneth Wheeler): I take this opportunity of reading to the House the restriction on certain evidence reported to the House by the Privileges Committee.

Before putting the question to the House, I wish to acquaint honorable members that my attention has been drawn by the Privileges Committee to the fact that portion of the transcript, pages 23 to 34, relates to the evidence which it is claimed may have a bearing on future court proceedings. This evidence was given upon the committee's agreement not to publish the same until legal proceedings, then pending, were finalized. At the present time the matter before the court has not been disposed of.

In these circumstances I believe the proper course to be followed obliges me to impose some restriction on the access to and use of the relevant portion of the transcript. Honorable members may inspect the complete transcript in the Papers Room or such other place as the Clerk of the House finds more convenient. Members may not make copies of pages 23 to 34 of the transcript nor will that portion of the evidence be available for perusal by members of the public.

I might add that these restrictions accord with the wishes of the Privileges Committee.

There is precedent in this place for access to papers to be restricted and I refer to the last occasion in 1965 when appendix 19 of the report of the Board of Inquiry into Scientology was tabled. On the grounds that the appendix contained objectionable material, an order restricting access to the document was made.

It was ordered that the report and attached papers be laid on the table, and that the report, extracts from the proceedings of the committee and appendices be printed.

AGE OF MAJORITY BILL.

The debate (adjourned from November 15) on the motion of Mr. Jona (Minister of Immigration and Ethnic Affairs) for the second reading of this Bill was resumed.

Mr. EDMUNDS (Ascot Vale): The Opposition does not oppose this measure.

Mr. WHITING (Mildura): This Bill deserves to be supported by all honorable members. It provides that for all intents and purposes the age of 18 years will be the age of majority, rather than the original age of 21 years. What that will do to the key of the door situation and other things, I do not know. The Bill presumes that a person of eighteen years of age is responsible enough to take part in any activity, legal or otherwise.

The number of consequential amendments as a result of this Bill is considerable. Schedule Two of the Bill refers to all the Acts in which references to the age of 21 years will be amended to refer to 18 years. This is a good move which brings Victoria into line with most of the other States of the Commonwealth. Members of the National Party have no hesitation in supporting the measure.

Mr. ROPER (Brunswick): I ask the Minister of Labour and Industry to explain one point in relation to clause 4 (3) which concerns industrial awards. Why, although the age of majority is being reduced, is the Government not prepared to provide for adult rates of pay at the age of eighteen under the numerous industrial awards? The Minister would be aware that this provision is contained in a number of awards and that the tendency is probably spreading. I believe the House should hear from the Minister on this matter because it concerns the union movement and members of the Opposition.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Attainment of a particular age).

Mr. EDMUNDS (Ascot Vale): The Statute Law Revision Committee made a detailed study of the effects of reducing the age of majority from 21 to eighteen years. A variety of people provided evidence to the committee. As all other Australian States had already made this move, there seemed no logical reason why the Victorian Parliament should not lower the age of majority to eighteen years. The Labor Party had, of course, advocated that the age of eighteen should be the minimum age required for the franchise. The proposal has finally been accepted by the community.

The Statute Law Revision Committee went through each of the Acts of Parliament which may have been affected by the ramifications of this Bill, and made a decision in each case. Some people were concerned that, for instance, a future architect or a medical practitioner may be considered to be an adult at the age of eighteen years, but may not have gained his qualifications. The simple answer was that it would not matter when the age of majority was; if the course for a medico or an architect was of five years' duration, the person had to do the five years' study.

The committee made a unanimous decision—I believe the Minister of Labour and Industry was a member of the committee at the time—that it was a modern trend which was acceptable to the community generally that the age of majority should be eighteen years. It was certainly acceptable to the committee.

It surprises me that it has taken the Government nearly four years to introduce the measure, but now it is here, it will not cause riots in the streets. I am sure that when members of the community understand the provisions of the Bill, they will accept that there is a change of thinking. If one asks an eighteen-year-old whether he is an adult, the short answer is "Yes". These are some of the reasons why the all-party committee made the recommendations. The Opposition supports the measure.

The clause was agreed to, as was clause 3.

Clause 4 (Construction of proclamations, regulations, etc.).

Mr. MACLELLAN (Minister of Labour and Industry): The honorable member for Brunswick referred to sub-clause (3), which states—

> This section shall not affect the construction of—
>
> (*a*) any industrial award, order, determination or agreement;
>
> (*b*) any instrument made or entered into pursuant to any Act which prescribes wages or other conditions of or relating to apprenticeship;
>
> (*c*) any provisions of any Act governing or relating to conditions of employment or rights or obligations arising from employment.

and asked why this exclusion provision was contained in the Bill. The reason is quite clear: If the Government is going to fiddle with the age at which adult wages must be paid to apprentices, it will act as a disincentive to some employers to employ apprentices.

At present Victoria has a record number of apprentices—more than 36,000—and the increase in their number last year was greater than the increase in all other States of Australia put together. The figures for the months of July, August, September and October of this year show that the number of apprentices has increased by 33·3 per cent. Clearly the Government, through the apprenticeship system, is serving the needs of young people who would otherwise be facing employment difficulties.

Employers are willing to provide paid training opportunities for apprentices and an education system

that is capable of giving them those opportunities and turning them into tradesmen who will be able to serve themselves and the community in a long career, and that is what the Government has to encourage.

Industrial awards are made, firstly, by the parties agreeing under the wages board system, and secondly, by independent industrial tribunals. The whole matter is one for careful negotiations between the employer and the employee interests. It is not the purpose of legislation to impose on employers the need to pay full wages to people aged eighteen years when the matter is the subject of industrial claims, negotiations and sometimes independent arbitration, through either the State Industrial Appeals Court or the Commonwealth Conciliation and Arbitration Commission.

The exception to this general rule on labour and industry matters relating to industrial awards and determinations and apprenticeship matters are contained in the Bill is an expression of something that is of importance to the community. Clearly the payment of adult wages to eighteen-year-olds would be a disincentive to employers who wish to take on people aged 18, 19 or 20 years. The honorable member for Brunswick should be aware of the social significance of that sort of disincentive at times of employment difficulty.

Thousands of young people without jobs, in a system which presumably the honorable member would support of full wages at eighteen years of age granted by Act of Parliament, have to compete with married women who bring skills and experience to the job. They are competing, in many cases successfully, with young people, and more and more married women are coming into the work force at the very time when there are unprecedented problems and difficulties in trying to provide employment.

Mr. Maclellan.

Mrs. TONER: What about the State Budget? It provided not $1 for unemployment relief!

Mr. MACLELLAN: I know the women of Victoria and Australia have come out of their domestic situation and entered the work force and that they have not the slightest intention of going back into the kitchen. If the honorable member for Greensborough wishes to stay in this House, I wish she would stay out of the kitchen, and I hope she will show some understanding of the realities of the community, that is, that in a competitive job situation young people already suffer enough disadvantage.

Mrs. TONER: Whose fault is that?

Mr. MACLELLAN: When the honorable member says by interjection that the Government has provided not $1 in the State Budget for unemployment it just shows that the poor dear has not read the Budget, because if she had, she would understand what I am saying.

Honorable members interjecting.

Mr. EDMUNDS (Ascot Vale): On a point of order, I appreciate that the Minister of Labour and Industry is giving the Committee a long dissertation about unemployment, but he has gone right off the track, and if he could show the Committee where there is any mention in clause 4 of unemployment, then the Committee would be better informed. You ought to bring the Minister back to clause 4, Mr. Chairman.

The CHAIRMAN (Mr. McLaren): The Minister should accept the advice of both the honorable member for Ascot Vale and myself. I was about to say that he should restrict his remarks to the provisions of clause 4 and that there should be no more interruptions.

Mr. MACLELLAN (Minister of Labour and Industry): Twice advised is twice blessed, Sir; I shall take the advice given to me and restrict my remarks.

It is obviously unsuitable to prescribe by legislation the payment of full wages to people aged eighteen years because it will disrupt the apprenticeship training scheme and employment opportunities for young people and because it is properly the subject of claims for negotiation, firstly, between employer and employee organizations, and, secondly, where they cannot reach agreement, by independent tribunals that have the responsibility of final settling industrial claims. After all, it is an industrial relations matter.

Adjustments will have to be made rather than legislation being imposed without regard to the effects it might have. The reservation contained in clause 4 is essential to the opportunities of many young people in apprenticeship training, and it is important that this should be recognized.

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.

HEALTH (AMENDMENT) BILL.

The debate (adjourned from November 16) on the motion of Mr. Jona (Assistant Minister of Health) for the second reading of this Bill was resumed.

Mr. ROPER (Brunswick) : This Bill is an accumulation of amendments, some most necessary, to the Health Act. The principal Act is an aggregation of public health matters, and many of the amendments made in the Bill have been proposed to the Government for the past five or six years.

Naturally, one would wish that the provisions of the Bill were wider. The measure comes before Parliament at an appropriate time. Yesterday a document tabled in Parliament relating to the Commission of Public Health stated that the level of contamination of food and the danger to the community from food poisoning was higher than it had been in previous years. The document referred to recent outbreaks of salmonella, iodine poisoning in milk and a general situation in which an increasing number of food poisoning and associated cases have come to the attention of the commission.

Some matters in the Bill are relevant to that problem. One of the difficulties of the Department of Health in dealing with issues of public health is that it has been poorly financed.

By and large, areas of health inspection and public health have been under-financed compared with other health areas. I will not go through it tonight, but even the inspectors employed by the department have expressed their deep concern about their ability to ensure that the department is able to enforce the existing provisions of the Health Act, let alone the new provisions included in the Bill.

It is significant that the report of the Commission of Public Health contains the statement that, because of the typhoid scare, an outbreak that very much concerned Victoria in April and May of this year, the investigation of the first salmonella outbreak had to be put off because insufficient staff was available to deal with the two outbreaks. This suggests two things: That there are not sufficient staff in the department to deal with public health matters and that the department was reluctant, unfortunately, to use the health inspectors employed by the municipal councils to overcome the problem.

This Bill is largely a measure for consideration of the individual clauses and I should like to direct the attention of the Minister to a number of matters concerning the

clauses. The first clause to which I direct the Minister's attention is clause 2, which provides—

> In section 33(a) of the principal Act, after the word "shall" there shall be inserted the expression, "subject to section 31,".

Section 33 describes the way in which councils will appoint persons to carry out the provisions of the Act and goes on to talk about their removal and their payment. It has been put to me, and it seems to be a possible construction of the amendment proposed by the clause—the reference to section 31—that only medical officers of health and health inspectors can be appointed under section 33. I hope this is not the case.

Mr. WHITING: The council has to get the approval of the Health Commission for all appointees.

Mr. ROPER: They still have to do this.

Mr. WHITING: That has not been the case in the past.

Mr. ROPER: One of the difficulties will be how the Health Commission determines who will get permission. One problem in the appointment of infant welfare sisters is that the commission demands all the details to check on the competence of people and acts in a high-handed fashion in the appointment of these people. Councils appoint a wide variety of persons under the Health Act, but it has been suggested that the construction will impose certain limitations on whom councils may appoint under this Bill. What has been put to me may well be off the legal beam, but it is possible that that could be the case.

The next clause I turn to is clause 14.

The SPEAKER (Sir Kenneth Wheeler): Order! I do not want to stop the honorable member, but he has mentioned clause 2 and has now referred to another clause. I am wondering whether it would be better and would assist the debate if the honorable member deferred his remarks until the Committee stage, when it is possible to debate the clauses individually.

Mr. ROPER: I am trying to deal with the Bill in the same way as the Minister did when explaining it. I am trying to give the Minister the Opposition's view of the Bill so that, if any amendment is required, it can be brought in when the clauses are discussed. Unless I refer to the Opposition's concerns now, the Minister will not be aware of the matters until the clauses are reached. I am trying to adopt the course that was adopted by the Minister and, generally speaking, on behalf of the Opposition, I am responding to the Minister's explanation. In a couple of instances, it may well be that the Minister might want to re-examine the matters I am putting to him, and it will be too late in the Committee stage for the honorable gentleman to do so.

The SPEAKER: I am not directing the honorable member, but it does appear that it would be better to leave these matters until the Committee stage. It must be up to the honorable member.

Mr. ROPER: Thank you, Mr. Speaker. The matter I wish to refer to is the decision of the Government to reinstate into the Health Act sections dealing with the slaughtering and dressing of animals and the possession or exposure for sale of meat. The Minister will recall that in 1973 these sections were removed from the Health Act and inserted into the Abattoirs and Meat Inspection Act. The control of meat inspection was transferred from the Department of Health and the municipal councils to the Department of Agriculture.

Mr. WHITING: The Department of Health still deals with the retail inspection.

Mr. ROPER: Apparently, it has been found that a number of these powers continue to be necessary in the Health Act and this Bill now proposes to reinstate them. The point that the Opposition puts to the Minister is that proposed section 307 differs from the previous requirement of the Health Act on this matter in that it is limited in application to retail butcher shops and makes it an offence to sell or expose for sale any meat that is not branded. Although unbranded meat may be exposed for sale from numerous other places, it cannot be exposed for sale from a retail butcher shop.

The Opposition puts to the Minister that, although the Department of Agriculture inspectors operating under the Abattoir and Meat Inspection Act have similar powers under that Act, the most appropriate way of achieving what the Government desires under this provision is to reword the section and make it apply to all places where meat is sold for human consumption, and not just retail butcher shops. I should like the Minister to explain that proposition.

The next matter that I raise concerns the seizure of any food, drug or substance, but I think this is mainly a matter for debate on clause 17. The health inspectors have assured me that they believe they will experience difficulties under the provisions of clause 17. By the clause, the Government is attempting to get over problems that have occurred on this matter. Adequate powers need to be given to health inspectors to detain goods as well as actually seize them. In the debate on the clause, members of the Opposition will be putting that argument in some detail.

The matter that concerns the Opposition most is the failure of the Government to adequately put into effect, or put into effect at all, the report of the Meat Industry Committee into the disposal of cattle from sewerage farms.

An all-party committee of Parliament unanimously recommended that section 83 of the Health Act should be substantially amended where it refers to the disposal of cattle and the inspection of carcases from sewerage farms and the Night-soil and Sewerage Contamination of Land Regulations 1967.

The committee received lengthy submissions on the subject and the evidence presented substantially backs up the recommendations made by it. Page 13 of the report sets out the committee's recommendations in detail and paragraph 67 states—

> Your committee recommends as follows—
>
> (i) That sewerage authority cattle be slaughtered at any abattoir where meat inspection is carried out by the Victorian Department of Agriculture or the Australian Department of Agriculture.
>
> (ii) That sewerage authorities continue to be allowed to sell cattle for direct slaughter at any age.

The report goes on to discuss ways in which the situation can be changed by amending section 83 of the principal Act as well as a number of regulations.

Members of the Opposition regret that the Government, apparently for political reasons, has chosen not to adopt the report of the committee. I would have thought that, having considered the detailed recommendations of the Meat Industry Committee, the Government would have presented a Bill in which the committee's recommendations were put into effect. Because that has not been done, the Health Act will continue to enshrine a view of public health and cattle feed on sewage farms that is as out of date as the medical practice of 50 or 60 years ago. The principal Act still accepts the fears that were once held but which have now been proved to be baseless.

I have received representations from many organizations on this matter, including the Provincial Sewerage Authorities Association of Victoria. On 17th November I received a letter from the secretary, Mr. J. D. Fagan, in which the association expressed its concern about the fact that the Government had not acted on its promise to implement the recommendations made in the report of the Meat Industry Committee. The letter is lengthy and I shall be happy to provide it to the Minister. However, as attachments to the letter, there are copies of two letters from the Premier. The first is dated 13th April, 1977, and it states—

Dear Mr. Fagan,

Sale of Sewerage Farm Cattle.

I refer again to your earlier submissions about the recommendations of the Meat Industry Committee in regard to the sale of sewerage farm cattle.

I wish to inform you that Cabinet has approved amendments to section 83 of the Health Act 1958 that will allow the implementation of items (i), (ix), (xii) and (xiii) of clause 67 of the committee's report. The Minister of Health is currently preparing instructions for the preparation of an appropriate Bill.

Yours sincerely,
R. J. HAMER,
Premier.

The second is dated 19th September, 1977, and reads—

I have your letter of 9th September, 1977, about the implementation of the recommendations of the Meat Industry Committee in regard to the sale of sewerage farm cattle.

The Government does propose to introduce into the current session of Parliament certain amendments to section 83 of the Health Act in relation to sewerage farm cattle. The final details have not been firmly established, but I shall consult with my colleague, the Minister of Health, and you will be advised further.

It was clearly understood by all those involved that the Government would introduce amendments that were appropriate to the committee's inquiries. On two occasions the Premier committed himself and the Government to that proposition, but the Bill does not carry out that commitment.

When one considers how rarely amendments to the Health Act come before Parliament—they appear roughly once a decade—it becomes clear that unless the amendments are in this Bill it will be many years before they are finally presented. As the Minister would be aware, health inspectors and other people have suggested numerous amendments but the Government has decided not to incorporate them in the proposed legislation, either.

The Government has clearly committed itself to amend the principal Act in relation to cattle from sewerage farms, but for political reasons it has decided not to take this opportunity of doing what all the advice says it should do and what the Premier has said it would do. For the life of us, members of the Opposition cannot understand why the Government has decided not to go ahead with the amendments. They would have harmed no one.

Mr. BURGIN: They would.

Mr. ROPER: I will be pleased to hear from the honorable member for Polwarth why section 83 of the Health Act and the regulations should not have been amended. I look forward to the honorable member saying publicly what he has apparently been prepared to say to the Government in private.

The Opposition does not oppose the Bill but will raise additional matters and make detailed comments on clauses 2, 15, 17 and 18 at a later stage. It is concerned about the Government's failure to delete the provisions of the principal Act concerning the sale of cattle from sewerage farms, for which there is no longer any reason. The Government should have been prepared to accept the evidence given to the Parliamentary Meat Industry Committee and the assurances given by the Premier.

Mr. WHITING (Mildura): The Bill contains a number of unrelated amendments to the Health Act. Like

the Opposition, the National Party has a number of comments to make on various clauses.

Before making those comments, I point out that I am disappointed that the Government has not taken the opportunity of redefining the expressions "council" and "the council" that are defined in the principal Act. The definitions in the Health Act are—

> "council" means council of a municipality; "the council" means the council of the municipality to the municipal district of which the provision in which the term is used applies.

I find that definition completely unintelligible. I ask the Assistant Minister of Health to take the matter up with the Minister of Health in an effort to find a better definition and apply it to all Acts in which the present definition is used.

The provisions of the Bill, particularly those contained in clause 2, have caused some concern to municipalities in the electorate that I represent. The clause relates to the appointment of officers to carry out duties that are related to health problems but do not require the appointment of a medical officer of health or an inspector. Under section 33, councils are given wide powers to appoint or employ all such other officers and persons as are necessary. The effect of the amendment will be to cause councils to refer these appointments to the Health Commission for approval or otherwise.

Surely the amendments should provide that a council may appoint all such officers as are necessary, except medical officers of health and health inspectors. That would clarify the position and allow councils to appoint the other officers. It is generally accepted that municipalities are responsible community organizations and carry out a large number of functions without having to refer those functions to a parent organization of any type. The position could have been reasonably and easily rectified but now there will be doubt in the minds of municipalities about those people they wish to appoint to cover minor health matters.

Mr. ROPER: Such as a part-time night nurse.

Mr. WHITING: Yes. They are concerned whether appointments will be approved without the need for correspondence to pass backwards and forwards. I suggest that is a proposal which the Minister of Health should seriously consider.

The National Party experienced concern over the provisions contained in clause 3 which allows an officer to be appointed by the council to serve notices on an individual for causing a nuisance, for allowing rubbish to accumulate on his property and become offensive and so on. The National Party felt a council was abrogating part of its responsibility in allowing an officer to serve a notice because it was envisaged that at that stage court proceedings would automatically ensue. On further investigation I believe the matter has to come back to the council once the notice has been served and the council then makes a decision on whether proceedings will be taken against the offending person. For that reason the National Party is not unhappy about the proposal.

The proposed amendment covering the use of waste water is also interesting because the definition contained in the Bill is quite intriguing. The clause defines what is not waste water and that definition is very involved. It would probably have been better to define waste water as that type of water which is usually effluent from a sewerage farm or a similar undertaking. The restrictions placed on the use of waste water are perhaps a little archaic, as

the honorable member for Brunswick suggested. I understand that in other countries waste water is used in the production of animals and plants, apart from salad vegetables which apparently are more suspectible to diseases borne in waste water than most other trees and plants. This aspect could be debated at length without a firm conclusion being reached.

One of the problems about which the National Party expresses concern relates to the possible prohibition or the difficulty experienced in the definition of the right of a person to slaughter an animal on his own property; whether the owner of the property or the stock is the only person who can slaughter the animal, or whether the slaughtering can be done by an outside person resident on the property——

Mr. ROPER: Such as an employee?

Mr. WHITING: Yes, that is right, or whether the animal can be taken from one property to another to be slaughtered. Although I agree, the provision is related to sale, honorable members should not forget that a practice which takes place quite legitimately relates to a retired farmer who is living in a town and whose son is operating his property. On one definition of the proposal, the son cannot give his father any of that meat because he is living away from the property.

Any number of problems could crop up under this provision, and if the Assistant Minister of Health can inform members of the National Party that the construction which they are putting on this provision is not the case, then we will be happy.

It appears that gradually the Government is trying to tighten the provision on the slaughtering of stock on small residential areas especially when located within a built-up area. The National Party has no argument about that, but the definition of "farm land" in the Local Government Act refers to an area of 2 hectares. That is rather a small farm but that is the actual definition. Consideration should be given to increasing that figure to provide a larger area of land, especially if the proposals which the Government has in mind are designed to reduce the slaughter of stock on farmlets or even quarter-acre household lots in urban areas. I hope the Assistant Minister of Health will be able to provide a satisfactory answer on that matter.

Another provision increases the penalties for growing prohibited plants. The penalty has been increased to $4,000 and provides imprisonment for a term of not more than ten years, or both. Obviously, following the newspaper headline publicity that has occurred on the growing of marijuana plants and other drug substances, it is probably necessary to increase the penalty to prevent the widespread growth of these substances.

The other provisions are fairly straightforward and are designed to improve the operations of the Health Act. As always there is the problem that once having tightened up various provisions, the next requirement is the policing of those provisions. The problem is further aggravated these days because legal action can be taken against health inspectors for alleged breaches of the provisions and this makes one wonder whether the type of work performed by health inspectors is not perhaps becoming too onerous for them.

Every amendment to the Act makes that work a little more difficult. In some municipalities, the health inspector is involved in many activities. He has to double for various people who cannot or will not be employed. I have a great deal of sympathy for health inspectors in many municipalities throughout Victoria.

Members of the National Party support the Bill with the proviso that the Minister should explain some of the obvious problems in the drafting of the proposed legislation. At the appropriate time I hope the Minister will enlighten honorable members on those points.

Mr. HANN (Rodney): I refer to clause 8 and the fact that it repeals section 205 of the Health Act. This has caused much difficulty in many towns and cities along the River Murray and towns throughout Victoria with flood problems because of the requirement under the section which is related to Regulation 1701 of the Uniform Building Regulations and which prohibits the erection of a dwelling on land which is liable to flooding.

Since the 1975 flood in many of these areas, there has been a fairly close and comprehensive study of previous flood patterns, particularly on the River Murray. The report of the State Rivers and Water Supply Commission contains a plan of the 1870 flood. That flood was more than 100 years ago, but if one accepts its impact on Echuca and the surrounding area for instance, it would literally stop building permits from being issued in approximately two-thirds of the city. Similarly, in the Shire of Deakin, in an area known as Echuca Village, it would prevent a large portion of land from being used for this purpose.

Earlier this year the Minister for Local Government gave an assurance that he would change building regulation 1701 and eliminate the reference to the highest recorded flood and make provision for what is termed, as I understand it, the anticipated flood level. I expect that this will enable councils, particularly the Echuca council, to determine levels according to the last-known highest flood level. In this instance, that is the 1975 level.

The provisions of section 205 are basically historic and if combined with building regulation 1701 could make things difficult for many people seeking building permits in these areas. Recently in the City of Echuca it was necessary for the council to appeal to the building referees for permission to over-ride this section of the Uniform Building Regulations in order to proceed with its new arts complex to which the Government substantially contributed. Otherwise, the new arts complex would have had to be built above the 1870 flood level. Although one can never be sure, there is always the inherent problem that there may be an equivalent or worse flood. It is not realistic to adopt the 1870 flood level, particularly when one considers the number of dams that have been constructed on the river system and the change in flood patterns in the past 100 years.

Therefore I am pleased that the Government has seen fit to provide for the repeal of section 205 of the Health Act in the proposed legislation. Many people within the Department of Health have been conscious of its impact on people throughout Victoria. I pay tribute to the people in the department who have recognized the problem and who suggested this amendment. I also understand that the Minister for Local Government will implement a change to Uniform Building Regulation 1701, according to the amendment he has circulated to various municipalities.

I support the remarks of the Deputy Leader of the National Party concerning the slaughtering of animals on farm properties and particularly the usage of the meat. In many cases the meat is shared around the family. The Government should recognize this and make provision for it within this amending legislation. It is totally unrealistic to believe that it is possible to police the slaughtering of animals on family farms. It goes on

every day of the week and it is reasonable, particularly considering the low prices paid to meat producers in Victoria at present, that they should share this meat with their families. The Government should re-examine the situation because it would not be interested in prosecuting people who share meat amongst their families.

The repeal of section 205 will have an important impact on many people who, at present, have appeals pending for building permits, particularly in the City of Echuca, the Shire of Deakin and a number of major towns and cities throughout northern Victoria which have been adversely affected because of the 1870 flood level established by the State Rivers and Water Supply Commission.

It is hoped that a reasonable attitude will be adopted by the commission regarding future plans concerning flood levels. I welcome the amendment which repeals section 205 and the proposed amendment to Uniform Building Regulation 1701, which the Minister for Local Government has announced.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6270 s. 33).

Mr. JONA (Assistant Minister of Health): Obviously, the Opposition would like me to be brief on this occasion. I have no intention of prolonging the debate and I will certainly accede to that request. I thank honorable members who have contributed to the discussion. I have noted the various matters they have raised, many of which I have already indicated will be referred to at the appropriate stage.

At this stage I refer to a few matters that may not apply to any specific clauses. The Deputy Leader of the National Party asked for a definition of the words " council " and " the council " in the principal Act. He referred to this matter when the Health Commission Act was debated earlier this year. I point out to him that although there has not been a clarification of this definition along the lines he seeks at this stage, instructions have been given to Parliamentary Counsel to give effect of his request during the debate on the previous legislation. I should point out that there are difficulties and legal problems associated with the construction of the Health Act and the use of the expression " council or municipality ".

Attempts are being made to overcome that. I will make further comments on the appropriate clause.

Mr. WHITING (Mildura): I would like some clarification from the Minister. Clause 2 amends section 33 (*a*) of the principal Act, which states—

> Every council
>
> (*a*) shall—

and then there is to be inserted the expression " subject to Section 31 "—

> for the purposes of this Act appoint or employ all such other officers and persons as are necessary.

One has to remember that section 31 refers to the appointment of medical officers of health and inspectors. They are the two groups of people which concern the Commission of Public Health. The commission requires that appointments of medical officers who are medical practitioners or health inspectors with qualifications be approved.

Section 33 surely relates to all such officers employed under the other provisions which the municipality may require to appoint to carry out other inspection work. This amendment will make all the appointees under section 33 subject to section 31.

With regard to the appointment of those other officers, the Commission of Public Health will want to approve

or reject the people concerned. I know of a number of municipalities which are perturbed that they will have to delegate this right to the Commission of Public Health. The autonomy of councils is being increased in a number of areas and it probably should be increased rather than decreased in this area. That would appear to be the result of this amendment.

Mr. JONA (Assistant Minister of Health) : I think the Deputy Leader of the National Party and the honorable member for Brunswick are both reading into this clause interpretations, which, to my way of thinking, are not to be taken from the precise wording of the clause. All the amendment provides is that when making appointments under section 33, councils should first check to see if the position should not be filled by an appointment under section 31, that is, by a qualified inspector or doctor. I suggest that the second-reading notes, particularly in the second and third paragraphs, make the position quite clear and that the interpretation that the Deputy Leader of the National Party has put on the clause is not one which is, in fact, written into the Bill.

Mr. ROPER (Brunswick) : I would like an assurance from the Minister that, if he finds the points raised by the Deputy Leader of the National Party and me are correct, the Government will introduce a suitable amendment, because it is possible to adopt a broader construction of the clause than that adopted by the Minister. Some people are concerned that this will restrict the ability of councils to appoint the persons they wish to appoint, because they think they will best do the job in terms of the Act. This will also add to the general centralizing tendencies in the Department of Health.

We would like some assurance that the Government will seek legal opinion on this matter and, if it is found that the interpretation the Opposition and the National Party are putting forward is correct, that it will take urgent steps to have the Act amended accordingly.

Mr. WHITING (Mildura) : The Minister claimed that he explained the situation in his second-reading speech. I fail to understand that, because although he referred to the point that I have made, that section 33 is to be subject to section 31, in his second-reading speech, as reported at page 11530 of *Hansard* No. 39, he said—

> It has always been accepted that persons appointed under section 33 would not be involved in an administration which would require the specialized knowledge and attention of qualified persons such as health inspectors or medical officers of health.

The point I was making was that under section 31 approval must be obtained from the Commission of Public Health, but under section 33 the less qualified employees can be employed at the discretion of the council without any reference to the commission. The Minister went on to say—

> Unfortunately, it has occurred that such appointments have in fact been made and the duties of those unqualified inspectors included the responsibility for determining whether or not food offered for sale was fit for human consumption. More alarmingly, they exercised the power of seizure under the Act.

A much clearer amendment could have been made whereby section 33 would remain much the same except that it would provide that no medical officer or health inspector be appointed under this section. That would have clarified the matter. There is no doubt about whether the council has to go to the Commission of Public Health for every appointment it makes under these provisions.

Mr. JONA (Assistant Minister of Health) : I should first point out that it is not the intention of the Government to create a set of clumsy rules which will make it difficult for municipalities to engage suitable staff to

carry out all the duties that are required under this Act. But it has been the practice and trend amongst municipalities in various parts of the State to engage staff to whom are delegated responsibilities which were traditionally carried out by qualified people such as health inspectors.

There is a clear responsibility on the part of the Government and the Department of Health and, indeed, the municipality, to ensure that where this sort of responsibility is delegated by the health inspector, it is delegated to a person who is appropriately qualified and trained to carry out that task. I am sure that no member in this House would quarrel with that concept.

The remarks made by the Deputy Leader of the National Party will definitely be taken into consideration and I assure honorable members that a review of the practice under the proposed amendment will be made after a reasonable time to ensure that municipalities are not hamstrung by the amendment.

The clause was agreed to, as were clauses 3 and 4.

Clause 5 (Amendment of No. 6270 s. 65).

Mr. WHITING (Mildura): Clause 5 has not been mentioned in the debate to my memory, but it is important because it allows a council to authorize an officer to approve or refuse applications for the installation of septic tank systems. There are a large number of septic tank systems installed in small towns and at remote country farmsteads. Therefore this provision is important to many country areas.

The National Party is concerned that the officer, of his own volition, could refuse an application to install a septic system, but such a refusal has no effect until it is ratified by the council. Although this provision contains that requirement, the National Party is reasonably happy with it. No doubt, when there is a refusal some discussion will ensue and I should hope an amicable solution would be arrived at.

This provision will be used increasingly as the years go by. It is hoped that officers appointed by the council will approach the matter in a reasonable manner and approve of installations in the majority of cases where tanks conform with the necessary specifications.

The clause was agreed to, as were clauses 6 and 7.

Clause 8 (Repeal of No. 6270 s. 205).

Mr. HUDSON (Werribee): I speak briefly on this clause because of my personal relief that it has been included in this Bill. Clause 8 simply reads—

> Section 205 of the principal Act shall be repealed.

I have had personal experience with flooding along the Werribee River over the past few years which resulted in studies being carried out by the State Rivers and Water Supply Commission. The criteria for determining what was flood-prone land were altered and this brought about a strange situation in that conflicting decisions were made by public authorities. A council was not able to act on a direction from the appeals tribunal because the Town Planning Appeals Tribunal had given a conflicting direction.

The repealing of this section will create a situation which is satisfactory to everyone. I mention this matter because I feel so strongly about the inclusion of this provision in the Bill.

The clause was agreed to, as were clauses 9 to 14.

Clause 15 (Insertion of Division 1 in No. 6270, Part XV.).

Mr. ROPER (Brunswick): During the second-reading debate I mentioned clause 15, which seeks to reinstate in the Health Act sections

dealing with the slaughtering and dressing of animals on any premises and the possession or exposure for sale of meat that is not branded. The Minister is aware that these provisions were removed from the Health Act when the Abattoir and Meat Inspection Act 1973 was implemented, but they have been found since to be necessary.

The new section 307 contained in this clause differs from the previous requirement of the Health Act in that it is limited in its application to retail butcher shops—that is, it is an offence to sell or expose for sale any meat that is not branded from a retail butcher shop. It seems that it would be all right to sell unbranded meat from or in hotels, eating houses, take-away food shops, food factories or any other premises where meat is sold for human consumption, but not from butcher shops.

Although it is realized that the Department of Agriculture inspectors operating under the Abattoir and Meat Inspection Act have similar powers under the provisions of this Act to inspect meat, the Opposition suggests that if this aspect of protecting the public from unhygienic meat is to be properly applied, the proposed new section should be reworded to make it apply to all places where meat is sold for human consumption, and not just butcher shops. The Opposition asks the Minister to consider that.

It seems that while the question of unbranded meat sales is being considered, it is best to ensure that no unbranded meat is provided for sale in any place where food is sold, rather than apply this provision only to butcher shops, the proprietors of which may be prosecuted if they sell unbranded meat.

Mr. RICHARDSON (Forest Hill): I advise the Committee of an opinion that has been expressed to me by the Town Clerk of the City of Waverley. It is proper for me to advise the Committee of part of a letter I received from the town clerk in connection with this clause. It reads—

> It is considered that to limit this provision to butchers' shops defeats the whole object of putting the provisions back into the legislation. As pointed out earlier, uncooked meat is prepared and sold from many types of outlets, and used in many foods. All meat should be wholesome and fit for human consumption, and the best guarantee of this is that the meat has been slaughtered under hygienic conditions—which is easily ascertained if the product is branded.
>
> At the present time—and in the future—if the narrow provisions of this change go ahead, there is no way health authorities can ensure readily that only hygienic meat is used in the food trade, although provisions relating to wholesomeness apply to all other foods.
>
> It is requested that local members seek to have the terms of the proposed section 307 broadened to include all types of food outlets, rather than retail butchers' shops only.

There have been consultations with the Assistant Minister of Health on this matter. This letter has been brought to his attention and the contents of the letter have been discussed. It is my understanding that the Assistant Minister of Health will be discussing the matter further. The letter is signed Colin J. Bock.

Mr. WHITING (Mildura): I am somewhat confused about clause 15, which provides, *inter alia*, that the principal Act shall be amended as follows—

> (*a*) In Part XV., before Division 2, there shall be inserted the following division :—
>
> "DIVISION 1.—GENERAL.
>
> 306. Nothing in this Division shall operate to prohibit any person from slaughtering or causing or permitting any person to slaughter any animal on any premises being farm land within the meaning of section 254(1) of the Local Government Act 1958 for consumption by persons on such premises and not for sale nor for use in the preparation of any food for sale.

The National Party believes this provision restricts meat that is slaughtered on any farm as

described under the Local Government Act to be consumed on those premises.

Mr. ROPER: One cannot take it to a barbecue.

Mr. WHITING: One cannot take it anywhere if it is killed on that property. This provision would be impossible to police. In the second-reading debate I mentioned that invariably, where a parent has retired and lives in the town, the members of the family who reside on the farm take meat that has been killed on that property to their parents for consumption. This applies particularly to beef cattle. This provision will make that practice illegal. I do not know how the matter will be policed and I should like to hear from the Minister why such a restraint has been imposed.

Members of the National Party believe this meat should not be sold, but in many areas for years this practice of family members sharing the meat has been taking place. If properly policed the provisions will mean that the practice will cease. I do not believe that is the Government's intention and I ask the Minister to reconsider the matter. Either the people who drafted the amendment are not familiar with what takes place outside the metropolitan area or they are deliberately trying to close off that practice.

In section 254 of the Local Government Act farmland is defined as follows—

"Farm land" means any single rateable property which is not less than 2 hectares in area and which is wholly or mainly maintained or used for the time being by the occupier for carrying on one or more of the following businesses or industries namely, grazing dairying pig-farming poultry-farming fish-farming tree-farming bee-keeping viticulture horticulture fruit-growing or the growing of crops of any kind.

Two hectares seems to be a remarkably small area of land on which to allow the slaughtering of stock without the necessity of inspection. I shall be happy if the Minister will provide answers to those two matters.

Mr. TREWIN (Benalla): The Abattoir and Meat Inspection Act covers all meat from an abattoir, a knackery, or pet food establishment where animals are slaughtered under inspection by Abattoir and Meat Inspection Authority inspectors, or inspectors from the Department of Health. The Abattoir and Meat Inspection Authority found that although a large number of animals, sheep in particular, are being killed in the vicinity of Melbourne, no inspection of carcasses was taking place, and no provision was being made for the disposal of the offal. Something had to be done about it and, as a result, this provision has been included in the Bill.

There was little hope of ascertaining where many of these animals were slaughtered. There was nothing to stop a family from Melbourne from going to a farm, purchasing a lamb and taking it home to the back yard in suburbia where it was slaughtered for consumption. The disposal of the offal was the problem. It was turning up in all sorts of unusual places. This matter has been concerning the Abattoir and Meat Inspection Authority.

Mr. ROPER: And the Brunswick City Council.

Mr. TREWIN: Yes. Proposed new section 306, as contained in clause 15 of the Bill, deals with the slaughtering of stock on the farm. Around Melbourne there are many small farms which have absentee owners. Those people may have purchased the land for the specific purpose of slaughtering for their own consumption. They may be acting properly in slaughtering on their farmlet, but in future they will not be able to take the meat off the premises for consumption.

The genuine farmer in the hinterland will be able to slaughter stock on the farm and consume it on the property but if he would like to share that meat with a member of the family who lives in the town it will not be possible to do so. In other words, it will be illegal to take the meat off the property. I shall be interested to have the reaction of the Minister to the principle of absentee farmers who have 20 or 40 acres close to Melbourne—there are dozens of them—and who live in the metropolitan area. I do not know how the Bill will be policed. However, if there are to be regulations——

Mr. ROPER: They cannot go outside the Act.

Mr. TREWIN: That is so, but if there are to be regulations I should like some provision to be made for a member of a family on a farm nominated as an operative farm. But here again I realize there would be trouble.

I am well aware of the need for meat inspection. It may be for the purpose of controlling the outbreak of disease or identifying a disease in an animal before the animal is presented for consumption. I am proud of the fact that as a result of the Abattoir and Meat Inspection Act all meat sold in Victoria for human consumption must be inspected. The job is being done, but a blank area exists. An animal may be slaughtered on the property but not consumed there. Some provision should be made to cover that possibility, even if the person concerned must obtain a licence, or a stock inspector visits the property once a year to ensure that it is free from disease. This is a matter that will have to be carefully examined very soon. If people have been slaughtering animals on their properties for a long time, they will not stop doing so.

One difficulty is the disposal of offal. A retired butcher in the electorate in which I live purchased a farming property and set up a small chiller unit there. He would go to another property, knock down a beast and bleed it, then transport the carcass to his own property where he would do the necessary work of dressing the beast. It would be kept in the chiller unit for 2, 3 or 4 days, then cut up as required by the owner and taken back to the property. This activity is illegal under the provisions of the Abattoir and Meat Inspection Act and the Health Act.

The man to whom I refer was prevented from performing a service for the community, so he went to the property and in company with the owner, slaughtered the animal on the property. If he took the beast to his property where he had the chiller and boiling-down facilities, he could dispose of the offal without spreading disease, if it were evident in the animal, and under the best possible conditions. However, when he slaughtered an animal on a farmer's property, he found that the offal was left on the ground to be consumed or carried away by dogs or birds. It is difficult to find a happy medium because on many farming properties the disposal of offal is not taken seriously. The same thing happens even if all the meat is consumed on the property.

The Bill narrows down the opportunity for a farmer to help a member of his family who may be living some miles away. It should allow a person who slaughters an animal on his own property to take portion of the meat to a member of his family who does not live on the property. I seek the agreement of the Assistant Minister of Health and the Minister of Health on this matter. As I said, a stock inspector could inspect the premises once or twice a year to ensure that they were free from disease and that would give him a reasonable chance to carry out work of this type.

Mr. JONA (Assistant Minister of Health): Some misunderstanding seems to have occurred about the

respective responsibilities of the Department of Agriculture under the Abattoir and Meat Inspection Act and the Department of Health under the Health Act. When the meat inspection provisions of the Health Act were transferred to the Abattoir and Meat Inspection Act, no provision was made for the killing of meat on farm premises. This clause is designed to overcome that omission.

Another important matter that was raised by the honorable member for Benalla was the slaughtering of an animal for consumption on the premises. The clause precludes a person from transferring the meat to any other property. If the honorable member's suggestion were accepted and the farmer were permitted to give the meat to some other person, such as a relative or close friend, it would change the whole intention of the provision and leave it open to abuse.

Admittedly, the honorable member for Benalla cited a situation that would not offend the principles embodied in the Act, but if the Government permitted that activity to occur, many other cases could occur which would constitute clear abuses of the principles of the legislation. Consequently, the Government is not prepared to make any further amendment along the lines suggested by the honorable member for Benalla.

The honorable member for Forest Hill raised a matter that was drawn to his attention and that of his colleagues who represent the City of Waverley and which was the subject of a letter dated 23rd November, from the Town Clerk of the City of Waverley, that was shown to me and the Minister of Health today.

The City of Waverley sought to have the proposed section 307 broadened to include all types of food outlets rather than only butcher shops. The council submitted a detailed and logical argument in support of that contention, but there are still many areas of responsibility between the Minister of Agriculture and the Minister of Health that must be defined.

I assure the honorable member that those matters will be directed to the attention of the Minister of Health in his discussions with the Minister of Agriculture. Following those discussions, if the Government decides to make further amendments along the lines suggested by the honorable member for Benalla, they would be considered in 1978 for incorporation in the Health Act.

Mr. ROPER (Brunswick) : Amongst the verbiage of the Minister's reply, did I understand him to undertake to consider whether proposed section 307 should be broadened to take in more than retail butcher shops, as the Institute of Health Inspectors recommended to the Government more than a week ago? Further, if it is necessary to amend the legislation, can the Opposition expect an amendment to be made in the New Year?

Mr. JONA (Assistant Minister of Health) : The honorable member for Forest Hill and his colleagues drew my attention to the letter from the City of Waverley, which refers to organizations and individuals that have made representations on this matter. They include the Commission of Public Health, the Municipal Association of Victoria, municipal councils and the Australian Institute of Health Inspectors. I have already indicated that the Government is not in a position at this stage to state whether any amendment will be made.

I said that discussions between the Minister of Health and the Minister of Agriculture are proceeding and that as soon as they have led to a clarification of the areas of responsibility—and it is likely that such clarification will be made early in the New Year—the Government will not hesitate to propose that Parliament make appropriate amendments to the principal Act, if any are necessary.

The clause was agreed to, as was clause 16.

Clause 17 (General power of inspection and seizure by officers).

Mr. ROPER (Brunswick): I have received representations concerning this clause from the Institute of Health Inspectors, a number of municipal councils, and people who have been concerned about the amendments proposed by the clause. It seeks to amend section 401 and following sections of the Health Act relating to the power of seizure where food, drugs, substances and animals are found contravening the provisions of the Act. The clause proposes important changes, particularly in that the powers of an authorized officer will be restricted to seizing goods if he has reasonable grounds for believing them to be a contravention.

The section to be amended also includes the power to detain goods. Under the new provisions, the authorized officer will need to seize the product before he can detain it. In the past, it has been possible to detain goods pending confirmation that a contravention has occurred, leaving the officer concerned, usually a municipal health inspector, with the option of either returning the goods or seizing them if it is necessary. The use of such a provision as now proposed could occur at a factory suspected of producing milk powder containing salmonella bacteria, where it is necessary to conduct an analytical examination to ascertain the nature and extent of the problem. The result of the analysis may mean that one or two batches of the product from the premises may have to be seized and destroyed.

In the circumstances, although it may be desirable to hold all the products back until such time as this is verified and a decision is made, under the new provision, if the manufacturer does not co-operate—we saw quite recently where a manufacturer of egg pulp did not co-operate—the health inspector would have to physically seize all the goods whether the situation warranted it or not. It is suggested that the powers of proposed section 401 need to be extended to allow the health inspector to detain goods for a reasonable time pending further investigation.

Certainly, there have been difficulties where the detention has been unrestricted by the law and time restraints are involved, but it was possible to detain the goods where the constraints were less obvious. The health inspectors believe that in any of these cases, the full gamut of the law of seizure need not be applied. They are able to co-operate with people in their own areas to detain goods under the previous provisions where a seizure is not strictly necessary.

This was made very clear in a letter from the Chief Health, Weights and Measures Inspector of the City of Sunshine, Mr. Goff, addressed to my colleague in another place, the Hon. A. W. Knight, M.L.C. The letter is dated 15th November, 1977, and I suggest that the cases put forward support the argument that this clause should be reconsidered so that the health inspectors will still have the power to detain goods. If it is useful to the Minister, I will provide him with a copy of the letter and the other material that has been given to me over the past few weeks.

Mr. JONA (Assistant Minister of Health): I think the honorable member for Brunswick has again misunderstood the clause and has failed to appreciate the reference in the second-reading speech to the advice received from the Crown Solicitor, that section 401 (3) does not on its proper construction confer a power to detain or a power to remove animals or things that have not been seized in the exercise of the power to seize conferred by section 401 (1) (*e*). It is also important that

seizure occurs in order to allow an aggrieved person to take advantage of the provisions of section 408 by having the matter determined by the court.

The important aspect here is that, unless seizure actually occurs, that person's right to seek redress in the court is negatived. That adequately explains why the Government has taken the course of action that it has with this clause.

Mr. ROPER (Brunswick): The Opposition does not accept the view put by the Minister and it does not believe the people who will have to apply the clause accept it either. There are ways of getting around the Crown Solicitor's opinion other than the method proposed by the clause. The Minister will know that many alternatives were available to the Government after it received that opinion.

The Opposition takes no responsibility for the effect of this amendment and believes the material that has been put forward by the health inspectors will prove to be correct and that the Government will be proved to be wrong.

The clause was agreed to.

Clause 18 (Repeal of Second Schedule).

Mr. ROPER (Brunswick): This is a fairly minor clause, but I seek from the Minister an explanation of how the new system will operate where there will be two sets of inspectors inspecting the one premises. There is no question that the general supervision under the Hairdressers Registration Act should pass to the Department of Labour and Industry. It is an anachronism that is still with the Department of Health. A number of provisions of the Health Regulations concern not only the training hairdressers and the standard of hairdressing, but also the cleanliness and safety of the particular premises.

The Opposition seeks some assurance that provision is being made so that there will be no duplication between the regulations under the Health Act and those that will be made by the Department of Labour and Industry, and also that there will be adequate co-operation between the two departments in the administration of the health and cleanliness sections.

Mr. JONA (Assistant Minister of Health): The co-operation that currently exists between the Department of Labour and Industry and the Department of Health will automatically be extended to the area of hairdresser's registrations.

The clause was agreed to.

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

Mr. JONA (Assistant Minister of Health): I move—

That this Bill be now read a third time.

Mr. ROPER (Brunswick): It is unfortunate that the Assistant Minister of Health omitted to answer the points I raised concerning the recommendations of the Meat Industry Committee on cattle from sewerage farms. The Government has missed an opportunity of carrying out the clear recommendations of a Parliamentary committee. I know that the honorable members for Polwarth and Mentone are concerned about the matter, but they should also be concerned that the unanimous recommendations of a Parliamentary committee have been rejected by the Government. The Meat Industry Committee represents all parties and all interests in this Parliament, but the Government has deliberately chosen not to accept its recommendations and not to accept the submissions placed before it by the Provincial Sewerage Authorities Association of Victoria. The Minister

should explain why the Government has deliberately ignored those recommendations and submissions.

If the honorable gentleman does not know the reason he should be briefed, if necessary by the honorable members for Polwarth and Mentone. The committee examined the matter thoroughly; the Provincial Sewerage Authorities Association of Victoria examined it thoroughly; and so did the Melbourne and Metropolitan Board of Works. There is no reason why the antiquated provisions to which I have referred should remain in the Health Act.

Mr. JONA (Assistant Minister of Health): The honorable member for Brunswick has asked me to comment on why the Government has not implemented certain recommendations concerning the provisions of the Health Act that apply to the sale of cattle from sewage farms. The Government considered the recommendations fully but many other matters are relevant.

Mr. TREWIN: Such as?

Mr. JONA: That question gets back to the reasons why the Government has taken the course of action embodied in the Bill, contrary to the wishes of the honorable member for Brunswick. Some of those reasons are economic and some are philosophic. No honorable member would suggest that the Government should ignore philosophic considerations when planning legislation.

The Government considered fully the representations made by the Melbourne and Metropolitan Board of Works and the other interested people and organizations. After having considered all those representations it decided not to proceed with the course of action put forward by the honorable member for Brunswick.

Mr. GINIFER (Keilor): The argument put forward by the honorable member for Brunswick and the defence advanced by the Assistant Minister of Health should be considered in the historical context of this subject. The statements made by the Assistant Minister of Health do not stand up under close scrutiny because this matter has nothing to do with philosophical or political considerations, it reflects the views of the breeders of cattle in Victoria.

Perhaps the Assistant Minister of Health is unaware or is not prepared to admit that some fine cattle have been bred on the Melbourne and Metropolitan Board of Works farm. It is no longer possible for the Melbourne and Metropolitan Board of Works to exhibit those cattle at the Royal Melbourne Show. Prior to the second world war it was allowed to do so and on every occasion took out the championships for the breeds it entered. Because that cut across the standards and took prizes away from the established studs, the board was debarred from exhibiting its cattle at the show by a Country Party Government. The Assistant Minister of Health is now perpetuating the attitude taken by a conservative pre-war Country Party Government.

The honorable gentleman should take into account the representations made by other sewerage authorities in Victoria.

The SPEAKER (Sir Kenneth Wheeler): Order! The honorable member is now introducing new material. That should not be done during a third-reading debate.

Mr. GINIFER: I accept your guidance, Sir. I am attempting to refute the defence put by the Assistant Minister of Health. I will continue with a passing reference and leave the matter at that. The arguments put forward by the Minister do not stand up under close scrutiny on either medical or political

grounds, and the honorable gentleman has been under pressure from interested groups. I will leave the matter there.

The SPEAKER: Order! I advise the honorable member that the debate on the third reading is more limited in scope than the debate on the second-reading and new material should not be introduced.

Mr. GINIFER: I appreciate your ruling, Sir. I simply endeavoured to answer the argument put forward by the Minister.

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

CHANGE OF OWNERSHIP NOTICES BILL.

The debate (adjourned from November 17) on the motion of Mr. Dunstan (Minister of Public Works) for the second reading of this Bill was resumed.

Mr. KIRKWOOD (Preston): This small Bill increases the penalty for not advising various authorities of a change in ownership of a property and makes consequential amendments to various Acts involving the notification of change of ownership. It also provides a new form to be sent to the authorities concerned.

The Opposition does not oppose the Bill. However, I point out that approximately six years ago the municipal group of the Australian Institute of Valuers initiated action in an endeavour to have change of ownership notices, which are known as Schedule 32A notices, redesigned to enable more satisfactory and detailed information to be provided by a vendor or transferor of property following a sale or transfer. Other bodies and public authorities co-operated with the municipal valuers to enable a form to be designed to satisfy the requirements of all concerned, including the Law Institute of Victoria, whose members applauded the fact that the new form would make notification simpler and quicker. One could say that it is the end result of a study by many people that has led to the proposed change.

In another place it was suggested that the period proposed in the Bill during which the notice is to be given was rather short. Doubts were expressed on whether a change of ownership notice could be notified to the proper authority within 30 days of the execution of a contract of sale. Many people are of the belief that this period is inadequate. Because of the arguments advanced in another place, perhaps the Minister of Labour and Industry would be prepared to consider the attitudes already expressed.

There is no doubt in my mind that to cover the situation when a contract of sale is not carried out because something happens to prevent its completion, provision should be made to ensure that sufficient time is provided. I should like to think that the Government has taken notice of the arguments advanced, because although the suggestion is a simple one, it would make the Bill much better and more satisfactory for those people who are involved in this type of exchange of contracts.

Mr. WHITING (Mildura): This Bill is fairly simple in its operation. It is altering the period during which notice must be given to the various authorities as required under various Acts of Parliament covering a notification of change of ownership, particularly under the Land Tax Act, the Local Government Act, the Melbourne and Metropolitan Board of Works Act and the Water Act.

The matter was debated in another place and at that stage, the Honorable K. I. Wright, representing the North Western Province, referred to a problem that could occur.

Mr. KIRKWOOD: As did Mr. Elliot.

Mr. WHITING: The Honorable D. G. Elliot raised the matter of the shortage of time in the 30 days or one month which the Act presently provides. Mr. Wright raised the problem of whether the actual notification should be required on the signing of the contract of sale or on the settlement of the sale. Usually a contract of sale is subject to various conditions, such as the obtaining of finance, building requirements being complied with, and so on, before the actual settlement takes place.

It would be fruitless, in a number of instances where a contract of sale was signed, to provide that within 30 days or one month a notification of change of ownership had to be given and then subsequently to find that because suitable finance could not be arranged, the sale fell through. In that event there would be a duplication of notification.

The suggestion that the notification take place on the settlement of the contract is a good one and it should be considered by the Minister of Labour and Industry.

The other aspect with regard to the period of 60 days or two months is one that would make it more convenient for solicitors, estate agents and those other people who are continually coming into contact with these provisions.

I look forward to the implementation of the suggestions made by the Minister for Local Government that consideration would be given to the two points raised during the debate in another place.

Mr. WOOD (Swan Hill): I endorse the remarks of previous speakers. This Bill certainly simplifies the procedure but there is no doubt that, if the amendment contained in clause 3 were adopted, it could cause much confusion and lead to upset. The aim of the measure is to make sure that when these sales take place, the proper purchase price is provided to the relevant authority so it can be used for various purposes, mainly, of course, for valuation and rating purposes.

As was mentioned, many of these contracts of sale are made conditional on certain requirements. Some contracts can continue in force over a lengthy period. Perhaps I could give a few examples. I refer firstly to a contract of sale under the Sale of Land Act where the sale of two land subdivisions could be dependent on various authorities consenting to the sale. This could include the State Rivers and Water Supply Commission and, in the case of a rural subdivision, the State Rivers and Water Supply Commission could require certain improvements to be carried out first, such as the provision of water wheels, water cocks and so on. Quite often it takes time to receive consent to the sale from the State Rivers and Water Supply Commission and the completion of the contract can drag on over quite a long period. If notification had been given within 30 days of the actual signing of the contract of sale, by the time possession was given, the actual value of the property could have varied tremendously.

There are also other examples that could be mentioned, such as contracts of sale subject to finance being available. These, too, could drag on for some time. Then there are contracts of sale subject to a municipality agreeing to certain zoning requirements, and this could take time. There are also contracts signed which, although they may be legally binding, are not consummated or concluded. Possession is not given or taken by the mutual consent

of the vendor and purchaser. As has been mentioned, it is vital to ensure that sale prices provided to the authorities are true and correct, and I suggest that the only way to ensure that that occurs is for notification to be given after the contract of sale has been completed.

Mr. MACLELLAN (Minister of Labour and Industry): In another place it was suggested that the date of the contract or conveyance was not a suitable date as the triggering-off point for the period within which somebody had to give notice of disposal.

On behalf of the Minister of Public Works, during the Committee stages of the Bill I intend to move an amendment to remove from the legislation, the words "any person who sells, conveys or transfers" and substitute the words "every person who disposes of".

The suggestion made in another place about having a different triggering-off time has been examined and accepted by the Minister for Local Government and the Government proposes to put forward that amendment during the Committee stages.

The Deputy Leader of the National Party spoke of the unsatisfactory nature of a contract of sale that could not be finalized unless there had been a disposal. In that event, the contract would not have been completed as a disposal had not been effected.

The honorable member for Swan Hill also made a worth-while suggestion but I believe the Government is making accommodation for the difficulties being experienced in contracts and conveyances by proposing to the House that at the Committee stages the words "every person who disposes of" will be inserted so that there will be a complete transaction, and from that time on there will be 30 days in which to give the appropriate notice to the relevant authorities.

Mr. HUDSON (Werribee): Most of the contents of the Bill have been brought about by the fragmentation of the purchase price and a change of principle of ownership notices because of the actions of the legal profession.

I draw attention to this part of the Bill because today I listened to a tirade by the Leader of the National Party in which he referred to a legal function at which the legal profession strongly criticized the Government. I point out to the Leader of the National Party that the legal profession is not blameless in this way. There is an old maxim that people who live in glass houses should not throw stones.

One of the prime reasons for imposing a time limit and a large fine is because in many instances the legal profession has been holding up change of ownership notices. Normally it is about 90 days before the notice is considered. Six months is about the average and in some cases it is twelve months. This has greatly inconvenienced local authorities, such as councils, sewerage authorities and water trusts. If there were no such breaches by the legal profession, time and money would not have been spent in preparing the proposed legislation.

The second reason for setting up a standard form is to ensure that standard information is given to each authority as required. The authorities receive that information on the standard form within the specified time so that it can be processed. I support the Bill because basically it is clarifying a grey area.

Mr. McCLURE (Bendigo): The problems associated with notifying authorities of change of ownership of land were recently highlighted to me by an individual who should have received a notice from the Bendigo Sewerage Authority. However, after some months he received a summons instead. The problem was traced back

to the solicitor of a vendor from whom this man had purchased a property and who had failed to notify the Bendigo Sewerage Authority of the sale.

I ask the Minister whether the Sewerage Districts Act should also be amended in a similar way as these other Acts will be amended, because it occurs to me that there are provisions within the Sewerage Districts Act which deal with applications for change of ownership. It would be a pity if the provisions were not uniform across the board. If the Minister could advise me on that matter I would appreciate it.

Mr. ROSS-EDWARDS (Leader of the National Party) : I make a passing reference to the notification to the local government authority. I understand that the Government has indicated that the period will be amended to 30 days after the disposal of land. This is a sensible change because often a contract of sale is dependent on another contract of sale. If one notifies the council, water trust or sewerage authority, whatever it may be, before a certain sale, it causes more confusion. Unless there is a definite sale or it is absolutely certain that there will be a transfer, the records have to be altered and then altered again.

The honorable member for Werribee said that the legal profession has been delaying change of ownership notices. Solicitors can make mistakes the same as anyone else. No doubt the honorable member's remarks were meant to be light-hearted and perhaps he was squaring off for something that occurred earlier in the day.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3 (Amendment of No. 6299 s. 879, Schedule 32A).

Mr. MACLELLAN (Minister of Labour and Industry) : I move—

Clause 3, lines 3 and 4, omit sub-paragraph (i) and insert the following sub-paragraphs :—

(i) for the words " Any person who sells conveys or transfers " there shall be substituted the words " Every person who disposes of " ;

(ii) for the expression " two months after the date of the execution of the contract of sale or (where there is no contract of sale) of the conveyance or transfer " there shall be substituted the words " one month after the disposal of the land " ; and

(iii) for the words " sale conveyance or transfer " there shall be substituted the word " disposal " ; '.

Mr. KIRKWOOD (Preston) : Members of the Labor Party will not oppose the amendment. We are happy to support it because as a result of the pressure which has been brought to bear and in the light of common sense it is obviously preferable to require the notice to be given within one month after the disposal of land. As I understand it, this has always been the position under the Land Tax Act.

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

Clause 4 (Amendment of No. 6310 s. 248A, Schedule 11A).

Mr. MACLELLAN (Minister of Labour and Industry) : I move—

Clause 4, lines 3-5, omit paragraph (*a*) and insert the following paragraph :—

' (*a*) In sub-section (1) of section 248A—

(i) for the words " Any person who sells conveys or transfers " there shall be substituted the words " Every person who disposes of " ;

(ii) for the expression " two months after the date of the execution of the contract of sale or (where there is no contract of sale) of the conveyance or transfer " there shall be substituted the words " one month after the disposal of the land " ; and

(iii) for the words " sale conveyance or transfer " there shall be substituted the word " disposal " ; '.

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

Clause 5 (Amendment of No. 6413 p. 373, 12th Schedule).

Mr. MACLELLAN (Minister of Labour and Industry) : I move—

Clause 5, lines 2-4, omit paragraph (*a*) and insert the following paragraph :—

'(*a*) In sub-section (1) of section 373—

(i) for the words "Any person who sells conveys or transfers" there shall be substituted the words "Every person who disposes of";

(ii) for the expression "two months after the date of the execution of the contract of sale or (where there is no contract of sale) of the conveyance or transfer" there shall be substituted the words "one month after the disposal of the land"; and

(iii) for the words "sale conveyance or transfer" there shall be substituted the word "disposal";'.

Mr. WHITING (Mildura) : I thank the Minister of Public Works and also the Minister for Local Government who was responsible for considering the matter that was raised during the Committee stage of this Bill in another place. This surely emphasizes the value of the Committee system whereby each clause is debated and sometimes amended or, if necessary, suggestions are made which can be referred to the Minister concerned who can then recommend an amendment to the Act. It is a long time since this has happened in this Parliament. I wish to recommend to all Ministers and to those people in charge of Bills that there is probably room for further action of this kind within Parliament because it makes for a much better Parliamentary system. It is in line with the original concept of Parliament and I hope we can get closer to that in due course.

Mr. KIRKWOOD (Preston) : The amendments moved bring the other Acts into line with the Land Tax Act and ensure that ample time will be available for the filing of notices of change of ownership. These will probably in future never have to be filed at a time when the contracts may still be continued.

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

The Bill was reported to the House with amendments, and the amendments were adopted.

Mr. MACLELLAN (Minister of Labour and Industry) : I move—

That this Bill be now read a third time.

I regret that I have to disturb the House on the third reading. The honorable member for Bendigo referred to disposal notices. I have looked at the Water Act which is amended by this Bill. I do not think the provisions which relate to the Water Act would be applicable to sewerage districts. I shall draw the remarks of the honorable member for Bendigo to the attention of the Minister of Water Supply to ascertain whether it is necessary to introduce further amending legislation to include in the Water Act disposal notices under the same formula as in this Bill.

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

LOCAL GOVERNMENT (PROMOTION OF DECENTRALIZATION) BILL.

The debate (adjourned from November 17) on the motion of Mr. Dunstan (Minister of Public Works) for the second reading of this Bill was resumed.

Mr. KIRKWOOD (Preston) : This small Bill amends the Local Government Act. It assists country municipal councils which wish to attract industries to their areas by helping overcome many of the problems which have faced them in the past. In his second-reading speech the Minister said that the Bill enables councils to enter into agreements with other authorities for the extension

of works for water, gas, electricity or sewerage purposes, for the benefit of particular areas.

The Local Government Act did not give municipal councils authority to extend electrical undertakings. They are now to be given that authority. In his second-reading speech the Minister referred to a case to illustrate that in the past municipal councils felt that they could not do what was needed to be done in many areas of the municipality.

On the question of loans to decentralized industries, the Government will now guarantee all repayments of money borrowed. This is a good move in relation to country municipalities. It represents a change from the provisions of the Local Government Act relating to loans, as honorable members understand them. The provisions relating to loan polls will no longer apply. In fact, the amount of a loan will not be taken into account in calculating the amount of money that a council can legally borrow. The loans will be secured on the general rates of the municipality. It will mean that local municipalities will, with hindsight or foresight, know what opportunities can be provided for those areas without disadvantaging the ratepayers of the municipality. The Opposition does not oppose the Bill and wishes it a speedy passage.

Mr. HANN (Rodney): The National Party supports the Bill, particularly with regard to the amendments concerning the Rosedale Shire Council which will help the council to provide an electricity supply for the residents of an estate known as Loch Sport. The National Party also supports the amendments to clause 3 and the succeeding clauses which amend Part XLA. of the Local Government Act, which enable councils to promote or assist the development of decentralized industries throughout Victoria. The proposed amendments will assist those municipalities that have taken advantage of that section of the Local Government Act. Apparently the Crown Solicitor advised the Treasurer last July that he, the Treasurer, had no power to guarantee repayment of moneys borrowed by a municipality for the purpose of relending it to a decentralized industry. The amending Bill will correct that situation and will be retrospective.

There are a number of other amendments in the Bill to assist decentralized industry. Clause 4(1) will correct an error in section 811B(1). It was intended that a council should be able to sell or lease land without seeking the consent of the Governor in Council. Sub-clause (2) inserts a new section 811B(1A) and (1B) to authorize a council to acquire land, erect buildings and carry out works under Part XLA. even though it has not entered into any arrangement with a decentralized industry.

This has been an important provision in the Local Government Act and has assisted municipalities, particularly the Kyabram Borough Council and the Echuca City Council, in encouraging industry into those towns. The further assistance given in this Bill will support any future developments in this regard. Active municipalities such as those I have mentioned, and also the Rochester Shire Council, will have the support of the Government to encourage decentralized industries.

The National Party supports the Bill and welcomes it.

Mr. HUDSON (Werribee): I applaud any Bill that allows local government to attract decentralized industry within its boundaries. If the policy of the Government regarding decentralized industry is to be promoted, then far more freedom must be given to local government to attract industry. This is done

under clause 3 of the Bill. It will enable a council to make loans to a decentralized industry from moneys borrowed by the council under an agreement to assist the industry. These are loans not under Government guarantee, but under a private arrangement for this particular purpose.

Another excellent provision in the Bill allows municipalities to acquire land and to build factories to attract industry. Previously municipalities were not able to do this. They firstly had to find an industry and have it sign a contract before they could do anything about building a factory. It is important today, because of the enormous costs municipalities must meet for loan funds, that they be given power under this Act to borrow money for the acquisition of land and for the building of factories.

Councils can acquire money by overdraft. They can also borrow money, using land and other assets as security. This is outside the loan allocation programme, and it allows councils to spend their loan allocation on other works and allows them to use their assets as security for borrowing money to build factories and to attract industry.

Mr. CATHIE: Can they purchase land at rural prices?

Mr. HUDSON: That is an inane question. This Bill is the beginning of a further freedom being given to local government to attract industry, particularly fringe municipalities, such as Werribee, Melton and Sunbury, which are outside the Board of Works area. These satellite developments have large green areas between them and the built-up area, and they become outer areas unless industry is established there.

The fringe municipalities are not able to provide services such as water, drainage, power, sewerage, and river improvements because they are not a paying proposition. Under this Bill those municipalities are able to extend a power service, a sewerage service, drainage or the like, under a scheme similar to that of a private street scheme. The municipalities I have mentioned have areas which could benefit under this Bill. I commend the Bill.

Mr. STEPHEN (Ballarat South): I commend the Government for introducing this Bill. I believe there is always a responsibility that goes with the freedoms expressed by the honorable member for Werribee. I am always apprehensive about giving municipalities powers under which they can enter into a larger loan commitment. This can easily reflect on the ratepayers of the shire, particularly if the shire does not enter into a prudent arrangement.

Although I would be the first to commend the Government and local government in their encouragement of decentralization and in the provision of facilities to encourage decentralization, nevertheless I sound a note of warning, that local government has a distinct responsibility, with the freedom it is given, to protect its ratepayers. This is paramount.

I strongly support any efforts of local government to encourage decentralization, but I place on record my concern that at all times councils should realize their great responsibility to their ratepayers.

Mr. BIRRELL (Geelong West): I support what the honorable member for Werribee has said. He covered the detail in some style.

Mr. SIMMONDS: Do you disagree with what the honorable member for Ballarat South said?

Mr. BIRRELL: No, but he dealt with a different aspect; he covered it well as he saw it; he made sense in what he said.

In regard to decentralization, Geelong does not receive the full range of benefits, but it is in the happy situation of receiving some decentralization benefits fully and some by 50 per cent. The main benefit for decentralized industry today is the pay-roll tax rebate of 5 per cent. That is a significant element in attracting industry to non-metropolitan locations.

Mr. CATHIE: You are supporting Labor Party policy.

Mr. BIRRELL: I support what the Government has done, not talked about, in this case. For once balance-sheets are being provided in country areas which seem to balance with their counterparts in the metropolitan area because basically the pay-roll tax rebate of 5 per cent is a substantial sum of money. It is on that type of equation that decentralization will succeed or fail. People may talk about how industry should go to the country, but it will not do so if it is more expensive to operate there.

Industries in Geelong receive half of the pay-roll tax rebate and half of the land tax rebate. On a fair judgment I suppose that is reasonable as Geelong is within a 50-mile radius of Melbourne, outside which the full rebates operate. As the crow flies Geelong is about 40 miles from the General Post Office of Melbourne, and by road it is about 45 to 50 miles away.

Geelong will receive the full benefits of the provisions of this Bill. It is in the curious position of also having the Geelong Regional Commission. At this early stage the commission is working well, despite its limited powers, compared with the powers it was once to have had. The Geelong Regional Commission Act contains provisions to enable industry to obtain these sorts of loans. Outside that, local councils acting independently can utilize the provisions. There is therefore no harm done by the fact that the Geelong Regional Commission operates there. Incidentally, the committee represents all councils in the area and is really a semi-municipal organization because of that.

One of the greatest tragedies of the Australian social system is the extraordinary congregation of population in a few major cities. Socially and environmentally, in crime rates and every comparison possible, large cities are condemned. They may have good football teams and things like that, but metropolitan areas with populations in excess of 1 million people do not rate highly in quality of life comparisons. The sooner decentralization measures are supported, however hard they may bite into State Treasurers, the sooner they will be found to be a good investment economically, socially and in every other way. Honorable members should support this Bill because of what it is trying to achieve. Ultimately more may have to be done. This is another instalment along the way.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 3 were agreed to.

Clause 4 (Amendment of No. 6299 s. 811B(1)).

Mr. MACLELLAN (Minister of Labour and Industry): I move—

Clause 4, page 3, insert the following sub-section to follow sub-section (3)—

'( ) In section 811B(3) of the principal Act the words "pursuant to an arrangement made under the preceding section" are repealed.'.

For the assistance of honorable members I point out that section 811B(3) will then read as follows—

The purchase or acquisition of any land pursuant to this section or the erection of any buildings and the carrying out of any works shall be deemed and taken to be permanent works and undertakings within the meaning of Part XV.

The removal of those words deletes all reference to the immediately preceding section of the Local Government Act 1958, which refers to the municipality erecting such things on its own property. The municipality will now be able to make these improvements on property that has ben acquired for the purpose.

Mr. KIRKWOOD (Preston): Members of the Opposition do not oppose the amendment.

The amendment was agreed to.

Mr. MACLELLAN (Minister of Labour and Industry): I move—

Clause 4, page 3, insert the following sub-section to follow sub-section (6)—

'( ) In section 811B(7) of the principal Act after the word "loan" there shall be inserted the words "other than a loan secured on the general rate of a municipality".'.

I refer here to the remarks made by the honorable member for Werribee, who suggested that there was a need to prevent the commitment of ordinary loan funds of the municipality, and to prevent the mortgaging of the rate revenue of the municipality for these purposes. There will be an insertion into section 811B(7) which, as amended, will read—

The Treasurer of Victoria after considering a report from the Minister for State Development and Decentralization and the Victorian Development Corporation may execute a guarantee in favour of any person or body, corporate or unincorporate, guaranteeing the repayment of any loan other than a loan secured on the general rate of a municipality to be made by that person or body to a municipality for the purposes of any arrangement made under this Part.

This provision allows the Government to guarantee the loan. It is considered unwise that the loan to be guaranteed by the Government should be mortgaged against municipal rates and the property then to be the subject of the improvements.

There is a tendency amongst people who make finance available to councils for this sort of work to demand the highest security. That demand suggests to the prudent lender of money, particularly if it is an institutional lender, that, because of the possibility of having securities over the property on which the improvements are made together with a mortgage on the rates of the municipality and, as provided in this sub-clause, having a further guarantee by the Victorian State Government through the Treasury, the combination of those three securities is not something that ought to be made available.

There should be sufficient security on the land on which the improvements are being made, and a guarantee from the Government is given without demanding high security, for instance, to satisfy the needs of an institutional board. There should also be security against the obtaining of rate revenue. Hence it is desired to insert the words "other than a loan secured on the general rate of a municipality" after the word "loan".

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

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

MEAT INDUSTRY COMMITTEE.

LIVESTOCK SELLING CENTRES.

Mr. TREWIN (Benalla) presented the final report of the Meat Industry Committee on future operations of livestock selling centres, together with minutes of evidence and appendices.

It was ordered that they be laid on the table, and that the report and appendices be printed.

On the motion of Mr. GINIFER (Keilor), it was ordered that the report be taken into consideration next day.

AUDITOR-GENERAL'S SUPPLEMENTARY REPORT.

The SPEAKER (Sir Kenneth Wheeler) presented the supplementary report of the Auditor-General for the year 1976-77.

It was ordered that the report be laid on the table, and be printed.

PAPERS.

The following papers, pursuant to the directions of several Acts of Parliament, were laid on the table by the Clerk—

Education Act 1958—Resumption of land at Yinnar—Certificate of the Minister of Education.

Housing Commission—Report for the year 1976-77.—Ordered to be printed.

Lands and Survey—Reports of the Department of Crown Lands and Survey for the year 1976-77.

Place Names Committee—Report for the year 1976-77.

Town and Country Planning Act 1961—Shire of Alexandra Planning Scheme, No. 2, 1977.

It was ordered that the report of the Housing Commission be laid on the table and be printed.

CONSTITUTION BILL.

The debate (adjourned from November 17) on the motion of Mr. Maclellan (Minister of Labour and Industry) for the second reading of this Bill was resumed.

Mr. CAIN (Bundoora): This Bill amends two sections of the Constitution Act, and neither proposal is opposed by the Opposition.

The first provision amends section 48 (2) (*b*) of the Constitution Act, which at present provides that—

a person who is undergoing sentence of imprisonment under the law of Victoria or under the law of any other State or country or place or is on parole for any such offence. . .

is not qualified to have his name placed or retained on the electoral roll. This amends an earlier provision that has operated harshly on persons who are in prison. The Government has now determined that persons ought not to be disqualified from voting merely because they are in prison.

The Opposition concurs with that view. The only qualification it makes is that reference is made in the second-reading speech to the machinery necessary to give effect to this proposed amendment. It is suggested that it may be necessary to delay giving effect to the notion of prisoners having the right to vote; except, as now provided, in the case of prisoners found guilty of treason, who will not be permitted to vote.

It would be a hollow gesture if there were any appreciable delay by the Government in ensuring that this concept is put into effect as quickly as possible. It is not a difficult procedure to ensure that prisoners receive the necessary facilities to allow them to vote in the electorates in which they are enrolled, and there is no reason why this should be delayed. The Government has already delayed too long on this matter.

The other amendment made by the Bill relates to section 61 of the principal Act, which is concerned with disqualification of members of Parliament because of the holding of certain offices or the receipt of profits from offices of the Crown. As I understand it, the Government intends to minimize the likelihood of disqualification occurring where members—and Ministers, I might add —have proved to be accident prone in recent years.

Mr. DUNSTAN: He has a chip on his shoulder.

Mr. CAIN: Government supporters and one Minister laugh, but the facts are that a short time ago——

Mr. DUNSTAN: I can't understand why Frank Wilkes——.

The SPEAKER (Sir Kenneth Wheeler): Order! The Minister of Public Works has just arrived in the Chamber, and I appeal to him to remain silent.

Mr. CAIN: I have listened to his abuse on many occasions and I am not going to stand for it now.

Mr. DUNSTAN: You bloody hypocrite, I haven't started yet.

The SPEAKER (Sir Kenneth Wheeler): Order! I have warned the Minister of Public Works. If he interjects in that fashion again, I will have no alternative but to ask him to leave the Chamber. I appeal to the Minister to cease.

Mr. DUNSTAN (Minister of Public Works): Mr. Speaker, I am very sorry.

Mr. CAIN (Bundoora): That Bill validated their membership of this place.

Mr. DUNSTAN: You are a disgrace to your profession.

Mr. CAIN: Mr. Speaker, I do not intend to put up with that sort of interjection any longer.

Mr. DUNSTAN: You are just a chicken. Get out.

The SPEAKER (Sir Kenneth Wheeler): Order! The Minister of Public Works must not interject again. We are nearing the end of the session and it is furthest from my mind that I should have to name the Minister or any other honorable member so close to Christmas. I ask the Minister to answer my appeal and to remain silent. I can do no more than that. If the Minister continues to interject, I will have no alternative but to go through the procedures that are available to me.

Mr. CAIN: Whatever the reasons for the earlier legislation, the purpose of this Bill is to make it less likely that it will be necessary in the future. It is conceded by the Bill that there may well be cases where members, in all innocence, may offend and the Bill provides that when the act or thing that may have caused the person to be disqualified has ceased to have effect, or was in all the circumstances trifling, or occurred or arose without the actual knowledge or consent of the person, it will not be necessary to pass special legislation. That seems to the Opposition to be a perfectly reasonable proposition which is not opposed.

The only other thing I point out is that honorable members may not be aware that there is quite an anomalous distinction in this particular case between an office of profit held under the Crown in the right of the State of Victoria and an office of profit held under the Crown in the Commonwealth. This distinction may have afforded some comfort to certain honorable members in the past.

The amendment proposed by the Bill is a common-sense approach to a problem that has occurred in the past and makes it less likely to occur in the future.

Mr. ROSS-EDWARDS (Leader of the National Party): The National Party supports these amendments to the Constitution Act although it is not excited about prisoners in gaol being given the right to vote. I do not know why the Government has shown such enthusiasm for the proposal that people who have broken the law and are being punished should then be given a vote. However, on balance, the National Party will support the Bill.

The other amendment concerns members who have innocently transgressed, and provides Parliament or the Court of Disputed Returns with the opportunity of forgiving them.

In passing, and this probably will not be well accepted, I refer to the need in recent times for special legislation to be passed to protect the rights of seven members. I doubt whether there was a need or that all of the seven members had transgressed. The National Party voted against the Bill at the time.

Mrs. PATRICK: That is history now.

Mr. ROSS-EDWARDS: It is history, but it is a matter of principle that the Government should need to pass a Bill by sheer weight of numbers to protect the rights of members of its own party. The National Party and I would have agreed to the Bill if it had proposed to protect every member of the House, but we got the stupid situation where seven members were protected, whatever they had done, but if the honorable member for Bundoora or the honorable member for Shepparton had transgressed a week later, they would have been out.

Mr. KENNETT: They probably will be.

Mr. ROSS-EDWARDS: The honorable member for Burwood might join us. I want to make the theoretical point that the Bill was passed on numbers and was supported by both the Government and the Opposition to protect the rights of seven members. In other words, if they had all been members of the Opposition and not members of the Government party, I suspect that the Bill might not have been passed. A blanket Bill should have been passed to protect all members.

The SPEAKER (Sir Kenneth Wheeler): Order! Honorable members know that if they want to make a contribution to the debate, there is a right and proper way of going about it. They will get the call in their turn. There are rules in this place that ought to be adhered to. It is a forum where honorable members have the opportunity to debate and express their own views. If they do not follow those rules, then the day is not far away when they will have lost the opportunity. The behaviour in this place, particularly during this session, has been nothing to be proud of.

Mr. ROSS-EDWARDS: Thank you for your protection, Sir. I make one final point: If the day has come when we have to pass legislation to protect individuals as this House did before, it is a very sad day. If the Parliament is going to pass legislation, it should do so to protect every member of the House. For that reason I am delighted that the Government has seen fit to bring in a Bill that does not look after the interests of only seven members, but looks after every member of the Legislative Assembly and the Legislative Council.

Mr. GINIFER (Keilor): I am attracted to the propositions put forward by the Leader of the National Party because, under the Bill which was considered earlier this session, it was found necessay to codify and legalize the position of certain members of this House. In my opinion, there were very grave doubts as to the need for that legislation.

I also doubt the need for this Bill because, when I was elected to this Parliament some eleven years ago, I was told by the officers of the Law Department, that, in effect, what is in this Bill was the law then. I was informed that a person who was in the teaching profession in this State was automatically debarred from being a teacher from the moment he was elected to this House. Accordingly, I did not resign from the Education Department. On the advice of the law officers, I wrote to the Education Department drawing the attention of the department to the fact that, under the Constitution Act, I was no longer a member of the department's teaching

staff and requested them to make the necessary adjustments to my superannuation payments. In effect this Bill codifies the advice which was given to me by the law officers of this State.

This brings me to the point that sometimes legislation on whether members of this legislative ought to be disqualified is introduced purely as political gimmickry. I take the point that has been made by the Leader of the National Party that this has obviously been done for political considerations.

I make it quite clear that I did not resign from the Education Department. When I came into this place I was advised that I was no longer qualified to be a member of the teaching profession because I was a member of the Legislative Assembly. That was the advice that I tendered to the Education Department.

Mr. SKEGGS (Ivanhoe): I believe some honorable members might have misconstrued the background to the introduction of this Bill. The Bill is the subject of a report to the Parliament by the Statute Law Revision Committee, which had the matters raised in this Bill referred to it for inquiry. The major objective of the Bill is to codify a number of situations relating to qualifications of members which were not clear and to ensure that any matters where the right of a member to sit in this House is in doubt may be referred to the Court of Disputed Returns.

In fact, this Bill will ensure that any honorable member who finds himself in any situation of doubt as to his qualifications to sit in this House will have a right to have his case heard before the Court of Disputed Returns and this will ensure an even-handed situation to all members. The Government has acted wisely in bringing this Bill before the House following the report of the Statute Law Revision Committee. The main point I make is that the proposed legislation has come before the House as a result of a well researched and carefully considered report from the Statute Law Revision Committee and honorable members ought to take note of that fact.

Mr. SIMMONDS (Reservoir): In the time during which I have been a member of this House this matter has been dealt with on three occasions. This is the second occasion on which legislation has been presented. The other occasion concerned Mr. Bunna Walsh, who was deprived of his seat in the Legislative Council after having been duly elected to that House. The Government did not at that time apply the same principles that it later applied to the Premier and the present Minister of Transport in respect to their trading with the Crown. On that occasion retrospective legislation was passed to make the occupancy of those honorable gentlemen of this Chamber legitimate. That legislation declared that facts were not facts for the purposes of the Constitution Act.

I am pleased that on this occasion no particular honorable members are specifically involved. There was a previous occasion that involved seven honorable members and the legislation to correct that situation was introduced by the Government only because members of both parties were involved. If members of the Government party had not been involved that legislation would never have been introduced and the Government would have deprived the Labor Party of representatives in this House.

Mr. MACLELLAN (Minister of Labour and Industry): Honorable members have indicated that they are not opposed to the proposed legislation. Under normal circumstances I would thank them for their contributions to the debate, but as those contributions have been fairly varied in this case that might not be appropriate.

It is necessary to remind the House and the honorable member for Keilor that the legislation that was introduced to enable the position of seven honorable members to be clarified was obviously required because of the possibility of any one of them being challenged at any stage. It would have been quite improper to have left honorable members in a position where their membership of the House was under a cloud or could be questioned. The House approached that legislation in an exhaustive fashion and then considered it in the light of the view I have just expressed.

It was clearly the Government's intention that action should be taken to resolve the position so that no legislation of that kind would again be necessary and the Bill gives effect to that intention. It was as a result of the difficulties experienced and different approaches being made that the matter was referred to the Statute Law Revision Committee. The honorable member for Ivanhoe is quite correct in saying that the Statute Law Revision Committe has made a valuable contribution in presenting an all-party, unanimous view that will serve the House well in the years ahead.

I was certainly aware of the possibility of amending the Constitution so that one quits office upon election to the House, rather than having doubt cast upon one's membership of the House. The honorable member who was advised that it was not necessary to resign from the teaching profession at the time of his election would probably have been in a position where a challenge could have been made to his membership.

Mr. GINIFER: They should not have refunded my superannuation contributions if there were any doubt.

Mr. MACLELLAN: It is a happy circumstance that no such challenge arose. The Bill approaches the problem in a satisfactory way and I welcome the advice of honorable members that they are supporting that approach on the basis that the proposed legislation will serve the House better in the future than the actions that have been necessary in the past.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 3 were agreed to.

Clause 4 (Power to Houses to relieve from consequences of alleged defaults).

Mr. CAIN (Bundoora): It appears to me that there is a presumption on the part of some honorable members, including the Minister, that proposed new section 61A will cure all possible defects.

Mr. MACLELLAN: It will cure the ones we have had so far.

Mr. CAIN: There is a large range of possible contingencies that is not cured by the proposed new section and it may well be that the further legislation that has been mentioned in the debate will have to be enacted in the future.

I should have thought it would have been obvious to honorable members that the conditions contained in proposed new section 61A (1) (*a*), (*b*) and (*c*) are cumulative. In other words, all three of the contingencies mentioned must exist. One or two of the three are not sufficient. Therefore, a person may find that although the conditions stipulated in sub-section (1)(*b*) and (*c*) exist, the conditions stipulated in sub-section (1) (*a*) do not. Problems will then arise.

There are many situations that the Bill will not cover and the Committee ought to be aware of that fact. It may well be necessary to take further steps to cure defects and validate members' positions, as occurred earlier.

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.

LITTER BILL.

The debate (adjourned from November 17) on the motion of Mr. Dunstan (Minister of Public Works) for the second reading of this Bill was resumed.

Mr. CATHIE (Carrum): Litter is a growing problem in any modern community. The State Development Committee pointed out as long ago as 1971 that there are serious litter disposal problems in Melbourne that could lead to chaotic conditions in the future. It is not a problem which one could say will disappear but a problem which will remain and will have to be dealt with in a very serious and, at times, radical manner.

One of the greatest problems honorable members representing bayside electorates have is that of broken glass on our beaches. It is not unusual, particularly during the summer months, for people to drink beer at our beaches and to leave their empty beer bottles on the beach. Sometimes they break the bottles themselves or, subsequently, somebody else comes along and breaks the bottles and the broken glass becomes buried in the sand. Later a child may have to go to one of the life-saving clubs to receive first-aid treatment because of a serious injury to either a foot or a leg. I remember a case last summer in which a child who attended the Seaford Life Saving Club for treatment required thirteen stitches following an injury caused by broken glass.

Because of this careless habit of people in littering, I suggest that the real answer and approach to the problem lies in the adequacy of education, in teaching people how to treat their own environment. It is for that reason that the Opposition believes the approach adopted by the Minister of Public Works, in introducing the Bill, and the approach of the Government, is far too negative. What the Government is suggesting is that the litter problem is simply a problem caused by people alone.

Members of the Opposition believe that approach is far too simple and is based on a need not to disturb industry with its current, expensive packaging procedures.

Mr. KENNETT: Does the Opposition oppose the Bill?

Mr. CATHIE: No, the Opposition does not intend to oppose the Bill on the second reading, but I intend to move a number of amendments during the Committee stage. I will explain those amendments at that time.

During his second-reading speech, the Minister of Public Works said that the Government, in conjunction with a body known as the Keep Australia Beautiful Council, considered that there were four essential elements in any approach to the question of litter and litter control in our community. He suggested that this was known as the four "Es"—education, example, equipment and enforcement. Indeed, it is the last of those—enforcement—that the Bill deals with and which is the main thrust of the Government's action in dealing with the problem of litter.

The Opposition equally suggests that there are another four "Es" involved apart from the four "Es" described by the Minister of Public Works. Firstly, there is expense—expense to the whole community in having to clean up the litter, together with the social cost involved in the whole question of packaging and the throw-away containers which are increasingly being used in the community.

Secondly, there is exoneration—exoneration of the polluter, of the maker, of the producer of much of this material which creates litter. I note that honorable members on the

Government side of the Chamber are now agreeing that the problem is more extensive than the Government's four " Es " have suggested.

Thirdly, there is exploitation—exploitation of the buying public by eliminating the choice the consumers might have. I shall come back to this in a moment.

Honorable members interjecting.

Mr. CATHIE: It is not the Opposition which has determined that this measure should be debated twelve hours after the commencement of to-day's sitting. If honorable members on the Government side of the House claim that the Opposition should not exercise its rights as part of this Parliament and its entitlement to put forward a view on the question of litter in the community, they are adopting an arrogant position.

The last " E " I suggest is exhaustion. A matter of considerable importance that all Western and pro-Western economies are facing is the question of energy saturation in the near future. There is an exhaustion of energy resources through over-use and that is another aspect that is ignored in this legislation and in the attitude and approach of the Government.

Mr. MACLELLAN: Tell us about uranium for China.

Mr. CATHIE: I know how difficult it is for the Minister of Labour and Industry to exercise his mind over the problems contained in this Bill, but he wants to debate the question of uranium for China.

The SPEAKER (Sir Kenneth Wheeler): Order! Irrespective of what the Minister of Labour and Industry wants to debate, what the honorable member for Carrum should do is debate what is entailed in this measure.

Mr. CATHIE: Certainly, Mr. Speaker. However, it was the Minister's interjection that I took up.

I guarantee that the four " Es " which I have just described are not part of the educational programme which this Government is supporting in the schools of this State. In other words, the Government is being highly selective and one-sided in its approach to the serious and grave litter problems confronting our community.

I look forward to a contribution from the honorable member for Noble Park who is interjecting. The honorable member has some experience in local government and ought to be able to refer to this problem.

I am trying to develop a theme. I suggest that there is a total lack of appreciation of the serious, underlying environmental problems in Victoria, and in Australia, caused by industry in producing unnecessary packaging and throw-away junk which is responsible for much of the litter problem in our community and which helps considerably to contribute to the uglification of Australia. That is where the responsibility lies.

Mr. MACLELLAN: Does the Labor Party have biodegradable how-to-vote cards?

Mr. CATHIE: The Minister of Labour and Industry is apparently in charge of this Bill although he did not make the second-reading speech. He now wants to interject about the type of litter political parties might produce at election time. Certainly elections produce litter, but rubbish bins are provided, as the honorable gentleman well knows, so that those who vote subsequently have the opportunity to place their litter in these bins.

Honorable members interjecting.

The SPEAKER (Sir Kenneth Wheeler): Order! Honorable members will cease interjecting. I have made the statement before and I will not repeat it. I do not care whether the House is approaching the end of the

sessional period or not; if action is required, I will take it. I ask honorable members to cease interjecting; otherwise I will name them.

Mr. CATHIE: I was going on to suggest that the provision of rubbish bins is a far more sensible way of dealing with litter instead of the heavy, mailed fist which the Government is adopting in this measure by insisting that litter is a people problem, thereby perpetrating the idea that mass consumption and throw-away packaging is a necessary way and part of our every-day life. That view has been strongly put by industry itself in a submission to the Government dated November, 1976, and titled "The effects of deposits on non-refillable beverage bottles and cans."

This submission was fully supported by many companies including Australian Consolidated Industries Ltd., Cadbury-Schweppes Aust. Pty. Ltd., Comalco Products Pty. Ltd., Containers Ltd., J. Gadsden Pty. Ltd. and others. These companies put the view that litter is simply a people problem because companies do not want to face up to their responsibility for producing so much of the muck that is thrown over the roadside and countryside of Victoria.

I quote from page 3 a statement by Glass Containers Ltd. Honorable members will realize that the impact, the idea, the view of the Government that is expressed in this Bill is exactly the same as the view being expressed by the industries to which I have referred. The honorable member for Burwood says that is not true. I will quote from this article so that he will know if it is true.

Mr. ROSS-EDWARDS: He has been wrong before.

Mr. CATHIE: It would not be the first time, but in fairness to the honorable member he has shown more moderation lately. Glass Containers Ltd. stated—

> Litter is caused by people, and the only way of reducing it significantly is to alter people's behaviour.

The Opposition is making the point that that approach is over-simplified. It is dealing with only one aspect and not with the underlying causes of the problem. This company points to various forms of litter—

> Material disposed of by pedestrians. Material disposed of by motorists. Carelessly packed household refuse.

We have a great deal of difficulty in the municipality in the electorate I represent because plastic bags are used and by the time the cats and the dogs get to the bags overnight there is litter literally from one house to another all along the street. The article continues—

> Carelessly packed or illegally dumped household, commercial and industrial refuse. Material from building sites. Material from commercial loading areas. Material from open trucks.

They conclude that as a result of that sort of material the common denominator in the generation of litter is people, but people are not the only common denominator; it is also the litter itself. The Government will not face up to the fact that someone somewhere provides the litter to people to place somewhere in the community.

The Bill relies entirely on enforcement. That is a heavy-handed approach, which discriminates against the individual and imposes heavy penalties, including gaol. The Opposition believes gaol is far too severe a penalty for the offence of littering. In the past such penalties have not worked, and the Government should have learnt from its experience. It has been suggested that heavy penalties have worked in Singapore. I will not contradict that interjection by the honorable member for Sandringham, but the honorable member forgets that the people of Singapore have an attitude towards Government and the community different from that of the average Australian citizen. If heavy penalties have not worked in the past, they are unlikely to work now.

Mr. KENNETT : That is only a matter of opinion.

Mr. CATHIE : That may well be so.

The SPEAKER (Sir Kenneth Wheeler): Order! This place is all about expressing an opinion on a particular matter. I ask honorable members to cease interjecting.

Mr. CATHIE : I was developing the view that it may be a matter of opinion and some opinions are more expert than others. I should like therefore, to quote reactions to the press publicity put out by the Premier when he first announced this legislation. I am quoting from the *Herald* of 8th September. I have already indicated that there are special problems around the bayside because of the summer holiday period, and according to the *Herald*—

> Bayside municipalities today expressed doubts about the effectiveness of the proposed new litter laws.

Mr. CRELLIN : Who said that?

Mr. CATHIE : I will tell the honorable member. The article states—

> Spokesmen for the Frankston council and the Bellarine shire on the opposite side of Port Phillip Bay said effective anti-litter campaigns depended more on public education.

Members on the Government side of the House will not accept that view. They ask who the spokesman is. He is the Shire Clerk of the Bellarine Shire Council, Mr. G. L. Pearce. Honorable members of the Government party may not be prepared to accept Mr. Pearce as an expert spokesman in the field of local government, but I assure them that the Opposition——

Mr. MACLELLAN : Is this on the subject of litter?

Mr. CATHIE : Of course it is. If the Minister had been listening he would be aware of that. Local government has as much to do with litter as the State Government does. I suggest that Mr. G. L. Pearce is an expert in local government, and therefore he is also an expert on the subject of litter. The *Herald* article reported Mr. Pearce as saying—

> My personal view is that to reduce the litter problem depends more on community education than heavy fines.

The Government has introduced a Bill that relies entirely upon heavy fines directed at the individual. I have already suggested that the more severe the laws are, the more unworkable they become. That is a principle that those people who express a belief in liberal values should seriously consider. We are not saying that the Government should go to the other extreme and have no penalties. We agree with penalties, but we are looking for the middle way and for a more comprehensive approach to litter in a modern urban society.

Mr. MACLELLAN : What penalties do you suggest?

Mr. CATHIE : I will leave that to the Committee stage because, as I have indicated, the Opposition will be moving an amendment on that point. The Government is supported in its discriminatory heavy-handed approach to the individual by the Keep Australia Beautiful Council. It prefers the discriminatory approach that is being put forward in this legislation.

Mr. RAMSAY: This Government finances the Keep Australia Beautiful Council.

Mr. CATHIE : The honorable member for Balwyn who is, I understand, Secretary of the Cabinet, says that the Government finances the Keep Australia Beautiful Council. But the Premier's answer to a question on notice provided on 22nd November, does not indicate that any money comes from Government concerns. For the information of the honorable member for Balwyn the organizations concerned in the funding of the Keep Australia Beautiful Council are, according to the Premier—I do not

know whether there are Government funds involved but the Premier has not admitted to any—firstly, membership donations from individuals; secondly, donations from cities, towns, boroughs and shires throughout Victoria—that is not the State Government; thirdly, membership donations from service clubs, garden clubs, youth organizations and, fourthly, donations from companies in commerce, industry and retailing. Where in that list is the proposition of the Secretary of the Cabinet that this State Government funds the Keep Australia Beautiful Council? That was the Premier's answer to my question.

The role of the Keep Australia Beautiful Council relates to the legislation which is currently before the House because it fully supported and probably had some say in the general outline of the legislation. Let me quote what the Chairman of the Keep Australia Beautiful Council, who happens to be a leading member of the Liberal Party in this State, said——

Honorable members interjecting.

The SPEAKER (Sir Kenneth Wheeler): Order! I can assure the honorable member for Footscray that the honorable member does not need any assistance.

Mr. CATHIE: When this Bill was proposed, Dame Phyllis Frost made this statement to the *Herald* on Thursday, 8th September, 1977——

Mr. MACLELLAN: Is she an expert in litter?

Mr. CATHIE: She claims to be an expert.

Mr. MACLELLAN: Do you agree?

Mr. CATHIE: No, I am saying she claims——

Mr. JONA (Minister of Immigration and Ethnic Affairs): On a point of order, the honorable member has referred to a prominent member of the Keep Australia Beautiful Council as being a member of the Liberal Party. I suggest that it is most improper to accuse any member of the community of being a member of any political party.

The SPEAKER: There is no point of order.

Mr. CATHIE (Carrum): This is the attitude that underlies the principles expressed in this legislation. Dame Phyllis Frost said—

> I am hoping for the day where a person who drops a cigarette packet is taken to court and fined the maximum penalty.

That suggests that a citizen who walks down the street of Frankston, Carrum or anywhere else, and inadvertently drops an empty cigarette packet can be fined $500. It is all very well for the honorable member for Werribee to say that is not so. That is exactly what this Bill means. I suggest that honorable members should read the proposed legislation.

The Government and representatives of industry are joining together with the intention of passing the buck to the consumer and to remove any responsibility from themselves. I was not quoting Dame Phyllis Frost when I said that. The cost of excessive packaging is very high and is something which I often complain about. It has been estimated that Australians pay $750,000 each week for litter control and cleaning in the community.

The point the Opposition makes is that in many cases the sort of packaging imposed upon the consumer is not the choice of individual citizens. That being so, why should such heavy fines be imposed on individual citizens? Perhaps the best example is milk packaging.

I should like to quote from a survey conducted by the Native Forests Action Council, a group from the University of Melbourne under the direction of Dr. Feller into the attitudes and knowledge of the people of Melbourne on aspects of packaging.

The sitting was suspended at 11.59 *p.m. until* 12.33 *a.m. (Thursday).*

Mr. CATHIE: Before the suspension of the sitting I was speaking about litter control. Very often it is not the choice of the individual as this Bill suggests. I was about to quote from a report of the Native Forests Action Council on what the consumer would prefer if it was his choice. The council quotes the case of milk. In many country towns in Victoria one cannot purchase milk in a bottle, but only in a plasticized cardboard carton, similar to that available in Melbourne. I understand that these cartons are made under licence from the United States of America and are imported into Australia.

Mr. MACLELLAN: It is cheaper.

Mr. CATHIE: It is not cheaper. The Minister suggests that it is cheaper to buy milk in a plasticized cardboard container. He obviously does not do the family shopping, otherwise he would know better. The council found that 61 per cent of people preferred to buy milk in bottles compared with 32 per cent who preferred cartons. The reason for preference was that bottled milk was considered to have a better flavour and it involved less wastage in packaging. That was something the consumer took into account. Bottled milk was also considered to be more hygienic. This survey was undertaken by Dr. Feller of the University of Melbourne and it showed that the consumer would make a different choice to the carton milk that is imposed upon him.

In some parts of Melbourne, where most Victorians live, it is impossible to buy milk in a bottle container.

Mr. CRELLIN: That is not true.

Mr. CATHIE: The honorable member for Sandringham thinks he can buy milk in a bottle in a supermarket. I say here and now that he cannot buy a bottle of milk at any of the major supermarket chains in Victoria.

The SPEAKER (Sir Kenneth Wheeler): Where one can buy milk has little to do with the Bill. It is not a matter where one buys it; it is what one buys it in that is related to the Bill.

Mr. CATHIE: That is exactly what I was discussing, Mr. Speaker, the choice of the consumer, whether he buys it in something he can throw away and thus cause litter, or whether he buys it in a bottle which can be recycled and used twelve or thirteen times. It is not a choice the consumer can make. Not only is it 2 cents cheaper for the consumer to purchase milk in a bottle, it is a better form of packaging than the plasticized cardboard container currently on the shelves of supermarkets. Milk lasts longer in a bottle than in a plastic container, but who makes the choice? This Bill suggests that it is the individual who causes litter, not the packaging industry, and it is the individual who has to pay the excessive fines under this Bill.

There are other options that the Government could have examined and legislated for. In 1974 the House of Representatives Standing Committee on Environment and Conservation, which I understand had members from all political parties, brought down a report on deposits on beverage containers. The committee pointed out that soft drink, beer and milk are increasingly being sold in throw-away containers, thus contributing in a very major way to the litter problem. There are many people who can recall when soft drink, beer, milk and other beverages were sold only in returnable containers which were recycled and reused by the community. I believe such a system could work successfully if the Government had the intent and purpose to support it.

The all-party Federal committee pointed out that the community pays a higher price for the container, but it also incurs the additional cost not only of disposal of the throw-away package, whatever it might be, but of the resources required to manufacture a throw-away container compared with one which may be reused and recycled.

Mr. COLLINS: How many people would be put out of work?

Mr. CATHIE: I do not believe the matter can be considered only on the basis of how many people will be thrown out of work, because when one moves towards a system of throw-away containers, the people who used to collect the returnable containers in the past are put out of work.

The deposit system on returnable containers, say, for soft drinks, which operated through local milk bars is failing to produce results because the retail outlets, the milk bar proprietors, refuse to handle that type of container. They do not want the problem. In many cases they require the customer to spend the 40 cents deposit money on sweets in the shop; otherwise they are not interested.

Mr. COLEMAN: Can you cite specific cases?

Mr. CATHIE: I look forward to the contribution that the honorable member will make to the debate. In the conclusions in the report of the Federal committee it was pointed out that non-returnable beverage containers for beer and soft drinks are highly visible and readily identifiable and represent a growing proportion of the litter in the community. That committee was prepared to grapple with the problem.

The Minister who is handling this Bill and who was not the Minister who introduced the Bill, now suggests by interjection that the Opposition should curtail its remarks on an important measure simply because the Government has kept this House sitting since 11 a.m. yesterday; that is more than twelve hours. I have no intention of meeting the honorable gentleman's wishes.

At page 76 of the report by the House of Representatives committee conclusion 308 reads—

> The committee concludes that imposition of a substantial tax on beverage containers not carrying a deposit would have the effect of discouraging their use by increasing the cost differential between the contents of containers not carrying a deposit and those carrying a deposit.

Mr. CRELLIN: A typical comment from Canberra!

Mr. CATHIE: It may well be, but that comment was shared and supported by members of all political parties in the Australian Parliament. If members of the Victorian Government dismiss the views of the Australian Parliament simply on the grounds of prejudice, this Parliament will not form constructive legislation for the future of people in Victoria.

Given the conclusions reached by that expert committee, what has the Victorian Government done? Since 1974 when that report was tabled in the House of Representatives, there has been a significant silence from the Victorian Government as to whether it supports the conclusions and recommendations of that report.

Mr. BIRRELL: It is a Federal document.

Mr. CATHIE: At neither the Federal level nor the State level has there been any indication of the Government's views about the conclusions in the report. An evasion of other ways of tackling the problem of litter and an avoidance of the central point of issue leads to adoption of the principles of this Bill, which provides that the person who drops an empty cigarette packet in the street will have to pay a fine of $500. Members of the community do not believe the matter should be dealt with in that way.

Industry has shown considerably more initiative than has the Government in this area. I refer to the annual report of Carlton and United Breweries Ltd. for 1977. That is a big, important and serious company which is taking progressive steps in its particular area of responsibility to clean up the litter problem in this State. I am surprised that members of the Government should ridicule that company for its positive achievements.

A subsidiary of Carlton and United Breweries Ltd., the Manufacturers Bottle Co. of Victoria Pty. Ltd., has the sole function of maximizing the recovery and reuse of beer bottles in Victoria. Those bottles remain the property of the company and all the authorized agents appointed to recover and safeguard those assets——

Mr. McCLURE : It is a monopoly.

Mr. CATHIE : It is a very effective operation. It has 100 authorized agents, and each year that network is able to collect about 250 million empty beer bottles from the public. Every working day 1 million used beer bottles are collected and returned for refilling. That is a tremendous achievement by a responsible company tackling the problem of litter and the need to reuse that form of packaging.

Carlton and United Breweries Ltd. in its annual report also praises the achievements of the City of Knox. Apparently Government supporters are not aware that some municipalities in Victoria have also taken positive steps to try to tackle the problem of litter.

During the first three months of operation of the scheme, with virtually no publicity, 200,000 beer bottles and 160,000 other bottles were recovered by the City of Knox. That is a convenient recycling service offered by local government at no cost to the ratepayer, and it has achieved significant results.

The Opposition has attempted to show that there are other approaches and solutions to the problem than those proposed in the Bill. The Opposition believes that the Bill's provisions are far too harsh, and for that reason it cannot succeed.

The Opposition does not intend to oppose the second reading of the measure, but in the Committee stage will propose three amendments to clauses 2 and 3. We object particularly to the new provisions for owner-onus, and I will develop that argument at the appropriate time. The extension of the principle of owner onus to litter is unworkable. and the community will strongly object to it so it will not achieve the objectives stated in the Bill. I will outline the reasons for the objections to owner-onus in more detail in Committee.

Mr. JASPER (Murray Valley) : The National Party supports the Bill and commends the Government on its introduction and provisions as well as on the action it has taken to overcome the tremendous problem of litter by using the slogan " Garden State—Too Lovely to Litter ".

The honorable member for Carrum conveniently forgot that the State Government is doing a great deal to make people aware of the enormous litter problem throughout the State. He said that the Government should not be relying on fines alone. I certainly do not believe that is so, and one needs only to read the second-reading speech to learn the action the Government is taking along these lines.

The honorable member for Carrum also referred to the maximum fine of $500, but he overlooked the fact that in those cases magistrates would certainly use their discretion in deciding the amount of the fine they impose. An investigation of cases shows that the maximum fine is usually about $100, whereas the Act provides for a maximum fine of $200.

One needs only to look around the State to see that the Government is aware of the litter problem and is doing something about it. I commend particularly the introduction of litter bags for use in Government vehicles and other cars and the promotion of this scheme throughout the State. One of the worst problems on highways and country roads has been caused by people driving along and throwing litter from cars on to the road. If the provision of litter bags will prevent people doing this, it will be a step in the right direction. People need to be presented with a method of preventing littering, and it is important to make them aware of the problem. If the Government did this, the incidence of littering would be minimized.

Many municipalities work hard in this regard. The City of Shepparton has done an enormous amount of work to make people aware of the litter problem, and the effectiveness of its efforts can be seen from the cleanliness and beauty of the city. Similar comments apply to the cities of Wangaratta, Mildura and Echuca. The City of Echuca was a little ahead of time because recently it erected a sign stating that a $500 fine would be imposed for littering. Perhaps it anticipated the passage of the Bill.

The huge cost of littering to the community should also be remembered. Littering is usually done by irresponsible people who do not respect the city or country in which they live nor the rights of other people.

The National Party supports the imposition of increased fines provided for in the Bill. One magistrate in north-eastern Victoria usually comments, when he finds a person guilty of a littering offence, that the best method of punishment is through the pocket, so he imposes a fine. The imposition of larger fines and heavier penalties is one way of bringing home the extent of the problem to people who are indiscreet and irresponsible about litter.

The National Party believes the Bill is a step in the right direction. It will probably not cover all instances of littering, but the major point is that it makes people aware of the problem. The increased fines will also certainly help to overcome littering in the future.

Mr. RAMSAY (Balwyn): I wish to correct some of the grave inaccuracies brought into the debate by the honorable member for Carrum, who spoke at considerable length on a relatively small Bill. The honorable member missed the point of the Bill in two important ways. Firstly, he assumed that the Bill is the total thrust of the Government's programme to encourage a higher awareness of the problem of litter in a modern community. It is only one small part of the Government's programme. Secondly, and more importantly, he was confused about the difference between waste and litter control.

The example the honorable member gave of the recovery programme of bottles carried out by the City of Knox, a most commendable project, had nothing to do with the litter problem. Bottles were recovered from the homes of people who had finished using them and wanted to know the best way of disposing of them. This programme was introduced to assist them. The problem of littering is where rubbish has been thrown down or left in public areas by people who give no thought to the quality of the environment in which they live or move. Waste management is a different problem and a most important one, and it is pleasing to note that it is being tackled in an increasing number of areas.

However, let us not pretend that that relates to the litter problem. The problem of litter is one of people carelessly disposing of rubbish, and that is what this Bill is out to stop. The main thrust of the Government's

programme is education. As I understand the Bill, it is part of that programme of education. The Government is pursuing this education in a number of ways, and I mention only two. The spokesman for the National Party referred to the garden State as a concept being promoted at the present time by the Government with increasing effectiveness to make people appreciate that they live in a beautiful State which is worth caring for and looking after.

Secondly, I refer to the Government's support for the Keep Australia Beautiful Council. Despite what the honorable member for Carrum said about support for the council coming only from industry and private individuals, I refer him to page 81 of the Budget Papers under Ministry for Conservation where mention is made of a grant of $35,000 to the Keep Australia Beautiful Council. A similar grant was also made in the last financial year. I do not know what questions the honorable member put to the Premier, but I can only assume that he did not make himself clear or else the Premier naturally assumed that the honorable member for Carrum would have access to the Budget Papers and would not be asking questions concerning information that is so readily available.

I repeat that the Bill is educative in nature. Certainly it does increase penalties and introduces the concept of owner-onus to help control the very dangerous practice of discarding litter from moving motor vehicles. The very fact of increasing penalties will cause people to talk and cause children to remind one another that they are in danger of being fined $500 if they do not pick up the lolly paper or whatever it is they have discarded. It will encourage people to have an increased awareness of the problem.

Finally, the honorable member for Carrum made certain claims concerning the imposing of imprisonment under this Bill. If he examines clause 2 (2), he will find that where a person is convicted of an offence and the court is satisfied that the offence was committed wilfully, that the amount of litter or unwanted material or thing was wilfully dropped or thrown down, the court may impose a term of imprisonment. There must be a wilful action actually to damage the community before this harsh penalty comes in. It is not a matter of careless or thoughtless littering, but the wilful disposal of rubbish in a public place. Surely, a person who does this deserves the harshest of penalties.

I commend the Bill whilst recognizing that it is a part, and only part, of the Government's move to make Victoria the garden State of Australia.

Mr. DOUBE (Albert Park): The remarks of the honorable member for Balwyn can only be described as petulant and somewhat bitter and in marked contrast to the thoughtful speech made by the honorable member for Carrum. It is very clear that his remarks were motivated by his dislike of the honorable member for Carrum and not the comments made by that honorable member.

The contribution to the debate by the honorable member for Balwyn revealed that he only decided to participate in the debate on the spur of the moment because he certainly has not examined the Bill thoroughly, nor has he looked at the previous Act which was introduced into the House in 1964 by none other than Sir Henry Bolte. One does not like to keep the House at this late hour, but I blame the Government for that. There is no reason why the House could not meet tomorrow and honorable members be able to listen with a little more patience than is being displayed by honorable members opposite at the moment.

The Bill is typical of the sort of thing that the Government has been doing from time to time. The Government sees a problem but it is too

lazy and too full of itself to really delve into it and find out how it should be solved. It takes its usual course and embraces the Draconian principle of increasing penalties and increasing gaol sentences. The Government has not produced any evidence that this sort of approach works.

Since 1964, there has been a penalty of imprisonment for up to one month plus a fine for wilful offences. No member from the Government side of the House has produced any figures to show whether that legislation has or has not worked. No honorable member who supports the Bill can tell the House how many people have been fined during the thirteen years of operation of the Act. The Government has probably had a party committee examining this matter and, if by any chance members of that committee have the figures, they have a duty to present them to the House. Obviously, they have not even examined that aspect.

After the previous Attorney-General, Mr. Wilcox, left this Parliament, in a speech that he made in Melbourne he said that this State had far too many laws. That was a rather ironical comment because he had been responsible for many laws during the time he was here. Honorable members sit in this place and pontificate about the need to pass laws in the fond hope that they will do some good. A law has been on the statute-book for years stating that it is an offence to supply cigarettes to children, but how many people have been convicted of that offence?

Mr. McCLURE: What has that to do with the Bill?

Mr. DOUBE: I am merely suggesting that we must be more careful about altering the law to increase penalties in the fond hope that it will achieve something because the statute-book is full of Acts which provide for penalties that have never been imposed.

There is a law against flying a kite in a public place to the nuisance of anyone else, and also about tattooing of juveniles. There are many laws which are never enforced and this only makes the law look an ass.

Before the Government introduces new laws or increases existing penalties, it should examine what is already on the statute-book and whether that has been effective. For the past thirteen years, the State has had a law against littering but the Government is too tired, or is perhaps not interested, to investigate how it has operated before it increases the penalties. Clearly, the person who litters is not a bad person. I suggest that every honorable member in his time has been guilty of this offence.

Mr. RAMSAY: Wilfully?

Mr. DOUBE: I could hardly say that the Government would be wilful because it is not capable of having any thoughts about anything, whereas to commit a wilful act one must be capable of thought.

The average person who litters is not a criminal. Beach areas are often littered by family groups. The parents may have spent the afternoon looking after the children, and after a happy day the family leaves the beach, but they do not remove their litter. It is obvious that they are not evil or bad; they are simply thoughtless. It is useless for the Government to believe that by increasing the penalty from $200 to $500 it will prevent such people from littering. Many of these families are poor and travel to the beach by public transport in hot weather. They could not pay such a fine. It is absurd for the Government to believe that people will say, "I will litter when the fine is $200 but I will not litter if the fine is raised to $500."

If my supposition is correct, many of these thoughtless people will be dragged into the courts where they

will face severe penalties. In comparison I point out that the Police Offences Act provides for a penalty of $50 for leaving a dead beast or its skin on a public road or thoroughfare. That is a much more serious offence, but the fine is only one-tenth of that proposed in the Bill. That difference illustrates the lack of thought the Government has given the problem.

Most of the people who litter, whether simply by leaving rubbish on a beach or in a park or by taking trailer loads into the bush, are just ordinary people. The trouble is that people who live in an affluent society have difficulty in disposing of the junk that is loaded on to them by industry. In some districts in the metropolitan area there is only one rubbish clearance a week and it is not possible to get rid of all rubbish in a rubbish bin. It is not possible to use that rubbish clearance to dispose of large quantities of garden refuse or building materials. They must be taken to one of the tips or destructors, of which there are a number. Most people cannot do that during the week, and at week-ends, when they are civic-minded and want to do so, they are charged a fee. That is pretty hard to take when they consider the amount they pay in rates. In areas such as South Melbourne and Port Melbourne there are two rubbish collections a week but the householder is limited to using one container. Disposing of litter is a problem for ordinary people. They are not hard-hearted villains who should go to gaol, as honorable members on the Government side of the House seem to think.

The Government would do the community a great service if it subsidized councils so that they could operate their destructors at week-ends without charging a fee. That would be a much more effective method of handling the litter problem than the fine and gaol system suggested in the proposed legislation because the people involved are ordinary, reasonable and decent people who want to dispose of the multitude of boxes and milk cartons that the self-service stores and retailers load onto them.

Mr. COLLINS: What about the reasonable people in Alexandra Parade who are wilfully littering the streets?

Mr. DOUBE : Some honorable members opposite are gallant when it comes to making interjections from the wolf pack—if the wolf is not too brave an animal to be compared with them—but they do not get up on their own hind legs and make a contribution.

Councils that cannot at present afford two rubbish clearances a week should be subsidized, and councils should also be subsidized so that their tips can remain open and their destructors can operate during the week-ends without the council charging a fee.

Another point that should be made is that during the winter months the beaches are used as parks and many acres of bayside beaches are used by people who take their children to play or who promenade themselves. Those beaches are filthy from the end of one summer to the beginning of the next because the Government subsidy runs out and the councils cannot afford to clean the beaches in the winter. Filthy beaches do not provide a good example for the children who visit them in the late autumn, winter or spring. All sorts of rubbish is washed down the Yarra River by heavy rains and is left on the beaches. The Government would be taking a practical approach if it continued the subsidy to councils during the winter months so that the beaches could be cleaned. One of the serious aspects about litter is the number of beer cans one sees along the sides of roads. Apart from actually making a mess of the countryside, it is a dangerous and serious habit for people to drink

from cans whilst driving or sitting in cars, but this is becoming part of our national custom.

Irrespective of whether the Government introduces heavy penalties, I am suggesting that it will not get to the nub of the problem. To overcome the problem, the Government should take heed of some of the suggestions that I mentioned earlier, principally to ensure that revenue which is collected from fines is used in the right direction. The revenue received from council prosecutions is retained by a municipality and is applied towards keeping its own district beautiful. However, with police prosecutions, the revenue received from fines imposed in the courts, as I understand it, is paid into consolidated revenue. It does not go into a special fund for developing and furthering the educational programme. That should be done because basically the people who make this mess are decent, ordinary people.

I have mentioned the pressure of getting rid of the amount of litter which comes into an area. It is impossible to justify excessive packaging, for example, that used for some shirts, and I suggest that the packaging business creates many of our problems. It could be argued that a special tax should be imposed on the amount of packaging used on an article, but in an affluent society such as ours, one wonders whether that has any meaning any longer. Perhaps one should look carefully at that suggestion before hanging one's hopes too much on it.

No Government supporter can inform the House whether the implementation of penalties has been a failure or a success. Honorable members have no idea whether during the past fourteen years the punitive measures which have been adopted have been successful.

Mr. HUDSON: If they had been successful the Government would not be amending them.

Mr. DOUBE: I am sure that one would require more evidence than that provided in the interjection of the honorable member for Werribee who has absolutely no idea and did not even know that during the past thirteen years a prison sentence of one month could have been imposed. Further, the honorable member cannot inform the House whether one person has been sentenced under that provision.

Provision is made under the 1964 Act, not only for a fine to be imposed and a prison sentence given, but for the offender to be called on to clean up the mess which has been made. Again Government supporters are silent because they do not know; I suggest that they have done no research on this measure. It is a sloppy Bill and without putting it too highly, it is part of the window-dressing which this Government undertakes. The Government thinks this amending Bill will do some good but clearly it has not fully examined the problem.

One aspect on which honorable members opposite may be able to inform me is why the Government is extracting from the principal Act the penalty imposed on people for breaking glass on a beach or in a park. Section 3 (2), which this Bill is omitting, reads—

> Any person who deposits and leaves any broken glass or who breaks or causes to be broken and leaves any glass in or on any public place shall . . .

be liable to a penalty. That is the current provision in the principal Act but which is now being replaced.

Mr. HUDSON: The owner-onus provision replaces it.

Mr. DOUBE: There is no mention about breaking glass in the new provision.

Mr. HUDSON: It covers everything.

Mr. DOUBE: I have looked at it and I invite the honorable member to tell me where I am wrong. There is no reference in this measure to the dumping of broken glass, but under the principal Act it was an offence to deposit or leave broken glass on a beach or in a park. That is entirely different, and even the new honorable members in this Parliament who are interjecting should be able to see the difference. The measure does provide that one may not dump broken glass, but the principal Act provides that one may not dump broken glass or cause glass to be broken. Perhaps an honorable member from the Government benches will be able to inform me why that provision has been deleted.

The whole thrust of the Bill is in the wrong direction. It highlights the absolute inadequacy of this Government to perform an effective job on anything.

Mr. HUDSON (Werribee): Unlike the honorable members for Carrum and Albert Park I am delighted with this measure because for a long time I have been associated with anti-litter campaigns in the municipality in which I am proud to live. I have seen what anti-litter campaigns have achieved in the Werribee municipality. I invite honorable members to visit the municipality to judge for themselves how effective the anti-litter campaigns have been.

Before proceeding to describe the type of things which can occur, I deplore the personal attacks which the honorable member for Carrum made on individuals.

Mr. CATHIE (Carrum): I raise a point of order, Mr. Speaker. I made no personal attacks on any individual. I might have described what their position was, but it was not a direct personal attack on any individual.

The SPEAKER (Sir Kenneth Wheeler): Order! I uphold the point of order.

Mr. HUDSON (Werribee): I was about to say that I was sorry that people have been misrepresented, as they were tonight. The person concerned has held a very respectable and honest position and has been a hard worker for the community in the State of Victoria, and it is a pity that the person was misrepresented.

Mr. CATHIE: How did I misrepresent her?

Mr. HUDSON: Reference was made to owner-onus and it was claimed that the maximum penalty had been lifted from $5 for that offence. The penalty for an owner-onus offence is now $50, not $500 as the honorable member for Carrum said and if he read the Bill he would see that that is the correct figure.

I was sorry that the honorable member for Carrum, who is the spokesman for the Opposition on conservation matters, was not happy that a new anti-litter law was being introduced.

The Bill has been completely criticized since the honorable member for Carrum began his lengthy speech in which he talked about almost everything but anti-litter measures. He said that the biggest problem he had was the broken glass on the beach, and he spent the rest of the time saying that the greatest causes of litter were non-returnable containers and the packaging industry. However, if the honorable member analyses the matter, if he is able to do so, he will realize that it is people who cause the litter. If everything was packaged in throw-away and disposable packages, it would not cause any litter unless people made that litter.

I visited Perth and spent two days investigating the litter laws of that city. I talked to municipal councillors, examined the Acts and talked to senior business people in the city of Perth to discover why it is the cleanest city in Australia, which I believe it is. That result has been

achieved by people who were concerned to clean up Perth. The penalties are not harsh, but unlike members of the Opposition, both political parties in Perth decided that they would support an educational programme for the cleaning up of Perth. All honorable members there supported that programme and did not speak against it.

This has happened in the municipality of Werribee. Some few years ago the chamber of commerce decided that it would clean up the town. A clean-up campaign was organized which involved the Lions Club, councillors, council officers and the indoor and outdoor staff of councils and members of the public. One hundred or more people went on to the roads one week-end and hundreds of tons of rubbish was picked up from the Princes Highway on both the entrance and the exit to Melbourne.

This was repeated a second time some two years later, and less than 100 tons of rubbish was picked up. Today that highway is very clean. The Country Roads Board officials are proud of the highway and they ensure that rubbish is picked up. A similar campaign was organized for school children. Recently the Minister of Education opened a school library in Werribee. I know how impressed he was with the school's surrounds and the attention that was paid to cleanliness in the area. As a result of that educational programme, the town of Werribee and its environs are clean.

However, that is not the only thing that must be done. The local people in an area can be educated. It is the outsiders who cause trouble, such as the people who litter the beaches. There is a problem in the fringe municipalities outside the metropolitan area where it is convenient for people to dump trailer loads and truck loads of garbage at night and at week-ends. Many thousands of tons of rubbish are picked up by the Werribee Shire Council each year. The council endeavours to prosecute but it is costly because it is necessary to hunt through many of these heaps of dumped garbage to find one name and address. The maximum penalty is $200. It is too costly for a council to employ an enforcer of garbage disposal. I welcome the increase in the penalty from $200 to $500 for this type of offence. A $5 fine would not be sufficient to keep a permanent by-laws officer employed to police littering, but $50 fines would employ him for a year. He would not be needed after that.

I visited Singapore to examine the situation there. Apparently everyone learned quickly not to litter. Therefore, education works two ways, whether it is done by publicity and by talking to people, or by penalties. A law can be successful only if people are educated so that they are conscious of it and their conscience prevents them from breaking it. The campaign that the Government launched in September, when announcing this Bill, has started the education process.

Schools have received a tremendous amount of publicity and the children have been told what is to happen. The shire councils and the city councils have been provided with all the information necessary, a lot of material, and the wherewithal to do something about it. If the honorable member for Carrum devoted his time to doing something about the proposed legislation instead of criticizing it, he would find that the legislation would work. It is the responsibility of all honorable members to police this enormous problem in order to bring this city and its environs to a state of which we can be proud.

Mr. KIRKWOOD (Preston): The honorable member for Werribee referred to anti-litter campaigns in the Werribee municipality. Members of the Opposition accept the fact that

there is a litter problem and a need for various campaigns. I am not sure that people from Melbourne dump truck loads of rubbish at Werribee. But, if this is the case, it substantiates the argument of the honorable member for Albert Park.

He made a most telling point when he stated that the Government should subsidize municipalities to enable them to keep their tips open and free to the public. If, as the honorable member for Werribee stated, people go out at night and dump rubbish on the highways and byways, it must be because the local municipal tip is either closed or costly. If that is so, people who want to get rid of rubbish may do what the honorable member for Werribee suggests, and dump it in somebody else's backyard. There must be some way in which household refuse can be dumped into a municipal tip 24 hours of the day at no cost.

It would be better to spend money to educate people. In many municipalities the charge to dump household rubbish is becoming expensive, and one cannot dump it after 4.30 p.m. Industrial rubbish creates another problem of which honorable members are well aware.

What does the Government propose to do about the provision of sites for future rubbish dumps? Most councils have received a copy of this Bill and have had the original Bill for many years. Very few councils have appointed the appropriate officials to deal with this matter. I can speak only for the City of Preston, but it has not appointed any such officer. The Preston council believes that the fines are too high. They have been discussed.

In the past health inspectors have obtained prosecutions under the Health Act and not the Litter Act. Up till now no details have been given of how many prosecutions have been launched in any field covered by this legislation, and yet the fines are to go from $200 to $500 and from $5 to $50 without a substantial reason for the increases.

The proposed legislation will extend to places of entertainment. The Government will find that it is unable to police such a law. Who in their right mind will attend a big sporting event and try to prosecute those who have paid an entrance fee and who leave their beer and lemonade bottles or cans or other rubbish behind? Who will go into a crowd of thousands of people and charge anyone? I am sure that no policeman or officer from any municipality would be prepared to do that.

In the coming months community swimming pools in the inner Melbourne area will be crowded on warm nights. Who will prosecute the parents and children who throw cans or other rubbish on the grassed area? Some people would have more common sense than to insist that there be a regulation or law for such things. I would give credit for a lot of courage to anyone who would go into a crowd of adults and youths and try to enforce this law in an area for entertainment or sport.

Perhaps the Government could subsidize the provision of more receptacles for rubbish and signs in public places. The laws of Singapore would not be acceptable here. I agree with the honorable member for Carrum that the general public will not accept outright standover tactics. If we are fair dinkum, our litter problem has to be handled by this Government in a practical manner. The first attack could be on industry which manufactures non-returnable items which will never do anything but harm, even in a tip. Such actions will all help. In any area where there are people in Victoria the problem will arise, whether it be at the beach, in the country or in inner Melbourne.

I do not accept that rubbish dumped at recreation areas in the country is dumped by visitors from the inner Melbourne area. If that is

being done, it is because this Government is unable, by example, to show the people what should be done.

The Bill provides for owner onus if litter is dropped from a vehicle. If a police officer or municipal officer sees something thrown from a car window, he can charge the offender. If the officer concerned had defective eyesight and the car was moving away from him he could misread the number plate. Are we to take his word for it? There are many damaged number plates.

The SPEAKER (Sir Kenneth Wheeler): Order! We are not talking about number plates.

Mr. KIRKWOOD: If a vehicle is moving, how can a charge be laid unless the number is taken? If the officer has defective eyesight, or wants to make a fool of someone and has memorized the number, there is nothing to say that he cannot get that person into a lot of trouble. I accept that a person so named could get out of trouble but he would have to go to court and probably engage a lawyer. Honorable members know how they charge—like wounded bulls. When one sees this type of provision in a Bill one wonders why it was included. Is it to ensure that something is done, or seems to be done?

The Government should accept the ideas and suggestions of the main speakers for the Opposition. The contributions were genuine and I believe honorable members of the Opposition realize that there is a problem but are not prepared to support a Bill which will not overcome the problem. In this case I do not think the Government is encouraging municipalities or the people who have to use reserves and facilities for sport and entertainment not to litter by introducing standover tactics as proposed in the Bill.

Mr. CRELLIN (Sandringham): I have the privilege of representing an area that is on the receiving end of a lot of rubbish. In summer the beaches of Sandringham are littered with cans, bottles, ice cream papers and other rubbish. I listened with interest to the honorable member for Preston and he used the term "fair dinkum". He is usually fair dinkum, but I am amazed at the "Alice in Wonderland" approach of the honorable members for Carrum and Albert Park. Sometimes I wonder whether they walk around the State with their eyes open.

The Minister, in his second-reading speech, referred to the fact that the Government and the Keep Australia Beautiful Council believe that any effective campaign must rely upon four essential elements which have for convenience become known as the four E's—education, example, equipment and enforcement. This Bill is the enforcement part of the four-part programme. Of course, education is most important. It would be much easier if people took their rubbish home rather than leaving it on the beach, in public parks or other places.

I inform the honorable member for Albert Park that there are many councils which run a pick-up rubbish service twice a week and which have schemes for non-returnable rubbish. Examples of good local government are the cities of Sandringham and Moorabbin, areas of local government which I have the privilege to represent. The City of Sandringham spends thousands of dollars each year of ratepayers' funds picking up other people's rubbish which is left on the foreshore area. The help which the council receives from the Government on a $2 for $1 basis for beach cleaning is appreciated, and many other areas in the bayside suburbs also appreciate the Government help they receive.

I can assure the honorable member for Albert Park, and other members, that when my family and I visit the beach we are pleased to bring

home the lunch wrappers, bottles and packages which we take to the beach, and it is a pity others do not do the same.

Reference has been made to rubbish. I do not understand some of the members of the Opposition when they say they do not know who makes the rubbish. It does not get there on its own. People put it there and fail to take it away. The interjections from the honorable member for Carrum are typical of his Alice in Wonderland approach to the whole problem.

Reference was made to an excellent bottle recovery programme which is run by Carlton and United Breweries Limited. It is organized by a very good executive, Mr. Terry Waters, with whom I have had discussions on a number of occasions. I fully support this company and its excellent programme to recover bottles which contain their product. There are many other companies which use a similar programme in encouraging recovery of their containers. In the *Sun News-Pictorial* of 23rd November, there is a full page advertisement by Alcoa Australia, recommending that people return aluminium cans. This company has set up depots throughout Victoria for cans to be returned for recycling. A similar system is also conducted by Comalco for the recovery of aluminium cans.

I listened with interest to the honorable member for Carrum, and I referred to his Alice in Wonderland attitude.

Mr. CATHIE: That is three times.

Mr. CRELLIN: I am glad it has been noted three times because this Bill will give heart to people who put their actions where their mouths are. I refer to the volunteers in my district who, in their own time, take part in a voluntary beach cleaning campaign run by the City of Sandringham in an endeavour to keep this beautiful part of Victoria clean for other people.

To conclude my contribution to this debate, I refer to the coming Federal election. My electorate incorporates part of the Federal electorate of Isaacs. It is very interesting that there are signs of this election in many parts of the electorate, in bus shelters, on walls and in public places promoting the Australian Labor Party candidate. There is electioneering material all over the streets, and each piece representing the Australian Labor Party carries the authorization of a person who calls himself I. Cathie of 172 Nepean Highway, Aspenda'e, who I understand is also the member for Carrum. Honorable members listened with interest to what he said. One of the things most members find it hard to accept is hypocrisy, and if the honorable member for Carrum were to put his actions where his mouth is he might help to clean up his own mess.

Mr. SIMMONDS (Reservoir): I commend the honorable member for Carrum for spreading information in the electorate of Isaacs on Mr. Williams, the candidate for Isaacs, and I commend him for the work he is doing for the election of this candidate for Isaacs on 10th December.

I take up with the honorable member for Sandringham that other residents in the metropolitan area are contributing to the waste and litter products in Sandringham. I quote from the progress report of the State Development Committee 1971, which was presented to His Excellency the Governor in Council and laid before both Houses of Parliament pursuant to the provisions of the State Development Committee Act 1958. It is interesting to compare the situation at Sandringham with that in other municipalities in this problem of dealing with

cans and other litter which is supposedly a problem in Sandringham. The honorable member for Werribee indicated that some citizens are dumping litter in the Werribee electorate. Sandringham, with a population of 36,000, manages to collect twice weekly 1,000 cubic yards of garbage, and in other domestic rubbish and industrial and commercial waste another 1,000 cubic yards. It is interesting to note that the rubbish collected is tipped elsewhere because there is no provision for a tip in the municipality of Sandringham.

Mr. CRELLIN: That is not true.

Mr. SIMMONDS: I am reading the progress report of the State Development Committee, and the honorable member may want to take this up with the committee if he believes this is not correct. In respect of the City of Preston, 1,400 cubic yards of garbage was collected weekly, and from other domestic rubbish and industrial and commercial waste, 2,100 cubic yards. All this was dumped in the City of Preston, which has access to dumping sites up to the year 1999.

The problems are significant, and the Opposition views this Bill seriously. The Government has introduced a Bill which is in conformity with its doctrine that if it cannot control, educate or bring about a solution to a problem, then it waves a big stick and makes everything fall into place. This has been seen in the industrial field, and now the Government is taking on the citizens of Victoria in the hope that they will achieve some solution to a problem which is known and acknowledged to exist.

I believe the Government is not sincere in this Bill. It has made no serious attempt to deal with the basic cause. The honorable member for Carrum correctly illustrated that the litter problem is becoming greater and the cause of that is the packaging and containers of the various items. The problem relates to the recovery of that litter and the value of it. If an item is valueless, members of the community throw it away.

I shall indicate the value that manufacturers place on various packages. In Australia annually 4,000 million steel cans are purchased, according to the final report of the State Development Committee on the Destruction of Garbage and Other Rubbish. Of that 4,000 million, only 1 can in 650 is reclaimed. The other 649 find their way into the various areas of litter or garbage collection, and add to the problem.

The can industry has dealt with this problem extensively. It has endeavoured to indicate to the community its concern for recycling and the problem that the industry is creating. The steel industry pays $8 a ton for cans that are reclaimed. The steel can group informed the community that this was a significant contribution by the packaging industry to the problems of pollution of the environment in which we live. That $8 a ton covers 15,000 steel cans. For the privilege of collecting 15,000 steel cans, any person can expect to collect $8. This Government is seeking to impose fines on the community that is faced with the problem of the disposal of waste of this nature, and is seeking to intimidate rather than educate and provide disposal facilities.

There is another aspect to this problem. If the Government is unable to provide the enforcement officers to police this legislation, obviously fines will be selectively imposed. In this Chamber tonight there have been interjections about what will happen in Alexandra Parade in relation to the Eastern Freeway. Is the purpose of the Government's Bill to deal with that situation?

Is the Government serious in its proposition that the community will somehow change its attitude overnight simply because a Bill has been passed?

Mr. WILLIAMS: What did Dolf Eddy say about that?

Mr. SIMMONDS: I remind the honorable member for Doncaster that within the past two months this Parliament passed legislation declaring a state of emergency and imposing enormous fines on people who did not respond to a certain proposition. Can the Minister of Education, who is seeking to interject, tell me as an indication of the effectiveness of the legislation of any way in which the legislation was used to prosecute a citizen of Victoria, whether the state of emergency has now ended, whether the legislation is still operative, what he proposes to do with it, and how many fines have been imposed under the existing legislation which the Government seeks to amend? Will he tell me that 100, 200 or 2,000 people were fined and that the sole reason for the ineffectiveness of the existing legislation was that the fines were not sufficient?

There is no evidence that the Bill will change anything. This Government is simply going through a public relations exercise of saying that it is concerned about the litter problem, and is determined to do something about it. Honorable members have heard the Government of Singapore cited as an example, and claims that this type of legislation is enforced in Singapore. Of course it is, but in Singapore more facilities are provided for the collection of litter. Wherever one goes there one finds easy access to receptacles for the disposal of litter. Even jam tins are provided on the side of normal garbage receptacles at every crossing, for the collection of cigarette butts.

I do not know whether the Victorian Government wishes to follow the approach of the Government of Singapore. Will it insist upon a certain length of hair before a public servant will interview a client on a problem? Will it arrange the electoral system so that the Opposition benches are vacant because no Opposition is tolerated and the Opposition that exists is in gaol? Is that the next stage? Does this Government, which seeks to impose fines of $500 on persons who inadvertently drop a piece of litter, perhaps unconsciously, propose that they be selectively fined by a law enforcement officer, not necessarily a police officer? The Bill provides that any officer defined in the Bill shall have the power to prosecute and take action. Will the honorable member for Sandringham at the local boy scouts rally run around with his seeing-eye dog digging up likely culprits? In that situation the honorable member for Carrum could not drop a cigarette butt.

This Government should be condemned for its insincerity of approach to this social problem. It is not dealing with the problem but merely imposing penalties by means of suppressive legislation. It is typical of its dictatorial approach to most social problems that it believes somehow the citizens of Victoria will change their attitude to this matter. That will not work. During the Committee stage members of the Opposition will seek to amend the Bill. This Government is unable to legislate effectively in this area as in many other important areas.

Mr. BIRRELL (Geelong West): This has been an inspiring debate and I want to finish it with these inspiring words: "Litter, Litter——"

The SPEAKER (Sir Kenneth Wheeler): Order! I have heard the honorable member on this type of matter before. If he cares to debate the Bill that is an entirely different matter, but he should not recite a piece of poetry.

Mr. GINIFER (Keilor): The attitude taken by the honorable member for Geelong West, who attempted to turn this debate into a three-ring circus, is typical of the stand taken by some honorable members to this serious problem. What must be considered is the attitude of the community, and the development of attitudes towards litter and towards the environment. That can be done only through an inculcation of a desire for a better community in which to live, and a better appreciation of the environment. Each citizen must make a contribution through the heart and not as a result of coercive legislation.

The honorable member for Geelong West indicated that he has not taken this Bill seriously and treats it as a joke.

The SPEAKER: The honorable member made no contribution.

Mr. GINIFER: I referred to the attitude taken by the honorable member. I shall continue on this note because the same attitude is being taken by other members of the Government party. If Victoria is to have an environment in which people want to live, those people's hearts, souls and minds must be interested in protecting that environment. They must desire to have an environment in which it is worth while to live and which is not brought about by repressive legislation, which will compel people to do things because that is the law.

If Victoria has that type of legislation and if it is portrayed that the Government of Singapore is a Socialist Government, the type of Socialist totalitarian society to which the honorable member for Ivanhoe referred by interjection——

The SPEAKER (Sir Kenneth Wheeler): The honorable member should return to the Bill. The House is not discussing a Socialist Government.

Mr. GINIFER: I was taking up the interjection.

The SPEAKER: Interjections are disorderly.

Mr. GINIFER: I know that they are disorderly. It was a disorderly interjection. It did not portray the true situation in this State. If the Government is to keep the welfare of the people at heart, it must be prepared to accept the facts in a democratic sense, not in the totalitarian sense that has been brought to bear because of the harshness of the penalties that are being imposed in the Bill and the arguments used to show that they will foster a better society and environment in which to live.

That was the basis of my contribution to the debate. I wanted to indicate to the Government that in order to achieve the type of environment it wants, it must win the hearts of the community and not stand over people in the totalitarian manner advocated by some Government supporters.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 7145 s. 3, 3A, 3B).

Mr. CATHIE (Carrum): I move—

Clause 2, page 2, line 8, omit "$500" and insert "$200".

The amendment proposed by the Bill will remove sections of the original Act relating to wilfulness and, on the one hand, make it easier for a court to obtain a conviction, and on the other hand will increase the penalty for littering from $200 to $500.

The Opposition has already indicated that it objects to what it regards as an inappropriate and unworkable penalty in an area where perhaps the most that could be said against a person who commits this type of offence of dropping litter is that he

has been thoughtless. The Opposition does not believe people who are momentarily thoughtless can be dealt with simply by imposing the heavy penalty of a fine of $500. If Government supporters do not consider that to be a heavy penalty, particularly in the present economic conditions, they should carefully consider what they are proposing.

Mr. MACLELLAN (Minister of Labour and Industry): The Government does not accept the proposed amendment. Perhaps it illustrates the poverty of ideas in the Opposition's ranks. After all the high principled denunciations about Draconian penalties, we now discover that the Opposition wants to reduce the maximum penalty—because it is a matter that is open to the courts—from $500 to $200. The Opposition proposes that no matter how serious the defilement of the environment with respect to the amount of litter or rubbish that is dumped—it could be a truck load—the Opposition is saying in effect that it merits a penalty of only $200.

What escapes members of the Opposition is the world of reality. They should realize that it is rare for a court to impose the maximum penalty. That is kept only for extremely serious offences. The courts judge matters on the evidence before them, and fix fines which they believe to be appropriate in the circumstances. Naturally, they are influenced by the expression of the views of Parliament, and that is the whole intention of expressing a view. What the Government is asking Parliament to do is express a view that littering the environment and dumping rubbish is a serious matter and that more than token penalties are necessary, even if they are not enforced by prosecution.

As was explained earlier, where elements of proof were necessary, members of the Police Force have been deterred from prosecuting people. The Government is not prepared to accept a proposed amendment that reduces the impact of the legislation, which is educative legislation. The honorable member for Carrum made a song and dance about education. This Bill is educative legislation. If somebody is fined for dumping or dropping rubbish, it will have tremendous educational value when the community becomes aware of it.

It is a serious matter if a person goes out and, with total disregard for community values, dumps a truck load of rubbish. I suppose honorable members who represent country electorates, particularly those near urban centres, are only too aware of the tremendous damage that is done by people who simply will not use facilities that ought to be and are available to them, but drive along a rarely used road and throw out materials.

If community values are to be expressed, they should be expressed in a way that gives the courts authority to fix appropriate penalties, and the penalties should be high enough to act as a deterrent. Heaven knows, the honorable member for Carrum should know about the problems of industrial waste. Is industrial waste to be dumped all over the community because it is cheaper to pay a fine of $200 than to transport it to the few areas where it is safe to be placed?

The amendment proposed by the honorable member for Carrum shows the poverty of thinking of the Opposition and of its approach to the matter.

Mr. WHITING: Would not "paucity" be a more appropriate word?

Mr. MACLELLAN: I do not think so; there is not enough of it to be described as a paucity! The Opposition lacks community values and does not deserve to have attention paid to the high-sounding Socialist-left arguments that it troops out, supported by the physical presence of the right wing as part of the deal that we all know is being done. Unfortunately, one can safely assume that the centre unity group is asleep somewhere, as they have been in preselection after preselection——

Mr. CATHIE (Carrum): On a point of order, the Minister is now making up some fairy tale about factions that he imagines exist in the Labor Party. I suggest that has nothing to do with the amendment I moved, which deals purely with penalties for dumping and unloading rubbish.

The CHAIRMAN (Mr. Suggett): There is no point of order, but I suggest that the Minister should restrict his remarks to the issue.

Mr. MACLELLAN (Minister of Labour and Industry): I thank you for your ruling, Mr. Chairman. I think I have made the position of the Government clear. It does not accept the amendment and does not respect the Opposition for the way in which it moved it.

Mr. CRELLIN (Sandringham): In his contribution to the second-reading debate the honorable member for Reservoir referred to a 1971 report of the State Development Committee which stated that the City of Sandringham had no facility for the receipt of a particular type of waste. He referred particularly to non-burnable waste, but if he had done his homework and brought himself up to date——

The CHAIRMAN (Mr. Suggett): Order! I cannot relate the remarks of the honorable member to the proposed amendment.

Mr. CRELLIN: I support the provision for a $500 penalty in the hope that it may give some lead to people who willingly dump rubbish around Victoria. The honorable member for Reservoir referred to the lack of facilities, particularly in the municipality in the electorate that I represent, and to a 1971 report. The honorable member has not done his homework because, had he referred to the 1977 position, he would have found that the City of Sandringham——

The ACTING CHAIRMAN (Mr. Suggett): Order! The honorable member must confine his remarks to the amount of the fine.

Mr. CRELLIN: It relates very much to the amount of the fine because the provision of facilities enables people to avoid being fined. The City of Sandringham provides a facility for the receipt of this type of rubbish and tips in the City of Moorabbin are also open to enable people to dump their rubbish rather than incur a fine.

The Committee divided on the question that the expression proposed by Mr. Cathie to be omitted stand part of the clause (Mr. Suggett in the chair)—

Ayes	..	43
Noes	..	17
Majority against the amendment	..	26

AYES.

Mr. Austin	Mr. McClure
Mr. Balfour	Mr. Maclellan
Mr. Billing	Mrs. Patrick
Mr. Birrell	Mr. Plowman
Mr. Borthwick	Mr. Rafferty
Mr. Burgin	Mr. Ramsay
Mr. Coleman	Mr. Richardson
Mr. Collins	Mr. Ross-Edwards
Mr. Crellin	Mr. Scanlan
Mr. Ebery	Mr. Skeggs
Mr. Evans (*Ballarat North*)	Mr. Smith (*South Barwon*)
Mr. Evans (*Gippsland East*)	Mr. Smith (*Warrnambool*)
Mr. Gude	Mr. Stephen
Mr. Guy	Mr. Templeton
Mr. Hamer	Mr. Thompson
Mr. Hayes	Mr. Trewin
Mr. Hudson	Mr. Whiting
Mr. Jennings	Mr. Williams
Mr. Jona	Mr. Wood.
Mr. Kennett	*Tellers:*
Mr. Lacy	Mr. Hann
Mr. McCabe	Mr. Mackinnon

NOES.

Mr. Cain	Mr. Mutton
Mr. Cathie	Mr. Roper
Mr. Crabb	Mr. Simmonds
Mr. Culpin	Mr. Stirling
Mr. Doube	Mrs. Toner
Mr. Edmunds	Mr. Wilkes
Mr. Fogarty	*Tellers:*
Mr. Fordham	Mr. Ginifer
Mr. Kirkwood	Mr. Simpson

PAIRS.

Mr. Lieberman	Mr. Trezise
Mr. Loxton	Mr. Amos
Mr. McArthur	Mr. Lind
Mr. McKellar	Mr. Wilton

Mr. CATHIE (Carrum): I move—

Clause 2, page 2, lines 20–23, omit "or in lieu of the penalty provided by sub-section (1) sentence the offender to imprisonment for a term of not more than one month" and insert "the penalty provided by sub-section (1) order the offender to pay an additional fine up to $500 and to pay the costs of removing such litter or unwanted material".

The proposed new section deals with offences that are committed wilfully. It deals with offences in which the amount of litter dropped wilfully is substantial or is dropped or thrown from a moving vehicle or consists of broken glass. The Opposition suggests that if a person takes a trailer-load of household rubbish and dumps it in the country on a lonely road—perhaps because the hard rubbish clearance was not available—there is a case for imposing an additional fine and a more severe penalty, but it does not agree that that penalty should include imprisonment. That provision will not be acceptable to most people in the community. It is for that reason that the Opposition moves the amendment.

Mr. MACLELLAN (Minister of Labour and Industry): The Government is unable to accept the amendment. It again illustrates the difficulty the honorable member for Carrum has in facing reality. He suggests that the Government should omit from the Bill a penalty of, perhaps, one month's imprisonment. At the same time he wishes to increase the fine and include in it the additional cost of removing the unwanted litter.

I point out that if the fine is not paid, either because the person does not have the money or decides not to pay it, the offender will go to gaol anyway. Why does the Opposition not face the simple reality of the situation? The courts should be able to express community values in this matter. If the offence is serious enough for a court to order a period of imprisonment, let the court say so. Why should the Government, just to accommodate the sensitivities of the Opposition, limit the courts to imposing a higher fine? In this case it would be the original $500, plus an additional $500, plus the cost of removal of the litter. If that amount is not paid the person goes to gaol anyway.

The Opposition must face reality and realize that if a person must end up in gaol it would be better to have the provision in the legislation.

The Committee divided on the question that the words proposed by Mr. Cathie to be omitted stand part of the clause (Mr. Suggett in the chair)—

Ayes	.. ..	44
Noes	.. ..	17
Majority against the amendment	..	27

AYES.

Mr. Austin	Mr. McClure
Mr. Balfour	Mr. Maclellan
Mr. Billing	Mrs. Patrick
Mr. Birrell	Mr. Plowman
Mr. Borthwick	Mr. Rafferty
Mr. Burgin	Mr. Ramsay
Mr. Coleman	Mr. Richardson
Mr. Collins	Mr. Ross-Edwards
Mr. Crellin	Mr. Scanlan
Mr. Ebery	Mr. Skeggs
Mr. Evans (*Ballarat North*)	Mr. Smith (*South Barwon*)
Mr. Evans (*Gippsland East*)	Mr. Smith (*Warrnambool*)
Mr. Gude	Mr. Stephen
Mr. Guy	Mr. Templeton
Mr. Hamer	Mr. Thompson
Mr. Hayes	Mr. Trewin
Mr. Hudson	Mr. Whiting
Mr. Jennings	Mr. Williams
Mr. Jona	Mr. Wood.
Mr. Kennett	
Mr. Lacy	*Tellers:*
Mr. McArthur	Mr. Hann
Mr. McCabe	Mr. Mackinnon

NOES.

Mr. Cain	Mr. Mutton
Mr. Cathie	Mr. Roper
Mr. Crabb	Mr. Simmonds
Mr. Culpin	Mr. Stirling
Mr. Doube	Mrs. Toner
Mr. Edmunds	Mr. Wilkes.
Mr. Fogarty	*Tellers:*
Mr. Fordham	Mr. Ginifer
Mr. Kirkwood	Mr. Simpson

PAIRS.

Mr. Jasper	Mr. Wilton
Mr. Lieberman	Mr. Lind
Mr. Loxton	Mr. Amos
Mr. MacKellar	Mr. Trezise

Mr. MACLELLAN (Minister of Labour and Industry) : I move—

Clause 2, page 2, line 25, insert the following paragraph to follow paragraph (*b*) :—

'( ) At the end of section 3B (2) there shall be inserted the following expression :—

" and

'( ) At the end of section 3B (2) there vested in, or owned or controlled by or under the management of the Melbourne and Metropolitan Board of Works—an officer of the Board appointed in writing by the Secretary of the Board either generally or in a particular case for the purposes of this section."'

The amendment provides for the Melbourne and Metropolitan Board of Works to act in respect of parks and areas under its control, just as the principal Act provides for the National Parks Service and municipalities to act in respect of properties under their control. This is a fairly simple amendment, which is necessary to allow implementation of the legislation in areas controlled by the Board of Works, and is particularly applicable to regional parks.

Mr. CATHIE (Carrum) : Although the Minister of Labour and Industry considers that the Opposition is bereft of constructive ideas, I indicate that the Opposition is more generous than he believes as it does not oppose this amendment.

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

Clause 3 (Liability of owners of vehicles).

Mr. CATHIE (Carrum) : I move—

Clause 3, page 2, lines 30-42 and page 3, lines 1-37, omit all words and expressions on these lines.

This is perhaps the most objectionable clause in the measure. What the proposed new section does is to apply the doctrine of owner-driver onus into the field of litter.

The owner or driver is made responsible for any act of littering which might occur or which might take place from the motor car. It is a doctrine of guilt by association because neither the owner nor the driver may be guilty of the offence. It may be that a child, as a passenger, throws a paper dart out of the window of a car at the time.

Admittedly in this clause there are a number of qualifications. The first qualification is that if the court is satisfied that the vehicle was a stolen vehicle, then the provision does not apply. The second qualification is that an owner of a vehicle shall not be deemed to be guilty of an offence if the owner supplies in a sworn statement the name and address of the person who was in charge of the vehicle at the relevant time.

The Opposition also objects to that principle because what it is doing to the owner of the car is stating that although the owner is not guilty of the offence, the court will fine that person unless he is prepared to play the role of an informer and " dob " in a friend or neighbour who has borrowed his car.

Mr. MACLELLAN : Don't you care about litter?

Mr. CATHIE : The Minister of Labour and Industry makes the child-like and petulant interjection that because the Opposition is opposed to extending owner-onus, it does not care about littering. I am quite happy to allow people to make their own judgment after reading the debate on this Bill when it appears in *Hansard*.

It could be that the owner of a motor car had arranged to take his neighbour's children to the local swimming pool, but because of something happening within the household he is not able to do so and so asks the friend or neighbour to take the car

and transport the children of the two families to wherever they were going. Neither the neighbour nor the driver of the motor car should be guilty if a child in that motor car throws litter out of the window.

Admittedly if one looks at the proposed section one finds that it states, *inter alia*—

> shall be *prima facie* evidence that such person was in charge of the vehicle at all times relevant to the commission of the offence.

What that means is that the onus is then on the accused to disprove something which happened. That seems contrary to the normal principles of law, certainly under common law and our normal traditions. The onus of proof should remain with the Crown and it should not be turned around in this way so that some other individual has to get up and disprove something which has been claimed to have occurred.

The Opposition believes this will be an unworkable approach. It is the approach of the sledge hammer; it is far too heavy fisted and it is not going to solve the problems in front of us.

The Opposition has challenged the Minister of Labour and Industry or any Government supporter to let us know what success the Government has had with offences committed under the existing Litter Act. How many people have been found guilty? How many people have been proceeded against and how effective has the present legislation been? Not one speaker from the Government side of the Chamber has been able to give that information. I commend the amendment to the Committee.

Mr. MACLELLAN (Minister of Labour and Industry) : The Opposition intends to make the legislation unworkable by its amendment to remove owner-onus. Obviously it is not very interested or sincere in making sure that rubbish is not tossed out of cars. If it expects the community to be entertaining a series of Keystone Cop chases to try to locate cars at the time rather than taking the number of the car and applying the owner-onus principle, then the legislation will not work. There should not be high-speed chases to try to detect people who have thrown rubbish out of their cars.

The solution the Government has selected is that the owner-onus principles should be applied and that is far better than the two extremes suggested by the Opposition. It is regrettable that the extremist Opposition is lurching from one extreme to the other on this Bill.

Mr. CATHIE (Carrum) : I reject the view that because the Opposition opposes extending the principle of owner-onus into the field of litter, it is bereft of constructive ideas and that action indicates an extremist Opposition.

For some time members of the Labor Party have been maintaining that there are constructive approaches to this problem. No member of the Government party has taken up the proposal that there should be compulsory installation or inclusion of a litter bag in motor vehicles. If litter bags were available in motor vehicles there would be no need to throw rubbish from them. Members of the Opposition are indicating to the Government that there are ways of dealing with the problem other than the easy method of simply passing the buck to the Australian citizen.

Mr. SIMMONDS (Reservoir): The Government is extending the principle of owner-onus into an unheard of area. As I understand it, the maximum fine which applies to owner-onus provisions is approximately $25. The Government is moving into the area of one month's gaol and a $500 fine. That is an extensive intrusion into owner-onus with a massive fine and a gaol

sentence. It is based on prosecution not only by a member of the Police Force but also by any officer who is described in the Act.

In the second-reading speech I made the point that the proposed legislation will be used selectively for political purposes by a Government of the character that is in office in Victoria at present. This Government could not be trusted with this sort of legislation.

The Committee divided on the question that the words and expressions proposed by Mr. Cathie to be omitted stand part of the clause (Mr. Suggett in the chair)—

Ayes	..	44
Noes	..	17
Majority against the amendment	..	27

AYES.

Mr. Austin	Mr. McClure
Mr. Balfour	Mr. Maclellan
Mr. Billing	Mrs. Patrick
Mr. Birrell	Mr. Plowman
Mr. Borthwick	Mr. Rafferty
Mr. Burgin	Mr. Ramsay
Mr. Coleman	Mr. Richardson
Mr. Collins	Mr. Ross-Edwards
Mr. Crellin	Mr. Scanlan
Mr. Ebery	Mr. Skeggs
Mr. Evans (*Ballarat North*)	Mr. Smith (*South Barwon*)
Mr. Evans (*Gippsland East*)	Mr. Smith (*Warrnambool*)
Mr. Gude	Mr. Stephen
Mr. Guy	Mr. Templeton
Mr. Hamer	Mr. Thompson
Mr. Hayes	Mr. Trewin
Mr. Hudson	Mr. Whiting
Mr. Jennings	Mr. Williams
Mr. Jona	Mr. Wood
Mr. Kennett	
Mr. Lacy	*Tellers:*
Mr. McArthur	Mr. Hann
Mr. McCabe	Mr. Mackinnon

NOES.

Mr. Cain	Mr. Roper
Mr. Cathie	Mr. Simmonds
Mr. Crabb	Mr. Stirling
Mr. Culpin	Mrs. Toner
Mr. Doube	Mr. Wilkes
Mr. Edmunds	
Mr. Fogarty	
Mr. Fordham	*Tellers:*
Mr. Kirkwood	Mr. Ginifer
Mr. Mutton	Mr. Simpson

PAIRS.

Mr. Cox	Mr. Wilton
Mr. Dunstan	Mr. Lind
Mr. Lieberman	Mr. Trezise
Mr. Loxton	Mr. Amos

The clause was agreed to, as was clause 4.

Clause 5 (Amendment of No. 7145 as amended by the preceding provisions of this Act).

Mr. CATHIE (Carrum): Despite the attitude of the Government, this is a Parliament and the Opposition is entitled to speak on the clauses. Subclause (2) indicates that the Government intends to move towards a more general application of the Act. Members of the Opposition welcome this constructive move. Possibly in the near future it will be applied to other places of amusement which are currently not included in the proposed legislation. If the problem of litter is to be dealt with in a comprehensive way, the problem of the enormous amount of litter dumped on sporting grounds must be tackled.

The clause was agreed to.

The Bill was reported to the House with amendments and the amendments were adopted.

Mr. MACLELLAN (Minister of Labour and Industry) : I move—

That this Bill be now read a third time.

Mr. CRABB (Knox) : I wish to contribute something to this debate on behalf of a number of my constituents in the electorate of Knox who are concerned about the problem of dogs. Honorable members may treat this with mirth, but it is not a funny matter. The most significant problem that exists in my electorate, according to representations I have received, is the litter problem caused by dogs defecating in public places, particularly footpaths and nature strips. To illustrate my point I quote from a letter which appeared in the *Herald*

on Wednesday, 23rd November, 1977—

> The Government plans a $500 fine for depositing litter upon the streets.
>
> Of course, there will be a $500 fine for those who walk their dogs along the street allowing them to deposit their filth upon our sidewalks and nature strips.
>
> Also, of course, dog owners will be forced to pay the $500 fine when their dogs tip over garbage bins littering the streets with offensive refuse.
>
> Or is the Government fair dinkum about keeping Australia beautiful?

That letter was signed L. Williams, Thomas Street, Hampton, which is in the electorate of the honorable member for Sandringham.

It certainly seems inordinately incongruous that people can be fined a substantial sum for throwing paper on the street, but those people who walk their dogs along footpaths and nature strips in front of homes and allow their dogs to defecate are not penalized. A number of members are treating this with mirth, but it is a serious matter—the problem of canine faecal matter being deposited on nature strips. I wrote a letter on this subject to the Premier because representations were made to me by my constituents and the phrase used by the Premier in his reply was " canine faecal matter ".

I realize that there are many problems in legislating on this matter. However, I appeal to the Premier and the Government to at least examine the position in order that some legislation can be introduced that will at least minimize the disadvantage felt by people who do not own dogs themselves and who have neighbours or people from adjoining streets who constantly walk their dogs along the nature strip and allow the dogs to defecate there rather than on their own nature strip.

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

ADJOURNMENT.

CHRISTMAS FELICITATIONS — LICENSED CLUBS—MILDURA BASE HOSPITAL — FREEWAY F19 — AMENDMENTS TO HOUSING ACT—WATER CHARGES — CARAVAN RENTALS — QUESTIONS ON NOTICE—OCCUPATION OF BUILDINGS BY EDUCATION DEPARTMENT—FROST DAMAGE IN STREATHAM AREA—RETENTION OF MINISTERS—RICHMOND CITY COUNCIL—SUBDIVISIONS IN MACEDON AREA.

Mr. HAMER (Premier and Treasurer) : I move—

> That the House at its rising, adjourn until a day and hour to be fixed by Mr. Speaker or, if Mr. Speaker is unable to act on account of illness or other cause, by the Chairman of Committees, which time of meeting shall be notified to each member of the House by telegram or letter.

In moving this motion I indicate that unless anything supervenes in the meantime, it is the intention of the Government that the House should reassemble on Tuesday, 7th March, 1978, which will be the normal time for the opening of the autumn session of Parliament. This sessional period has been somewhat foreshortened by other events. Nevertheless, 78 Bills have appeared on the Notice Paper of the Legislative Assembly. There have been 27 sittings of the House and more than 223 hours of sittings.

As the Christmas season is almost with us, I want to give the House felicitations on behalf of the members of the Government party, first of all to yourself, Mr. Speaker. It has not been an altogether easy session for you, Sir, or for any one else for that matter, and I should like to congratulate you on the way you have managed the House and the various speakers. I join with that my thanks to the new Leader of the Opposition and the new Deputy Leader of the Opposition, both of whom have cooperated most of the time in the business of the House. The House has

proceeded with reasonable smoothness, and some credit for this is also due to the Deputy Leader of the National Party and, of course, the Leader of the House, Mr. Thompson who has performed his task with his customary skill and ability.

In addition to congratulating you on your own presidency over the affairs of the House, Mr. Speaker, I should like to thank the Chairman of Committees and the temporary chairmen who have taken the chair from time to time and presided over the proceedings.

I now pass to staff who, if we are not careful, may tend to be overlooked. Without them Parliament would simply not operate. Firstly, there are the three gentlemen who grace the table—Mr. Campbell, Mr. McCarron and Mr. Boyes. I should like to thank them for their unfailing courtesy, profound knowledge and real assistance when needed. To them goes the main credit for the way in which the business of the House is conducted so smoothly.

We also thank the Serjeant-at-Arms, Mr. Little, and the attendants. Many people have commented to me that it is a pleasure to come into this place and be conducted around by people who love the place, know about it and devote themselves to instructing people and helping them and showing the place off. The attendants are a credit to this House and people we can be proud of. The needs of members have been attended to by the House Committee and its secretary, Mr. Duguid, and the housekeeper, Mr. Howarth, both of whom share the attitude of the attendants.

Miss McGovern is as reliable as ever in the Library. It is a pleasure to go there and almost a pleasure to have a problem to ask her to solve because she does solve them.

We have given the *Hansard* reporters some problems, I am sure, from time to time. I should like to thank them for the way in which they make sense out of what is said and the way in which they introduce something like English into the comments and contributions of a number of members. Through Mr. Stuart, the Chief Reporter, I thank them all.

I do not think anyone realizes the pressure under which the Government Printer operates. Mr. Atkinson is not here, but I hope he has occasion to read what is in *Hansard* because it goes through his hands. He and his staff are absolutely superb. They print the Budget, with a mass of figures, in a very short time. They work at night with tremendous accuracy, and we all express our thanks to them.

The refreshment rooms, under Mr. Gerald Barry and Mr. Bob Kerr, have functioned, as far as I can tell, with their usual efficiency, and I thank them on behalf of all of us. The police and the press who have their duties here, are also to be commended for their efficiency, and some of the time for their kindness —I speak of the press.

This House would not function as well as it does without people like the engineer, Mr. Beatson, and the keen gardeners under Mr. Ashton.

Finally, I pay special commendation to the group who have been refurbishing this building and making it the sort of place that it is, especially the head painter, Mr. Strahan, and his very devoted group. They are now doing a magnificent task in the Legislative Council Chamber to which it is a pleasure and a pride to take any group at any time.

As I said, Christmas is approaching and, therefore, it is a time for felicitations and best wishes. Normally, we are about to proceed on holidays—most members cannot be saying that at this moment—but when the time comes I hope members of the House will enjoy their

Christmas break and return in time for the resumption of hostilities. In the meantime, I hope they will rest and recuperate from what has been, although short, a vigorous and at times an exhausting session. It has had its moments. We have enjoyed most of it, and I think it has shown the Parliament to be at least vigorous and at times extremely interesting. I take this opportunity of thanking all those people for making the Parliament the way it is, and I would like you, Mr. Speaker, to pass on to your staff our felicitations and our thanks.

Mr. WILKES (Leader of the Opposition) : I thank the Premier for his generous remarks concerning myself and my deputy leader. Sir, I wish you all the best for your good rulings and the not-so-good rulings throughout the year.

I do not agree with the Premier that it has been such a good session. I have complained on a number of occasions that the Standing Orders ought to be updated, and that the Sessional Orders concern only the Government. This is a pity because it detracts from the way in which this Parliament ought to be able to work in the best interests of the Parliament and of the people. They are matters that ought to be attended to early in the autumn sessional period when Parliament commences on 7th March.

Sir, I have pointed out to you on a number of occasions that it is absolutely fundamental to the democratic running of this Parliament for any member of the Parliament to be able to raise matters at any time without being inhibited by Sessional Orders or Standing Orders, having full regard to the rights of the Government to be able to conduct its business. I do not believe an Opposition should unnecessarily inhibit the Government from introducing and getting its business through the House. However, I believe the other parties should have a right to debate matters in which they believe and which they recognize as being of urgent public importance. Having said that, I do not think it was too bad a session.

I join the Premier in expressing on behalf of my party our good wishes and thanks to all members of the staff, including those who work outside this Chamber, for their courtesy at all times. They go out of their way to help all members. I also thank the people who are responsible for cleaning this establishment, and for looking after us in the refreshment rooms. I also thank the *Hansard* staff, the press and the attendants of the Chamber—all those people who assist in making this institution work efficiently.

I thank the table officers for the assistance they have given to members of my party during the session, and I also extend our good wishes to everybody who has been associated with the running of the Parliament during the year.

I welcome the opportunity offered by the Premier to come back in March. I hope that he, and the members of his party, have a safe and happy Christmas and that they come back ready for the Opposition on 7th March.

Mr. ROSS-EDWARDS (Leader of the National Party) : I join with the Premier and the Leader of the Opposition in thanking those people in the very comprehensive list which the Premier referred to. I do not think I should try to add to it. I thank them for their help during the year, and wish them and their families the happiest of Christmases, and I add the press to that list.

It has been a tough, hard session, with more than the usual amount of pressures. However, this is a Christmas message and I will say no more than this : One thing that we should remember as members of Parliament, is that any difference or row that occurs in the House should

never last longer than 24 hours. If it does, it is not in the interests of Parliament and certainly not in the interests of the people concerned.

With that short message, I wish everyone a happy Christmas. Christmas is a time for families to get together and for old friends to meet again.

The SPEAKER (Sir Kenneth Wheeler): Firstly, I recognize the good wishes of the Premier and, to some extent, the good wishes of the Leader of the Opposition. In passing I say this about my job as presiding officer. I remember that about three weeks ago, on a Tuesday, there was a want-of-confidence motion and I very reluctantly accepted it. I could hear loud whispers from all sides of the House, "Oh well, fair enough". Next day another want-of-confidence motion was moved, and I accepted it. I could hear one side say, "Hear, hear", and in loud whispers from the other side, "It should not have been allowed". The next day another one came in and the reverse happened, so one cannot please everyone all the time. I carry out my duties as they should be done.

I express in no uncertain terms my appreciation for the work that is done by the Clerks. They are ever ready to advise honorable members on all sides of the House, and I thank them for their courtesy and understanding.

The courtesy of the House and Chamber officers and doormen is unsurpassed. I have the pleasure of working more closely with the clerical staff than possibly any other member in this place. I believe they do their job efficiently and without any hesitancy. The Chairman of Committees and the Temporary Chairmen of Committees are ever ready to take their place when called upon. I mention the garden staff and the dining room staff. The show-over staff are extremely courteous when showing people through the building. They take a pride in telling the community about this institution.

One person I believe I should mention is the Housekeeper's wife who often is disturbed at night by people who forget their keys and that type of thing, and who rap on the door below. Those people sometimes go unnoticed. I mention all and sundry in this place and outside, including the painters and carpenters working here who are extremely interested in their task.

In closing I should like to say that honorable members who have the opportunity of serving in this place the electors of Victoria should value that opportunity. They should be proud of being elected by a majority of people in their electorates to serve them here. I hope this institution never has to be rightfully condemned by the people.

Throughout Victoria people do not realize the value of Parliament. It hurts me greatly when I hear them condemn what goes on in Parliament. They do so only because they are unaware of the sincerity of honorable members when discussing matters in this place. Those people should also appreciate the members who serve them. Members on both sides of this House serve their constituents to the utmost and in the best possible way.

To all honorable members I sincerely hope as Christmas approaches that they with their families will enjoy immensely the happiness that usually surrounds Christmas trees and families at Christmas time. I thank honorable members for their good wishes.

The motion was agreed to.

Mr. HAMER (Premier and Treasurer): I move—

That the House do now adjourn.

Mr. EDMUNDS (Ascot Vale): I should like the Minister in charge of the Liquor Control Commission to examine what will occur this year. Christmas Eve and New Year's Eve both fall on Saturdays, and licensed clubs will not be able to extend their hours to oblige their members in the early hours of Sunday morning.

Hotels which are able to obtain a late licence for the Sunday may remain open until 2 a.m. It appears that licensed clubs will be seriously disadvantaged in relation to this year's festivities. They are being discriminated against in the administration of the Act.

I believe most licensed clubs will take the risk and continue on into the early hours of the two Sundays concerned, but I should like the Minister to say whether some arrangements can be made to ensure that clubs are not breaking the law, but are still able to provide service for their members.

Mr. WHITING (Mildura): This is the first opportunity that I have had of raising this matter since a deputation from the committee of management of the Mildura Base Hospital met the Minister of Health yesterday afternoon and pointed out that, with the supposed 5 per cent cut in the maintenance costs of operating hospitals to take place almost at all costs, a serious problem will arise at the hospital.

The committee of management had a budget of $8·5 million for the current financial year but reduced that amount by $67,000 of its own volition, creating a revised budget of $8·42 million. The Treasury 5 per cent cut would then reduce that to $7·9 million which presented them with a shortfall of $540,000 from their original cut.

The committee then carried out a further series of cuts which produced a figure of $217,000. Some of the items are interesting in that it was decided not to provide coffee for the staff for morning and afternoon teas. That provided a reduction of $8,000 in one year. The coffee is available for purchase by the staff, and the staff had accepted that and many other similar items.

However, the hospital is now left with a shortage of $320,000 which must be obtained if the hospital is to continue in operation without cutting services. The Treasurer has already indicated that services should not be cut, despite the 5 per cent reduction that should take place if possible.

I also point out that the average daily bed cost at the Mildura Base Hospital is $68.33. The next lowest is at the Hamilton Base Hospital where the cost is $78.51. The highest daily bed cost is at the Geelong Base Hospital where the rate is $102.58. I make that comparison to indicate that the Mildura Base Hospital is efficiently managed at this stage. I ask the Treasurer to ascertain whether there is any possible way in which the $320,000 which is required to keep the hospital operating at its present level can be found somewhere in the near future.

Mr. RICHARDSON (Forest Hill): I direct to the attention of the Minister of Transport a matter which is causing considerable concern in relation to the Freeway F19, and the activities of a group of people who oppose the construction of that freeway, particularly a group represented by the councils of Fitzroy and Collingwood, and some other people from the community.

On 20th October, a statement was made that the Minister had not made any attempt to accept the invitations to discuss the matter with the councils and the community, with the exception of a response on one occasion early in the piece. That statement was made by Mr. Clyde Holding, the former member for Richmond and Leader of the Opposition in this House. My information is that that statement is totally untrue and was a deliberate attempt to mislead the community and Parliament in particular. I regard this matter as one of great importance——

Mr. CRABB (Knox): On a point of order, Mr. Speaker, yesterday you made a pointed direction to me when I was speaking that I would be out of order if I made accusations of

any kind about people outside the Chamber. I suggest that the honorable member for Forest Hill is making such accusations in a cowardly fashion, but was not prepared to make them when Mr. Clyde Holding was a member of this House. I ask you to direct him not to make such comments.

Mr. SCANLAN (Minister of Special Education) : Mr. Speaker, yesterday you ruled quite clearly, following certain despicable remarks made by the honorable member for Knox, that he should follow a certain course of action in regard to remarks he addressed to you during the debate, and on a number of subsequent occasions—four, I think—you found it necessary to redirect him to the main subject of debate.

I suggest that the matters raised by the honorable member for Forest Hill tonight were raised quite ethically, unlike the despicable actions that occurred last night in this Chamber.

The SPEAKER (Sir Kenneth Wheeler): Order! The honorable member for Knox raised a point of order and struck a comparison between the ruling I gave yesterday and the matter that the honorable member for Forest Hill is now speaking on. If my memory serves me correctly, when I directed the honorable member for Knox yesterday, it was in respect to other members of Parliament in other places or outside this place, which is quite different from what the honorable member for Forest Hill is now raising. He is not making a reference to another member of Parliament.

Mr. RICHARDSON (Forest Hill) : I conclude by asking the Minister of Transport, in view of the importance of the truthfulness or otherwise of those statements, to advise the House whether it is true or untrue that——

Honorable members interjecting.

The SPEAKER (Sir Kenneth Wheeler): Order! The honorable member for Knox will not refer to members in this place as ratbags. The time of the honorable member for Forest Hill has expired.

Mr. CAIN (Bundoora) : I direct a matter to the attention of the Minister of Housing. Among the 78 Bills that the Premier said a short while ago had been introduced, there was not one dealing with amendments to the Housing Act. I refer particularly to the proposed amendment to the Housing Act dealing with the contemplated Sunbury development. It was as far back as July that solicitors advised the Housing Commission that it was outside the terms of the Act for the commission to enter into a proposed joint venture with Pinmoore. It was suggested on that advice that the expected profit would put the project outside the terms of the Act and that therefore the Act should be amended.

Yesterday it was learned at the board of inquiry from Mr. Ashman, among others, that a large profit was contemplated. Presumably the project is proceeding as though the joint venture were on foot. On my recollection, the House was told at least three months ago that the Housing Act would be amended in this sessional period. Clearly it will not be amended, and the earliest time an amendment can be made is next March.

It is time Parliament knew whether it is intended that this project will continue for the next four months as it has in the past. Does the Government intend to introduce legislation for this purpose in March next year? This is a serious matter and should be explained to Parliament before it rises for the Christmas break.

Mr. HANN (Rodney) : I address a matter to the attention of the Premier. It concerns a request made to the Premier last week about the

waiving of water charges this year. I direct his attention particularly to the severe drought conditions that exist throughout Victoria, particularly the irrigation areas, and these difficulties will be aggravated, especially just after Christmas, because many irrigators expect to experience a shortage of irrigation water.

They are out of water and face a difficult situation and I ask the Government to consider waiving any increase in water charges this year. This will assist in overcoming a difficult situation in the autumn when many people may have to seek deferment of payment.

I appeal to the Premier to provide a grant to subsidize the State Rivers and Water Supply Commission for any deficit that may be incurred. The amount will be approximately $1 million. The figure has changed in the six weeks since the Victorian Irrigators Central Council approached the Minister of Water Supply. At that stage the amount involved was about $1·8 million, but because of over-sales of water last year, the deficit was reduced substantially.

It is not fair for the Water Commission to have to carry this burden of waiving any increase in water charges. The Government should provide an additional grant to offset this. The situation of the irrigators is critical, particularly because of drought conditions, and irrigation is vitally important, so an early decision should be made on the matter.

Mr. MACKINNON (Box Hill): I direct a matter to the attention of the Minister of Consumer Affairs concerning schemes that have been in operation in Victoria whereby caravans are offered for sale as an investment proposition. The purchasers of the caravans enter into a separate arrangement with another company, which undertakes to place the caravans on site in a caravan park and arranges for the lease of the van and collection of the rental. Advertisements have appeared in the press offering a return of $1,900 a year for an investment of $5,500.

Last year two such companies, Holiday City Pty. Ltd. and Midland Pacific Caravan Pty. Ltd. collapsed owing $700,000 and leaving over a hundred purchasers of caravans without recourse or without caravans, and they are in a difficult position.

I have since learned that other similar businesses have started up in this field. I ask the Minister whether he is aware of these schemes and whether he would have the matter investigated and take whatever action he can to alert prospective investors of the risks involved.

Mr. ROPER (Brunswick): I raise with the Assistant Minister of Health a matter concerning a question I placed on notice on 13th October last, some six weeks ago, numbered 2882. The question concerned funds available to Victoria's major hospitals in 1976-77 and the allocations for 1977-78 for those hospitals.

The Minister would be aware that there is considerable concern in hospitals throughout the State—the House heard earlier from the honorable member for Mildura about the situation of the Mildura Base Hospital—and there is suspicion that the split-up between some of the hospitals has not been as even-handed as it might have been, and that some hospitals have suffered more severely than others in the cuts in expenditure that have been made.

The question I asked was designed to obtain information from the only source from which it could be obtained, namely, the Hospitals and Charities Commission, about the funding of the 30 or so main hospitals in the State for this financial year. I raise this matter with the Minister because the way the question is asked is the way in which

the information is held by the Hospitals and Charities Commission. The commission quite properly was not prepared to provide that information to me directly but said I would have to place a question on notice to the Minister, so I did so.

I understand from information I have received that the information has been sent from the commission to the Department of Health and the Minister of Health. For some reason, the Minister has not been prepared to provide that information in Parliament. It concerns the spending of hundreds of millions of dollars worth of the State's resources. The information, even for last year, is not available because of the non-availability of the report of the Hospitals and Charities Commission. The Government does itself no credit at all in the hospitals field as the Minister will find out today at the Victorian Hospitals Association conference. Because of the Government's failure to provide this information, the hospitals cannot adequately judge how they will fare in relation to other hospitals.

I ask the Minister to make the figures available. They should be a matter of public knowledge, to myself and to other honorable members who have hospitals in their electorates, and to the people working in the hospital field, as soon as possible.

Mr. ROSS-EDWARDS (Leader of the National Party) : I direct the attention of the Minister of Education to a serious allegation made in the Auditor-General's report concerning alleged waste of more than $600,000 by the non-occupation of a building at 35 Spring Street. I ask the Minister to institute inquiries, not only concerning this alleged incident, but also into whether other premises have been left unused by his department. I also ask the Minister to track down the reasons why this state of affairs has come about.

Mr. STEPHEN (Ballarat South): I direct the attention of the Treasurer to the plight of many farmers who suffered serious damage from bush and grass fires in the Streatham, Mount Clear and Mannibadar area and who, in an endeavour to overcome their difficulties, sowed various crops. Those farmers have recently suffered most disastrously from frost damage to those crops. Some 90 per cent of oil seed crops, and up to 75 per cent of wheat, barley and oat crops, have been severely damaged.

When considering assistance for other sections of the farming industry, such as the irrigators, I ask the Premier to keep in mind the many farmers throughout Victoria who are suffering from drought conditions and also from the freak weather conditions which I have mentioned. When considering requests for financial assistance, I ask the Premier and Treasurer to keep in mind the plight of the farmers in the areas I have mentioned. I should not like the honorable gentleman not to have the full picture of the rural situation.

Mr. SIMMONDS (Reservoir) : Bearing in mind the massive unemployment in Victoria, I raise with the Premier the results of the survey conducted by a firm of business consultants, P. J. Young and Associates, which indicated that, of 50 persons interviewed on their attitudes to the fact that the Federal Treasurer had been asked for his resignation, 26 were opposed to the proposition that he should be reinstated and 21 were found to support his reinstatement.

In view of the results of this survey I ask the Premier whether he is aware that, because of the actions of his Government in regard to land deals, and the responsibilities of the Ministers concerned, the business community in Victoria has completely lost confidence in this Government and that the Government no longer has the confidence of the Victorian people. Will the Premier take steps to inquire about the attitude of the business community in

Victoria to his decision to retain in office the Ministers who have been so strongly condemned.

Mr. WILLIAMS (Doncaster): I refer to the Minister representing the Attorney-General the unconscionable delay of the solicitors acting for the City of Richmond, Messrs. Holding, Redlich and Co., in obtaining legal redress for moneys owing to the council by Protean Holdings. On 3rd August, 1972, the then auditor, Mr. H. W. McCutcheon, asked that legal action be taken against the company. I raised this matter on 10th December, 1973, and was assured that a writ would be issued. However, it was not issued until July, 1974.

I now have a letter signed by the solicitors, Holding, Redlich and Co., dated 16th June, 1977, addressed to the Town Clerk, City of Richmond, stating that litigation would not be brought before the court within twelve to eighteen months. It is a legal tragedy that a municipality should be owed hundreds of thousands of dollars over this period and that the solicitors should be so negligent in bringing this matter before the courts. I ask the Attorney-General to undertake a serious investigation and to bring the matter to the attention of the Law Institute of Victoria with a view to deciding whether these solicitors should have their practising certificate renewed.

Mr. GUY (Gisborne): I raise with the Minister for Planning a matter of some urgency, although I refer to a letter written by the Shire of Romsey to the Minister of Water Supply. It concerns statement of planning policy No. 8 for the Macedon Ranges and its implementation.

The letter refers to a proposed subdivision, on behalf of Mr. and Mrs. Zabenko, of 281 acres which was proposed to be subdivided into six allotments. In 1975, the council refused the application as contrary to the draft statement of planning policy for the Macedon Ranges. An appeal was heard by the Town Appeals Planning Tribunal which subsequently issued a permit under fairly stringent conditions.

However, on 28th July, 1977, the Soil Conservation Authority recommended that the subdivision be changed dramatically and that several lots should not be created at all. In the letter the council advised that it had not previously refused to seal a plan of subdivision on this ground and that it had hesitated to do so, particularly in view of the Town Planning Appeals Tribunal decision in this case.

The council goes on to say that it understands that it is the view of every authority concerned, the Soil Conservation Authority, the State Rivers and Water Supply Commission, the Romsey Waterworks Trust, the Sunbury Waterworks Trust, the Riddell Waterworks Trust, the Town and Country Planning Board and the Macedon Ranges Advisory Committee, that the subdivision should not proceed. In its letter, the council also states—

> Council therefore believes that the decision of the planning tribunal in this case is—
>
> (1) contrary to all expert advice tendered to it; and
>
> (2) contrary to the charge made to it under clause 4 of the statement of planning policy No. 8 for Macedon Ranges and surrounds.

In conclusion the council states—

> Council in particular asks whether, in the event of council refusing to seal the plan as contrary to the public interest, your department would support council in any appeal to an arbitrator appointed under the provisions of the Local Government Act.

I ask the Minister for Planning, within whose jurisdiction the Town and Country Planning Board falls, as does the statement of planning policy, to investigate this matter, particularly as the land is within the Sunbury water catchment area and is contrary to the determination of land use, which strictly forbids the type of subdivision that is proposed.

Perhaps I should have seen to this matter some time ago, but it has only been brought to my attention in the past week. I ask the Minister to support the council.

Mr. SCANLAN (Minister of Special Education) : The honorable member for Ascot Vale raised certain matters concerning licensed clubs. I shall be happy to direct his comments to the Chief Secretary with a view to examining the matters raised.

Mr. HAMER (Premier and Treasurer) : The Deputy Leader of the National Party raised the matter of the Mildura Base Hospital, representatives of which I believe interviewed the Minister of Health yesterday. The Hospitals and Charities Commission has been instructed to confer with any hospitals that are having difficulty in coping with the 5 per cent cut in their budgets required by the Federal Government. That process is continuing. I shall make special efforts to discover exactly what the situation is at this hospital and ascertain what can be done. The Government is anxious to do whatever it can, but there is no doubt that the 5 per cent cut in the budget, agreed to by both Commonwealth and State officers in February, is in some cases having quite severe and adverse effects.

The honorable member for Rodney requested, on behalf of the irrigators in the district that he represents, that any increase in water rates be waived. This matter has caused many problems in recent years and the Government has treated the irrigators with as much sympathy as it could. I will make no promises about this year because, as the honorable member for Ballarat South mentioned, many other primary producers are also in difficulties. Some of the irrigators are rather better off than many of their confrères in other primary industries. I will have the matter examined. I understand that a deputation from the irrigators' central council wishes to see me. I shall certainly discuss the matter with that deputation.

I did not fully understand what the honorable member for Reservoir was asking me to do, but in any case I shall not do it.

Mr. HAYES (Minister of Housing): Two matters were raised for my attention. The first was raised by the honorable member for Bundoora and it concerned legislation validating joint venture arrangements with the Housing Commission. In a Ministerial statement I foreshadowed that that legislation would be presented. The Government has taken the attitude that the board of inquiry should report on it, as development proposals come within the board's purview. I have no doubt that legislation will be introduced in the next session but the commission retains consultants and that process is continuing.

The second matter was raised by the honorable member for Gisborne and it concerns a subdivisional problem in the Macedon Range area. Honorable members would be aware that throughout Victoria there are more than 56,000 inappropriately subdivided allotments that are a heritage of the past. I presume that the group in the Shire of Gisborne comes within that category. There are many ramifications to untangling the knot and I will endeavour to assist.

Mr. RAFFERTY (Minister of Transport): The honorable member for Forest Hill raised a question that had previously been raised by the former honorable member for Richmond. The facts stated were incorrect because the former honorable member for Richmond said that applications had been made to the Ministry by the councils of Fitzroy and Collingwood and that only on one occasion had I seen fit to respond. To the best of my knowledge, on two occasions I personally saw representatives of those

councils. The first occasion involved a deputation led by the former honorable member for Richmond. In addition to this there have also been various occasions when representatives have met with the Country Roads Board and senior officers of the Ministry. On two occasions senior officers of the Ministry have, on my behalf, seen representatives of the councils. Subsequent to those occasions there were three occasions on which I saw representatives of the councils and at least a further four occasions on which senior representatives of the Country Roads Board discussed matters with representatives of the councils.

Mr. MACLELLAN (Minister of Consumer Affairs): The honorable member for Box Hill raised a matter about members of the public being invited to invest in the purchase of caravans that are subsequently leased out. The Director of Consumer Affairs investigated the matter and I have received his report. It appears that this problem has occurred as a result of advertising material being distributed at the Dandenong show publicizing disturbingly similar schemes to those promoted by Midland Pacific Caravans Pty. Ltd. and Holiday City Pty. Ltd, which, as the honorable member for Box Hill indicated, shot through, leaving people in the position of having bought 137 caravans that did not exist and having given $700,000 to those companies. It was impossible to recover that money. At least one director of one of those companies has since been charged with an offence.

The investigations by the Ministry show that Country Road Caravans is a business name registered on 11th October, 1977. The proprietor is shown as Joseph Longden of 21 Geoffrey Drive, Kilsyth, and the nature of the business is the sale of caravans. The brochure distributed at the show claims a return on capital invested of 30 per cent a year and shows the Australian head office as 21 Queensberry Street, Carlton.

The Ministry has been unable to trace Joseph Longden. The occupants of 21 Geoffrey Drive, Kilsyth, the registered address of the firm, claim that they have not heard of Mr. Longden, and the telephone number of the head office in the brochure is that of an answering service. Further investigation revealed that a Mr. Adrian Morton is involved in the running of Country Road Caravans and a Mr. Chernikeef is involved to some degree. Mr. Morton and Mr. Chernikeef, who uses the alias of "Taylor" in some business dealings, are the registered proprietors of another business, Mica Investment Consultants, which has advertised for persons to invest in luxury caravans for rental. These persons were involved in a number of companies or businesses which were detailed in the report of the Director of Consumer Affairs for 1976.

There are still a number of unsatisfied distress warrants against a number of these businesses against whom orders have been made by the Small Claims Tribunal.

Another caravan investment business—J.R.S. Caravans—has been investigated by the Ministry but it is understood that this firm has now ceased trading.

The promise of making 30 per cent per annum on capital is attractive and may induce many people to subscribe moneys without establishing the identity of the proprietors or the stability of the business.

In Country Road Caravans, it can seriously be questioned whether in fact a Mr. Longden does exist, especially as an account paid on behalf of the firm came from the bank account of M.P.B. Discounters, one of

those businesses to which I referred earlier, and in which Mr. Morton was a principal.

I would strongly counsel any person investing in a caravan to be extremely cautious, particularly in view of the major collapse of two companies involved in this field earlier this year. Investments which are superficially attractive often fail to live up to their expectations and many an investor rues the day he has been misled by an attractively produced brochure.

It is particularly apt that honorable members and the public should be advised and warned about these practices at this time of the year when these offers are being made and that people who are operating in this field do not have a stable business experience and record and that there have been serious losses to members of the public that have led to investigations into these matters.

The honorable member for Doncaster raised a matter for my attention in my capacity as representative of the Attorney-General. The matter concerned the delay in legal proceedings. I suppose that really this is just another one. This delay has been encountered in attempts by the Richmond City Council to recover money from Protean Enterprises Pty. Ltd. The honorable member spoke of a delay between twelve and eighteen months in the proceedings getting to court for hearing. He also mentioned sums of hundreds of thousands of dollars being owed to the council.

I understand that the purport of the remarks of the honorable member was that the Law Institute of Victoria should be alerted to the fact that there may have been some negligence by the solicitors acting for the Richmond City Council. I will bring the remarks of the honorable member to the attention of the Attorney-General and I am sure the Attorney-General will answer direct to the honorable member.

Mr. JONA (Assistant Minister of Health) : The honorable member for Brunswick asked that the answer to question on notice No. 2822 be expedited. I draw the attention of the House to the fact that this question was placed on the Notice Paper on 13th October. It seeks detailed information in respect of 36 hospitals in Victoria. The question is in three parts and concerns not only questions on the budgets of those hospitals but also on the growth factors involved in each of those 36 hospitals.

If the honorable member is correct in his belief that the Hospitals and Charities Commission has approved a draft answer for consideration by the Minister of Health, then the honorable member can expect the answer from the Minister very shortly.

Mr. THOMPSON (Minister of Education) : The Leader of the National Party referred to a matter which was publicized in the press tonight and which related to unoccupied premises in Spring Street and at Argo Street, Prahran.

In the case of Argo Street, Prahran, that was a matter handled by the department and I take full responsibility for it. There was a school there but because of the way in which it was being administered at the time and because of constant complaints from the local council and neighbours, and because the department had some difficulty in finding an alternative use for it, the school was closed and finally the department came to an amicable and appropriate arrangement with the Prahran City Council whereby the land is now used for public open space.

The Spring Street building referred to was rented by the Public Works Department from the Superannuation Board and money in the form of rent passed between two Government bodies. Actually the whole operation was administered by the accommodation committee within the Public Works Department. The committee was given the very difficult task in recent times of providing modern and up-to-date accommodation for six

Government departments but particularly for four departments, namely the Education Department, the Department of Health, the Housing Commission and the Department of Labour and Industry.

This was an exercise of some magnitude involving the housing in modern up-to-date accommodation of hundreds of public servants and difficulties were experienced in finding the right type and size of accommodation in a suitable location for these departments. The building was unoccupied for an unduly lengthy period but I do not think it will happen again as the departments are now suitably housed in modern accommodation.

The final point, raised by the Leader of the National Party, was whether an appraisal of accommodation usage by the department should be carried out. That is a good idea and the department did commence that some twelve months ago with a view to ensuring that the maximum use is made of all accommodation possessed by the department throughout the State.

The motion was agreed to.

The House adjourned at 4.4 *a.m.* (*Thursday*).

QUESTIONS ON NOTICE.

The following answers to questions on notice were circulated—

GOVERNMENT LAND PURCHASES.

(Question No. 1827)

Mr. CATHIE (Carrum) asked the Minister for Planning—

In each of the past five years and in this year to date, how much land has been purchased by the Government in environmentally significant areas, stating for each area, the number of purchases, the area and the cost?

Mr. HAYES (Minister for Planning): The answer is—

This is primarily a matter for my colleague, the Minister for Conservation.

The Minister informs me that the information sought by the honorable member is not readily available in the form he has requested.

However, the following table provided by the Minister sets out details of land purchases since the establishment of the Ministry for Conservation to June, 1977.

Total expenditure on land for environmental reasons since 1973—

	(*To the nearest* $'000)
1973–74	311,000
1974–75	2,298,000
1975–76	4,253,000
1976–77	1,628,000
Total	8,490,000

National Parks Service land purchases since 1973—

	(*To nearest hectare*)
Mallacoota Inlet National Park	20 hectares
Fern Tree Gully National Park	116 hectares
Kinglake National Park	28 hectares
The Lakes National Park	386 hectares
Mount Worth	164 hectares
Mornington Peninsula	886 hectares
Mount Richmond	7 hectares
Organ Pipes National Park	20 hectares
Westerfolds	125 hectares
Brisbane Ranges National Park	47 hectares
Bulga National Park	·3 hectares
Total	1,800 hectares

Fisheries and Wildlife Division purchases since 1973—

	(*To nearest hectare*)
Johnson Swamp State Game Reserve	8 hectares
Tower Hill State Game Reserve	2 hectares
Dowd Morass State Game Reserve	652 hectares
Mansfield Swamp State Game Reserve	129 hectares
Heart Morass	238 hectares
Jack Smith Lake State Game Reserve	197 hectares
Gaymor Swamp State Game Reserve	393 hectares
Lake Coleman State Game Reserve	743 hectares
MacLeod Morass State Game Reserve	32 hectares
Kanyapella (proposed wildlife management co-operative area)	9 hectares
Two Tree Swamp (proposed State game reserve)	162 hectares
Lake Horden (proposed wildlife reserve)	41 hectares
Yellingbo State Faunal Reserve	6 hectares
Phillip Island (Conservation Hill and Rhyll)	34 hectares
Clunes	138 hectares
Total	2,784 hectares

Expenditure in other areas included the following—

	$
Dandenongs	1,960,769
Strzelecki Ranges	75,000
Sherbrooke	80,000
Sir Colin McKenzie Fauna Park ..	32,000
Grampians	119,000
Nyerimilang	306,000
Churchill Island	412,000
Mount Gellibrand	477,000
Macedon Forest	47,000
Carisbrook	19,000
Beauty Spot, Marysville.. ..	65,000
Parwan Valley	37,000

HOUSING SITES.

(Question No. 2085)

Mr. EDMUNDS (Ascot Vale) asked the Minister of Housing—

Whether the Government is aware that housing site production has continued to fall and that the existing stock of vacant land is inadequate for demand; if so, what action the Government has taken to remedy the situation and what action is contemplated to enable sufficient blocks to be provided by private developers, the Urban Land Council, and any State authority?

Mr. HAYES (Minister of Housing): The answer is—

The Government is continuing to closely monitor the situation concerning the availability of allotments for home building. With respect to the Melbourne Metropolitan Area the following table sets out the situation relating to production and consumption of new residential allotments.

Year	Production (allotments released by the Titles Office)	Consumption (building permits issued)
1975	8,500	16,900
1976	13,500	17,300
1977 (½) ..	7,250	7,240

The source data for the table has been provided by the Melbourne and Metropolitan Board of Works Land Development Monitoring System.

Housing sites production rose substantially last year and present indications are that the 1976 level of production has been maintained for the first half of this year.

Meanwhile consumption of new allotments for house building purposes has remained fairly steady during the period 1974–76 with a 14 per cent drop in the first half of 1977. This has resulted in production of new allotments becoming equal to consumption during the first half of this year.

Within the metropolitan area the total stock of residential allotments on which building permits would be available on request is estimated to be 66,200 (July, 1977). This figure includes lots in older subdivisions where some services (e.g. reticulated sewerage) are not currently available but for which there remains a significant demand as the prices are usually lower.

The Urban Land Council production and sales of residential land during its first two operational years is as follows—

	Production	Sales
1975–76	111	94
1976–77	980	736
Total to 30th June, 1977	1,091	830

The Urban Land Council has a production target for the 1977–78 year of 1,030 lots.

The Government also implemented the "Preferred Development Area" system in April, 1975. The aim of this system was to ensure that zoned residential land which could be economically and readily serviced was subdivided as soon as possible and that the time taken for processing development applications within the Melbourne and Metropolitan Board of Works was minimized.

AUSTRALIAN PORTLAND CEMENT COMPANY, FYANSFORD.

(Question No. 2272)

Mr. TREZISE (Geelong North) asked the Minister for Conservation—

Whether he and his senior staff will visit the residential areas in the vicinity of the Australian Portland Cement Company, Fyansford, with a view to—(*a*) inspecting fall-out damage to homes; (*b*) attending a public meeting on the issue; and (*c*) conferring with the Geelong West and Newtown city councils on the issue; if so, what is the earliest date on which such visit can be made; if not, why?

Mr. BORTHWICK (Minister for Conservation): The answer is—

The honorable member will recall that on 20th June last my colleague, the Acting Minister for Conservation, wrote to him as follows—

"In a previous answer to a question regarding the Australian Portland Cement Company premises at Fyansford, asked by Mr. Cathie, it was pointed out that the control of the discharge of wastes to the environment is a matter for the Environment Protection Authority.

Those complaints which have been received about a dust nuisance emanating from the Australian Portland Cement Company works have been drawn to the attention of the chairman of the authority and I am advised that the licence issued to the company was recently reviewed and amended and the stringent licensing conditions further tightened to reduce dust emissions from chimneys and vents.

The chairman also informs me that following the conclusion of further tests of emissions from the works, the authority proposes to consider the initiation of a public meeting for open discussion of the dust problem."

I have since been advised that the Environment Protection Authority proposes to initiate proceedings against the above company.

In the circumstances, I am sure that the honorable member will appreciate that it would not be appropriate for me to visit the area in company with officers of my department at this stage.

WILLIAMSTOWN RIFLE RANGE.

(Question No. 2399)

Mr. STIRLING (Williamstown) asked the Minister for Planning—

1. Whether a survey is underway aimed at the establishment of a housing complex on part of the Williamstown rifle range; if so, when the results of any survey will be made public?

2. Whether the Commonwealth Department of Administrative Services has indicated an intention to hand over the rifle range to the State Government?

Mr. HAYES (Minister for Planning): The answer is—

1. Various surveys have been undertaken over many years and a report consolidating suggestions and new initiatives put has now been prepared.

If the Government accepts that report in due course public statements will then follow.

2. Whilst discussions are in train, no firm intention has been expressed by the Commonwealth.

PERMITS FOR MANUFACTURING BUSINESSES.

(Question No. 2430)

Mr. CATHIE (Carrum) asked the Minister for Planning—

1. What permits are required for setting up a manufacturing business in a rural zone?

2. What permits have been issued to—(*a*) Munckhof at Devon Meadows for manufacturing pre-cast concrete products; and (*b*) the Sharon Christian Church at Pearcedale for making roof trusses?

Mr. HAYES (Minister for Planning): The answer is—

1. Whether a manufacturing business can be established at all in a "rural zone" under any planning scheme depends upon the provisions of that scheme. In the areas administered by the Melbourne and Metropolitan Board of Works, a manufacturing business would require a planning permit from the board pursuant to its scheme or interim development orders. The establishment of a manufacturing business in a rural zone in the Western Port region would require a permit from the authority under the provisions of the Western Port region interim development order. Similarly, applications in the Shire of Cranbourne areas would be subject to the provisions of the shire's interim development order.

2. (*a*) Both the Shire of Cranbourne and the Western Port Regional Planning Authority have issued permits to Vander Munckhof on the 11th and 17th November, 1977, respectively.

(*b*) A permit to manufacture roof trusses was issued for the Sharon Christian Church on the 2nd December, 1974, by the Shire of Cranbourne. An application to the Melbourne and Metropolitan Board of Works for a similar permit was refused on the 6th February, 1975. The applicant for that permit was N. G. and J. Hames in respect of land at Lot 2 Dandenong–Hastings Road, Pearcedale.

HOUSING COMMISSION LAND.

(Question No. 2464)

Mr. CATHIE (Carrum) asked the Minister of Housing—

1. What steps, if any, the Minister has taken to use the very wide powers he has to rezone the land purchased at Melton, Sunbury and Pakenham?

2. What discussions he has had with the Melbourne and Metropolitan Board of Works and the Town and Country Planning Board about such rezoning, and with what response?

Mr. HAYES (Minister of Housing): The answer is—

1 and 2. This question is best answered in my capacity as Minister for Planning, and is, in any event, based upon a misconception as to the scope of Ministerial power under section 32 (6) of the Town and Country Planning Act 1961 as a matter of both law and practice. Subsequent to the purchases of lands at Melton, Sunbury and Pakenham there were a number of discussions by officers of the Melborne and Metropolitan

Board of Works, the Town and Country Planning Board, the Housing Commission of Victoria and the municipalities concerned as to the potential use of those lands. Of course, there were also discussions with other government agencies such as the State Rivers and Water Supply Commission and the Soil Conservation Authority, plus other affected bodies as appeared appropriate.

While I as Minister have in no way sought unilaterally to rezone lands, the discussions which have taken place have resulted in a number of constructive steps forward.

For example, at Sunbury in the Shire of Bulla, the land was recently the subject of an amendment to the shire's planning scheme which proposed the rezoning of the land to "Negotiated Development Zone". The shire has adopted the amendment after the consideration of objections and has forwarded the amendment to the Town and Country Planning Board for the necessary statutory report. That report should be received shortly and will be dealt with promptly.

In respect of the Pakenham land, the shire and the Housing Commission have had numerous and fruitful discussions in depth as to suitable development of the land and the shire recently issued a permit for an agreed development of the first stage. No rezoning was required for this.

No firm proposals have been fixed for the Melton land and no rezoning has taken place. The land is affected by the Shire of Melton interim development order and the Melbourne and Metropolitan Board of Works interim development order extension area No. 1. Under the latter order, an application for residential use may be made and considered on its merit, whilst under the former an amendment could first be required. I understand that the Melton/Sunbury Interim Co-ordinating Committee has earmarked the south-eastern segment of the Melton land for early residential development and that the shire would be likely to rely heavily upon its advice. The balance of the Melton land will be developed as needs require.

TOWN PLANNING APPEALS TRIBUNAL.

(Question No. 2499)

Mr. CATHIE (Carrum) asked the Minister for Planning—

1. Who are the present members of the Town Planning Appeals Tribunal, indicating their qualifications and the organizations represented?

2. Whether the appointment of an appropriately qualified environmental scientist to the tribunal has been considered; if not, why?

3. Whether any action has been taken following the Bland report's recommendations of the Board of Inquiry into the Victorian Public Service that tribunals dealing with conservation, environment and land use planning matters should be merged into an Environment and Planning Appeals Tribunal; if so, what action; if not, why?

Mr. HAYES (Minister for Planning): The answer is—

1. The Town Planning Appeals Tribunal is constituted under section 19A of the Town and Country Planning Act 1958. The Act requires that one-third of the members of the tribunal be barristers and solicitors of the Supreme Court of Victoria, one-third persons having experience in town and country planning and, one-third shall be persons having knowledge of and experience in public administration, commerce or industry.

The members are—

BARRISTERS AND SOLICITORS.

Anthony Hooper, LL.B.
Phillip Henry Napoleon Opas, O.B.E., Q.C., LL.M.
George Arthur Robinson

PERSONS EXPERIENCED IN PLANNING.

Morris James Lea, O.B.E., C.E., L.S.
William Ronald Gould, A.R.M.I.T., C.E., M.I.E., Aust.
Ronald Joseph Chambers, M.M., C.E., M.I.E., Aust., J,P.

PERSONS EXPERIENCED IN PUBLIC ADMINISTRATION, ETC.

Edmund Campbell Swan
Hal William Watt
Kevin Myles Stephen Holland

Until the 25th November, 1977, a temporary division of the tribunal operates with Francis Hay Lonie, M.B.E., LL.B., as chairman and Claude Vincent Vaughan, B.C.E., C.E., D.T. & R.P., F.I.E.A., F.R.P.I., as the member experienced in town and country planning.

2. Unless the "appropriately qualified environmental scientist" were also qualified in accord with the requirements of the Act, such an appointment could not be considered.

3. That particular section of the Bland report dealing with the merger of tribunals has been the subject of report by the Building and Development Approvals Committee which report has yet to be considered by Government.

MERCURY CONTAMINATED EFFLUENTS.

(Question No. 2557)

Mr. CATHIE (Carrum) asked the Minister for Conservation—

1. What have been the mercury levels at each reading, giving the acceptable standards in each case, since mercury contaminated effluents were diverted from the Latrobe

river to Dutson Downs sewer—(*a*) on arriving at primary treatment ponds at Dutson Downs; (*b*) on leaving the ponds; and (*c*) on entering Lake Coleman?

2. What are the natural levels of mercury in the waters of the Gippsland Lakes system?

Mr. BORTHWICK (Minister for Conservation): The answer is—

1. (*a*) As the ponds at Dutson Downs are not operated simply as a sequential primary treatment system, monitoring of influent is carried out at two pond inlets to the extent that a representative influent quality can be obtained. All mercury concentrations quoted are in mgm^3 (p.p. billion).

MERCURY CONCENTRATION ON ARRIVING AT PRIMARY TREATMENT PONDS AT DUTSON DOWNS.

Date	Inlet to "Cardboard" pond	Inlet to No. 2 pond
17.10.74	1·0	..
18.10.74	6·7	..
22.10.74	6·9	..
23.10.74	6·7	..
24.10.74	1·9	..
25.10.74	1·4	..
30.10.74	1·5	..
4.12.74	2·7	..
12.12.74	0·42	..
18.12.74	2·9	..
20.1.75	0·2	..
29.1.75	2·6	..
5.2.75	1·1	2·6
12.2.75	1·3	0·88
19.2.75	4·1	2·7
25.2.75	11·5	6·3
5.3.75	8·9	5·3
12.3.75	6·1	4·5
25.3.75	4·3	3·6
2.4.75	6·1	17·7
9.4.75	2·9	1·6
16.4.75	1·9	2·0
23.4.75	1·0	1·8
30.4.75	2·8	3·9
7.5.75	4·5	3·2
14.5.75	4·0	4·0
21.5.75	19·5	31·8
28.5.75	8·4	4·7
4.6.75	4·8	4·5
11.6.75	2·0	2·5
18.6.75	4·1	2·6
25.6.75	2·1	3·2
2.7.75	2·6	1·9
9.7.75	1·7	2·3
16.7.75	4·5	8·0
29.7.75	1·9	2·2
6.8.75	3·6	2·2
13.8.75	1·9	1·5
20.8.75	1·9	1·2
27.8.75	2·1	2·5
3.9.75	1·4	1·7
10.9.75	2·1	2·3
17.9.75	1·3	1·7
23.9.75	20·8	1·9
1.10.75	1·5	2·5
8.10.75	1·5	2·1
15.10.75	2·0	2·7
22.10.75	1·0	11·3
29.10.75	1·9	..
6.11.75	1·9	2·9
12.11.75	4·3	3·3
19.11.75	1·6	2·5
26.11.75	2·2	3·1
3.12.75	3·4	4·4
10.12.75	3·2	2·9
17.10.75	2·4	2·6
7.1.76	6·1	4·1
14.1.76	1·4	1·7
21.1.76	3·3	1·9
28.1.76	2·0	2·1
4.2.76	2·0	2·0
11.2.76	1·0	1·1
18.2.76	2·3	..
25.2.76	1·6	..
3.3.76	5·1	..
10.3.76	1·0	..
17.3.76	1·7	..
24.3.76	5·2	..
7.4.76	1·3	..
14.4.76	3·3	..
21.4.76	2·8	..
28.4.76	4·7	..
5.5.76	1·3	..
12.5.76	1·6	..
19.5.76	1·2	..
26.5.76	2·3	..
2.6.76	3·1	..
9.6.76	6·2	..
16.6.76	3·1	..
23.6.76	2·8	..
30.6.76	4·0	..
7.7.76	3·5	..
14.7.76	2·5	..
21.7.76	1·5	..
28.7.76	1·5	..
4.8.76	2·3	..
11.8.76	1·5	..
18.8.76	2·4	..
25.8.76	3·1	..
1.9.76	1·5	..
8.9.76	5·5	..
15.9.76	1·1	..
22.9.76	1·4	..
29.9.76	1·0	..
6.10.76	0·77	..
13.10.76	2·6	..
20.10.76	1·8	..
27.10.76	1·5	..
3.11.76	1·8	..
10.11.76	1·2	..
17.11.76	0·90	..
24.11.76	1·2	..
1.12.76	2·0	..
8.12.76	0·86	..
15.12.76	1·5	..
5.1.77	2·53	..
12.1.77	1·06	..
19.1.77	3·45	..
26.1.77	1·06	..
2.2.77	1·89	..
9.2.77	1·60	..
16.2.77	1·10	..
23.2.77	1·80	..
2.3.77	1.75	..
9.3.77	1·73	..
16.3.77	1·52	..

Date	Inlet to "Cardboard" pond	Inlet to No. 2 pond
33.3.77 ..	0·71	..
20.3.77 ..	2·07	..
13.4.77 ..	1·31	..
20.4.77 ..	2·00	..
27.4.77 ..	0·81	..
4.5.77 ..	2·30	..
11.5.77 ..	3·80	..
18.5.77 ..	4·80	..
25.5.77 ..	2·21	..
1.6.77 ..	4·40	..
8.6.77 ..	1·80	..
15.6.77 ..	14·00	..
22.6.77 ..	1·97	..
29.6.77 ..	1·32	..
6.7.77 ..	1·67	..
13.7.77 ..	1·28	..
20.7.77 ..	1·81	..
27.7.77 ..	1·46	..
3.8.77 ..	1·71	..
10.8.77 ..	1·15	..
17.8.77 ..	2·50	..
24.8.77 ..	1·60	..
31.8.77 ..	14·20	..

(*b*) Mercury concentration on leaving the ponds—

Date	Exit from "Cardboard" pond	Exit from No. 1 pond	Exit from No. 2 pond	Exit from No. 3 pond
17.10.74 ..	0·5	..	..	..
18.10.74 ..	3·2	..	..	..
22.10.74 ..	6·9	..	..	..
23.10.74 ..	7·7	..	..	..
24.10.74 ..	0·1	..	..	..
25.10.74 ..	1·1	..	..	..
30.10.74 ..	1·1	..	..	..
4.12.74 ..	2·0	..	..	..
12.12.74 ..	0·30	..	..	..
18.12.74 ..	0·96	..	..	..
20.1.75 ..	0·7	..	..	..
29.1.75 ..	5·8	..	..	..
5.2.75 ..	1·0	..	2·5	0·8
12.2.75 ..	1·2	..	0·94	0·3
19.2.75 ..	4·4	..	2·9	2·4
25.2.75 ..	6·6	..	2·1	0·60
5.3.75 ..	6·2	..	2·0	1·3
12.3.75 ..	..	..	2·0	0·44
25.3.75 ..	4·5	..	0·94	2·2
2.4.75 ..	3·1	..	..	0·70
9.4.75 ..	2·5	..	1·8	0·66
16.4.75 ..	2·4	..	0·84	0·14
23.4.75 ..	1·8	..	1·4	0·16
30.4.75 ..	3·8	..	2·3	0·80
7.5.75 ..	3·7	..	1·9	0·80
14.5.75 ..	3·9	..	2·6	1·5
21.5.75 ..	20·6	..	2·0	0·92
28.5.75 ..	5·8	..	..	1·7
4.6.75 ..	4·5	..	2·8	..
11.6.75 ..	2·1	..	..	0·38
18.6.75 ..	2·8	..	2·4	0·50
25.6.75 ..	3·3	..	2·1	..
2.7.75 ..	2·4	..	1·6	0·89
9.7.75 ..	2·4	..	2·0	1·2
16.7.75 ..	3·6	..	2·5	1·0
23.7.75 ..	..	..	..	..
29.7.75 ..	2·5	..	2·2	1·2
6.8.75 ..	2·1	..	2·0	1·3
13.8.75 ..	1·6	..	2·0	1·2
20.8.75 ..	1·3	..	1·7	1·1
27.8.75 ..	2·4	..	1·5	1·0
3.9.75 ..	2·0	..	1·7	0·96
10.9.75 ..	3·0	..	1·7	..
17.9.75 ..	2·2	..	1·6	0·94
23.9.75 ..	2·5	..	1·8	1·1
1.10.75 ..	2·4	..	1·7	1·1
8.10.75 ..	2·8	..	1·7	1·3
15.10.75 ..	3·6	..	1·6	1·1
22.10.75 ..	2·4	..	1·3	1·0

Date	Exit from "Cardboard" pond	Exit from No. 1 pond	Exit from No. 2 pond	Exit from No. 3 pond
69.10.75 ..	2·4	..	1·1	0·93
2.11.75 ..	2·6	..	1·3	1·0
12.11.75 ..	3·3	..	1·3	1·1
19.11.75 ..	2·4	..	1·1	0·96
26.11.75 ..	2·7	..	1·3	0·91
3.12.75 ..	4·4	..	1·4	0·90
10.12.75 ..	4·8	..	1·4	1·5
17.12.75 ..	3·0	..	0·92	0·86
7.1.76 ..	3·9	..	1·2	0·87
14.1.76 ..	2·6	..	1·2	0·72
21.1.76 ..	2·8	..	0·98	0·80
28.1.76 ..	1·5	..	0·86	0·66
4.2.76 ..	2·2	..	0·92	0·66
11.2.76 ..	1·1	..	0·86	0·72
18.2.76 ..	1·9	0·72	1·00	0·73
25·2.76 ..	2·8	0·70	1·1	0·74
3.3.76 ..	4·8	0·72	0·96	0·79
10.3.76 ..	2·0	0·66	1·2	0·76
17.3.76 ..	2·2	1.13	..	0·88
24.3.76 ..	3·4	0·76	0·88	0·78
7.4.76 ..	2·5	..	0·81	0·79
14.4.76 ..	2·1	..	0·97	0·83
21.4.76 ..	4·1	..	0·88	0·82
28.4.76 ..	2·7	0·81	0·75	0·79
5.5.76 ..	3·0	0·65	1·09	0·73
12.5.76 ..	2·6	0·62	1·18	0·81
19.5.76 ..	1·6	0·74	0·89	0·73
26.5.76 ..	5·7	0·62	1·7	0·68
2.6.76 ..	2·9	0·79	1·22	0·69
9.6.76 ..	2·8	..	1·33	0·79
16.6.76 ..	3·7	0·74	1·35	0·68
23.6.76 ..	3·7	0·66	1·15	0·89
30.6.76 ..	5·5	..	1·17	0·70
7.7.76 ..	2·7	0·70	1·52	0·66
14.7.76 ..	2·6	0·78	2·28	0·79
21.7.76 ..	2·3	1·14	1·96	1·03
28.7.76 ..	2·2	1·00	1·50	0·90
4.8.76 ..	3·7	..	1·53	0·90
11.8.76 ..	1·6	0·98	4·13	0·87
18.8.76 ..	0·99	1·66	1·67	1·16
25.8.76 ..	2·8	..	1·34	0·99
1.9.76 ..	1·3	0·81	1·23	0·87
8.9.76 ..	8·1	0·94	1·14	0·85
15.9.76 ..	2·0	0·85	..	..
22.9.76 ..	1·1	1·00	1·13	0·85
29.9.76 ..	1·1	0·80	1·16	1·00
6.10.76 ..	1·3	0·74	0·87	0·85
13.10.76 ..	2·1	0·74	1·14	0·78
20.10.76 ..	1·4	0·95	1·11	0·98
27.10.76 ..	2·1	0·83	0·89	0·84
3.11.76 ..	2·0	0·74	0·67	0·81
10.11.76 ..	2·1	0·86	0·96	0·76
17.11.76 ..	1·5	0·71	0·91	0·74
24.11.76 ..	1·8	0·69	0·72	0·69
1.12.76 ..	1·6	0·71	0·90	0·71
8.12.76 ..	1·8	0·98	1·28	1·08
15.12.76 ..	2·2	1·07	1·13	1·34
5.1.77 ..	1·19	1·27	0·89	0·85
12.1.77 ..	1·35	0·84	0·80	0·72
19.1.77 ..	2·01	0·90	1·10	0·96
26.1.77 ..	2·01	0·96	0·95	0·88
2.2.77 ..	2·01	1·00	0·96	0·96
9.2.77 ..	1·28	0·88	0·76	0·64
16.2.77 ..	1·50	0·73	0·42	0·48
23.2.77 ..	3·00	0·89	0·86	1·00
2.3.77 ..	1·77	0·83	0·74	0·68
9.3.77 ..	1·43	0·71	0·67	0·63
16.3.77 ..	2·04	0·61	0·71	0·58
23.3.77 ..	1·61	0·63	0·74	0·63
30.3.77 ..	2·30	0·54	0·67	0·48
13.4.77 ..	1·12	0·53	0·64	0·52
20.4.77 ..	1·60	..	0·75	..
27.4.77 ..	4·10	..	0·76	..
4.5.77 ..	3·30	..	0·62	..
11.5.77 ..	3·20	..	..	..
18.5.77 ..	6.70	0·46	0·83	0·44
25.5.77 ..	2·57	0·40	0·56	0·52
1.6.77 ..	1·82	0·42	1·12	0·49
8.6.77 ..	1·60	0·53	0·92	0·50
15.6.77 ..	2·30	0·48	0·89	0·42
22.6.77 ..	2·00	0·47	0·80	0·39
29.6.77 ..	10·30	0·62	1·05	0·41
6.7.77 ..	1·81	0·60	0·84	0·73
13.7.77 ..	1·02	0·60	0·78	0·37
20.7.77 ..	1·42	0·61	0·74	0·42
27.7.77 ..	0·78	0·72	0·80	0·45
3.7.87 ..	1·18	0·83	0·74	0·50
10.8.77 ..	1·20	0·77	0·78	0·50
17.8.77 ..	1·70	0·81	0·64	0·44
24.8.77 ..	1·50	0·83	0·77	0·50
31.8.77 ..	6·10	0·72	0·61	0·39

(c) The licence limits for mercury discharging from both zone B and zone C drains to Lake Coleman, (zone A drain discharge diverted to zone B drain), applicable from 16th January, 1976, are—

(i) Mean mercury level of 12 samples shall not exceed 1·00 mg/m³.

(ii) Mercury level of any one sample shall not exceed 1·50 mg/m³.

Mercury concentration entering Lake Coleman—

Date	A zone drain	B zone drain	C zone drain
5.2.75	..	..	0·92
12.2.75	..	..	0·64
19.2.75	..	..	0·50
25.2.75	..	..	0·70
5.3.75	..	..	1·94
12.3.75	..	..	0·94
25.3.75	..	..	0·80
2.4.75	1·14	2·24	1·50
9.4.75	..	..	1·30
16.4.77	..	..	0·20
21.4.75	1·2	0·80	1·16
23.4.75	1·2	1·2	0·64
30.4.75	1·08	1·68	0·92
7.5.75	1·54	0·78	0·74
14.5.75	2·40	2·34	2·1
21.5.75	1·26	0·98	0·80
28.5.75	1·94	1·92	1·38
4.6.75	2·5	1·94	0·85
11.6.75	..	0·68	0·32
18.6.75	0·09	0·60	0·19
25.6.75	0·25	0·54	0·47
2.7.75	..	0·33	0·35
9.7.75	..	0·64	0·36
16.7.75	..	..	0·46
23.7.75	..	..	0·51
29.7.75	1·30	..	0·62
6.8.75	1·08	..	1·06
13.8.75	0·95	0·30	0·68
20.8.75	1·00	0·82	0·48
27.8.75	0·70	0·56	0·46
3.9.75	0·56	0·56	0·46
10.9.75	0·03	0·42	0·42
17.9.75	0·18	0·54	0·64
23.9.75	0·81	0·68	0·55
1.10.75	0·64	0·70	0·44
8.10.75	0·64	0·84	0·64
15.10.75	0·31	0·50	0·52
22.10.75	0.24	0.44	0.43
29.10.75	0.36	0.44	0.38
6.11.75	0.70	0.52	0.40
12.11.75	1.41	0.71	0.58
19.11.75	..	0.64	0.52
26.11.75	..	0.65	0.48
3.12.75	..	0.58	0.48
10.12.75	1·16	0·96	0·50
17.10.75	..	0·32	0·32
7.1.76	0·64	0·56	0·44
14.1.76	0·84	0·76	0·42
21.1.76	0·88	..	0·42
28.1.76	0·90	0·64	0·42
4.2.76	0·84	0·52	0·46
11.2.76	0·82	0·56	0·54
18.2.76	0·79	..	0·60
25.2.76	0·58	..	0·64
3.3.76	0·82	..	0·72
10.3.76	0·39	..	0·44
17.3.76	0·82	..	0·54
24.3.76	0·70	..	0·51
7.4.76	1·31	..	0·53
14.4.76	0·82	..	0·48
21.4.76	0·56	..	0·60
28.4.76	0·92	..	0·55
5.5.76	..	0·50	0·50
12.5.76	..	0·61	0·68
19.5.76	..	0·62	0·51
26.5.76	..	0·63	0·49
2.6.76	..	0·67	0·49
9.6.76	..	0·68	0·53
16.6.76	..	0·63	0·63
23.6.76	..	0·66	0·47
30.6.76	..	0·44	0·45
7.7.76	..	0·36	0·42
14.7.76	..	0·51	0·78
21.7.76	..	0·60	0·66
28.7.76	..	0·66	0·58
4.8.76	..	0·68	0·59
11.8.76	..	0·44	0·39
18.8.76	..	0·49	0·77
25.8.76	..	0·51	0·55
1.9.76	..	0·41	0·41
8.9.76	..	0·40	0·38
15.9.76	..	0·44	0·46
22.9.76	..	0·44	0·40
29.9.76	..	0·68	0·53
6.10.76	..	0·42	0·30
13.10.76	..	0·39	0·36
20.10.76	..	0·44	0·10
27.10.76	..	0·39	0·12
3.11.76	..	0·35	0·44
10.11.76	..	0·42	0·36
17.11.76	..	0·35	0·44
24.11.76	..	0·36	0·29
1.12.76	..	0·32	0·37
8.12.76	..	0·46	0·41
15.12.76	..	0·48	0·39
5.1.77	..	0·33	0·35
12.1.77	..	0·33	0·35
19.1.77	..	0·38	0·45
26.1.77	..	0·42	0·49
2.2.77	..	0·54	0·64
9.2.77	..	0·28	0·44
16.2.77	..	0·27	0·45
23·2·77	..	0·35	0·44
2.3.77	..	0·41	0·48
9.3.77	..	0·42	0·45
16.3.77	..	0·37	0·46
23.3.77	..	0·37	0·46
30.3.77	..	0·34	0·41
13.4.77	..	0·31	0·30
20.4.77	..	0·24	0·34
27.4.77	..	0·24	0·26
4.5.77	..	0.20	0·30
11.5.77	..	0·21	0·25
18.5.77	..	0·15	0·27
25.5.77	..	0·27	0·34
1.6.77	..	0·28	0·38
8.6.77	..	0·37	0·50
15.6.77	..	0·32	0·38
22.6.77	..	0·24	0·30
29.6.77	..	0·24	0·47
6.7.77	..	0·29	0·38
13.7.77	..	0·31	0·34

Date	A zone drain	B zone drain	C zone drain
20.7.77	.. ..	0·32	0·26
27.7.77	.. ..	0·34	0·38
3.8.77	.. ..	0·35	0·42
10.8.77	.. ..	0·29	0·45
17.8.77	.. ..	0·33	0·34
24.8.77	.. ..	0·70	0·58
31.8.77	.. ..	0·27	0·59

2. Monitoring of natural levels of mercury was carried out at two points in Lake Wellington adjacent to Lake Coleman. The readings were (in mg/m^3) p.p.b.—

Date	Within Poddy Bay	Adjacent to Tucker Swamp
3.7.76	.. 0·06	.. 0·02
1.3.76	.. 0·02	.. 0·01
9.3.76	.. 0·08	.. ..
26.4.76	.. 0·03	.. 0·02
2.5.76	.. 0·01	.. 0·02
10.5.76	.. 0·01	.. 0·03

CHILD CARE SERVICES IN SUNRAYSIA AREA.

(Question No. 2570)

Mr. ROPER (Brunswick) asked the Minister for Social Welfare—

In respect of child care services, particularly for children of itinerant workers in the Sunraysia area—

1. Whether any assistance has been supplied previously by the Department of Social Welfare; if so, on what basis?

2. Whether the department has been requested to provide assistance in the 1977–78 harvest period; if so, what grants are to be made towards the provision of these services?

Mr. DIXON (Minister for Social Welfare): The answer is—

1. My department has never previously allocated specific resources for the provision of child care services particularly for children of itinerant workers in the Sunraysia area.

2. I received an application in August, 1977, from the Sunraysia Community Welfare Group requesting that a day care service be established to cater for the children of itinerant workers during the 1977–78 harvest season. However, it was not deemed appropriate that that submission should be funded from the family support services grant programme but, rather, it might fall within the scope of other funds available from the Commonwealth Department of Social Security's Office of Child Care.

The submission was forwarded to that department for consideration.

ROAD WORKS.

(Question No. 2656)

Mr. CATHIE (Carrum) asked the Minister for Planning—

1. What applications were made to the relevant planning authorities by the Country Roads Board for road widening at Wandin North including the Upper Yarra Valley and Dandenong Ranges Authority?

2. Whether work has been undertaken without the relevant planning authority being notified; if so, why?

3. What effect these works are expected to have on—(*a*) the environment; and (*b*) future pressure for residential development?

Mr. HAYES (Minister for Planning): The answer is—

1 and 2. No application for a permit was made and work commenced without the advance knowledge of the authority. The error was the Country Roads Board's and was an oversight. Both the board and the authority are in close consultation and it is most unlikely that the situation will reoccur. The matter has been disposed of to the satisfaction of all parties.

3. (*a*) and (*b*) The works carried out were earth works and tree clearing for a 4-metre wide climbing lane over a distance of 1 kilometre. It is one of several such proposals by the board. The significance of the environmental effects have not yet been determined.

BUILDING AND DEVELOPMENT CONTROL SYSTEM REPORT.

(Question No. 2698)

Mr. LIND (Dandenong) asked the Minister for Conservation, for the Minister of Water Supply—

1. To which public and semi-public bodies the report on the Building and Development Control System in Victoria was circulated?

2. Whether the report was forwarded or made available to sewerage authorities; if not—(*a*) why; and (*b*) whether the Minister will give consideration to having it circulated to sewerage authorities and other public bodies who may be affected by its recommendations, and, in that event, whether ample time will be allowed for these bodies to study it, and to submit any necessary comments?

Mr. BORTHWICK (Minister for Conservation): The answer supplied by the Minister of Water Supply is—

1. The report on the building and development control system was circulated to some 70 or 80 bodies including municipal councils, building surveyors, professional and

educational bodies and organizations in the building industry as well as Government departments and instrumentalities having an involvement in building control.

2. A copy of the report was forwarded to the Secretary, Provincial Sewerage Authorities Association of Victoria seeking the views of the members of that association. I understand that comments have already been received by the steering committee from some sewerage authorities.

Individual copies have been sent to the State Rivers and Water Supply Commission, the Melbourne and Metropolitan Board of Works, the Ballarat Sewerage Authority and the Geelong Waterworks and Sewerage Trust.

NURSING HOME COSTS.

(Question No. 2709)

Mr. ROPER (Brunswick) asked the Assistant Minister of Health, for the Minister of Health—

Whether the Minister is aware that costs in nursing homes approved under the Commonwealth States Grants (Nursing Homes) Act 1969 in Victoria are higher per bed than in any other State; if so, whether any report has been prepared by the Hospitals and Charities Commission or any other Government health agency on the reasons for the high costs, and, in that event—(*a*) what are the reasons; and (*b*) whether copies of relevant documents will be made available to the member for Brunswick?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

The fact that costs in nursing homes in Victoria are higher than those in other States has been appreciated over a number of years and the matter has been investigated by both the Hospitals and Charities Commission and the Commonwealth Departments of Health and Social Security.

(*a*) Some of the reasons are—

(i) Victoria has fewer nursing home beds per thousand aged people than other States and the majority of patients require intensive nursing care because they are more disabled and heavier than the average group of patients in nursing homes in other States.

(ii) Generally speaking all classifications of staff are more highly paid in Victoria.

(iii) The standard of nursing care is high and the level and type of staff is laid down by legislation.

(iv) The average-sized private nursing home in Victoria has 22 beds. To be economically viable a 40 to 50 bed unit is required. Other States have units of accommodation with a greater average bed capacity.

(*b*) A comparison of costs State by State is set out in the Hospital and Allied Services Advisory Council's report of the working party on guidelines for private nursing homes (February, 1975). I will make available a copy of this document.

WATER SUPPLY RESTRICTIONS IN SUNBURY.

(Question No. 2762)

Mr. CAIN (Bundoora) asked the Minister of Housing—

Further to the answer to question No. 2462, given on 20th September, 1977, what is the nature of "water supply restrictions" which have led to the limitation of the projected population of the Sunbury area to 35,000 people and when these restrictions became apparent?

Mr. HAYES (Minister of Housing): The answer is—

In my statement on the 5th May, 1977, I announced the intention of the Housing Commission to develop the area known as the Goonawarra estate to a population of about 7,500. As part of that statement, I mentioned that a study by the State Rivers and Water Supply Commission, on behalf of the Melton–Sunbury Interim Co-ordinating Committee, had drawn attention to the high cost of the supply of water to a larger area of Sunbury and that on the basis of the present limitation of the supply of water, the general Sunbury area should aim at a population of approximately 35,000.

HEAVY METALS IN FISH.

(Question No. 2864)

Mr. CATHIE (Carrum) asked the Assistant Minister of Health, for the Minister of Health—

What surveys have been undertaken in the past two years to obtain background information on the levels of mercury and other heavy metals, including cadmium, in fish supplied to the ordinary consumer through outlets such as retail fish mongers, indicating—(*a*) how many samples were obtained at each place and on what dates; (*b*) whether the tested samples were cooked or raw; (c) the results of the tests; and (*d*) how the results compared with the figures tabled in the House of Representatives in answer to question No. 2444 on 28th August, 1975?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

Two surveys have been carried out on the level of mercury in fish in the past two years. A further survey is in progress.

(*a*) A total of 99 samples of flake were obtained between June and July, 1976, and 92 samples between November and December, 1976.

The samples were obtanied from 38 municipalities but only one sample per shop per survey.

(*b*) Twenty-one samples were cooked, 170 samples raw.

(c) June-July survey—

Less than 0·5 ppm	72 samples
Between 0·5 and 1 ppm	15 samples
Above 1 ppm	12 samples
Average	0·47 ppm

November-December—

Less than 0·5 ppm	60 samples
Between 0·5 and 1 ppm	15 samples
Above 1 ppm	17 samples
Average	0·57 ppm

(*d*) The two surveys show a decrease in mercury level of approximately 40 per cent, to the figures tabled on the 28th August, 1975.

GIPPSLAND LAKES PLANNING STUDY.

(Question No. 2867)

Mr. B. J. EVANS (Gippsland East) asked the Minister for Planning—

1. What was the cost of the Gippsland Lakes Planning Study prepared by Yuncken Freeman Architects Pty. Ltd?

2. What are the names and addresses of all sub-consultants employed by the company in the preparation of this report?

Mr. HAYES (Minister for Planning): The answer is—

1. The Gippsland Lakes Planning Study prepared by Yuncken Freeman Architects Pty. Ltd. of 411 King Street, Melbourne, cost $126,800.

2. The names and addresses of the sub-consultants employed by the company were—

(i) Maunsell & Partners, 277 William Street, Melbourne.

(ii) Plant Location International, 3/230 Toorak Road, South Yarra.

(iii) Tract Pty. Ltd., 6 Murphy Street, South Yarra.

(iv) Natural Systems Research, 392 Bay Street, Port Melbourne.

(v) R. N. Phillips & Associates, 21 Denman Street, East Geelong.

(vi) John Paterson Urban Systems, 150 Albert Road, South Melbourne.

(vii) Professor Donald Belcher, Cornell University, New York.

HEAVY METALS POLLUTION.

(Question No. 2934)

Mr. CATHIE (Carrum) asked the Minister for Conservation—

With reference to the unpublished Environment Protection Authority data for elevated concentrations of mercury detected in Mordialloc Creek, Patterson River, and Kananook Creek, referred to in the report on Mercury Content of Muscle Tissues of Sand Flathead from Port Phillip Bay prepared by T. I. Walker—

1. What is this unpublished data, indicating by whom it was prepared and when?

2. What are the specific readings for each heavy metal, giving the place from which each was taken, and the acceptable standard for receiving waters?

3. What is the origin of high mercury levels in each case?

Mr. BORTHWICK (Minister for Conservation): The answer is—

The unpublished data referred to in the report comprises part of a study being undertaken by the Environment Protection Authority. This study aims at assessing waste load contributions from each of the major streams and other inputs entering Port Phillip Bay. The raw data is currently being validated, analysed and interpreted, and I am advised that a full report on the project will be published by the authority in due course.

I would take this opportunity to point out that the specific readings for each heavy metal are lengthy and would be of questionable value to the House without proper scientific analysis and interpretation. In the circumstances I suggest that the honorable member wait until the report is completed and published but if he wishes to inspect the raw data beforehand, this can be arranged at the offices of the Environment Protection Authority, 240 Victoria Parade, East Melbourne.

(Question No. 2936)

Mr. CATHIE (Carrum) asked the Minister for Conservation—

With reference to the Environment Protection Authority report on heavy metals in the sediments of Port Phillip Bay and input streams and the associated news release, what are the current heavy metals concentrations in the bay inlet waters, giving the latest figures for Kororoit Creek, Mordialloc Creek, Fisherman's Gully drain, Cowies Creek and Cowderoy Street drain?

Mr. BORTHWICK (Minister for Conservation): The answer is—

As I mentioned in my answer to question 2934, a report covering these aspects is currently under preparation by the Environment Protection Authority, with the exception of Fisherman's Gully drain. I am advised by the chairman that the authority is unaware of any recent data collected on heavy metal concentrations in the bay inlet waters of this drain.

MELTON DEVELOPMENT.

(Question No. 2941)

Mr. CAIN (Bundoora) asked the Minister for Planning—

Whether the Government indicated it would provide for the greatest possible degree of public participation and involvement in the development when it announced the policy of developing Melton as a satellite city; if so, whether the policy has changed in this regard since that announcement, and since the appointment of the Interim Co-ordinating Committee?

Mr. HAYES (Minister for Planning): The answer is—

On the 23rd December, 1974, the then Minister for Planning issued a statement on behalf of the Government regarding the development of Melton and Sunbury. The Minister's statement laid down firm guidelines on the over-all approach to be adopted in the planning for both towns. The need for comprehensive community planning was emphasized and the subsequent consultant reports to the Melton-Sunbury Interim Co-ordinating Committee were approached on the basis of public participation and involvement.

It has always been the intention of the Government to look for as much input as possible from the people in the area of Melton. There is no change in that intention. The intention was, in fact, evidenced by the exhibition of the concept plans earlier this year.

MELTON–SUNBURY INTERIM CO-ORDINATING COMMITTEE.

(Question No. 2942)

Mr. CAIN (Bundoora) asked the Minister for Planning—

Whether meetings of the Melton–Sunbury Interim Co-ordinating Committee have been closed to press and public; if so, whether he will instruct the committee that the meetings should be open to public and press and, if not, whether he will require the committee to make public any recommendations that it makes?

Mr. HAYES (Minister for Planning): The answer is—

The honorable member is, I am sure, well aware of the reasons why committees or authorities which are required to make decisions on the future use of land need to make these decisions in private and the Melton–Sunbury Interim Co-ordinating Committee is no exception. With the exception of the chairman, who is the Chairman of the Town and Country Planning Board, the committee is comprised of local councillors who are themselves subject to public election in the normal way. The recommendations of the committee are made public in the various reports which are published from time to time and these are available for perusal at the local council offices and at the local library at Sunbury. In addition both councils—Melton and Bulla—are kept fully informed of the committee's activities and are consulted by the committee at each stage in the planning process.

MELTON DEVELOPMENT.

(Question No. 2943)

Mr. CAIN (Bundoora) asked the Minister for Planning—

1. Whether each Government instrumentality has complied with the Government's policy that facilities and services should be provided in advance of demand at Melton?

2. Whether the Education Department, Social Welfare Department, Ministry of Transport and Police Department have provided such facilities in advance of demand?

Mr. HAYES (Minister for Planning): The answer is—

A report prepared by the Melton–Sunbury Interim Co-ordinating Committee indicating forward Government investment is now under study. When determinations have been made upon the report, they will be publicised.

(Question No. 2944)

Mr. CAIN (Bundoora) asked the Minister for Planning—

Whether the Melton–Sunbury Interim Co-ordinating Committee has recommended that the Melton Shire Council should be allowed to permit significantly more economical standards of subdivision; if so, what are the implications of such a policy with respect to—(*a*) public open space; (*b*) standards of road construction; (*c*) housing densities; (*d*) standards of reticulated services; (*e*) undergrounding of reticulated services; and (*f*) any other relevant aspect of subdivision?

Mr. HAYES (Minister for Planning): The answer is—

The Interim Co-ordinating Committee has recommended to the Government and the Melton council that where appropriate the council should permit the adoption of significantly more economical standards of subdivision. The implications of this recommendation are as follows—

(*a*) Each case is looked at on its merits, and the open space contribution requested by council varies according to the circumstances.

(*b*) It is believed that there are opportunities for savings to be made in standards employed for residential roads.

(*c*) The Melton council has already adopted a policy of mixed allotment sizes, and hence densities, in residential estates will vary.

(*d*) Savings in standards of reticulated services can only be made where the relevant servicing authority changes its standards. These opportunities are under review.

(*e*) Both the committee and Melton council have a policy of requiring underground reticulated services, except in industrial areas.

(*f*) Appreciable savings can be made by prompt administrative action once a decision has been made to release an area so that permits etc. are issued without unnecessary delay.

LAND AT DERRIMUT.

(Question No. 2956)

Mr. FOGARTY (Sunshine) asked the Minister for Planning—

Whether he received any direct approaches from local government bodies, members of Parliament or ratepayers' associations within the electoral district of Sunshine requesting that the Government institute the necessary procedures to have the controversial area 7 special purposes Derrimut land, situated within the Sunshine municipality, rezoned for recreation and education purposes; if so, what action he has taken?

Mr. HAYES (Minister for Planning): The answer is—

There have been many and varied representations relating to the special use 7 zone at Derrimut and these are presently under consideration.

SEAFORD TO MORDIALLOC DEVELOPMENT.

(Question No. 3007)

Mr. CATHIE (Carrum) asked the Minister for Planning—

If he will lay on the table of the Library all files and relevant correspondence relating to the declaration of the area west of Wells Road (from Seaford to Mordialloc) as a preferred development area?

Mr. HAYES (Minister for Planning): The answer is—

The Melbourne and Metropolitan Board of Works files concerning the declaration of preferred development areas SSP_1, SSP_2, and SCH_1 are voluminous and if the honorable member would indicate his prime concern in the matter I shall be pleased to have the papers made available. Alternatively, I would be pleased to make arrangements for officers of the board to discuss the declarations with him.

METROPOLITAN PLANNING POLICY.

(Question No. 3008)

Mr. CATHIE (Carrum) asked the Minister for Planning—

What progress has been made by officers of the Town and Country Planning Board and the Melbourne and Metropolitan Board of Works in preparing a statement of metropolitan planning policy, indicating when it is expected to be finalized and published, respectively?

Mr. HAYES (Minister for Planning): The answer is—

A preliminary draft paper was widely circulated some time ago for the purpose of attracting comment on the proposals contained therein.

In the light of the many constructive suggestions which have come forward, a revised statement is being prepared.

SANDRINGHAM MENTAL HEALTH CLINIC.

(Question No. 3014)

Mr. ROPER (Brunswick) asked the Assistant Minister of Health, for the Minister of Health—

Further to the question without notice concerning the Mental Health Authority's Sandringham Mental Health Clinic answered on 12th October, 1977, what other steps have been taken to maintain services at the clinic?

Mr. JONA (Assistant Minister of Health): The answer supplied by the Minister of Health is—

After extensive advertising both inside and outside the service, a consultant psychiatrist has been appointed to the vacant position at the Sandringham clinic. The appointee will take up duty, at the clinic, on the 5th December, 1977.

REPORT OF INQUIRY INTO SPECIAL EDUCATION.

(Question No. 3021)

Mr. FORDHAM (Footscray) asked the Minister of Special Education—

What were the positions of the officers who prepared appendices C and D of the interim report of the Ministerial Committee of Inquiry into Special Education and whether the same or comparable positions currently exist?

Mr. SCANLAN (Minister of Special Education): The answer is—

Director of teacher education.

Supervisor of physically handicapped children.

Research officer to director of special services together with the support of officers in the various fields involved.

The same positions currently exist with the exception of the supervisor of physically handicapped which has been upgraded.

MELTON–SUNBURY DEVELOPMENT.

(Question No. 3071)

Mr. CAIN (Bundoora) asked the Minister for Planning—

Whether he has directed the Melton–Sunbury Interim Co-ordinating Committee not to release to the public its recommendations to the Government for short and medium term development; if so, why?

Mr. HAYES (Minister for Planning): The answer is—

The report to which the honorable member refers is an interim report dealing principally with forecasting the cost of implementing the committee's recommendations for the future township of Melton. It contained by way of explanation material relating to the short and medium term plans but the final report, the phase II report for Melton which deals with these plans in great detail is at present being printed. Naturally, I will arrange for the release of this report as soon as I have had the opportunity of fully considering its contents.

PIER CRANE, PORTARLINGTON.

(Question No. 3090)

Mr. GUDE (Geelong East) asked the Minister of Labour and Industry—

1. Whether he is aware of the problem being experienced by professional fishermen at Portarlington following the declaration by inspectors of the Department of Labour and Industry, that the pier crane is unsafe?

2. Whether he is aware that the fishermen have been without a crane for several years due to the failure of the Department of Labour and Industry and the Public Works Department to reach an agreement on a suitable design?

3. Whether discussions between the departments regarding a suitably designed crane have been completed; if so, with what result; if not, when a positive result will be achieved?

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

1. I am aware that, at present, fishermen using Portarlington pier must unload their catches manually.

2. The crane at Portarlington pier was removed from service by the Ports and Harbors Division of the Public Works Department some years ago. Since that time, there has been some difficulty in designing a crane which would meet the requirements of fishermen at Portarlington and also the design requirements as specified in the Lifts and Cranes Act and Regulations.

3. Yes. The Chief Inspector of Lifts and Cranes has recently given approval to the Public Works Department for the construction of a crane of a type which would be suitable for use at Portarlington. The Public Works Department is to call tenders for the construction of this type of crane for use during a trial period.

VISITING TEACHERS FOR THE DEAF SERVICES.

(Question No. 3101)

Mr. ROPER (Brunswick) asked the Minister of Special Education—

In respect of visiting teachers for the deaf services, which areas of the State receive such services, specifying—(*a*) the number of staff involved; (*b*) the number of students assisted; and (*c*) whether the Education Department has any plans for increasing the level of service, particularly in the Gippsland region?

Mr. SCANLAN (Minister of Special Education): The answer is—

Areas of the State receiving services: All areas on a regional basis as follows—

(*a*) Metropolitan—
Administration (2 teachers)
(9 teachers) Frankston reigon
(10·5 teachers) Knox region
(9 teachers) Preston region
(5 teachers) Sunshine region
(4·5 teachers) Prahran region
Country—
(3 teachers) Ballarat region
(2·6 teachers) Benalla region
(3 teachers) Geelong region
(2 teachers) Gippsland region
(1 teacher) Bendigo region
(1 teacher) Horsham region
(1 teacher) Hamilton region

(*b*) 712 (503 metropolitan; 209 country).

(*c*) No increase is anticipated in 1978. The service is operating satisfactorily.

SOLICITORS' TRUST ACCOUNTS.

(Question No. 3169)

Mr. GUDE (Geelong East) asked the Minister of Labour and Industry, for the Attorney-General—

1. Whether the Minister is aware of the Law Institute of Victoria's advice to its members not to accept investments unless a borrower can be found with first mortgage security; if so, whether this action has effectively reduced the flow of investment money through solicitors, trust accounts?

2. Whether steps will be taken to amend the Legal Profession Practice Act 1958 to secure private investors funds but at the same time enable solicitors to "pool" investments in a similar manner to that which has existed in past years?

Mr. MACLELLAN (Minister of Labour and Industry): The answer supplied by the Attorney-General is—

1. My inquiries show that the Law Institute of Victoria has not given such advice to its members. However, the executive director of the institute has confirmed that it has always been the Law Institute's policy that the best possible security should be obtained by its members for clients seeking to lend, and in this regard suitable first mortgage security has always been acceptable. There is no evidence to suggest that there has been any significant reduction in the flow of investment money through the solicitors' trust accounts.

2. The question of appropriate measures to control the investment of moneys by solicitors on behalf of their clients is under consideration, but at this stage I am unable to indicate the form those measures are likely to take.

Legislative Council.

Thursday, November 24, 1977.

The PRESIDENT **(the Hon. W. G. Fry)** took the chair at 10.32 a.m. and read the prayer.

LAND TAX BILL (No. 2).

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

CHANGE OF OWNERSHIP NOTICES BILL.

This Bill was returned from the Assembly with a message relating to amendments.

Assembly's amendments—

Clause 3, lines 3 and 4, omit sub-paragraph (i) and insert the following sub-paragraphs:—

(i) for the words "Any person who sells conveys or transfers" there shall be substituted the words "Every person who disposes of";

(ii) for the expression "two months after the date of the execution of the contract of sale or (where there is no contract of sale) of the conveyance or transfer" there shall be substituted the words "one month after the disposal of the land"; and

(iii) for the words "sale conveyance or transfer" there shall be substituted the word "disposal";

Clause 4, lines 3–5, omit paragraph (*a*) and insert the following paragraph:—

(*a*) In sub-section (1) of section 248A—

(i) for the words "Any person who sells conveys or transfers" there shall be substituted the words "Every person who disposes of";

(ii) for the expression "two months after the date of the execution of the contract of sale or (where there is no contract of sale) of the conveyance or transfer" there shall be substituted the words "one month after the disposal of the land"; and

(iii) for the words "sale conveyance or transfer" there shall be substituted the word "disposal".

Clause 5, lines 2–4, omit paragraph (*a*) and insert the following paragraph:—

(*a*) In sub-section (1) of section 373—

(i) for the words "Any person who sells conveys or transfers" there shall be substituted the words "Every person who disposes of";

(ii) for the expression "two months after the date of the execution of the contract of sale or (where there is no contract of sale) of the conveyance or transfer" there shall be substituted the words "one month after the disposal of the land"; and

(iii) for the words "sale conveyance or transfer" there shall be substituted the word "disposal".

The Hon. A. J. HUNT (Minister for Local Government): I move—

That the amendments be agreed to.

The amendments made to the Bill by the Legislative Assembly follow useful discussion in this House and undertakings which I gave that the matter would be fully examined and considered before the debate in the Legislative Assembly proceeded.

It will be recalled that several members thought that a period of one month after the date of contract was insufficient to give notice of change of ownership because contracts often provided for possession at a later date or were contingent upon many other factors. The whole notion has, therefore, been changed to require notice to be given one month after acquisition of the property. Acquisition has been defined as the date on which the purchaser becomes entitled to possession of the property or to receipt of the registered profits.

I should like to thank the members of the Legislative Council for their consideration of the Bill in the earlier debate. I believe this change in concept is much more sensible as it will mean that in future notices will not be likely to be given in respect of contracts that might ultimately fall through.

The provision will now be that, once the deal is consummated, the notice must be given within a month. This change arises from discussion in this House and I thank honorable members.

The Hon. I. B. TRAYLING (Melbourne Province): The Opposition is in agreement with the proposed amendments. As the Minister indicated, they were brought about by discussion in the Legislative Council of problems which my colleagues, Mr. Elliot and Mr. Wright, pointed out. We thank the Minister for taking up the points raised and being good enough to have them dealt with in a manner that resulted in the amendment of the Bill in another place. This is in accord with the matters of concern which the Minister has had remedied to our satisfaction. The Opposition agrees to the amendments.

The Hon. K. I. WRIGHT (North Western Province): I too wish to thank the Minister for his consideration of the matter concerning section 879 of the principal Act that I raised the other night. This is not apparent unless the Act is examined separately.

I wish to thank the House for its support and also Mr. Elliot and Mr. Bradbury for the valid supporting points raised, particularly with regard to the hotel industry and how this Bill, if left the way it originally was, would affect all people with regard to change of ownership.

The Hon. D. M. EVANS (North Eastern Province): I agree with the changes to the Bill. I draw attention to two points: Firstly, the excellent submission made by Mr. Bradbury and the sensible suggestion he made; and, secondly, that this indicates the value which can be achieved by listening to the advice and experience of members of all parties. I wish to place on record the contribution made by my colleague, Mr. Bradbury.

The motion was agreed to.

LOCAL GOVERNMENT (PROMOTION OF DECENTRALIZATION) BILL.

This Bill was returned from the Assembly with a message relating to amendments.

Assembly's amendments—

1. Clause 4, page 3, insert the following sub-clause to follow sub-clause (3)—

'( ) In section 811B (3) of the principal Act the words "pursuant to an arrangement made under the preceding section" are repealed.'.

2. Clause 4, page 3, insert the following sub-clause to follow sub-clause (6)—

'( ) In section 811B (7) of the principal Act after the word "loan" there shall be inserted the words "other than a loan secured on the general rate of a municipality".'

The Hon. A. J. HUNT (Minister for Local Government): I move—

That the amendments be agreed to.

There are two amendments adding additional sub-clauses to the Bill. The first of these new sub-clauses will increase the flexibility of local government in providing for decentralized industry by removing the existing words "pursuant to an arrangement made in the preceding section" which appear in section 811B (3) of the principal Act. That is inhibiting in that a firm arrangement with respect to a particular industry must exist before local government can proceed to make provision for decentralized industry. The change will increase flexibility by enabling local government to make provision in advance for decentralized industry which it desires to attract.

The second new sub-clause relates to Treasury guarantees of loans for the purpose of decentralized industry. The amendment makes it clear that this, of course, will not apply where the loan is secured against the general rate of the municipality. Treasury guarantees may, however, be used to supplement mortgage loans as distinct from loans secured on the general rate of the municipality.

The Hon. J. M. WALTON (Melbourne North Province): The amendments seem to be in order and the Opposition has no objection to them.

The Hon. K. I. WRIGHT (North Western Province): The National Party has no objection to these amendments.

The motion was agreed to.

LITTER BILL.

This Bill was returned from the Assembly with a message relating to amendments.

Assembly's amendments—

1. Clause 2, page 2, line 25, omit "and".

2. Clause 2, page 2, line 25, insert the following paragraph to follow paragraph (*b*)—

'( ) At the end of section 3B (2) there shall be inserted the following expression—

"and

(c) in relation to a public place vested in or owned or controlled by or under the management of the Melbourne and Metropolitan Board of Works—an officer of the board appointed in writing by the secretary of the board either generally or in a particular case for the purposes of this section."'

The Hon. A. J. HUNT (Minister for Local Government): I move—

That the amendments be agreed to.

While the Bill was in the course of discussion a vigilant officer of the Melbourne and Metropolitan Board of Works noted that there was no apparent power to authorize the officers of the board to enforce the Litter Act in respect of parks under the administration and control of the board.

The Hon. I. B. TRAYLING (Melbourne Province): If the Minister will give me an assurance that it is not a technicality but an oversight, then there will be no problems and the Labor Party will not oppose the amendments.

The Hon. A. J. HUNT (Minister for Local Government): I give that assurance.

The Hon. K. I. WRIGHT (North Western Province): The National Party supports the principle behind the amendments.

The motion was agreed to.

QUESTIONS WITHOUT NOTICE.

G. & S. TAYLOR PTY. LTD.

The Hon. W. A. LANDERYOU (Doutta Galla Province): Yesterday I posed a question to the Attorney-General with respect to G. & S. Taylor Pty. Ltd. I wonder if he is in a position to advise the House on this matter.

The Hon. HADDON STOREY (Attorney-General): I am now in a position to advise the honorable member who asked me whether I had received reports concerning the liquidation of G. & S. Taylor Pty. Ltd. I received reports in November, last year, which were replied to in December, last year. The position was that the liquidation had been delayed because the liquidator died and another liquidator had to be appointed to take his place. Matters were raised by a Miss Harris which were considered by the Corporate Affairs Office. These matters then led to Miss Harris instituting proceedings against the liquidator. Those proceedings came on for preliminary hearing on 15th November, this year. The court ordered that the hearing be set down for December, this year. Until these proceedings are finalized the administration of the company cannot be completed.

WATER CHARGES.

The Hon. K. I. WRIGHT (North Western Province): I ask the Minister of Water Supply whether the State Rivers and Water Supply Commission has recommended an increase of 22·5 per cent in water charges for the coming year. Has Cabinet considered this matter? When is it likely to make a decision, and is it aware of the difficulties that will be created by an increase of that magnitude?

The Hon. F. J. GRANTER (Minister of Water Supply): The State Rivers and Water Supply Commission makes recommendations to the Minister in respect to water charges and what it thinks they should be. However, the Minister and his colleagues consider them. As yet there is no finality because, I understand, the Premier and Treasurer has indicated that he will receive a deputation from the Victorian Central Irrigators Council next Wednesday. Until that deputation is received and the Premier and Treasurer considers its submissions, no finality in water charges will be reached.

I am aware of the problems of primary producers, not only of those in the irrigation areas but also of those engaged in many other facets of primary production.

NATIONAL DECENTRALIZATION PROGRAMME.

The Hon. B. A. CHAMBERLAIN (Western Province): I direct a question to the Minister for State Development and Decentralization. It relates to the national decentralization programme outlined by the Prime Minister last Monday night. Has the Minister yet had an opportunity to discuss the guidelines for that programme with the Federal authorities, and can he ensure that it complements the progressive programme of the Victorian Government?

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): Let me say how much I welcome this new Commonwealth initiative. It is a matter of record that the Victorian Government has for many years been pressing for a more active involvement by successive Federal Governments in the field of decentralization, other than by merely designating growth centres. Although the guidelines for this new assistance have not yet been finally determined, there will be close liaison, as honorable members would

expect, between officers of my department and their Federal counterparts. I expect, within a few months, an announcement from the Federal department that the new Decentralization Advisory Board will be set up. The implementation of this programme represents a real breakthrough for the State. Victoria is well recognized as the pace setter in decentralization. I have no doubt that this involvement represents the beginning of a new era of Federal Government contribution to decentralization.

GOONAWARRA ESTATE, SUNBURY.

The Hon. D. R. WHITE (Doutta Galla Province): I direct a question to the Chief Secretary. Earlier this session the Chief Secretary indicated that a Bill would be introduced to enable the Housing Commission to enter into joint ventures. In view of the fact that preliminary survey work is being conducted on the Goonawarra estate at Sunbury, can the honorable gentleman give an assurance to the House that those activities are within the law, in the absence of legislation enabling the Housing Commission to enter into joint ventures?

The Hon. V. O. DICKIE (Chief Secretary): Whatever undertaking I gave earlier in the session concerning legislation has been changed because of the sudden cessation of the session. As I am not the Minister of Housing I cannot possibly answer the points raised by Mr. White and I ask that he put the question on notice.

" SPARK–L " PRODUCTS.

The Hon. RALPH HOWARD (Templestowe Province): I direct a question to the Minister of Health. At present there are two products on sale on the Victorian market, often within the one supermarket, both bearing the same name. One is a soft drink and the other is a disinfectant. I understand that the disinfectant has already been the cause of children being admitted to the Royal Children's Hospital. They drank the disinfectant instead of the soft drink. I consider this to be a dangerous situation and I ask the Minister what action he will take to draw it to the attention of the Victorian public urgently, and what steps he will take to rationalize the situation.

It has been brought to my attention that I did not name the product. The product is named " Spark–L ". In both cases the name is spelt the same way.

The Hon. W. V. HOUGHTON (Minister of Health): My attention has been drawn to the two products labelled " Spark–L ". I understand that " Spark–L " is a brand name used by one of the large supermarkets to label many of its products. The labels are not exactly the same, but they both contain the word " Spark–L ". The disinfectant product contains the words " disinfectant and antiseptic ", but it is also labelled " citrus " which can be extremely misleading.

I will be issuing a press release this morning warning the public about the dangers to children from these two products which are similarly named.

FREEZE ON CHURCH PROPERTY.

The Hon. H. R. WARD (South Eastern Province): I direct a question without notice to the Attorney-General. A newspaper article this morning indicated that the Attorney-General was about to freeze the funds of a certain church or about to freeze the disposal of any property belonging to that church. Is the Attorney-General aware of this article, and is this the case?

The Hon. HADDON STOREY (Attorney-General): I do not think the article that I saw quite put it in that way, but it put it in a somewhat misleading way by saying that the

State Government had frozen dealings of this church. The State Government has not frozen anything, but certain transactions were lodged with the Registrar of Titles for registration and the registrar, under his statutory duty to ensure that the transactions were being properly pursued by the people who were entitled to lodge the dealings, saw legal problems. He is seeking the advice of counsel on the position. Pending that advice he has not proceeded with the dealings. However, I emphasize that neither the State Government nor the Attorney-General has frozen any transactions.

OPEN HIGHWAY SPEED LIMIT FOR TRUCKS.

The Hon. B. A. CHAMBERLAIN (Western Province): Is the Chief Secretary aware of the representations from the trucking industry to increase the speed limit on the open highway, and, if so, will he consider those representations, particularly in view of the fact that very few truck drivers observe the speed limit?

The Hon. V. O. DICKIE (Chief Secretary): I am aware of a newspaper article indicating this. When contact is made with me I shall deal with the representations that are made. At this stage the only knowledge I have of the matter is the newspaper article. I shall check whether anything has come into my department.

FUNDS FOR HOSPITAL FACILITIES.

The Hon. H. R. WARD (South Eastern Province): Earlier this year the Minister of Health stated that all funds available for hospital purposes were set out in the Budget. Is there any indication that some funds will be made available to extend certain hospital facilities such as those at the Southern Peninsula Hospital at Rosebud?

The Hon. W. V. HOUGHTON (Minister of Health): Hospital maintenance budgets amounting to the State share of $224 million are defined and definitive in budgets. The Commonwealth will make provision, as will the State Government, under a cost-sharing agreement to meet certain escalations in costs, particularly in the salaries and wages area, but the budgets amounting to $224 million stand, as they have for the past four months.

QUESTIONS ON NOTICE.

The Hon. S. R. McDONALD (Northern Province): By leave, I ask the Leader of the House whether he will ensure that the usual practice of forwarding to honorable members during the recess the replies to the questions that remain unanswered on the Notice Paper will be followed?

The Hon. V. O. DICKIE (Chief Secretary): By leave, if any further answers come to hand today, they will be given to honorable members, but answers to questions that have not yet been given will be forwarded to honorable members, if possible, during the recess. There is a huge backlog of unanswered questions on the Notice Paper in another place, and quite a number on the Council Notice Paper.

As a matter of interest, I draw the attention of the House to the fact that one member in another place has asked questions that have cost $20,000 in Public Service time in trying to ascertain the information. This takes time, and honorable members must understand why so many unanswered questions remain on both Notice Papers.

MEAT INDUSTRY COMMITTEE.

LIVESTOCK SELLING CENTRES.

The Hon. S. E. GLEESON (South Western Province) presented a report from the Meat Industry Committee upon future operations of livestock selling centres, together with appendices and minutes of evidence.

It was ordered that they be laid on the table, and that the report and appendices be printed.

PAPERS.

The following papers, pursuant to the directions of several Acts of Parliament, were laid on the table by the Clerk—

Dried Fruits Board—Statement of accounts for the year 1976.

Education Act 1958—Resumption of land at Yinnar—Certificate of the Minister of Education.

Housing Commission—Report for the year 1976–77.

Lands—Report of the Department of Crown Lands and Survey for the year 1976–77.

Place Names Committee—Report for the year 1976–77.

State Electricity Commission—Report for the year 1976–77.

Stock Foods Act 1958—Proclamation altering the chemical standards of bran and pollard.

Town and Country Planning Act 1961—Shire of Alexandra Planning Scheme—Amendment No. 2, 1977.

Victorian Egg Marketing Board—Report for the pool year ended 2nd July, 1977.

VICTORIAN GOVERNMENT TRAVEL AUTHORITY BILL.

The Hon. D. G. CROZIER (Minister of Tourism): I move—

That this Bill be now read a second time.

The Bill provides for the establishment of a statutory body for the promotion and sale of travel, at present the responsibility of the Victorian Government tourist bureaux. I am pleased to say that the Bill represents further tangible recognition by this Government that tourism is a major industry in terms of investment and employment throughout the country.

The ever increasing importance of this industry is evidenced by the growing numbers of travellers and the considerable increase and degree of priority afforded the earnings spent on leisure time activities in the average individual's budget, irrespective of age or financial situation.

These days, as opposed to only a relatively short time ago, the average person has a great deal more leisure time which can, and is, being apportioned in a very different manner from when the Government first set up tourist bureaux at the turn of the century. Originally these bureaux were established primarily for the sale of rail tickets and the dissemination of travel information.

The first information office was established in 1888 by the Victorian Railways at Spencer Street to cater for visitors to an exhibition. In 1895 the office was moved to Flinders Street. In 1905 it moved to Princes Bridge, and in 1908 to the corner of Collins and Swanston streets. In 1923 it moved again to Queens Walk where it remained for sixteen years, still under the control of the Victorian Railways.

During the 1939–45 war the bureau closed but reopened shortly after the war, and in 1958 the Government established the Tourist Development Authority, which in the 1960s came under the control of various departments, including the Premier's Department, and was abolished in February, 1970, when the Ministry of Tourism was created. When the Department of State Development was established in 1971 the Ministry of Tourism was absorbed and became a division of that department.

Unfortunately, under the Public Service structure the Government tourist bureaux have, by their very nature, found it difficult to keep pace with rapid changes which have taken place in the industry, and it is essential in the prevailing competitive business climate to maintain a highly skilled organization offering a total travel service to the public and, in particular, aggressively marketing tourism in Victoria.

The Victorian Government, along with every other State in the Commonwealth, has been marketing travel for many years, and it is in

the best interests of this State that the Government travel marketing arm becomes more skilled and totally involved in the industry.

An active marketing organization, backed by an expert policy and overall promotion section within the Department of State Development, will undoubtedly have a significant impact on the Victorian tourist industry. The authority will not only restore and retain confidence in the industry by virtue of its governmental connection, but, by effective promotion, will impart awareness to the general public of the benefits of travel, thereby increasing the amount of business likely to be written by private travel agents and hence add to Victoria's share of the many millions of dollars which the industry generates.

It is not intended that this proposed authority will operate in isolation, but that all organizations with direct interest in the industry will have an input into the information service which will be provided, and in the preparation of package tours and in every way possible will further develop the potential which has yet to be fully exploited.

Let me be more explicit on the major reasons for the introduction of this Bill. They are—

(1) The tourist industry is immensely important to the economy of this country and therefore to this State.

(2) All States in the Commonwealth are actively involved in the promotion and marketing of tourism.

(3) Victoria's bureaux as presently operated have experienced difficulties in keeping pace with the unprecedented demands made upon them.

(4) The travel industry has come under considerable criticism over the years because of the number of agencies which have failed to fulfil their obligations to their clients. The proposed Government backed authority will, it is believed, set a standard which will encourage matching by many private operators and in fact be a pacesetter in the field, thereby bringing much needed stability and confidence into the industry.

(5) The increasing net drain upon Government funds can be arrested. I might add that in the financial year that has just passed, this net drain amounted to $1·6 million and the forecast for the coming fiscal period is of the order of $1·9 million.

This Bill is not a complex piece of legislation. Honorable members will find that the authority's principal functions and methods of operation are clearly enunciated in clauses 13 and 14 respectively. Those clauses read—

13. (1) The functions of the Authority shall be—

(*a*) to promote and market travel;

(*b*) to make travel arrangements;

(*c*) to provide travel information services;

(*d*) to advise the Minister upon any matter relating to the foregoing paragraphs that are referred to the Authority by the Minister for advice.

(2) In carrying out its functions under this Act the primary responsibility of the Authority shall be to promote market and arrange travel to and within Victoria.

14. (1) Subject to the general direction and control of the Minister the Authority shall administer this Act.

(2) The Authority shall have power to do all things necessary or convenient to be done for or in connection with encouraging, promoting, facilitating, and assisting in the marketing of travel and in particular without in any way limiting the generality of the foregoing provisions of this section shall have power—

(*a*) to acquire real or personal property or both real and personal property for the purposes of this Act whether the property is situated in Victoria or elsewhere;

(*b*) to promote and market travel whether by itself or in conjunction with the Government of any other place or any corporation, firm, or individual;

(*c*) to act as an agent for any person or body, whether corporate or unincorporate, engaged in the provision of travel or tourist facilities;

(*d*) to provide travel information services by itself or in conjunction with the Government of any other place or any person or body whether corporate or unincorporate;

(e) to demand and receive fees, retainers, or commissions for acting as an agent or for the sale of travel or accommodation or associated services.

In summary, this means that the bureaux will be set up to actively sell Victoria and at the same time provide a total travel service to the public.

Subject to the passage of the Bill, the three-member authority, comprising a full-time chairman–general manager, and two part-time members, one of whom shall be a person experienced in banking or finance, and one a person experienced in the travel industry, will take over the operation and management of the Victorian Government tourist bureaux—Victour—presently the marketing arm of the Division of Tourism, Department of State Development.

While operating as an independent organization, concentrating upon marketing functions, the authority will remain responsible to the Minister of Tourism and work closely with the department's tourism division whose functions will then relate essentially to policy matters, liaison with the industry, regional tourist authorities, and major tourist projects and to the supervision of grants and loans to tourist facilities.

Although clause 15 relates to employees outside the provisions of the Public Service Act, provision has been made in clause 12 to preserve the rights of the present bureaux staff who join the authority yet may wish to return to the Public Service at some future time. It is not the intention of the Government that those who have faithfully and diligently carried out their duties be disadvantaged by this change. The present bureaux staff will be given the opportunity either of joining the new authority or being absorbed elsewhere within the framework of the Public Service. It is confidently expected that the majority of staff will elect to join the new authority. The Government hopes that the talent and expertise developed by many members of the existing bureaux will be readily available to the new authority.

Government involvement in tourism since 1888 has had a somewhat checkered career. Historically it has been regarded as a Public Service function. This Bill represents an entirely fresh and stimulating approach —the opportunity to apply the most modern marketing and promotion techniques in this important field. The Victorian Government recognizes the worth of the tourist and travel industry. In the past two years we have increased the funding to Victoria's major tourist projects to over $750,000 per annum. This State is now adequately covered by a network of effective, autonomously based regional tourist authorities. This is the culmination of four years' effort. On 1st July this year, the Melbourne Tourism Authority commenced. It has already achieved a marked degree of success and has an exciting future.

Contrary to a rumour at present circulating, the authority will not pose a threat to reputable commercial travel agents, but will in fact provide them with additional business. The authority will co-operate with the travel industry and act as a market co-ordinator. Private enterprise and government will be encouraged to co-operate and unite in the selling of Victoria to a common dynamic plan approved by all parties.

This Bill should also assist the growth of professionalism within the travel industry. I feel it appropriate to point out that it is the culmination of well over twelve months of discussions and examination.

I am indebted to the many people and organizations who have contributed their knowledge and time to the wide-ranging examination of various methods of restructuring the Victorian Government tourist bureaux. The tourist and travel industry is reputed to be the world's

largest and fastest growing industry, with a turnover estimated to be in excess of $35,000 million and by taking this initiative the Government is confident of establishing a structure geared to meet the challenges and opportunities of the 1980s and beyond. I commend the Bill to the House.

On the motion of the Hon. D. G. ELLIOT (Melbourne Province), the debate was adjourned.

It was ordered that the debate be adjourned until later this day.

STAMPS (AMENDMENT) BILL.

The debate (adjourned from the previous day) on the motion of the Hon. V. O. Dickie (Chief Secretary) for the second reading of this Bill was resumed.

The Hon. J. W. GALBALLY (Melbourne North Province): This is a protection of the revenue Bill. It is a tribute to the ingenuity of the tax avoider and comes with your own do-it-yourself kit, which sets out how tax avoidance covering various fields is dealt with. I searched the Bill very carefully and I found that it does not contain a single word about family or discretionary trusts. It ranges over a very wide area from the avoidance of duty on the sale of land, to marine and transport insurance, and even the registration of motor vehicles. I regret to say that, despite the thinking that has gone into the measure for the protection of the revenue, nothing in the Bill attempts to deal with that most popular of all forms of tax evasion, the family discretionary trust.

The Hon. J. V. C. GUEST: You show complete ignorance of the whole area.

The Hon. J. W. GALBALLY: Our honorable friend is very wolf-like this morning. However much I shudder at the thought of being interrupted in this fashion, I hope that I can gain my composure and go on with what I am saying. Few people in the community would spurn the opportunity to become rich. Riches do not ensure happiness, but they do help to promote a not unpleasant kind of misery.

The evil of the tax avoider is that he grows fat on tax avoidance while those who are not so well placed and do not have the kit of tools that he has at his disposal—I mean in short the men on the basic wage or just above that—not only fail to get anything, but their taxes are increased as a result of the tax avoidance of others.

The real vice of the tax avoider who uses a family trust or a discretionary trust is that he escapes taxation at the expense of the lower-income group. That is not fair. It is the task of government to spread taxation evenly throughout the community. Taxation must be collected at high rates to pay for the welfare state, but it is scandalous and it rocks the foundations of our society when people are able to become rich at the expense of the lower-income earners by means of tax avoidance.

The Hon. D. M. EVANS (North Eastern Province): The National Party supports the Bill. Its intention is to close a number of loopholes in the Stamps Act. That is a reasonable principle to adopt. If a tax exists, it should be fair and sensible and it should not be restrictive. It should be equitably distributed. Those are the idealistic precepts by which any taxation should be judged. It is necessary to exercise judgment, and unnecessary restrictions should not be placed on business. Such restrictions would be detrimental to the community. For the benefit of everyone, business should flow freely and resources should not be impeded from going to where they will do the most good and where they are most needed.

Mr. Galbally referred to tax avoidance and to discretionary trusts and other devices that are used to minimize taxation. Such devices are not methods of tax evasion. They are

within the law, and, whatever moral judgment may be placed on them, they are quite legal. It is reasonable for people to be able to dispose of their income within the law so as to minimize their taxation payments and there is nothing illegal or immoral about that. If the Government of the day believes such a situation is inequitable, it is proper that the laws should be altered to take account of that belief, but any citizen is entitled to act within the law, and discretionary trusts are within the law.

If they can be described as tax avoidance devices, I point out that there are many other methods of tax avoidance that would similarly need to be examined and closed off. The lower-income earners, to whom Mr. Galbally has quite correctly drawn attention, also use tax avoidance methods. It is an open secret that many people, particularly those employed in a day labour situation, take jobs for which they receive cash which does not appear in their taxation returns. I am sure that occurs frequently in rural areas. If tax avoidance is to be examined, that method is equally reprehensible and should be investigated.

A few years ago most of us believed that the most equitable form of taxation was income tax, but that may no longer be so because so many tax avoidance schemes are available. Perhaps it is time that indirect taxes, such as sales tax and so on, were considered. That is not a submission in which I believe firmly. It is a point that should, perhaps, be pondered.

The last point I raise deals with the registration of commercial motor vehicles in another State. To avoid taxation by registering a commercial motor vehicle interstate and then immediately saying that one has decided to operate within the State is not fair and reasonable. It is proper for the Government to deal with that situation. That is real tax avoidance and the Government is correct in closing such loopholes. As I indicated earlier, the National Party supports the Bill and applauds the principle of equity in taxation and its application.

The Hon. H. M. HAMILTON (Higinbotham Province): The proposed measure is primarily designed to close a few loopholes that have been found in the Stamps Act. All honorable members support legislation that is designed to prevent avoidance of tax or payment of that which is due unto Caesar. Discretionary trusts have been mentioned. The establishment of a discretionary trust is in no way illegal and although Mr. Galbally used the term "tax avoidance" I think the honorable member would probably be aware that it is not tax avoidance. Every citizen has the right to minimize his payment of taxation and other dues, whatever they might be. Indeed, as Mr. Galbally will know, that is a principle that has been endorsed by the highest courts of the land.

The Hon. J. M. WALTON: It is tax avoidance. It is not evasion, it is avoidance.

The Hon. H. M. HAMILTON: It is different from tax avoidance. It is minimizing taxation, which is the right of every citizen.

It is unfortunate that in the climate of today this situation has been seized upon by probably Australia's greatest character assassin to assassinate the character of an innocent man. Discretionary trusts are widespread. Mr. Galbally said that they are the province of the rich. It might surprise him to know that many second-year university students who have no worldly possessions are establishing discretionary trusts, as are many ordinary working people who have purchased their own homes and have realized their value.

Discretionary trusts are not the province of the rich and they are common and widespread. The *Australian* newspaper estimated today there are approximately 250,000 dis-

cretionary trusts in existence in Australia. I have been informed on fairly good authority that between 15,000 and 20,000 discretionary trusts are formed in Victoria in any one year. That certainly indicates that not only the rich are involved. These trusts are being established by people in all walks of life, as anyone who cares to speak to an insurance agent, a solicitor, or an accountant who is involved in this activity, would discover.

The proposed amendments to the laws covering the payment of probate duty, that will come before honorable members in another Bill later, will to some extent obviate the need for such measures, but I make it clear that the establishment of discretionary trusts is not restricted to people of means. The practice is being adopted by a wide cross-section of the economic strata of society. I commend the Bill, which is designed to close a few loopholes. It may be that examination of other areas should be undertaken in order to close a few more.

The motion was agreed to.

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

LAND TAX BILL (No. 2).

The Hon. V. O. DICKIE (Chief Secretary): I move—

That this Bill be now read a second time.

The primary purpose of the Bill is to implement the policy announcements regarding land tax that were made in the Budget speech on 7th September last.

The first was to introduce a new land tax rates scale which has been indexed to the average movement in land values to remove the effect of progression on land tax rates. As indicated in the Budget speech the principle underlying the new tax scale is similar to the principle which has been applied to indexation of personal income tax and the effect will be to limit the increase in land tax payable to the effect of the change in valuation where individual land values move in line with the average increase in land values.

The second was to provide the following discounts from land tax calculated on the new rate scale to determine the tax payable in each year—

1978—15 per cent discount;

1979—10 per cent discount;

1980—5 per cent discount;

1981—nil discount.

The third was to increase the exemption for residential properties from a site value of $15,000 tapering on a 2 to 1 basis to zero at $22,500, to $27,500 tapering on a 5 to 1 basis to zero at $33,000. As was pointed out in the Budget speech, this will ensure that the normal home block is not subject to land tax in accordance with the declared policy of the Government.

To implement these changes and to ensure that the new indexed rates scale, together with the discounts will operate from 1978 on, a change is made in the Bill to the traditional structure of the Land Tax Act. Section 6 of that Act now provides that land tax shall be charged and levied at such rate as for each year is declared by an Act of Parliament. As a consequence, until now, there has been an annual Land Tax Bill passed by Parliament to set the rates of land tax for the succeeding year. To ensure that the new rates scale and the discounts are written into the legislation for the full period of their operation, this Bill changes the traditional provision and establishes the new rates scale as a schedule to the principal Act.

These changes are all effected by clause 2 of the Bill. They constitute a real reform of the land tax system in Victoria in that the tax scale has been indexed for the first time and on top of that a discount factor is to be applied before calculating tax

payable for the next three years. The effect of the reform is dramatic although this is not obvious from the Budget Estimates.

The Estimates indicate that expected land tax receipts for 1977–78 are $72·7 million, an increase of 21 per cent over 1976–77. However, because the metropolitan area is revalued on a four-yearly cycle, 1976–77 land tax receipts of $60 million were only $7 million greater than the $53 million that was received in 1974–75. Between 1974–75 and 1977–78 land tax receipts have grown by 37 per cent. The increase in the consumer price index over the same period, although the figures for 1977–78 are, of course, not yet available, would nevertheless appear to be about twice the increase in land tax receipts.

Other changes are also included in the Bill. When the Land Tax Bill was introduced into the Parliament last year it was announced that the operation of section 10 of the Land Tax Act, which levies special land tax, would be reviewed. That review has been completed and as a result amendments are proposed to the provisions relating to special land tax. The tax is presently payable at a flat rate of 5 cents in the $1 on land which was exempt from land tax and which ceases to be exempt from land tax. The tax is payable by the person who owns the land immediately after it ceases to be exempt. However, this means that in the case where the loss of exemption occurs as a result of transfer of ownership the tax is payable by the purchaser, not by the person who receives the cash benefit from the sale of the land. In other cases where the exemption is lost although no transfer has taken place, the special land tax is payable immediately although no cash benefit has been received by the owner in respect of the land.

The Bill now before the House rectifies this situation. Where exemption is lost as a result of a change of ownership the tax is payable by the transferor. Where land ceases to be exempt in other circumstances, the tax will be payable, as now, by the person who owns the land immediately after it ceases to be exempt. However, in those cases the tax will not have to be paid until any portion of the land is transferred or three years expires, whichever is the sooner.

The Bill also amends the principal Act to make it clear that where an individual buys a block of land that would normally be exempt from land tax to be used as his principal place of residence, then special land tax will not be payable on that block of land in cases where it is purchased from a statutory authority which was exempt from land tax.

In regard to the exemption for residential properties the Bill makes an additional change to the existing legislation where a person owns land in more than one parcel that does not exceed half a hectare in total and does not exceed in total value the full exemption level for the normal home block, that is, $27,500. He is now prohibited from receiving the benefit of the exemption for the parcel of land used for his principal place of residence. This is an anomalous situation which is corrected by the Bill.

The Bill also makes other amendments to the Land Tax Act. The application of the concessional rate of land tax for clubs is changed so that clubs which lease part of their property can still obtain the benefit of the concessional rate on that part which is not leased. Land tax is removed from land owned by the Victorian Development Corporation which is leased or occupied by a decentralized industry.

The exemption provisions relating to land owned by statutory authorities and leased or occupied for business purposes have been changed to put that land on the same basis as land owned by municipalities, that is,

that the aggregation provisions of the Land Tax Act will not apply in determining the tax payable on such land.

Finally, some technical changes are made to section 97 to enable certificates issued under that section to provide more information for owners and prospective purchasers about the liability and potential liability for land tax on the land. An explanatory memorandum is provided for the benefit of honorable members in respect of the Bill which marks a far-reaching reform of land tax in Victoria and which I am pleased to commend 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 later this day.

TRANSPORT REGULATION (AMENDMENT) BILL.

The debate (adjourned from the previous day) on the motion of the Hon. D. G. Crozier (Minister for State Development and Decentralization) for the second reading of this Bill was resumed.

The Hon. D. R. WHITE (Doutta Galla Province): Essentially the purpose of the Bill is to enable voluntary arrangements to be made for car pooling. That is to say, people who are prepared to swap and use their cars on a day-to-day basis will have that arrangement made legal by this measure. In so far as it does that, the Opposition does not oppose the measure.

However, it believes the Government has not gone far enough with car pooling and that there is an increasingly urgent need to promote and extend car pooling in our society.

Firstly, there is increasing congestion on our roads and car pooling would enable relief to be gained from that congestion.

Secondly, representatives of all political parties and the community at large agree that there is an increasing need for energy conservation and if car pooling was a concept accepted on a wide scale by the community, it would have a significant effect upon energy conservation through multiple use of motor vehicles.

Thirdly, there is a need for legislation to enable car pooling to be extended because for some time it has been common practice. Since at least 1966, there have been no prosecutions as a result of car pooling.

The Bill provides for car pooling for which there is no reimbursement. That is to say, an individual can make use of another person's car in return for reversing the arrangement on a future occasion. The Bill does not provide for reimbursement of the cost which a driver incurs in providing travel arrangements for another person. If the money that a person gives to the driver of a vehicle does no more than cover the cost of the journey, members of the Opposition believe the Bill should enable that to become a legal arrangement. We do not believe it would in any way jeopardize the taxi business.

The measure does not go far enough and for that reason I move as a reasoned amendment—

> That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and redrafted to provide that cars being used to carry passengers in return for only a reimbursement of costs shall not be deemed to be commercial passenger vehicles".

Members of the Opposition do not oppose the principle that the Government has espoused in the proposed legislation. We believe, however, that it does not go far enough and that is the reason for the amendment.

The Hon. A. K. BRADBURY (North Eastern Province): The Bill amends the Transport Regulation Act 1958. Its main thrust, as Mr. White said, is contained in clause 2 (*a*) and (*b*). This arrangement is carried out by many people.

The Bill obviates the necessity for a licence under section 3 of the Commercial Goods Vehicles Act. Mr. White's argument that if the Government is genuine in trying to conserve petrol, it should encourage car pooling, has some merit. It is amazing the numbers of cars that travel into Melbourne every day, particularly on the freeways, carrying only one person. I doubt whether it would be possible to police the provision in the Bill to permit car pooling provided that no fee is charged. I have brought people from Wangaratta to Melbourne and they have offered to contribute towards the cost of petrol. I have told them not to be foolish as I was coming down to Melbourne anyway and it was costing me no more. People travelling down to Melbourne would often welcome a passenger for the company, but the passenger feels obligated unless he contributes towards the cost.

There is some merit in Mr. White's argument, particularly in these days when petrol is becoming a short commodity and the cost has increased. More should be done to encourage car pooling and the use of vehicles that are travelling around the State with only one passenger.

However, as the Legislative Assembly has risen, nothing can be achieved by supporting the amendment. The Opposition's argument is fully appreciated. I hope the Government will have a close look at the amendment because many people who have adopted the practice of car pooling are contributing not only towards the cost of petrol but also towards the wear and tear on the vehicle and this should be encouraged. I do not believe it would have a detrimental effect on taxi services or public transport.

For those reasons, members of the National Party will vote against the amendment but urge the Government to take a close look at the matter. If it is genuine it will take a further step and encourage car pooling by allowing passengers to contribute towards the costs of running the car in which they are travelling.

The Hon. A. K. Bradbury.

Clause 3 concerns the appointment of the chairman and two other members of the Transport Regulation Board. Members of the National Party have no objection to the clause and for those reasons support the Bill.

The Hon. J. V. C. GUEST (Monash Province): I had not intended to speak on this Bill, but in view of the amendment that has been proposed I rise to say that I agree with the reasoning behind it. I will go further and suggest that some inroads might well be considered on our highly restrictive form of transport regulation. Nor do I think that reimbursement should be limited too strictly. However, absolutely no good purpose would be served by withdrawing the present Bill. Some tentative steps are being taken in support of car pooling for the reasons advanced by the Government and they should be taken now. However, the legislation is to be left in an unsatisfactory state. I understand that there are good and valid reasons for not going the further step or two, which Mr. White and other honorable members interested in the subject have suggested. I understand that these reasons are connected with insurance, which I have not investigated and which I am not in a position to explain.

As Mr. Bradbury suggested, some people will be offered and will accept reimbursement for the use of their cars. Some people will not offer the use of their car in exchange but will prefer to use someone else's comfortable Mercedes every day. If that is so, they may or may not be in breach of the law and that should be made clear. They may encounter some insurance problem, which, as I said, I have not investigated.

The Hon. D. R. WHITE: We are led to believe that car pooling will not affect the third-party insurance rate.

The Hon. J. V. C. GUEST: No doubt the Minister will be able to deal with that.

Some questions would arise out of the suggestion that money should pass, and it is unsatisfactory that legislation should be left for too long in a situation where people will undoubtedly be giving money consideration.

The Hon. A. K. BRADBURY: They are doing that now.

The Hon. J. V. C. GUEST: Of course they are. But it is possible there is no consideration at all but that the passenger is simply making a gift. Most people would regard this as an appropriate and proper thing to do. On the other hand, if they are giving consideration they may be in trouble and we should not leave that situation forever. I am sure we can amend the law relating to insurance and if necessary take any further steps by appropriate legislation. As it stands, however, I see no purpose for this amendment; it is only holding up passage of a law which is, as far as it goes, desirable.

The Hon. R. J. EDDY (Thomastown Province): I rise to support Mr. White's amendment. I do so because all speakers have made the point that car pooling, for the purpose of taking people to and from work, should be looked upon by the Government as a way of overcoming the problem of too many cars entering the city of Melbourne. If more people left their cars at home and were prepared to travel to their place of work with a friend or neighbour there would not be so many cars in the city. The Government has failed to consider that matter.

I believe this Bill should be withdrawn and redrafted to enable people to carry passengers. Mr. Bradbury pointed out that most drivers will not accept a monetary donation because they are travelling to the same destination. Why should they accept anything? It was also pointed out that some people are embarrassed if they cannot contribute towards the cost of petrol for the journey. I do not think the proposal would adversely affect taxi drivers or taxi companies. It would be a way of reducing the number of vehicles that come into the city and, as Mr. Bradbury mentioned, it would reduce the consumption of petrol. Ninety per cent of the cars that come into the city from outer suburbs carry only the driver. If we are to achieve what we ask people to do, to bring with them more people who live close by, less cars coming into the inner Melbourne area will be achieved. I believe Mr. White's amendment should be carried.

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): The Government does not accept the amendment, although I have some sympathy with it, for the reasons advanced by Mr. White which were supported by Mr. Eddy and in part by Mr. Bradbury.

Had this Bill come before the House at an earlier stage of the session I would have been inclined to withdraw it and report progress. On a pragmatic basis, there is no useful purpose in taking that course now. Like Mr. Guest, I cannot claim to be an expert on the ramifications of insurance and insurance companies or the concern of the Transport Regulation Board and Ministry of Transport. I believe the arguments put forward by Mr. White have some substance. It is agreed that this aspect of the Bill to which the amendment refers is a long standing practice.

Section 19 of the principal Act requires that commercial passenger vehicles be licensed by the Transport Regulation Board. In the definition of what constitutes a commercial passenger vehicle the expression " in consideration " is used. It is held by those qualified to express a view on such matters that in the somewhat pedantic, narrow, legal sense it could be and has been in the past expanded to include this common practice that the Government is now, for the reasons announced in the second-reading speech, keen to promote.

The House should regard this small change as a modest step towards pursuing the objectives of changing circumstances—circumstances to which honorable members have alluded—and to relieve the increasing congestion on the roads, the burden of the increasing cost of fuel, the energy crisis that has developed, the quality of life and the environment, and so on.

The rational way of looking at this aspect of the Bill is to regard it as the first step. The other arguments which suggest that it ought to be expanded further should be carefully considered by the responsible Minister and his department with a view to deciding whether the present objections in relation to insurance and registration may be overcome in the light and weight of the other arguments. The Government cannot accept the amendment but wishes the Bill to proceed in its present form.

The House divided on the question that the words proposed by Mr. White to be omitted stand part of the motion (the Hon. W. G. Fry in the chair)—

Ayes	30
Noes	9
Majority against the amendment ..	21

AYES.

Mr. Block	Mr. Hunt
Mr. Bradbury	Mr. Jenkins
Mr. Campbell	Mr. Knowles
Mr. Chamberlain	Mr. Long
Mr. Crozier	Mr. McDonald
Mr. Dickie	Mr. Reid
Mr. Dunn	Mr. Saltmarsh
Mr. Evans	Mr. Stacey
Mr. Granter	Mr. Storey
Mr. Grimwade	Mr. Taylor
Mr. Guest	Mr. Ward
Mr. Hamilton	Mr. Wright
Mr. Hauser	
Mr. Hider	*Tellers:*
Mr. Houghton	Dr. Foley
Dr. Howard	Mr. Gleeson

NOES.

Mr. Eddy	Mr. Walton
Mr. Elliot	Mr. White
Mr. Galbally	*Tellers:*
Mr. Knight	Mr. Landeryou
Mr. Trayling	Mr. Thomas

The Hon. D. G. Crozier.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6400 s. 3).

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): In discussions with Mr. Hider I was reminded of the aspect of comprehensive insurance. I present this facet of argument to remind the House that no doubt there are substantial reasons for not taking any further steps at this stage. That does not in any way detract from the merit and the thrust of the argument taking the promotion of car pooling a stage further, assuming any objections arising from this and other considerations can be overcome.

The Hon. D. R. WHITE (Doutta Galla Province): Can the Minister give an assurance that the Government will consider the amendment with a view to bringing in amending legislation in the autumn sessional period?

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): I give Mr. White an assurance that I will bring the matter of the amendment, and the arguments that have been marshalled in support of it, to the attention of my colleague, the Minister of Transport, and I will make certain recommendations in this regard.

The Hon. D. M. EVANS (North Eastern Province): I find merit in Mr. White's suggestion. I am only worried about the legal implications. The Minister has undertaken to give a closer examination of the legislation, and the arguments put forward by Mr. White. I ask the Minister would it not be reasonable to refer these arguments to the Statute Law Revision Committee which has the power to take evidence and make recommendations. This most important and far-reaching subject could then be dealt with by that committee.

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): I give Mr. Evans a similar assurance that that suggestion will also be brought to the attention of the Minister of Transport.

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.

HOSPITALS SUPERANNUATION (AMENDMENT) BILL (No. 2).

The debate (adjourned from November 22) on the motion of the Hon. W. V. Houghton (Minister of Health) for the second reading of this Bill was resumed.

The Hon. W. A. LANDERYOU (Doutta Galla Province): The Labor Party is concerned about the assurances that hospital employees expected to be effected by this Bill. I refer specifically to a circular or poster which was issued by the Hospitals Superannuation Board, and which was placed on notice boards and the like in hospitals. Unfortunately it was not dated but it indicated that under the new hospitals superannuation scheme new and improved benefits will apply from 1st January, 1977. However, it states that those benefits will not be automatic and that hospital employees must elect to join the new scheme. Over the page it states—

> Electing before 30th June, 1977, to pick up past service credits.
>
> This election must be made before 30th June, 1977, or you will lose out. If you were a contributor before last July, 1976, you may elect to pick up all of your past service with participating institutions.
>
> If you became a contributor after 1st July, 1976, and before 30th June, 1977, you may elect to pick up half of your past service with participating institutions. This could be a very valuable election, so think carefully about it, and discuss it with the Hospitals Superannuation Board. It is particularly important if you are now over age 30. If you make this election to pick up past service, you must pay an extra contribution according to the following table.

And then a table is listed. That is the relevant point. This Bill does not give total recognition for all past service. It contains a provision for a break in service of up to six months, but if the break exceeds six months, the previous service is not recognized for superannuation purposes.

Employees who would be covered by this measure have made decisions one way or another about what scheme they wish to take on the basis of that circular sent out by the Hospitals Superannuation Board. It has been displayed in hospitals for those employees to read. Those employees believed that their past service would be taken into consideration. The Bill seems to contradict the promise made to them in the circular.

The Government should reconsider its position because, having told employees that all past service would be taken into account, now, on no other justification than a rule of thumb, it has decided that it will not. If the break has been longer than six months the employee is not entitled to superannuation benefits for the previous service because the service is not total. Those employees have been told one thing and have acted in accordance with the information provided, but the Bill does not carry into effect the promise, implicit and understood by the employees, in that circular. Apart from that, the Labor Party welcomes the amendment to the Act.

The Hon. B. P. DUNN (North Western Province): The National Party supports this Bill, which makes a number of amendments to the Hospitals Superannuation Act. Members of the National Party have had a number of representations on this subject from various hospitals and people concerned with the exclusions under the Act as it exists. Therefore, the amendments, particularly those in relation to the recognition of past service in the field, are welcome as a step forward for the people involved in this superannuation scheme.

Like Mr. Landeryou, I have some concern about how the decision on a six-month period was reached. Perhaps the Minister can explain that. Is that a matter of normal policy in superannuation Acts? It appears to me that it is not a long break in a job. If an employee has a break from his employment in excess of six months, his service prior to that break will not be recognized for superannuation purposes. That is probably the only point in the Bill on which I should like some explanation from the Minister. Generally members of the National Party support the provisions and hope the measure will assist the people concerned.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 7354, s. 35A).

The Hon. W. V. HOUGHTON (Minister of Health): The points raised by Mr. Landeryou are perfectly valid and are a source of embarrassment to me because such a notice should not have been placed on the notice board in those terms. I take up the point of Mr. Dunn that public revenues cannot live with a superannuation fund that provides that all past service, irrespective of the length of any break, should be regarded as continuous service and should count towards superannuation benefits. There is precedent for a break of not more than six months in the continuity of service. Service prior to a break of up to six months will be recognized for superannuation purposes but after a break in service of more than six months, the employee would have to rejoin the scheme, bearing in mind that all past service entitlements would remain with the contributor.

The Bill contains a provision that the time limit on such a break will be six months. There is precedent for it and that is about what the public purse can afford.

The clause was agreed to, as was clause 3.

Clause 4 (Amendment of No. 7354 s. 35ZF).

The Hon. W. A. LANDERYOU (Doutta Galla Province): I again put to the Committee the points I raised earlier. I have received a letter from Mr. W. R. Phillips of the Hospital Administrative Officers Association of Victoria, in which he puts the points much more strongly than I did in referring to the circular. He stated that the Bill would mean that if there were a break of more than six months, service could not be regarded as continuous. Mr. Phillips also stated that this contradicted the previous promise made to the various organizations that all past services would be given due recognition.

That reinforces the point I made in the second-reading debate. As I understand what the Minister said, the importance of the clause is that, for instance, if a young girl who has trained at considerable expense at a training institution completes her nursing training, obtains the necessary qualifications and certificates—perhaps becomes a triple certificated nurse—and then does what most people usually do, namely, gets married and has children, she leaves the institution. After having had a family, such a girl may wish to return to nursing, whether in a full-time capacity or otherwise but, even though hospitals and other institutions are acutely short of skilled personnel, she cannot elect to pick up her total past service.

The maximum break of six months, if continuity is to be preserved, seems extraordinary. The Minister said that there are precedents in other areas. A lesser period applies to a break in continuity of service for long service leave entitlement, and all sorts of superannuation provisions apply in the State Public Service area, but nowhere else does one find a provision that discriminates against women in this way. In

my submission this is a form of discrimination against people—women in this case—who want to have families and later return to work. It applies similarly to other people engaged in the medical field, whether medical practitioners or paramedical workers. Are they, too, to be discriminated against?

The Government ought to provide attractive fringe benefits for employees to encourage people to work in institutions instead of discriminating against them. Perhaps the Government could give further consideration to this matter, not necessarily today, because it seems extraordinary that clause 4 provides a penalty that will discourage the people the measure is supposed to be designed to assist from re-entering institutions.

No doubt the over-all provisions of the Bill will benefit most of the employees in the industry, and for that reason I welcome it, but it will discriminate against the people I mentioned.

If a person goes overseas to obtain further training or experience, why should he or she be penalized? The employer—in this case the Government or the institution—should arrange the contracts of employment with existing employees to enable them to return to employment in the hospitals after having travelled overseas to obtain broader experience, instead of forcing them into employment in the private field. The Minister should give serious consideration to this matter.

Usually I do not accept the arguments put forward by conservative organizations, but in this case I believe their argument is correct, and that is why I have put it to the Government with such feeling.

The Hon. W. V. HOUGHTON (Minister of Health): Mr. Landeryou raised a point that may necessitate examination of the provisions of the State Superannuation Act, and at present Parliament has neither the time nor the facilities to do so in detail.

The point Mr. Landeryou made is reasonable and, indeed, there may be some provision in the State Superannuation Act to cover people who elect to undertake further training overseas or to take maternity leave. If not, that point ought to be examined, and I certainly undertake to examine it and, if necessary, to suggest further provisions to cover it.

However, Mr. Landeryou obviously realizes that superannuation benefits do not apply to trainee nurses and they are not entitled to contribute to the scheme, so that any break in service between training and taking up employment would not apply in their case.

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

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

POLICE REGULATION (AMENDMENT) BILL.

The debate (adjourned from the previous day) on the motion of the Hon. V. O. Dickie (Chief Secretary) for the second reading of this Bill was resumed.

The Hon. R. J. EDDY (Thomastown Province): This Bill amends the Police Regulation Act of 1958 and removes anomalies that have existed in the regulations for a number of years. It creates a second office of Deputy Commissioner of Police, on the recommendation of the Chief Commissioner of Police, who submitted a plan designed to provide for specialization in the Police Force. The Chief Commissioner of Police envisages that one deputy commissioner would supervise the activities of the crime, operations and traffic divisions.

The second appointee will oversee the administration, personnel and services divisions and the Internal Investigations Bureau. Both of these

positions are important within the force and undoubtedly the newly-appointed Chief Commissioner of Police is endeavouring to streamline these positions and duties. Accordingly, he should receive the full co-operation of the Parliament in his endeavours.

The Bill also provides for the spouse of a deceased member of the force to receive a pension and within a period of three months to apply to be granted a gratuity in lieu of the whole or any part of her pension entitlement. Whether the gratuity will be granted and the amount of the gratuity will be determined by the Police Superannuation Board. This is a move in the right direction and will enable the spouse to obtain the benefit I have outlined.

The Bill also increases the money penalties that may be imposed on a member who commits an offence that may be dealt with by an officer, by the Chief Commissioner or by the Police Discipline Board. The penalties have been increased rather heavily, but, in the case of an officer accepting a bribe, I suggest that the penalties may not be severe enough. The present penalties are $10, $60 or $100, respectively and were fixed many years ago. Under the Bill, it is proposed to increase these penalties to $50, $200 and $500, respectively.

The offence that attracts a fine of $2,000 is that of taking a bribe, pecuniary or otherwise, either directly or indirectly, to forgo his duty as provided for in section 95 of the Act. The alternative penalty is imprisonment for a term of not more than six months. I do not agree with this provision. A police officer has a very responsible position and, if he is found guilty of accepting a bribe, a penalty of six months' imprisonment is not severe enough. A fine of $2,000 or imprisonment for six months is not a great penalty considering the seriousness of the offence.

The Hon. B. P. DUNN: Would he lose his job?

The Hon. R. J. EDDY: I imagine that he would, but the Chief Secretary could answer that question. The Bill updates a number of anomalies that have existed in the principal Act and the Labor Party supports it, as does the Victoria Police Association. Accordingly, I hope that the legislation will do what the association desires it to do.

The Hon. B. P. DUNN (North Western Province): The Bill has been explained twice to the House and I do not intend to explain it a third time. Basically, a number of amendments are proposed that hopefully will improve conditions and assist the Police Force in its work. The force must be constantly looking to improving and upgrading itself. Unfortunately, many professional criminals indulge in the full-time occupation of trying to outwit or beat the law. As has been said in this House on many occasions, there seems to be an increasing amount of lawlessness in the community and therefore the Police Force must be given the capacity to deal with it.

Some of the proposals in the Bill will have that effect. The Chief Commissioner of Police, with his new ideas and forward thinking on the reorganization of the Police Force, is making an excellent contribution in this regard. It is hoped the creation of a second position of Deputy Commissioner of Police will assist him in his major task of administering and overseeing the Police Force at that level.

The National Party supports the Bill and hopes that it will have the desired effect of increasing the effectiveness of the force and also improving the various entitlements of members of the force and their families.

The motion was agreed to.

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

MARINE (PILOTS SUPERANNUATION) BILL.

The debate (adjourned from November 22) on the motion of the Hon. D. G. Crozier (Minister for State Development and Decentralization) for the second reading of this Bill was resumed.

The Hon. A. W. KNIGHT (Melbourne West Province): It is appropriate when honorable members are considering the problems faced by mariners to remind those who have served in the Navy of the hymn that is played at the call to quarters, during church services and at the launching of vessels. The title of the hymn is, " For Those at Sea ", and I shall read the first and last verses—

> Eternal Father, strong to save,
> Whose arm hath bound the restless wave,
> Who bidd'st the mighty ocean deep,
> Its own appointed limits keep:
> O hear us when we cry to thee,
> For those in peril on the sea.
>
> O Trinity of love and power,
> Our brethren shield in danger's hour;
> From rock and tempest, fire and foe,
> Protect them whereso'er they go:

The last two lines are the most appropriate for us to remember when considering the achievements of the master mariners who join the Port Phillip sea pilots. A man must serve an apprenticeship of fifteen years to obtain a master mariner's certificate and that certificate must be gained before a man is qualified to join the pilot service.

The Port Phillip pilot service and the Torres Strait pilot service are unique in the nautical world of our planet. They operate on a co-operative basis that is difficult to explain. The men who have served their articles and obtained the rank of master mariner and who guide vessels through the dangerous waters of Port Phillip Bay have done marvellous work. I pay tribute to the skills and seamanship of both the past and present pilots who have navigated all manner of vessels, big and small, passenger and cargo, through the shoals and reefs of the seaways of this great nation.

I know many of the pilots in the service and they are old hometown boys who have made good. It is necessary to correct the anomalies that exist at present under the provisions of the Port Phillip Pilot Sick and Superannuation Fund. I sincerely hope that no such accident occurs, but I would hate to think that a pilot could have an accident when he was carrying out his duties and that his widow and dependants would not be cared for properly. I know that arguments can be put for both the present pilots and those who have retired in connection with the superannuation fund, but the Bill must be amended.

Superannuation schemes are extremely complex and it is hard for us to persuade some of the younger members of Parliament of the benefits that will accrue to them if they take a certain course of action. It is difficult for members of Parliament to reach unanimity on their own scheme, even though we are more able to receive expert advice than many people who are involved with old superannuation schemes.

The proposed amendments to the superannuation scheme will validate certain actions and I hope they will prove of benefit to the men of the service. Once again, I pay tribute to the high skills and seamanship displayed by these master mariners.

The Hon. A. K. BRADBURY (North Eastern Province): This small Bill seeks to amend the Marine Act 1958. It has been interesting to listen to Mr. Knight's remarks about the important work the marine pilots carry out.

The retired pilots have been concerned about their situation under the scheme. I agree with Mr. Knight that consideration must be given to these men because of the marvellous work they have done in the past. I also pay tribute to the skills of present day pilots who guide ships into our ports. Captain Fraser made submissions asking whether sufficient consideration was being given to the

problems of the retired pilots and their dependants. In a statement Captain Fraser said—

> The Pilots Superannuation Board, by regulation, raised the maximum pension for a pilot retiring after 1974 by 50 per cent to a total of $12,500. It raised the maximum for one who retired before 1975 by only 5·5 per cent to $8,250.

Further consideration should be given to the problems of these pilots, who have paid the same percentage of their incomes as present pilots are paying into a superannuation fund that is not subsidized by the Government. However, I understand that the Minister in charge of the Bill in the Legislative Assembly has undertaken to convene a meeting of all pilots, to be held on 1st December, and that no regulation will be drafted until after that meeting. In the light of that undertaking the National Party does not oppose the Bill.

The motion was agreed to.

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

The sitting was suspended at 1.1 *p.m. until* 2.4 *p.m.*

PROBATE DUTY BILL (No. 2).

The debate (adjourned from November 17) on the motion of the Hon. V. O. Dickie (Chief Secretary) from the second reading of this Bill was resumed.

The Hon. J. W. GALBALLY (Melbourne North Province): There was a time, not so very long ago, when there was neither probate duty nor income tax. I can recall, as a raw articled clerk in the law, being told by a prominent barrister that out of every interview two shillings went to the tax gatherer. He thought, like many other people, that it was a dreadful imposition. We would be satisfied with that imposition today!

Inflation has caused, in the incidence of income tax and probate duty, a sore trial for everyone. Regretfully, succeeding Governments throughout Australia have not even taken a perfunctory glance at the savage imposts they inflict on the community. I believe I am correct in stating that it was Mr. Bjelke-Petersen who said that he was going to abolish State probate duty. He was the first one into the field and now everyone else has climbed on to the bandwagon.

The Opposition welcomes this tardy recognition of financial situations as it affects many people in the community. The desire of the Government, although a tardy one, is to bring it into line with current thinking throughout Australia, but—of course when one is in Opposition there is always a " but "—we believe the measure proposed by the Government goes too far in one sense and not far enough in another.

At the appropriate stage I shall invite the House to accept an amendment to provide for the abolition of probate duty in all estates with a value of less than $130,000. That means there will be no probate duty payable, whether the money goes to children or to the village tomcat. There is to be no restriction and so, to that extent, it introduces a new concept. As the Bill stands, there is no probate payable in the event of the estate passing to the children.

The Opposition believes that for future generations there should not be any probate duty payable at all and that is why it has come to the conclusion, ideologically, that there ought to be a cut-off point, and we feel that the sum of $130,000 is by no means a large estate today. Therefore, I commend my proposed amendment to the House and formally move, as a reasoned amendment—

> That all the words after " That " be omitted with the view of inserting in place thereof " this Bill be withdrawn and redrafted to provide for the abolition of probate duty in all estates of less than $130,000 ".

The PRESIDENT (the Hon. W. G. Fry): Order! I need hardly remind the House that all subsequent speakers will be speaking to the Bill and the amendment.

The Hon. S. R. McDONALD (Northern Province): I indicate at the outset that I am speaking to the Bill and also to Mr. Galbally's reasoned amendment.

The National Party supports this important amendment to the Probate Duty Act. It goes much further than the legislation passed last year, which abolished probate duty on estates passing between husband and wife or wife and husband. The proposed legislation abolishes probate duty on an estate passing from a parent to a child. In conformity with the over-all policy of the National Party, which favours the complete abolition of probate duty, members of the National Party are pleased to support the Bill.

I do not want to go through the various unrelated amendments contained in the Bill. Earlier this year I moved a motion in this Chamber to abolish probate duty entirely, and I outlined clearly why the National Party believes that should be so. I will not repeat my remarks.

One or two aspects of the Bill need consideration and there are one or two anomalies which at some stage in the future will be considered by the Government and I hope removed from the proposed legislation. The first point I refer to is the date of operation of the legislation, which is 1st January next year. The appropriate time would have been when the Premier made his Budget speech. If parents die in the period between when the Budget was introduced and 1st January, children will be left in the same serious situation as before. It is particularly serious in families in which only one parent survives. Obviously, in that situation the family cannot make provision to overcome the disadvantage.

I understand that in another place the Premier and Treasurer gave an assurance that provided that the Federal Government implements after 10th December the Prime Minister's election promise to abolish estate duty from the date of the delivery of that policy speech, the Victorian Premier will revise the State legislation at the same time. That goes part of the way to meeting my criticism that the operation of the legislation should commence from the date of the State Budget.

An anomaly arises when a son or a daughter predeceases parents. If that son or daughter had children, those grandchildren will not enjoy the benefits from the abolition of probate duty that would have obtained if the mother or father had still been living. The Government must examine that situation in the future.

A further anomaly has been brought to my attention by my colleague, Mr. Bradbury. I believe Mr. Evans will refer to this matter in more detail. It concerns the subject of notional estates under section 7 of the principal Act. Mr. Evans is more familiar with the case and the solicitors who raised the issue in the first place.

The editorial in yesterday's *Australian Financial Review* was somewhat critical of the Prime Minister's announcement that Federal estate duty would be abolished. It makes the point that the number of estates affected by death duty are quite small and states—

> Thus, in any one year, the numbers affected by death duties are small, and the estates affected are clearly out of the range of the majority of income earners. Of course, to these Commonwealth figures must be added the probate duties exacted by the States, which are in aggregate substantially greater than those collected by the Commonwealth.

The editorial relies on the argument that probate and estate duty affects a small number of persons in the population and for that reason it is not very important. The editorial questions whether the Federal Government should take this action.

The Hon. F. S. GRIMWADE: That is nonsense.

The Hon. S. R. McDONALD: I agree that it is nonsense, because

when I debated the issue earlier this year I quoted the statistics, the number and size of estates in Victoria and in Australia. It is true that there are comparatively few estates upon which estate and probate duty are levied. In my opinion it is also true that there are comparatively few large estates. I agree with Mr. Grimwade that the argument that only a few families and a few people are affected by probate and estate duty is quite ridiculous.

I make that point because I hope nobody who reads the *Australian Financial Review* will be influenced by the editorial and consequently alter their vote on 10th December. Much more could be said about the provisions of the Bill, but they have been clearly outlined by the Leader of the House.

I do not intend to go through the clauses in detail. Members of the National Party welcome this move to abolish probate duty on estates passing from parents to children. We believe that together with the concessions last year when probate duty was abolished between husband and wife and *vice versa*, the measure, almost solves a family's probate duty problems. It certainly meets the requirements and criticisms that members of the National Party have made on many occasions about the effects of the Probate Duty Act in a situation in which a family has to dispose of property or assets to meet probate duty assessments. With those remarks I indicate that members of the National Party support the Bill. We look forward to further exemptions from probate duty in the future.

The Hon. O. G. JENKINS (Geelong Province): I commend the Government and support the Bill. Basically, it enables the family unit to be kept together. Honorable members had an example of the ravages of inflation when they debated the Marine (Pilots Superannuation) Bill. The financial arrangements that have been made by families through superannuation funds over the years are now virtually in tatters. The people who have investments, the people who have been on superannuation and on fixed incomes are the ones who are most affected by inflation. The measure will enable the family farm, property or business to be kept together.

I had the pleasure of serving on a committee within the Parliamentary Liberal Party that examined this matter for many months. Members of the committee had continuing discussions with people concerned with the administration of the Probate Duty Act, solicitors and executors and those generally charged with helping people to organize their affairs. I make no excuse for those people who set up trusts or family companies as a defensive measure because in many cases, if they did not, the bulk of the estate would have passed to either the State or Federal Government on the death of the father or the mother. The sons and other members of the family that remain would have been unable to carry on.

We now have the position where an identical asset, which has perhaps been in a family for generations still exists, but its ability to generate an income to meet the current needs of the family has diminished, particularly if it is a farm. On the death of one of the parents the family is faced with the enormous burden of meeting State probate duty and Federal estate duty.

The Hon. S. R. McDONALD: That is if they do not have a family trust.

The Hon. O. G. JENKINS: Sometimes family trusts do not assist. An article on page 1 of today's *Australian* suggests it has almost got to the stage where " trust " has become a dirty five-letter word.

As stated at the outset, I commend the Government for this step which will be supplemented early next year by Federal legislation which will ease the burden still further. I have only one reservation about the abolition of probate and estate duties and that is that, in an attempt to

meet the increasing demands on the public purse, Governments will look to other sources for income. The experience overseas is that if one does away with probate and estate duties Governments will almost certainly look for alternatives. Experience shows that they will look for some form of capital gains or similar tax. It may be discounted by a factor relating to inflation but nevertheless Governments have increasing demands made upon them which they must meet.

Substantial sums have been given away by Federal Governments in regard to probate and estate duty and if those demands continue they will seek some alternative source of revenue. I suppose even those who have planned their estates carefully and those who look forward to this and similar legislation which is to be introduced by the Federal Government may still be uneasy in the long term because society is looking for further help and support. The community is demanding it. In many cases governments give in to the community and have to provide funds. Income tax is already said by many to have reached an intolerable level and I support that contention, so, where do we go for those funds? With those remarks I indicate strong support for this measure.

The Hon. D. M. EVANS (North Eastern Province): Although I most certainly welcome the concessions made by the State Government in this Bill and believe it is sensible and just, I nevertheless express some disappointment, firstly that an immediate start is not made on the abolition of probate duty. I am reassured by the Premier's comments reported in the newspapers early this week that the Federal Government will introduce this on 21st or 22nd November. This duty has been hard on business and farms because it has removed the capital which business depends upon. As Mr. Jenkins said, that tax will have to be replaced from some other source. It is to be hoped that when it is replaced it will cause less damage than the tax which is being abolished.

In the course of debate in this House in the autumn sessional period when the Attorney-General discussed probate duty he said it is most complex legislation which is expensive to administer and to arrange an estate and affairs in such a way as to minimize the impact not only on a personal basis but so far as damage to a business or farm is concerned. In case honorable members think the National Party is promoting the cause of the farmer, may I repeat that the tax is extremely serious to the small businessman on whom so many people depend for their livelihood.

Last year the tax produced 2·67 per cent of the total amount of State Government revenue. This year it should be 2·2 per cent or 2·3 per cent. It is not significant in the total context. When one takes into account the damage it does, it is reasonable to say that the tax should be abolished.

I am pleased to note that because of the efforts of the National Party for some years to have this tax removed its efforts are beginning at long last to bear fruit. The National Party has progressed with its policies and intentions for a considerable time.

The first State Government to remove probate duty from its legislation was the Queensland Government where Mr. Bjelke-Petersen is the National Party Premier. He said—

> Most of the really wealthy people manage to find legal methods to avoid death duties and, of course, the people who really carry the burden of this tax today . . .

This is an important point—

> . . . are the ordinary run-of-the-mill folk —those with a car, a house, life savings, etc.

This was not the idea of death duties in the first place. That is a significant statement.

Following the action of the Queensland Government, led by the National Party, State Governments

throughout Australia have progressively abolished probate duty. I know the facts are unpleasant for some members on the opposite side because they do not agree with their notions. This was followed by the Western Australian State Government which, as a condition of coalition between the National Party and the Liberal Party in Western Australia, phased out probate duty over three years. In our Parliament Mr. Ross-Edwards, the Leader of the National Party, introduced a Bill calling for the abolition of probate duty. Many organizations have backed the abolition of this duty because of the damage it does.

I notice that in the joint policies delivered by the Leader of the National Country Party, Mr. Anthony, and Prime Minister Fraser on Monday and Tuesday nights of this week, both gentlemen jointly indicated in their speeches that estate duty would be phased out immediately from 21st or 22nd November. That clearly indicates the influence the National Party has had on the State and the Federal Governments, not only because of Queensland.

I wish to quote from two letters I wrote to the former Treasurer, Mr. Phillip Lynch, and the Leader of the National Country Party this year. The letters I received in return are significant and underline the assumption I have made that it is very much a National Party initiative and due to National Party pressure that has brought this situation about.

In a letter to me dated 28th March, 1977, Mr. Anthony said—

> There is no need for me to tell you that despite this further concession estate duty will remain a very heavy burden on many people and will certainly continue to be a vexed problem for us as a party. I can assure you I have marked well all the arguments you have put to me in your letter and will continue to do what I can to foster our party's policy of having it progressively reduced and hopefully abolished.

I invite honorable members to contrast that statement with one from the Minister assisting the Treasurer, Mr. R. I. Viner, of 12th April this year.

The Hon. J. A. TAYLOR: It was not Mr. Lynch's letter.

The Hon. D. M. EVANS: It was his assistant's, with his agreement. It reads—

> I would point out that an important principle of taxation policy is that taxes should be levied according to individual capacity to pay and insofar as wealth, in addition to income contributes to that capacity, it is appropriate that some taxes should be levied on the basis of wealth. Death duties also serve another important objective in that they act to reduce inequalities in the distribution of wealth, or at least to reduce the growth in such inequalities.

It has not of course been proved, as the Queensland Premier clearly indicated in the passages I quoted a few minutes ago. Mr. Viner concludes—

> In the circumstances I could not support your proposal for a further exemption from estate duty for relatives who will continue a family business operation.

That was stated on 12th April this year. The National Party had a substantial degree of influence in the decision of the Federal Government.

The Hon. J. W. GALBALLY: What do you want us to do, give you the Victorian medal?

The Hon. D. M. EVANS: My contention is that the tax should have been abolished completely. It is a very expensive tax to administer and a very damaging tax on the community. I have no doubt that the Ministers will tell me that if I want money for projects in my electorate—which is true—the State needs revenue from taxes, but that does not justify a tax that is so destructive as this one. Funds should be raised in another more equitable and just fashion, or people will have to do without. That goes for my electorate as well as for any other electorate in Victoria.

It tends to be forgotten that if probate duty were abolished now, or on Tuesday or Wednesday as the Premier indicated, and as the Federal Government has promised it will be, revenue will be received from the

tax for the next twelve months because probate duty assessments on estates of people who recently died —and I have had a probate assessment recently—are not payable, and interest is not charged until twelve months from the date of death. Naturally the duty is not paid until the assessment is issued. If a person dies on the 20th November, and if the tax is abolished on the 21st November, his estate will not have to pay probate duty until the 21st November of next year. Revenue from probate duty will be received in full measure until that time. Many assessments take longer than twelve months, even in relatively simple estates. Therefore, income from probate duty to the State, and the Federal Government, will continue for 2, 3, or 4 years, but it will diminish each year.

Although I support the Bill, I believe it has not gone far enough. As Mr. McDonald indicated, I shall deal with section 7 of the principal Act, which relates to the estate of deceased persons for purposes of duty. Under this section if a person makes a gift and retains any interest in such property, then it does not matter how long ago the gift was made, probate duty is charged on the value of the property at the time of death.

I have a letter from a solicitor which I shall quote because I believe it indicates the position. It is from a Mr. A. E. McSwineys of 57 Reid Street, Wangaratta. It reads in part—

> In the Bill now before Parliament there has been no amendment to section 7 at all, so that in spite of devices and bequests to spouse and children now being free of probate duty, notional estate to spouse and children is not free. A simple example is this: Suppose I make a gift of $10,000 to a son and then die within three years, that gift forms part of my estate and probate duty is charged on that gift. If I did not make the gift, but simply left it to my son, then there would be no duty at all.
>
> The remedy is to amend section 7 so that probate duty is not charged on notional estate where the notional estate relates to gifts to spouse or children.

There is an example of double tax. With those few remarks, and with deference to those people who are not interested and wish to get away, I shall conclude.

The Hon. V. O. DICKIE (Chief Secretary): In speaking to the amendment I point out that it is easy for honorable members to produce amendments to Budget Bills. This is the third occasion that a reasoned amendment has been moved on a Budget Bill. There was one to increase the exemption of pay-roll tax, another to increase the exemption on gift duty, and now there is an amendment on the Probate Duty Bill (No. 2) moved by Mr. Galbally, that the Bill be withdrawn and redrafted to provide for the abolition of probate duty on all estates of less than $130,000.

It is difficult to argue against a proposal such as that, as such an exemption in a taxing Bill meets with the approval of most people. I say the same as I said on the two previous occasions when a reasoned amendment was moved: Governments have a responsibility to raise funds to meet their commitments.

Members of Parliament are the first to apply pressure to Governments to make certain that the expenditure in their electorates is such that they can receive every ounce of credit for what is done; whether it be for the building of a school, an elderly citizens' club, a day-care centre, or anything else. If this amendment were accepted and probate duty was abolished on all estates of less than $130,000, a substantial amount of money would be lost to the State. I do not know what that amount is, but Treasury would have taken it into consideration in the 1977–78 Budget as moneys to be raised. It is natural then that this amendment cannot be accepted.

It is amazing to hear speakers like Mr. Evans who make it appear that anything done in regard to concessions for probate duty has been done only because he wrote a letter to his Federal Leader, "Dear Doug, I would like to draw your attention to

the terrific impact probate duty has on the farming community." He would set out a few well chosen words, as he has done today, and would then receive a reply, "Thank you Mr. Evans", or "Thank you, David, I am so pleased you brought this to my notice because you are the first person ever to raise this particular issue." Mr. Evans has taken the attitude today that he is the only one aware of the problems associated with the payment of probate duty, and that the National Party in Canberra is the only party that has done something about it. That is a lot of tommyrot.

All honorable members appreciate that probate duty is a heavy burden on the community, and Mr. Jenkins rightly said that the abolition of tax in one area only means that another tax will be imposed somewhere else. Tax is only being shifted from one area to another, and one always hopes that whatever area is chosen to replace the revenue from probate duty, it will not be as burdensome. I do not know what tax is not burdensome. I like indirect taxes because one pays them and does not feel it. It is annual taxes, or death duties paid in a lump sum, that make people feel the pinch.

The worst thing that can happen with probate duty is to have to sell the family farm. It is different to cash in the bank or shares. One cannot sell off a paddock down in the corner of the property. It means that the whole property has to be forgone, and those who have not made provision—and this is sometimes difficult—find themselves with an impossible burden to meet; there is no alternative but to dispose of the property to pay it. Several suggestions have been made, that exemptions should be increased, that probate on estates up to a value of $130,000 should be abolished, and so on, and although they are magnificent ideas, Governments must be responsible and must raise funds. This is provided for in the Budget. For those reasons the Government cannot accept the reasoned amendment which was moved by Mr. Galbally.

The Hon. B. A. CHAMBERLAIN (Western Province): Honorable members have just heard the predictable opposition of the Australian Labor Party to this proposal and the more predictable delusions of the National Party which have been rightly exposed by the Leader of the House. Firstly, I touch on the matter raised by Mr. Evans—the problem of notional estate incorporated under section 7 of the principal Act.

The Hon. J. W. GALBALLY: Mr. Evans has gone.

The Hon. B. A. CHAMBERLAIN: I shall send him a copy of this speech next week. Mr. Evans raised the matter that people with certain notional estates incorporated under section 7 would still attract duty, whereas if they still owned the property on their death and left it to their children in their wills, no duty would be applicable.

The Hon. S. R. MCDONALD: Mr. Evans raised that on behalf of a solicitor in the electorate which he represents.

The Hon. B. A. CHAMBERLAIN: I suggest that he should have considered the matter more closely. Section 6 of the Act provides that subject to this Act there shall be paid to the commissioner the amount of duty calculated in accordance with the first schedule. The first schedule states that where the beneficiary is the wife, spouse or child, no duty is applicable; therefore, I believe there is no substance in that proposal. If there is a technical point in this I think the honorable member should raise the matter with the Treasurer.

The main thrust of the Bill has been outlined by other honorable members—to exempt from probate duty assets passing to children where death occurs after 1st January. The Premier indicated that the Victorian legislation will be brought into line with the Federal legislation.

The Bill also repeals the existing section 10A which provided for limited interests. That provision caused many practical difficulties in its implementation. It gave the estate the opportunity of deferring payment of duty until the death of the life tenant, with payment of interest in the meantime at 3 per cent compounding. It appears that over 22 years, with compound interest, the duty could double. However, there was a saving provision, that if the administrator could show that the assets had not appreciated at a similar rate, the interest would not be charged.

The Bill repeals section 10A and where people died between 1st October, 1976, and 1st January, 1978, the estate may now be treated under the former section 10A or the interest of the life tenant, the spouse, may be quantified and an application for reassessment may be made. Any estate which was able to pay the duty and on which the duty was deferred, will find that under this provision it will receive a rebate. That is a benefit which I hope people recognize and avail themselves of.

The other new provisions in the Bill which apply to all estates, whether existing ones or previous ones which are still being administered, are the provisions covering hardship. The basic thrust of this Bill is to exempt assets passing to children. The Government believes that is a bad tax which has a deleterious effect on small businesses, and leads to unemployment. That policy is completely different from the policy of the Australian Labor Party. One Labor Party spokesman said that he believed the levying of probate duty was a socially desirable objective which provided for a more equal distribution of the wealth of the community. That old Marxist line had relevance perhaps in the days before there was income tax but in these days of high income tax it has no relevance. The Australian Labor Party opposes the changes contained in this Bill. That has been made abundantly clear.

Another Labor Party spokesman suggested that Victoria should have a wealth tax. Members of the Government Party are delighted to hear that the Federal Government will follow the Victorian Government's lead in this area. The Premier agreed to back-date the Victorian provisions to coincide with the Federal provisions.

It was argued by another Labor Party spokesman that these measures, and in particular, the Federal measures, will help relatively few people. This is patent nonsense. I can point to a dozen businesses in my town which employ up to 30 people and which would be placed in jeopardy if the proprietors were to die. The very nature of the business —it may be a general store or a business with a large amount of stock—usually means that liquid assets are tight. Most of the assets are tied up in plant, machinery, stock and debtors. These sorts of businesses, if faced with the burden of probate duty, would be in real jeopardy. At least a dozen come to mind readily. They would be forced to close if they faced that probate duty burden. The employment of hundreds of thousands of Australians depends on such businesses, but that does not worry members of the Labor Party.

It is nonsense to say that the provisions in this Bill and the comparable Federal Bill will benefit only a few people. Members of the Labor Party are prepared to allow those businesses to remain in jeopardy. It is that sort of lackadaisical thinking and devil-may-care attitude which caused unemployment in this country to rocket from 110,000 in November, 1972, to 265,000 in November, 1975. There are promises by Australian Labor Party members of even more to come.

I have mentioned briefly businesses generally, whether small industrial firms or small commercial firms, which provide employment for hundreds of thousands of Australians, and I have referred to the

situation of the family farm. Honorable members are probably aware that employment on those farms fell dramatically, particularly as a result of the explosion of wages in 1973–74. It decimated the rural work force. There is plenty of evidence of that in the electorate which I represent. The family farm faced with a large probate bill, even with the concessions which this and the Federal Government allow, cannot service the money it has to pay. Normally that money is borrowed at an interest rate of about 10·5 per cent and most of those farms cannot generate more than 4 per cent on the capital value of the farm.

Probate duty has caused a break-up of farms in many areas. One section of Government is collecting these sorts of imposts and another section of Government, the Rural Finance and Settlement Commission, is trying to make finance available to reconsolidate those holdings to make them into viable units. This Bill will stabilize small business by removing the prospect of large capital debts. It will encourage people to spend more during their life-time. This has been stated to me on several occasions. One man who faces a substantial probate duty pay-out, and who is putting money aside to cater for it, said that the first thing he would do after 1st January would be to buy new equipment for the farm, and a new car. That is the sort of attitude that is wanted. Money will flow back into the business community, and benefit everybody.

The third corollary of this change is that it will encourage overseas people to come to Australia to live and invest. We hear about tax havens in various countries of the world. Mr. Jenkins referred to the fact that other countries do not levy probate or estate duties, but there are relatively few countries as stable as Australia. The effect will be a flood of capital to Australia, particularly with the concurrent Federal legislation. That happened in a small way in Queensland. Much capital from Victoria and New South Wales flowed there. It will happen in Australia generally, except in South Australia which has made no moves in this direction.

I comment briefly on some ancillary matters. Firstly, the Probate Duty Act was last reprinted in February, 1972. Five amending Bills have been passed since then, and copies of the Act are almost unprocurable. The available copies are incomprehensible, so a reprint of the Act is urgently needed because it is vital with the passage of the Bill.

Secondly, following on the point made earlier, when this proposed legislation is passed it will be important for people to examine their wills to ensure that full advantage is taken of the benefits of the legislation. Previously people tended to leave life interests in favour of children and then to gift them over to their grandchildren. Under the provisions of the Bill, no encouragement will be given to do this. People will be encouraged to pass on their estates from one generation to the next.

The only other provisions I mention are the new hardship provisions, which are an important addition to the Act. In the past the commissioner had limited discretion to provide relief in cases of hardship. Proposed section 38A (2) now gives the commissioner a wide discretion to provide relief in cases of hardship where duty does not exceed $1,000, and proposed section 38B (2) provides that in cases where the duty exceeds $1,000, a Hardship Relief Board is to be established. The board will also have a wide discretion to allow time to pay, to charge or not to charge interest in certain cases, or to recommend to the Treasury that the duty ought not to be collected or should be partly waived. These are important additions to the Act and will help people outside the immediate family who will be affected by the proposed legislation.

This is a good Bill because it will help to stabilize employment in the State, and I commend it to the House.

The House divided on the question that the words proposed by Mr. Galbally to be omitted stand part of the motion (the Hon. W. G. Fry in the chair)—

Ayes	..	29
Noes	..	9
Majority against the amendment	..	20

AYES.

Mr. Block	Mr. Hunt
Mr. Bradbury	Mr. Jenkins
Mr. Campbell	Mr. Knowles
Mr. Chamberlain	Mr. McDonald
Mr. Crozier	Mr. Reid
Mr. Dickie	Mr. Saltmarsh
Mr. Dunn	Mr. Stacey
Mr. Evans	Mr. Haddon Storey
Dr. Foley	Mr. Taylor
Mr. Gleeson	Mr. Ward
Mr. Granter	Mr. Wright
Mr. Hamilton	
Mr. Hauser	
Mr. Hider	*Tellers:*
Mr. Houghton	Mr. Grimwade
Mr. Howard	Mr. Guest

NOES.

Mr. Eddy	Mr. Thomas
Mr. Elliot	Mr. Walton
Mr. Galbally	*Tellers:*
Mr. Knight	Mr. Trayling
Mr. Landeryou	Mr. White

The motion was agreed to.

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

LAND TAX BILL (No. 2).

The debate (adjourned from earlier this day) on the motion of the Hon. V. O. Dickie (Chief Secretary) for the second reading of this Bill was resumed.

The Hon. J. M. WALTON (Melbourne North Province): A Bill of this nature comes before the House each year to set the rates of land tax for the following year. This year's Bill introduces a new concept of an averaging scheme to index the movements in land values supposedly to reduce the effect of the progression in land tax rates. In a sense, this concept has been criticized by the Municipal Valuers Group of the Australian Institute of Valuers. The group has asked a number of questions which I will pose to the Minister. I have already provided a copy to the Chief Secretary and perhaps he is absent at the moment trying to ascertain the answers. The group states that the Second Schedule to the Act has been indexed in line with the average movement in land values to remove the effect of progression in tax rates, apparently by 120 per cent. They ask: What period of time is involved and how is this index calculated?

The valuers also express concern that the South Australian system may be the criteria. An explanation recently given to valuers in Adelaide by the South Australian Deputy Valuer-General was that all sales within a local government area were averaged and the percentage difference as against a base data value applied. No analysis of sales or discrimination between cash or terms, residential and other classes of property sales were made. It would seem that the accuracy and equity of such a calculation is open to criticism. On this aspect the group asks—

Who is responsible for the calculation of the index referred to?

What safeguards are used to guard against anomalies between municipalities?

What, if any, rights of objection are envisaged concerning the index and what objection processes will be used.

What is the reason for the discounts applicable to years 1978, 1979, and 1980?

Is the introduction of an index system the first step away from the historic *ad valorem* rating system towards a *per capita* taxation system?

The valuers state that it was alleged that, with the introduction of an indexation adjusted system in

South Australia, land tax revenue increased so far as to be an embarrassment to the Government.

The municipal valuers contend that the Premier's statement concerning the effect of the new indexed tax scale being to limit the increase in land tax payable to the effect of the change in valuation where individual land sales move in line with the average increase in land values is limited in its benefits. Averaging is a most unscientific and unprofessional method which will lead to many anomalies. Various classes of land values move at varying rates. Industrial values at the present time in certain areas are declining although other categories are improving. The converse has been true and could be again. They ask: How does averaging assist in these circumstances?

In conclusion, the municipal valuers express the view that the Bill would benefit by being deferred in order that the various people likely to be affected by its operation have an adequate opportunity to examine its implications more closely. All honorable members will understand that the Bill needs to be passed each year, so that the request made by the valuers could not be granted. Many of the other questions are valid and the Chief Secretary has promised to provide me with the answers, if not this afternoon at least some time in the future. I hope it is in the not-too-distant future. The Labor Party does not intend to oppose the Bill.

The Hon. S. R. McDONALD (Northern Province): As Mr. Walton has correctly said, this Bill is an annual measure which is introduced to set the rates of land tax for the following year. The Bill does introduce several important new initiatives. It puts into effect a Budget policy announcement made by the Treasurer in September this year to introduce a new land tax rates scale indexed to take care of the average movement in land values. This will remove anomalies that have been apparent under the old system. As the Leader of the House stated, the same principle is being applied to land tax assessments as has been applied in the indexation of personal income tax. My party supports this change.

The Bill also increases the exemptions for residential properties from a site value of $15,000 to $27,500.

The Hon. A. K. BRADBURY: Not many properties would be valued at $27,500.

The Hon. S. R. McDONALD: That would be right. Some additional changes are proposed in the Bill which I think should be mentioned. The Bill provides for some further exemptions to apply on land owned by the Victorian Development Corporation which is leased to or occupied by a decentralized industry. The exemption is extended to land owned by statutory authorities that is leased or occupied for business purposes. Where these have not changed they will be treated on the same basis as land owned by municipalities. The National Party also supports that amendment.

I wish to mention one matter concerning what occurred in another place. There my party moved an amendment that would have resulted in an exemption from the payment of land tax with respect to land that is owned or occupied by a small business. For a variety of reasons, I do not intend to formally move that amendment although I place on record that my party still believes it is a reasonable proposition and one which should be fully investigated.

With those remarks, I indicate that in general the National Party supports the Bill. It is not entirely in favour of land tax as a method of producing revenue for the Government but, as the Minister said on a previous Bill, revenue for governmental purposes is necessary and at present some exemptions apply under this legislation. The recipients of those exemptions benefit and are

grateful for them. My party's attitude on this matter is the same as on probate duty: That it would be better to replace this form of taxation with one that is more direct.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6289 s. 6).

The Hon. V. O. DICKIE (Chief Secretary): Mr. Walton was kind enough to provide me with a copy of the proposition he read out. I sought the answers he required from the Treasury and indicated to the honorable member that if those answers were not available immediately I would make them available to him at the earliest opportunity. They are not at present available, but I hope they will be provided in the next few days. I know that they are being worked on now. I will make them available to Mr. Walton at the first opportunity.

The Hon. J. M. WALTON (Melbourne North Province): I thank the Chief Secretary for going to this trouble. I am sure the information will be of interest to those people who have inquired about it.

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.

CLUSTER TITLES (AMENDMENT) BILL (No. 2).

The Hon. A. J. HUNT (Minister for Local Government): I move—

That this Bill be now read a second time.

Parliament passed the Cluster Titles Act in 1974 and it came into operation in October, 1975. At the time I indicated that it was an exciting new form of development that opened the way for a greater choice of life-styles and for better use of land in many circumstances.

I also indicated that it was pioneering legislation in Australia and that it would inevitably be found necessary to make amendments in the light of experience. The first of those amendments was made last year, when section 5 of the Act was repealed. The section would have forced horizontal subdivisions to take cluster form and would have ruled out strata title development as an option. In speaking at that time I said that further amendments were proposed within the following year and that the Government would seek to simplify procedures.

There is no doubt that the factor that has militated against full use of the Cluster Titles Act to date has been that many of its procedures lack sufficient flexibility and require a little too much red tape. It could, perhaps, fairly be said that in the original Bill the Government exercised a surfeit of caution. This Bill is designed to remedy that situation without abandoning any essential safeguards.

All the amendments the Bill proposes have been recommended by the Cluster Titles Committee, which is representative of many and varied interests, all of which have something to do with cluster development, including builders, developers, planners, members of authorities, lawyers, surveyors and, I think, two municipal engineers. The amendments in the Bill derive from that committee, whose work, under the chairmanship of Mr. David Yencken, I commend most highly.

The amendments all move towards greater simplicity of procedures. I have circulated notes on the Bill and on the amendments and these will be available for any interested group who desire to read them. I shall not weary honorable members by going through every detail of every clause.

There are four main issues, in addition to the technical legal simplifications that are dealt with by the Bill. The first appears in clause 4 (1), where a real effort is being made to

avoid delays. The principal Act requires cluster title plans to be circulated to a host of authorities, even when there is no real need. The new provision will enable the local municipal engineer to make a judgment on the matter and, if, in his view, that circulation is unnecessary in the particular case or if the authority has approved in principle earlier, to dispense with that circulation. This should mean a real and substantial saving in time.

One of the major difficulties with cluster title development is the extent of the surveying work that is currently required and the detailed setting out of easements on plans of every description that go before the council and are registered at the Titles Office. This is time-consuming, costly and complicated. Easements are not required for strata plans of subdivision, and there seems no real reason why they need to be shown on cluster plans of subdivision. The change proposed by clause 5 of the Bill enables any part of what is called the common property on a cluster subdivision to be used for easement purposes during the developmental stages.

Why should not the developer be able to put the gas, electricity, water and sewerage lines wherever is most convenient to him? That is what happens with strata developments. It is now suggested that that is what should happen with cluster developments. The developer must, of course, file a plan with the municipality to show where the service lines go. Once the plan is registered and lots are being sold, I think honorable members will appreciate that different considerations apply. No one would want a power line to go through the middle of the tennis court that might be built on the common property or a sewerage line through the middle of the swimming pool.

No one would want a row of trees, which had been planted to enhance a subdivision, cut down to provide for some other service facility. So, the provision states that after the date of registration, if any easements need to be created, these may be created with the consent of the body corporate, which represents all owners. However, it is possible that the body corporate could, at all times, be obstructive and unduly infringe upon the rights of the minority of members who are the owners of the property within the subdivision. The Bill provides that in those circumstances there shall be an appeal to the arbitrator under the Local Government Act.

Clause 7 provides that the provisions of the Uniform Building Regulations with respect to carports and out-buildings shall not apply to cluster subdivisions. When honorable members think about it, they will realize that this is a sensible provision. After all, cluster subdivisions require planning provisions and the siting of things such as carports and out-buildings is basically a planning matter rather than a matter for inflexible regulations. Of course, the Bill in that respect puts things in proper perspective and amends the provisions of the Uniform Building Regulations.

Honorable members may recall that in the original Cluster Titles Act the Government provided a site regulation, that the Uniform Building Regulations should not apply to cluster subdivisions, except that determinations shall be made on a planning basis rather than on an inflexible one.

Clause 8 makes what is perhaps the most interesting amendment of all. Many years ago the Sale of Land Act was introduced to provide a safeguard against unscrupulous speculators who purchased approved plans of a subdivision and then sold off the lots before they were verified or before they were registered at the Titles Office. Frequently it was found that the title was defective in some way and the subdivision could not be registered and the purchaser was left

without a remedy. It was then provided that these allotments could never be sold until the land had been registered in the Titles Office. An exception was made in the case of strata titles, but subject to very stringent safeguards and limitations.

It is considered that when a cluster subdivision is constructed with buildings upon it, similar provisions to those applying under the Strata Titles Act should also exist. It should be possible for the developer to sell the home which he has constructed on a cluster allotment before final registration of the plan, provided that the moneys are held in trust; that the contract requires him to complete the home according to agreed specifications within six months, and provided, too, that at least the surrounding survey marks of the subdivision are fully and properly established at that stage.

This provision brings the Cluster Titles Act into line with the Strata Titles Act, and, when buildings are erected on allotments, it will provide a great advantage and will remove one of the major barriers that has so far militated against the use of the Cluster Titles Act. Many developers have tended to use the Strata Titles Act, which is rather inappropriate to achieve the same result, because the right of reselling exists. The right of reselling will exist only in the case of land on which buildings are erected or are to be erected as part of the construction, with the same sanctions as exist in the Strata Titles Act, but with the additional safeguard that the surrounding survey marks must be fully established and certified by a licensed surveyor.

Honorable members will be gratified to learn that I do not intend for one moment to steamroll this measure through the House. It is presented now so that honorable members can consider it over the intersessional period; so that municipalities can study it and understand it; and so that all interested groups, whether developers, surveyors, lawyers or any others who may be affected, directly or indirectly, can examine the provisions fully and comment upon them with the view that the Bill may be further improved by making amendments when the House next meets. I do, however, commend the Bill to the House.

On the motion of the Hon. I. B. TRAYLING (Melbourne Province), the debate was adjourned.

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

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) BILL.

The Hon. A. J. HUNT (Minister for Local Government): I move—

That this Bill be now read a second time.

This is the annual amending local government Bill and honorable members will again, I hope, be gratified to note that I do not propose to press it forward today but that it is presented at this stage so that honorable members, councillors and officers throughout the State can examine the full implication of every one of its proposals over the inter-sessional period.

I might add that this is a practice that has been adopted for quite a long period and one which has always resulted in improvements being made to local government Bills presented in this House.

There are 46 clauses and a schedule, and that, I may say, is a little shorter than the usual annual amending local government Bill. I intend to adopt the same course as I did with the previous Bill and explain it generally and leave the details. Unfortunately, however, I believe it is very important for councillors and their advisers throughout the State to have a full *Hansard* record of the explanation and intent of every clause, and I do trust that honorable members will bear with me.

Clause 3 changes the qualification required for the office of councillor. It does not change the qualification

for voting for the council. At present a strange anomaly exists in that many who are eligible to vote for a council are not eligible to stand as candidates. Honorable members generally will regard that as an anomaly, and clause 3 cures it. It means that anyone who is entitled to vote at a council election is entitled to nominate for the office of councillor. This year a number of persons who were legitimately enrolled on municipal rolls sought to nominate as candidates and found, often at the last moment, that although they were entitled to vote they were not entitled to stand as candidates for council.

Clause 4 concerns the occasional omission of names from the voters' list. This happens rather frequently in this electronic data processing age as a result of human error in computer programming. It becomes virtually impossible to get a change by way of application to a revision court, particularly if the time has expired. The Bill provides that if it is proved that an error has been made, it may be rectified.

Clause 5 deals with the situation that arises more frequently than honorable members may appreciate. Often there is an annual election and an extraordinary election in the same ward or riding on the same day. For some reason a councillor may not wish to complete his term of office and he resigns so that an election for an extraordinary vacancy can be held on the same day as the ordinary council election. In the case of the death of a councillor, a council will frequently hold over the extraordinary election until the same day as the annual election. As the law now stands, it is possible for someone to nominate both for the extraordinary vacancy and for the ordinary vacancy, and even to be elected to both, which would mean a further election would have to take place. Clause 5 remedies this situation by providing that where there are two elections in the same ward or riding a person may nominate for one only. Thus confusion will be avoided. I might say that already it is impossible to nominate for two different wards or ridings, but this clause will make it impossible to nominate for two vacancies.

To be fair, another view could be taken that where there is an extraordinary vacancy and an ordinary vacancy being contested on the one day, all candidates should be deemed to be candidates for both positions. I put that alternative view forward as a matter of fairness. I should like to hear the views of municipalities on this alternative approach, which would equally remedy the existing anomalies. No doubt municipalities will assist on that point.

Currently where compulsory voting applies in municipalities, it applies only to residents of the municipality. People who live outside the ward or riding at which they are required to vote must still vote. In country areas it may be difficult for a man who owns property in one riding when a casual vacancy arises in another that may be many miles away. Therefore, the exemption from compulsory voting is for persons who reside outside the subdivision in which the election is held. That is provided for in clause 6.

Clause 7 increases from $100 to $200 the maximum penalty that may be imposed for offences relating to electoral advertisements and for offences committed by returning officers, deputy returning officers and poll clerks.

Clause 8 extends the long service leave entitlement provided under the principal Act to employees of bodies constituted by two or more municipalities for a joint purpose. A prime example would be a joint library service. The cost will be met by the participating municipalities in portions agreed by them or in the form of agreement determined by the Minister acting as an arbitrator.

Clause 9 fixes two members as a quorum for any of the examining boards such as the Municipal Clerks Board and the Municipal Engineers Board. Each board currently has

three members and any two of these may sign certificates, but the boards cannot otherwise function unless all members are present. Clearly a quorum is needed and the quorum proposed is two members out of three.

Clause 10 changes the place of meeting. Shires may, by resolution and upon advertising notices of their intention, meet at a place other than the municipal office. This may be applied for any number of reasons in a shire in which there are a number of towns and it may be desirable from time to time to hold a meeting in a town other than the seat of local government or for a centenary meeting, or the like. It may be desired to hold a meeting in a special place. There is no such privilege for the councils of cities, towns or boroughs. Clause 10 provides that the provisions that relate to shires are extended to cities, towns or boroughs.

I should think that councils throughout Victoria will regard clause 11 as the most interesting provision in the Bill. It deals with the famous, or should I say notorious, section 181 of the Local Government Act, which currently requires councillors with a direct or indirect pecuniary interest to state their interest firstly, then withdraw from the room and take no part in discussions and to refrain from voting. Although that section has many valuable attributes, it has often operated most unfortunately and, I believe, to the detriment of local government. Builders have felt forced to leave the council chamber on a wide variety of matters dealing with buildings. Traders have felt forced to leave the council chamber on matters affecting a shopping centre. People with special knowledge often feel that because of their expertise or skill they must do likewise.

I know of one instance in relation to the City Mall in which a trader claimed that a councillor who merely had a little office in a building had a pecuniary interest in whether the mall was placed in Collins Street or Bourke Street. The trader threatened to prosecute the councillor if he voted on the issue, knowing that at that time the numbers were very tight. The councillor, in fact, absented himself. On that occasion the undisclosed pecuniary interest of someone outside the chamber was substituted for the honest judgment of a man, who if he had any interest had a very indirect one which he would have been forced to disclose inside the chamber. That to me is unconscionable and I am sorry to say that section 181 has been used as a sword of Damocles hanging over the heads of many councillors.

The Hon. I. B. TRAYLING: It has been ignored by others who are in breach of section 181 and they are only prosecuted at great personal cost to people.

The Hon. A. J. HUNT: There have not been many private prosecutions. The great majority of prosecutions have been taken by the Local Government Department. The great majority of allegations made under the section had been insubstantial in the extreme. As Mr. Trayling has raised the matter I will give an example. In a shire which shall be nameless a citizen pressed and pressed again for the construction of a certain drain and every time his letter was received one of the councillors who, if the drain were constructed, would have been liable to make a contribution to the cost, withdrew from the chamber. At last the council finally determined that the drain would not be built. The private citizen again protested and the councillor concerned remained in the room on the hearing of the motion that the letter be received. The citizen complained to the department that there was a breach of section 181 because if council had acted on the letter this councillor would have been made liable.

That is the type of allegation that can be made by a citizen who is determined to catch a councillor one way or another. I am sorry to say

that in a few municipalities there are even cases of councillors watching councillors with a view to getting something against someone who may have different political views.

I believe this situation operates to the detriment rather than the advantage of local government. The change made by clause 11 is simply that it provides that in future a councillor who believes he has a pecuniary interest must declare it. Thereafter he may remain in the room and discuss the issue. He may contribute from his knowledge and experience. If, however, he believes he has a pecuniary interest, he must refrain from voting. Surely the requirement of disclosure is the most important thing of all. If he discloses his interest, his colleagues can make allowances for any interest he may have. The public will certainly dump him if they believe he is in any way abusing his position, but no longer will it be possible for this sword of Damocles to be held over the heads of councillors who are honestly endeavouring to discharge their duties in the way they are elected to do. No longer will a trader elected on a platform of improving a shopping area be forced to go outside when that shopping area is discussed. No longer will the builder be unable to contribute from his special skill and knowledge on building matters. I am certain that this clause will be welcomed by local government generally.

The Hon. I. B. TRAYLING: It will be particularly welcomed by some.

The Hon. A. J. HUNT: Mr. Trayling is referring to the odd dishonest person one may find in any field. Those people are not caught by section 181 because they do not disclose their interests and no one ever knows what they are. Section 181 has been used as a weapon against honest citizens.

In common with what I have said on clause 5 when I revealed a possible slightly different solution, I want to raise that possibility now. It may be that there are times when a council would itself feel that the presence of a councillor who has a pecuniary interest would inhibit and embarrass frank discussion and it could be argued that the provisions which I am putting to the House should be taken further by enabling the council, at its discretion, to exclude a councillor who has a pecuniary interest from some part of the discussion. I would like to hear the views of honorable members and local government on that issue and would be prepared to take it into account when the Bill comes up for further discussion.

Clause 12 and a number of the following clauses deal with the Fifteenth Schedule to the Local Government Act. Those familiar with the Fifteenth Schedule will know that it is archaic and anachronistic in the extreme. It is therefore being repealed. However, there are some sections of the Fifteenth Schedule that still have current relevance and these are being incorporated by one clause or another into the Bill. Therefore, Part XI. of the Fifteenth Schedule provides a model by-law for meeting procedures. These apply unless a council adopts its own separate set.

The Municipal Association of Victoria, in collaboration with its solicitors, has developed new updated meeting procedures and these will be the only part of the Fifteenth Schedule which will be retained. They will become a new replacement Fifteenth Schedule to the Act whilst, as I have said, other clauses are incorporated by other sections.

Clauses 12, 13 and 15 incorporate relevant parts of the old Fifteenth Schedule into the Act.

Clause 14 increases the maximum amount of the fee which councils may charge for a permit under a by-law from $1 to $10.

Clause 16 will supply formal authority for a council to sell a dwelling to an employee and execute

a mortgage to secure the unpaid balance of purchase money. This is of particular importance in country municipalities where the provision of a dwelling for an employee and his right to purchase it upon reasonable terms may be a major factor in attracting a suitable applicant for a position. I might say that there is a safeguard in that this is subject to consent of the Governor in Council in every case and transactions are examined to ensure that they are fair and reasonable.

Clause 17 amends sub-sections (5) and (5A) of section 255 of the principal Act which prescribe conditions under which two or more parcels of land are regarded as forming one rateable property and valued accordingly. Sub-section (5) specifies parcels of land in the same municipal district or in the same subdivision of a municipal district which are occupied by the same person and are separated only by a road or similar area. Sub-section (5A) prescribed parcels of land in the same municipal district or in the same subdivision or a municipal district for which one person is liable to be rated and which form one continuous area.

When one thinks about it, it does not matter whether a farm or other property crosses the boundary of a subdivision. Surely if it is one property it should be valued as one. The clause therefore deletes the words " or in the same subdivision of a municipal district " to ensure the property will be valued as one, whether or not it crosses the lines of a subdivisional boundary and it forms part of two boundaries or ridings.

Clause 18 makes some editorial amendments to the provisions dealing with appeals against the decisions of councils with respect to the classification of rateable property as " farm land " and against declarations by valuers that properties are " urban farm land " or " residential use land."

Clause 19 will assist councils in rate recovery sales by providing that these sales may take place after the land has been unoccupied for three years and rates unpaid for five years. The periods were previously five years and seven years respectively.

Clause 20 makes an amendment consequential on the transfer of section 74 of the Health Act to the Local Government Act as a new section 651A. The reference to section 74 in the rate certificate provisions is accordingly being altered.

Clause 21 makes some editorial amendments to one of the borrowing powers in section 393 of the principal Act. Borrowings are permitted for permanent works or undertakings. This can be abused by stockpiling materials without having specific works or undertakings in view. It is accordingly proposed to insert the words " for any specific works or undertakings " to make it plain that the use of loan funds for stockpiling materials is not authorized.

Clause 22 will further modify the provisions which enable ratepayers to demand the holding of a poll on certain proposals to borrow money. I consider the right of ratepayers to have a poll held on the borrowing of money for permanent works and undertakings to be important. Yet, as the law now stands, I believe it can be abused. A council may describe its plans fully for a new civic centre, or some other such work, and may indicate its intention to borrow $100,000 for the first stage. Nobody takes action to demand a poll or, if a poll is held, the objection may be defeated. The second stage may require another $100,000, and this is obtained without any poll; yet when one comes to the final stage, someone may stir up a petition, raise a campaign, and may win a poll which precludes the continuation of an undertaking which is well under way.

The Hon. A. K. BRADBURY: Have you had an indication of how many such polls have been successful?

The Hon. A. J. HUNT: Several polls a year are held.

The Hon. A. K. BRADBURY: But on completion of a building?

The Hon. A. J. HUNT: No. I know of one case where there was a real threat of this occurring, but it did not occur. It was a dangerous situation and a building could have been held up at a late stage.

The clause provides that the poll is taken not in respect of the borrowing, but in respect of the project, and the first opportunity must be taken to call a poll. If a council advertises its notice of intention to borrow for a particular project, and if there is a failure to demand a poll, or if a poll is demanded and the objection is defeated, that puts an end to that. That seems to be a much more rational approach than presently exists.

Clause 23 concerns the number of votes required at a loan poll in order to forbid the loan. The loan is not forbidden even though there is a majority vote against it unless the votes recorded against the loan amount to at least one third of the total available votes. In determining the total available votes the returning officer must have regard to the fact that persons enrolled in more than one subdivision may vote only once. This clause provides accordingly.

Clauses 24 to 26 will repeal the provisions of the principal Act which deal with the raising of loans by the sale of debentures. Municipalities no longer raise funds in that way.

Clause 27 will extend to the seven boroughs and six towns the present provision under which shires may use council plant to carry out works for ratepayers if the council is of the opinion that it would be uneconomic or impracticable for the ratepayer to employ a private contractor.

This provision is not extended to cities for a philosophical reason which the Government considers good. Indeed, the Government does not want to see councils acting as contractors in competition with private enterprise and having a tax advantage over them. Nevertheless, in country areas it may be difficult to obtain a satisfactory contractor. In country areas the ability of shires to undertake work in those circumstances has been very worth while, and it has served the ratepayers well. There seems no reason why it should not be extended to provincial towns and boroughs. The Government has no intention of extending it to cities, where it could be used in an uncontrollable way.

Clause 28 will add, to the present provisions which enable councils to name streets and allot numbers to the premises in the streets, power for the Governor in Council to make regulations for or with respect to signs in streets and the numbering of premises in streets. This is a modified form of an early proposal which I presented to the House, and which aroused great controversy. Honorable members may recall that the Honorable Mr. Nicol supported it strongly, whilst other members thought it too stringent. It enabled councils to have a say on what kind of number plates could be used on a front fence, and so on.

Clause 29 incorporates two proposals. The first of these concerns section 546 under which an owner of cattle commits an offence if he permits them to be on any street or road without consent of the council or, whether or not consent has been given, without some person in attendance. It is now proposed that, as an alternative to some person being in attendance the cattle may be enclosed by an electrified fence. This will make it easier to graze cattle on road reserves and this is

of considerable value in reducing fire hazards. The ability for cattle to graze on roadsides is valuable. It often means that grass which may become a fire hazard can be kept down.

The Hon. A. W. KNIGHT: The long paddock!

The Hon. A. J. HUNT: That is right. The second proposal is the inclusion in the body of the principal Act of certain provisions of the Fifteenth Schedule dealing with cattle found on land not securely enclosed or fenced. This was a useful feature of the Fifteenth Schedule and it is incorporated in the Act instead of the schedule which disappears.

Clause 30 concerns the powers of councils to require the owner of any land used for the grazing of cattle to repair or replace fences in order to prevent the cattle from straying onto an adjacent street or road. At present the notice to the landowner must be given by the council but it is proposed that any authorized officer of the municipality should also be able to give the required notice. This will save time if it is necessary for the council to apply to a Magistrates Court for an order directing repair or replacement of the fence.

Clause 31 will increase the maximum fees which councils may charge for parking in streets. The maximum for all day parking will be increased from 60 cents to 90 cents and for lesser periods from 30 cents to 60 cents.

Clause 32 (1) provides authority for a council to agree with a subdivider to take a 5 per cent recreational land levy partly in cash and partly in land. Although this has been done it is not specifically authorized at present.

This is in fact sometimes done but without legal authority. If the Act is read strictly according to current requirements it can be taken to mean one authority or another. There seems no reason why it should not be taken as a combination of the two.

Sub-clause (2) concerns the question of the payment of the 5 per cent recreational lands levy when a landowner subdivides a portion of his property and leaves the balance for later development. The council concerned may impose the 5 per cent levy on the whole property or only on the portion to be developed. In the latter case there is considerable doubt whether the council may impose the 5 per cent levy on the balance of the land when it is subdivided. The present amendment is designed to ensure that a council may make a subsequent claim.

Clause 33 concerns the recently enacted —December, 1973—provision under which the sealing of a plan of subdivision by a council is made conclusive evidence of compliance with the requirements of the Local Government Act.

The House may recall that this was passed following a case in which an authority which had agreed in principle to the sealing of a plan of subdivision later withdrew its agreement, only to find that the plan had been sealed. A Supreme Court case ensued and the subdivider, at great expense, had the plan substituted after a lot of work and money had been spent.

As the Government believed this was an antiquated situation and that a subdivider ought to be able to rely on the sealing of a plan of subdivision as evidence that all formalities had been complied with, the 1973 amendments provided for this. Unfortunately, there have been several cases since which I do not propose to identify, in which it appears that councils have used this as a means to avoid submitting plans to authorities that ought to have been consulted.

The Government does not in any way want to destroy the provision which was included for the sealing of a plan of subdivision as conclusive

evidence that the formalities had been complied with, but provision is made in this clause that if that is not the case, if the formalities have not been complied with, any councillor who knowingly votes for the sealing of the plan or any officer who knowingly recommends the sealing of the plan, knowing that the formalities have not been complied with, will be guilty of an offence.

Clause 34 deals with the question of the apportionment of private street construction liability where any of the premises fronting the street have been subdivided under the Strata Titles Act 1967. All owners of land in any such subdivision will be included amongst the owners from whom council may recover the cost of construction. Apportionment between such owners will be the responsibility of the council.

Clause 35 will increase the rates of interest chargeable on certain payments which must be made in respect of private street construction schemes. These are—

1. When an owner elects to pay his liability in full but fails to do so by the due date the amount will thereafter bear interest at the rate of 10 per cent instead of the present 8 per cent.

2. Where the actual cost exceeds the estimated cost of a scheme the council may apportion the excess—not exceeding 20 per cent of the estimated cost—amongst the owners of the premises fronting the street. If any owner fails to pay his liability by the due date it will thereafter bear interest at 10 per cent instead of the present 8 per cent.

3. When a scheme is financed by a contractor or from moneys received under other schemes the rate of interest payable on instalments will be 10 per cent instead of the present 8 per cent.

Clauses 36 and 37 amend sections 603 and 604 of the principal Act which deal with the construction of bridges and crossings over channels and footways to give access to abutting properties. Some of the provisions of the Fifteenth Schedule on this subject are being incorporated in these sections and the new material will provide as follows—

1. A maximum penalty of $200 is prescribed for causing damage by riding horses or driving vehicles over a footway and channel where no proper crossing has been provided.

2. Any person wishing to construct or repair a bridge or crossing must submit plans and specifications to the council. On approval by council and payment of fees he may carry out the work.

3. A council may require the owner of abutting property to repair or replace a bridge or crossing. If he fails to do so the council may carry out the work and recover the cost.

Clause 38 will amend those provisions of section 651 of the principal Act which were inserted by the Drainage of Land Act 1975. The Joint Select Committee on Drainage recommended amendments which, amongst other things, would permit construction of works under a scheme on lands other than those specified in section 651 (1) where the incorporation of such lands is necessary for the proper implementation of a scheme. The amendments made by the Drainage of Land Act did not fully give effect to these recommendations and further amendments are proposed for the following purposes—

1. To permit councils to charge under a scheme for the construction of any part of a drain on a street or road.

2. To provide for the proper drainage of all lands which, being within a designated catchment area, are benefited by the work and to enable councils to charge all such owners.

3. To provide for a council to charge for the whole or only part of the works as it sees fit.

4. To permit a council to charge the whole cost of the compensation payable to the owners on whose land

a drain is constructed. It may be difficult to estimate compensation accurately and if actual cost exceeds estimated cost only 20 per cent of the excess may be charged to owners who benefit.

This clause will also incorporate in the principal Act the present section 74 of the Health Act. Following consultation between the departments concerned it was agreed that the provisions of this section could be more appropriately located in the Local Government Act.

Section 74 was also amended by the Drainage of Land Act 1975. The amendments provided for preparation of a scheme and payment of liability by instalments in the manner prescribed for private street construction schemes, but, by an oversight, the existing provisions dealing with payment of liability by instalments were not repealed. The section has in the past been used for small drainage schemes where there was a need to carry out the works promptly but the amendments have nullified its advantages in these respects. The amendments now proposed are as follows—

1. The use of the section will be limited to cases where the medical officer of health has certified that it is necessary or desirable that drains be constructed in order to remedy or prevent any nuisance or danger to health.

2. The provisions for preparation of a scheme and payment of liability by instalments as prescribed for private street construction schemes will be abandoned. The former provisions for payment by instalments will be restored but the interest rate will be changed to permit councils to fix any rate being not more than 1 per cent higher than the rate at which money was borrowed to finance the work. Further, if a council sees fit, it may permit payment by 40 or 60 quarterly instalments.

Clause 39 repeals existing requirements for approval of the Governor in Council in connection with the construction and maintenance by councils of tanks, dams and reservoirs.

Clause 40 will apply the provisions of the principal Act dealing with the prevention of fire in the City of Melbourne.

It seems an anomaly that it has not so applied in the past. The anomaly is now being rectified at the request of the City of Melbourne.

Clause 41 increases from $10 to $200 the maximum penalty for obstructing the council, a council employee or any person appointed by the Governor in Council or the Minister in the performance of any duties under the Local Government Act or any other Act.

Clause 42 increases from $10 to $50 the maximum penalty which may be imposed—

(*a*) on an occupier of property or an agent of the owner who refuses to disclose to the council the name of the owner; and

(*b*) on any person found committing an offence who refuses to disclose his name and address to an officer of the council or other person or who gives a false name and address.

Clause 43 increases from $100 to $200 the general penalty provided for offences against the Act where no other penalty is imposed.

Clause 44 will authorize the Governor in Council to declare that the provisions of chapter 8 of the Uniform Building Regulations—site requirements—shall not apply in any specified municipal district or part thereof if he is satisfied that an approved planning scheme in force in the area concerned is sufficiently detailed to enable the responsible authority to exercise satisfactory control over site requirements. Any declaration would be made on the basis of an application by a council and a report by the Town and Country Planning Board. I have long believed the question of special requirements is a planning matter rather than a building matter as such, and this enables it to be so.

Clause 45 alters the form of nomination for the office of councillor.

Clause 46 repeals the existing Fifteenth Schedule and substitutes a revised form of the present Part XI. of the schedule dealing with proceedings of councils. Councils may adopt this model by-law or any alternative that they see fit.

The schedule was prepared by the Municipal Association of Victoria in conjunction with its solicitors, and was fully vetted by the Institute of Municipal Administration. It is based on the existing Part XI and the principal changes are as follows—

(*a*) Clauses 5, 37, 48, 49, 50, 51, 52 and 53 have been deleted.

(*b*) Reference to extraordinary business has been deleted.

(c) The procedure on confirmation of minutes has been altered.

(*d*) Notice must be given for all items to be considered at an ordinary meeting, except urgent matters.

(*e*) The municipal clerk is to have discretion on the listing of correspondence on the agenda.

(*f*) The notice of motion procedure is changed.

(*g*) The order of debate has been changed and a time limit placed on speakers.

(*h*) The maximum penalty for an offence has been increased from $10 to $100.

I commend the general intent of the Bill to the House, and trust that over the intersessional period it will receive thorough examination at the municipal level and by honorable members to ensure that it can proceed in the most satisfactory form in the next session.

On the motion of the Hon. A. W. Knight, for the Hon. I. B. TRAYLING (Melbourne Province), the debate was adjourned.

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

EGG INDUSTRY STABILIZATION (AMENDMENT) BILL.

The debate (adjourned from the previous day) on the motion of the Hon. W. V. Houghton (Minister of Health) for the second reading of this Bill was resumed.

The Hon. D. G. ELLIOT (Melbourne Province): When I read the report of the comments of my confrère in another place on the Bill I was prompted to tender him full marks for his constructive contribution to the debate. As the matter was fully canvassed in another place, I know of no reason to prolong the debate in this House. With due humility, I pass that advice on to my confrères of the National Party.

The Labor Party will oppose clause 2 of the Bill because it believes the date of 29th February, 1980, should not be used. The Opposition believes that such a good scheme should be allowed to operate much longer and should be a permanent fixture, altered only as the needs of the time may dictate. Honorable members may refer to difficulties experienced in the egg industry in New South Wales and the Australian Capital Territory, but these are being overcome efficiently, quickly and satisfactorily.

The Labor Party strongly suggests that the Government should extend the period of operation of the egg industry stabilization scheme. We would like it to be part of the permanent scene and altered only as the need arises. People in the egg industry seem to be happy with that scheme, so why not let it continue instead of limiting its operation?

The Labor Party has no objection to the Bill as a whole, but on a matter of principle, because of the date, it will oppose clause 2 at the Committee stage.

The Hon. S. R. McDONALD (Northern Province): The Bill amends the Egg Industry Stabilization Act and, as has already been stated, one of its main purposes is to extend the operation of the stabilization scheme for another two

years. This proposal will receive the almost unanimous support of all those persons involved in the egg producing industry. Some time ago the Victorian Egg Marketing Board carried out a survey amongst Victorian egg producers and received almost unanimous support for the proposition that the legislation should be extended beyond the expiry date in February next year.

I will not discuss the clauses in detail; they were outlined clearly by the Minister and, as Mr. Elliot said, have been debated thoroughly in another place.

However, I want to make one or two comments on the Minister's attitude to the continuation of the scheme. In his second-reading speech the Minister made it clear that the extension of the legislation for a further two years is contingent upon events in New South Wales and the Australian Capital Territory. He said that the period of operation of the scheme would not be extended but that the legislation could be repealed later if the New South Wales assurances on egg quotas are not honoured, or if unilateral changes are made to egg quotas in the Australian Capital Territory.

To overcome the second difficulty, when the State quotas are set by the Australian Agricultural Council, virtually by Ministerial agreement, the council should examine whether it is necessary to legislate to set State quotas. If it is possible to do that, the objection concerning the Australian Capital Territory would be overcome.

I am pleased that the Minister has departed from his original intention, announced three or four weeks ago, that the legislation would be changed to provide that hen quotas would no longer be negotiable and would have no value. That proposal would certainly not have suited many people in the industry. In the second-reading speech the Minister said he had listened to the opinions of the people in the industry in Victoria, and he is to be commended on his change of attitude on this important matter.

However, I am concerned that the Minister of Agriculture has not as much enthusiasm for this proposed legislation as he may have for similar legislation relating to other primary industries. I want to go on record as saying that I believe the legislation that is now being amended by the Bill has been successful in getting the egg and poultry industry out of the chaotic situation that existed 3, 4 or 5 years ago. The industry has now become stable, and it would be ridiculous for any Government to take any action that would upset that stability.

I refer to one aspect of the industry that has not received much attention in the Bill, and that is that, under section 38 of the principal Act, licences are available for producers of hens that are kept for special purposes or purposes other than the production of eggs for human consumption.

The view has been expressed to me by the Victorian Egg Producers Association and the Victorian Farmers Union that if people in the industry are not careful, there will be a growth in the producion of fertile eggs for the breeding trade, and the increase in that type of production would be too great. This in turn will affect market prospects in Victoria. I ask the Minister to carefully examine this matter and ensure, if he can, that it does not get out of hand.

The Bill achieves one other purpose which should be mentioned. It provides the Victorian quota committee with the ability to take a more flexible action in setting the Victorian quota. This is desirable because the committee can then, each licensing year, take action to amend a quota and bring it more into line with market prospects.

My party supports the Bill. It strongly believes this legislation has achieved a great deal for the egg and egg pulp industry and should be continued. I agree with Mr. Elliot

that there is no valid reason why the operation of the Bill could not continue for a longer period. If it was found necessary to limit the period, a further amending Bill could be introduced.

The Hon. H. R. WARD (South Eastern Province): Problems have been encountered in putting quotas on all sorts of primary produce over the years. I enter the debate to record a submission that has been made to me by a Balnarring egg producer. He says that when the hen levy was introduced some time ago, the reasons given for it were justified. He goes on to suggest that the main reasons given for increasing the levy are: That the larger egg producers are more readily able to avoid State levies by involvement in interstate trade; that inflation has eroded the effectiveness of $1 per bird per annum, and that various States have different financial requirements to meet their own over-production. This gentleman also submitted that if we were to look after our own industry there would be no worries about production.

The Hon. S. R. McDONALD: What does he mean by that?

The Hon. H. R. WARD: I really do not know. He seems to take the view that everybody is in it for himself. In his submission, he says that the Minister and the committee should consider certain matters, when further amendments to the Act are being made, which will probably occur, if we do not get total agreement by 28th February from the other States or if the Commonwealth Government does not do something with regard to the Australian Capital Territory.

The Hon. S. R. McDONALD: That will not happen under the present Commonwealth Minister.

The Hon. H. R. WARD: That may be all right if he has some ideas about it. In his submission he further states—

Taking into account present economical and employment situation of the nation, plus the drive of all Governments and employment sections to curb inflation, reduce taxes, retain and create new jobs, we are submitting the following—

A. Exemption of farm units of up to and inclusive 5,000 birds from increase of $1 per bird.

B. 10 per cent of State security margins plus 10 per cent of State seasonal fluctuating production margins = 20 per cent subject to the second pool price, in result 80 per cent of industry's producion will be first pool price, and 20 per cent of industry's production will be second pool price—furthermore—each individual production unit cares for its own production, it is: each unit receives guaranteed 80 per per cent first pool price, and 20 per cent pool (export) price.

C. Period 26 of hen levy payment to be introduced (not paid at present) as emergency fund for exotic diseases problem.

He contends that in this way restriction of the industry will bring about a solution of the many problems that exist. This is one idea that has been submitted by a poultry farmer on the Mornington Peninsula.

Production problems have faced almost every form of primary industry in Australia and the egg industry is only one such industry. In this industry, everyone has been in it for himself and God help the rest. It is about time that some control was exercised over the industry to make sure that the domestic market is looked after and forget about the overseas market.

The Hon. F. S. GRIMWADE (Bendigo Province): I strongly support the Bill which continues good management within the egg industry. The legislation has worked well over the past two and a half years.

The Hon. D. G. ELLIOT: Why not leave it?

The Hon. F. S. GRIMWADE: It has run out and I believe that it should be reinforced again by this Bill. For the two and a half years that the principal Act has operated there has been a marked decline in the number of hens in Victoria, a reduction from 3 million down to 2·65 million, which has meant a reduction of 5 million dozen eggs

on the market. Instead of having to export these eggs at ridiculously low prices, which of course are subsidized by the poultry farmer, it has been possible to control production to bring it more into line with demand and consequently the poultry farmer has received a better price for the eggs which he produces.

The Hon. D. G. ELLIOT: Would not that be wonderful for the beef industry?

The Hon. F. S. GRIMWADE: It would be magnificent if such a system could be introduced into the beef industry but unfortunately this is not possible for a variety of reasons which I will not canvass at this time.

Lest anyone think that the cost of eggs to the consumer has risen over this period, let me quote some figures for the past two years up to February, 1977. Eggs have risen in price by 17·9 per cent whilst the consumer price index has risen 30·5 per cent so that the price of eggs has not kept up with the increase in the consumer price index. At the moment eggs are indeed wonderful value.

Because of the legislation, the surplus produced has now been reduced by half and producers have received an additional 9·62 cents per dozen although this has not made eggs that much more expensive or meant that the price has kept pace with the consumer price index. Lest again people think that because there is an organized industry under this demand and supply system that efficiency is not going to be considered, I highlight the fact that the production per hen has increased over these two years by 7·7 per cent. Honorable members might be interested to know that the production on a yearly basis is about seventeen dozen eggs per hen, which is about 204 eggs a year. If that is increased by 7 per cent an additional dozen eggs will be produced by each hen.

The Hon. D. G. ELLIOT: What is the reason for that; how can they lay more eggs?

The Hon. F. S. GRIMWADE: Obviously, if the number of hens is controlled a better quality hen will be produced and this will also maximize the production of eggs. I am pleased that Mr. Elliot asked the question because, in case it was asked, I have the poultry page from the *Journal of Agriculture* for October which contains the result of a random sample laying test undertaken at Burnley. It is interesting to see to what lengths the Department of Agriculture goes to improve the breeding stock of genetically selected fowls in egg production and what that can achieve. The article in the journal was produced by Mrs. Lois Mason and is headed "Eggs are Still Profitable". Indeed, a summary of the article is that the number of eggs produced varied from 234 to 298 in the period of the survey.

As the Minister mentioned, the egg industry faces problems because of interstate trade. Members of the industry are enormously worried that New South Wales does not seem to be able, or want, to police its legislation. A cutback in hens of 12·5 per cent was announced for that State and was due to take place on 24th October. It is not clear whether the State will police the cut-back or not. It may be that it will not, because it is also budgeting for an increased production of approximately four million dozen eggs. If that is the case Victoria will face even more problems because those eggs will find their way over the border and compete unfairly with the Victorian industry, which is tied by legislation. It is imperative that other States recognize their responsibilities in this field.

The problem in the Australian Capital Territory could completely disrupt the sensible marketing of eggs in Australia. As the Minister mentioned, it is envisaged that either the quota in the Australian Capital Territory will be increased or all quotas will be abolished in approxi-

mately two years' time. It may be that that is the reason for the limitation of two years in the proposed legislation. If the Australian Capital Territory completely disregards the rest of Australia, further problems will be created.

I am a little uneasy that the licensing committee will be able to vary hen quotas during a year. It will be able to increase them or reduce them. The increase could be made effective immediately and the reduction would be required after 90 days. I do not know whether the power to make those variations within a year is necessary. I would have thought that the adjustment could be made annually, although it is conceivable that the sort of situation that occurred last year could recur. Disease could severely curtail egg production and it might then be necessary to increase Victorian quotas. However, there is an alternative. As mentioned in the board's annual report, which was tabled in the House today, it is possible for the board to buy eggs interstate to make up any shortfall in production, as was done last year.

I am delighted that the legislation is again before the House but I am sorry that the Bill will operate for only two years. Like other honorable members who have spoken, I should like to see it become a permanent statute, although I understand why it is not made one. The Bill has the support from the vast majority of people in the industry. The original legislation has achieved the goals it set out to achieve when it was first introduced and I strongly support the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment No. 8406, s. 1 (3)).

The Hon. W. V. HOUGHTON (Minister of Health): I have noted Mr. Elliot's suggestion that the time of operation of the Bill should not be limited. Mr. McDonald has expressed the view that the Minister of Agriculture has some reservations about the effectiveness of the Bill and it follows from that that a limitation is appropriate. The Minister knows the agricultural field well and he performs his duties ably. He may well be right about the matter. If it becomes necessary to extend the operation of the Bill, that can be done quite easily by Parliament, so it is prudent to limit the operation of the proposed legislation.

The Hon. D. G. ELLIOT (Melbourne Province): The Opposition supports the proposed legislation, but does not believe it should be limited in its period of operation. The slogan for a certain well-known product, about which a lot is heard throughout Australia—John Laws, that eminent radio and television personality, is its main purveyor—is, "When you're on a good thing, stick to it!" The Opposition believes the legislation should be permanent.

I shall not canvass the reasons, but I hope I set an example by saying that purely and simply as a matter of principle it should stay on the statute-book and, if necessary, amendments should be introduced, rather than the other way around. On that principle, the Opposition opposes clause 2 of the Bill.

The Committee divided on the clause (the Hon. W. M. Campbell in the chair)—

Ayes	23
Noes	13
Majority for the clause	10

AYES.

Mr. Block	Mr. Hunt
Mr. Chamberlain	Mr. Jenkins
Mr. Crozier	Mr. Knowles
Mr. Dickie	Mr. Reid
Dr. Foley	Mr. Saltmarsh
Mr. Gleeson	Mr. Stacey
Mr. Granter	Mr. Storey
Mr. Hamilton	Mr. Taylor
Mr. Hauser	Mr. Ward
Mr. Hider	*Tellers:*
Mr. Houghton	Mr. Grimwade
Dr. Howard	Mr. Guest

NOES.

Mr. Eddy	Mr. Trayling
Mr. Elliot	Mr. Walton
Mr. Evans	Mr. White
Mr. Galbally	Mr. Wright
Mr. Knight	*Tellers:*
Mr. Landeryou	Mr. Bradbury
Mr. McDonald	Mr. Thomas

PAIR.

Mr. Long	Mr. Dunn

The remaining clauses were agreed to.

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

VICTORIAN GOVERNMENT TRAVEL AUTHORITY BILL.

The debate (adjourned from earlier this day) on the motion of the Hon. D. G. Crozier (Minister of Tourism) for the second reading of this Bill was resumed.

The Hon. D. G. ELLIOT (Melbourne Province): This measure is the result of an immense deal of co-operation and dedication. Quite frankly, I must pay a tribute to the people in the Victorian Government Tourist Bureau and in the Ministry of Tourism for the work they have put into this measure and, as I said a few moments ago, for their dedication, because dedication always adds a little extra something that is worth while in the long run.

This Bill is the culmination of a six-year effort by honorable members of the Opposition. It has been the policy of the Labor Party during the past two State elections, and I pay a sincere tribute—I am always hesitant in this direction but I believe it should be meted out where it is due—to the Minister of Tourism for, firstly, his willingness to listen and, secondly, having listened, for acting.

I also thank the Minister for literally laying bare the Victorian Government Tourist Bureau for my inspection. This enabled me to visit every branch of the bureau in Victoria and interstate and to meet many of the employees who work in those branches. In that regard, I must thank the honorable gentleman for the help he bestowed upon me in the person of one of his secretaries, Mr. Peter Brown. Once again I use the word " dedicated " in relation to that gentleman.

As each bureau branch was visited it became obvious that over-all marketing, identification—I accentuate that word—career staff training, budgeting, package tour potential, arrangements or contracts with operators, intrastate, interstate, as well as overseas, were sorely needed and a general upgrading was called for in line with the 1970s and well beyond into the 1980s, the 1990s and the new century.

To allay any fears that my friends in the corner, honorable members of the National Party, might have, I indicate quite clearly that any other concept that I have of this Bill, rather than it being tinged with a touch of Socialism, members of the Labor Party realize that in an industry such as travel, the more people you get to co-operate the more likely the particular travel organization is likely to be successful. As I see it, this is confirmed in the remarks of the Minister of Tourism and by each and every officer to whom I spoke within the Victorian Government Tourist Bureaux.

I claim that at least co-operation and the participation of private enterprise with the authority will be quadrupled by this measure. When I say " quadrupled," I am being ultra-conservative, because in an organization such as the tourist bureau, there is no reason why it cannot do business with the Australia and New Zealand Banking Group Ltd., the Bank of New South Wales, Stewart Moffat Travel Pty. Ltd., World Travel Service (Holdings) Pty. Ltd. or any other travel agent which has a worthwhile package to sell, thereby helping in the success of the future of the Victorian Government Travel Authority. First of all, it should

promote package tours within Victoria, then beyond the State to other States of Australia and, of course, overseas.

If one is in the travel business, one will not get anywhere unless one promotes with a complementary service. I hope that will allay any fears or doubts that honorable members of the National Party may have in that direction. Somehow I feel it will, but I cannot pre-empt what the National Party will submit; I can only hope and pray that it will see the light.

There are good members in the National Party, and on numerous occasions they bring a little bit of fresh air into the Chamber when they vote with the Labor Party. I can remember the time when we had a majority of one, when the National Party voted with the Labor Party.

The Hon. S. R. McDONALD: It was much more interesting.

The Hon. D. G. ELLIOT: I'll say it was. As I see it—and this has been confirmed once again by the Minister—the authority will need to engage in private enterprise package tours. The travel agencies will be a vital and absolutely necessary part of the proposed operations of the authority, to a greater extent than ever before.

Always uppermost in our minds in the formation of any statutory body to take over a Government Department, is the need to protect the rights of officers of the Public Service. This aspect is adequately covered in clauses 12 and 15, which I do not propose to read because I understand that a senior officer of the Ministry of Tourism, Mr. Max Brereton, on the instructions of the Minister of Tourism, has taken much trouble to explain these clauses and the protection that they give in them to each and every officer of the Victorian Government Tourist Bureau in relation to their rights, their superannuation entitlements and their current security in their employment.

Members of the Labor Party would not have agreed to this measure unless these people were taken care of. Sometimes I wonder how a gentleman from such a conservative background can introduce these radical and sensible measures. The Minister needed no prompting in that direction. I say without fear of contradiction that the calibre of the officers to whom I have spoken throughout Australia, from Brisbane to Adelaide, has been particularly high. The vast majority of personnel that I had the pleasure and privilege of meeting were not in the least daunted at the statutory body concept. However, the message was loud and clear. Purposefulness of pursuit and professionalism were what they fervently desired. They are now getting it and the State will be much better for that.

There may be justification for saying that Victoria is a garden State.

The Hon C. A. M. HIDER: Victoria is a garden of Eden.

The Hon. D. G. ELLIOT: I would not mind playing Cain to Mr. Hider's Abel, but I imagine Mr. Hider might have plucked a rather luscious apple from time to time.

Victoria, the garden State, has a great opportunity to secure more than its share of the local, interstate and overseas travel coin, if I may use that expression. Many people say that the weather is not the best and that Victoria has a limited tourist potential, but that is a fabrication. Victoria has a 52-week potential west of Swan Hill, and it is magnificent. There are beautiful spots throughout Victoria. I know that you, Sir, are fully cognizant of the fact that I love Victoria. There are few places that I have not visited at some time. Victoria's potential has been virtually untapped. I would term Victoria tourist-wise like a glorious, beautiful, luscious virgin, a real wonder to behold.

I hope in the near future that the Victorian Government Travel Authority will become the pacemaker

in meeting the challenge that lies ahead, not only in this State but throughout Australia. The inevitable competition that will come from overseas must be met. If Mr. Laker gets a foothold in Australia, people will go to Britain and back more cheaply than they can travel from Victoria to Cairns or Perth, and that is a good thing. Victoria must co-operate with the other States and the Commonwealth and look realistically at attracting overseas visitors to this country.

I refer to a subject which I have often mentioned during my stay in this House. When people travel to the United States of America they can go to Vancouver and on one common ticket at no extra cost and then fly to Seattle, San Francisco and Los Angeles. They can cover those three western seaboard areas of the United States of America and Vancouver in Canada. That is four ports of call at no extra cost. It would be fascinating if the fare covered Sydney and Melbourne at no extra cost to an American tourist. If Brisbane could be added on a special ticket and also an attraction that is well known to overseas visitors, Ayers Rock, this would make a trip to Australia more palatable to the average American citizen. I hope the Victorian Government Travel Authority will promote this nationally so that people can come to Sydney and Melbourne at no extra cost on a special Qantas deal from the United States of America. That is a practical suggestion and I cannot understand why it cannot be implemented by a little common sense and application by the Government. However, because of an inbuilt profit structure which exists on a fairly virile basis in the Qantas organization, it is reluctant to condone special fares. I wonder how long Qantas can keep out of this field. There is little argument against filling aeroplanes at lower prices to bring tourists to this country.

This is only one of the classic challenges the State will have to meet. There is also the fascination of envisaging the authority's co-operation with private enterprise on packaged deals. There is great potential in farm holidays in Victoria. They can be made available not only from the bureau's outlets but also from all travel agencies, Government agencies or bureaux throughout Australia. These are a few little rumblings on the potential of this authority.

I emphasize that the basis in personnel is already in the bureau. It only needs guidelines that will provide a pattern and an objective for the future. This must not be treated lightly because as the Minister informed the House today $35,000 million was spent last year. I take it that was throughout the world.

That is a big cake and surely Victoria can take a larger slice of it. In the past people have mainly saved their money to travel anywhere except within Victoria. The challenge is apparent because of transport costs today intruding heavily into the over-all tourist package schemes, and sometimes unreasonably so. People are looking within their own State, more than ever, for holiday outlets. Therein lies the challenge. This authority could build up a source of supply within the State, interstate and overseas, in co-operation with private enterprise that will make it a pacemaker of what a true travel agency should be in its services to the public. For this reason I wish the Bill well. I congratulate the Government and I believe the proposed legislation augers well for the future of Victoria.

The Hon. D. M. EVANS (North Eastern Province): I indicate a certain viewpoint on behalf of the National Party. I appreciate the great attention Mr. Elliot has paid to this subject, particularly in the early part of his speech. I admit the proposed legislation was better presented because the Minister responsible was able to present it to the House.

It relates to the point of argument, if I can repeat it, that Dr. Foley introduced recently—the necessity for a

wider range of responsibility and ability for Ministers of this Chamber to introduce their own legislation. The explanation given here, as I understand it, is far better and more comprehensive than that which was given in another place a day or two ago. The understanding of the Parliament is much better for it.

The National Party generally welcomes the idea of the Victorian Government Tourist Bureau becoming a statutory authority because we believe it will be a more business-like organization. Our only concern, and it is one which we hope will prove to be ill-founded when the new authority comes into operation, is that the Government will simply become another competitor for those who are already operating in private enterprise in that field.

I notice from the second-reading speech that the travel industry has been under consideration for some years because of the number of agencies which failed to fulfil their obligations to their clients. Perhaps we should be looking at the standards of ethics within the industry and at the licensing standards. A little further on it says that the proposed Government-backed authority will, it is believed, set a standard which will encourage private operators and in fact be the best in the field, thereby bringing much knowledge and confidence into the industry.

The National Party would welcome that provided that the Government organizations are not unfairly advantaged in the field.

I notice in clause 13 of the Bill the functions of the authority are to promote and market travel, to make travel arrangements, to provide travel information services and to advise the Minister upon any matters relating to the foregoing paragraphs that are referred to the authority by the Minister for advice.

Clause 14 is particularly important —Mr. Elliot spent some time on it. I hope this is a major thrust in the Bill and more important than clause 13. It provides that one aim of the authority shall be—

> 14 (*b*) to promote and market travel whether by itself or in conjunction with the Government of any other place or any corporation, firm or individual;

If that becomes the most important clause in this Bill then it will be an excellent Bill. I hope that the advantages to tourism in Victoria will be substantial.

The reservations of the National Party are in the degree of competition that may be provided unfairly to private organizations. There are so many things that are necessary to develop tourism. This is only a small facet of it. I hope that although it may be influential it is not the only area the Government develops.

Mr. Elliot, in his wide-ranging resumé of the subject, indicated how many things have an influence on the tourist trade. I reiterate with him the importance of farm tourists in Victoria. It is an area that provides tremendous scope for advantage to the people of Victoria and is of interest to the whole State.

I wonder whether the new Government tourist authority will have any influence on the tourist industry as a whole beyond providing the areas for which it is responsible under clause 3, and again I hope that this will underline the importance of clause 14 (*b*). I do not wish to go through the whole of the tourist industry, but wish to reiterate many of the points made by Mr. Elliot with which I find I can readily agree.

I wish to congratulate the Government generally on looking at the tourist industry. I hope that in fact it continues to give it emphasis and the importance it deserves. I would like to think that whoever takes over the important positions in the new authority will have the ability and enthusiasm Mr. Elliot displayed to sell tourism in Victoria. With the one reservation which has already been clearly expressed in the House from the National Party and which I again repeat but which I think has had a

great deal of esteem taken out of it by the presentation by the Minister, I indicate that the National Party generally welcomes the majority of the provisions in this Bill.

The Hon. J. A. TAYLOR (Gippsland Province): Firstly I congratulate Mr. Elliot on explaining the co-operation needed between private travel agents and the new authority. I hope that has allayed the fears of the National Party in that respect.

I recently travelled throughout east Gippsland and found that in every case there was tremendous support for Victour and its promotion of tourism in the area.

I mention one point to the Minister where there is a hole in the net of tourism promotion. When a person arrives in an area, for example, Orbost, there is no local information area available to people. The area of movement into Gippsland by Victour and the Victorian Eastern Development Association is excellent but once one arrives in an area there is a problem.

The expertise required in selling travel and almost any other commodity has changed considerably from a few years ago—even since the 1950s and 1960s. Because of this the Minister has decided that a change must occur.

There have been some rumours that perhaps the staff of Victour did not have the necessary qualifications and expertise to carry out the job that was needed. One section of the Bill virtually guarantees employment for all of the existing staff within the new authority with the complete retention of all their benefits. Perhaps the Minister can enlighten me about the situation there.

There has always been in my mind the question of whether we really need a statutory authority. If we brushed up the existing organization perhaps it could do the job. Once one creates another statutory authority it becomes a little kingdom. Perhaps in some cases there is not enough Ministerial control and direction over the authority so it tends to go off the rails. I am sure the Minister will understand my point and while he is still Minister see that direction and control are exercised by him and the functions of the authority will continue to improve each year. I wish to join with the other members in congratulating the Minister for bringing forward this Bill and also wish the new authority well in its field of travel.

There has naturally been some concern about several points. Mr. Evans mentioned one. When the operation commences and the teething time and settling down period is over and they get right down to business he will find the selling of travel in Victoria will be excellent and the authority will have the co-operation, as Mr. Elliot said, of private travel agents. I am sure honorable members all wish the new authority well in future.

The Hon. K. I. WRIGHT (North Western Province): Earlier speakers have favourably and adequately covered the general provisions of the Bill. I would like to deal with two problems and ask the Minister to comment on them when he makes his Committee address.

In Mildura there is a branch of the Victorian Government Tourist Bureau. It is one of the few country centres with a branch. That branch of Victour, as it is now known, has played a big part in building the tourist industry in Mildura area up to $40 million a year. At this stage, it is a greater revenue producing industry than dried fruits and citrus, separately. This is a big advance from the earlier days. I commend the staff who have passed through the Victour office—those who are there now, and those who were there previously —for the dedicated manner in which they have sold tourist business. There is some fear amongst the staff about their future and I would appreciate a comment from the Minister on this aspect.

From 9,000 to 10,000 people pass through the Mildura Victour office each month, and of that number 3,000 purchase some type of travel either within the Mildura district or for some tour farther afield. Now that this authority is being formed, I am concerned that attention will not be given to those 6,000 people who are non-revenue producing. I ask the Minister to ensure that Victour will continue to give these people the good and informative service that they have given to them in the past.

I have my reservations about this Bill. It has been introduced fairly hastily and there has not been sufficient time for the people involved in this field to consider its implications. Only yesterday, I was contacted by some people who realized its implications for the first time.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Establishment of Victorian Government Travel Authority).

The Hon. D. G. CROZIER (Minister of Tourism): Mindful of the day and the hour, I will try and condense my comments. The Government regards this as an important measure. In a day and age of increasing political polarization it is refreshing to have a degree of consensus on occasions among all parties over a measure. I pay tribute to the co-operation, help and support I received from the many people I mentioned in my second-reading speech. Honorable members would agree that all wisdom does not reside in any one part of Parliament, and where there can be a bipartisan approach, it is highly desirable.

In this Chamber we have in the person of Mr. Elliot someone who probably knows more about the travel business than any other member of Parliament. I am thankful to Mr. Elliot for his examination of the proposals, also for the dedication and hard work of the party committee led by the honorable member for Heatherton, Mr. Lou Reese, and the many officers of my own department. Contrary to what Mr. Wright has been told by his constituents or by members of the industry, the Bill is the result of many months of careful examination. It was first under consideration last year. There was no great reaction from the industry. Some apprehension was expressed, which was understandable, and the reservations expressed by Mr. Wright, and to a lesser degree by Mr. Evans, are legitimate.

I hope what I said in the second-reading speech, together with the comments of Mr. Elliot and Mr. Taylor, will go a long way towards allaying the fears of those in the commercial travel industry. The industry is renowned for its volatility and competitiveness, but as has been explained, the purpose of the Bill is to promote the functions that Victour carries out. The advantages of this restructuring will facilitate this operation.

I agree with Mr. Taylor that there is a need for more tourist information to be available, and the reaction he and his colleagues received on the trip to which he referred would not be simply confined to the Gippsland region. I do not disparage the efforts that are made by the regional tourist authorities. Their efforts, in conjunction with those of the department and other interested groups and individuals, will heighten the awareness of people to Victoria as a tourist attraction.

I assure Mr. Evans, Mr. Wright and any other member who may have residual worries about the operation of the new authority, that its primary purpose is as set out in clause 13, which reads—

> (1) The functions of the authority shall be—
>
> . . . .
>
> (2) In carrying out its functions under this Act the primary responsibility of the Authority shall be to promote market and arrange travel to and within Victoria.

Mr. Elliot suggested that the concept of this authority will generate business and act as a catalyst for the tourist industry. The purpose of the Bill is not to diminish the scope of those travel agents currently in the business, or those who it is hoped will be attracted to the Victorian travel industry, as a result of the part the authority will play in expanding the travel industry.

Mr. Wright mentioned two other matters of concern. In regard to the future of the staff at Mildura, I said in my second-reading speech that the Government confidently expects that the majority of the staff will elect to join the new authority. This is the wish of the Government because it is fully cognizant of the expertise and professionalism of many officers currently in the tourist bureau.

I pay my tribute also to the Mildura tourist office because that is one of the areas in this State which has been extremely well served by the present Victour. I assure Mr. Wright that it is the wish of the Government that officers who have a real and genuine interest in the tourist industry will have every opportunity of pursuing a career in travel in this organization with a degree of professionalism which, in the past, by virtue of its structure, was not possible.

Mr. Wright mentioned the question of the traditional service provided by the staff of Victour, Mildura. It is certainly the Government's intention and will be the intention of the new authority to continue the service aspect of Victour. While sharpening its marketing edge—we all realize this is an essential service—it is an adjunct to the responsibilities of the Government in the tourist industry and to the tourist industry.

The Hon. D. G. ELLIOT: It has the advantage of being domiciled in the same office as the regional tourist bureau.

The Hon. D. G. CROZIER: That is an important aspect and I am indebted to Mr. Elliot for reminding me of it. This is another example of the type of co-operation that we seek to promote.

Although the Bill makes it plain that staff members recruited from now on will be outside the Public Service, it is in no way intended that the present members of the bureau will be discouraged from joining, and especially if officers have exhibited a track record as have those at the Mildura office.

This measure has been carefully examined and researched. I am indebted to Mr. Elliot and others who have assisted in this examination. Because of the response we have had and the input from people who know the tourist industry, and in spite of the controversial aspects—there are some in this development, which I freely concede—I have no doubt that on balance this authority will mark a milestone in assistance to the travel industry in Victoria. In addition to making its mark quickly, I have no doubt that it will prove its worth in promoting this industry not only for the economic advantages that the tourist industry brings, particularly to country areas where there is a downturn in many industries, but also for the desirable facets of development of a tourist industry beyond purely economic considerations. I have no doubt that this will be a more appropriate structure to assist further a dynamic and challenging industry.

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.

PAPERS.

The following papers, pursuant to the directions of several Acts of Parliament, were laid on the table by the Clerk—

Hospitals and Charities Commission—Report for the year 1976-77.

Youth, Sport and Recreation—Report of the Director-General for the year 1976-77.

QUESTION ON NOTICE.

The Hon. V. O. DICKIE (Chief Secretary): By leave, in view of the detailed nature of question No. 602, I shall forward an appropriate statement to the honorable member.

ADJOURNMENT.

CHRISTMAS FELICITATIONS.

The Hon. V. O. DICKIE (Chief Secretary): By leave, I move—

That the Council, at its rising, adjourn until a day and hour to be fixed by the President, or if the President is unable to act on account of illness or other cause, by the Chairman of Committees, which time of meeting shall be notified to each honorable member by telegram or letter.

Before the final motion is moved, I should like to say that the end of the spring sessional period of Parliament comes around quickly, as do birthdays and other annual events. It is a time to pay tribute to the people who have been of great assistance to both myself and to all members of this House.

This is the second occasion on which I have found myself in the position of Leader of the House, paying tribute to various people. To you, Mr. President, the presiding officer of the House, I should like to say how much I personally, and I am sure I speak for everybody, appreciate the magnificent way in which you have guided us on the correct procedures, adhering as you have at all times to Standing Orders, but doing it in a way that has been tinged with pride.

You have followed a long line of Presidents. I have had the honour of sitting in this House under five Presidents, and you in no way lose in comparison with the way in which other Presidents have handled the business of this House. You have a character of your own and have applied it. As my deputy said last night, "We love you, Bill Fry". You rather flinched from that statement, but we use it in an endearing way. I should like once more to say that you have occupied that chair this year in a wonderful way and I pay my personal tribute to you.

I could not let the occasion pass without thanking my Ministers most sincerely. The Honorable Alan Hunt, my deputy, has been a tower of strength as have Vasey Houghton, Jock Granter, Digby Crozier, and Haddon Storey. They have always been there when the whips were cracking. It is an onerous task handling legislation in this House. This House has six Ministers, whereas once it had only four. I was on the end of the bench, and when legislation was brought in, the Leader of the House would look at it and if he did not like it he would push it down to the next Minister on the bench. I took care of all the Bills that nobody wanted to handle. But now things are organized in a much better manner. Each Minister has his own Ministry and represents a Minister in another place.

I believe everyone realizes that in this House my deputy Alan Hunt and I have been under great pressure, not only in running a department but in running the House. I know Alan and I are pleased this day has arrived, because it removes one burden from our shoulders.

My Whip, the Honorable Glyn Jenkins, does a magnificent job. He is always there and lets me know how many speakers there will be. They are always popping up. As far as the organization of business of this House is concerned, if I had known at 3 p.m. today, before Alan made his second-reading speech on the Local Government (Miscellaneous Provisions) Bill, what I knew at 4 o'clock, the House would have risen an hour earlier. I thank my Whip very much.

My good friend Mr. Galbally, the Leader of the Opposition, has been a tower of strength to me—I say that most sincerely—in running the business of this House. Everyone realizes that the Leaders must get together to put the business into some order. I have tried to do so, and I think everyone will agree that we have been able to adjust the business of the House in such a way that

whenever somebody comes to me and says, "Could you possibly delay that for a little while, because I will be at some function?", I do it readily. In the other place they debate and divide for two days if anyone dares to try to move a Bill a little further down on the Notice Paper! We get on very well the way we are.

I thank Mr. Galbally very much; I know he also has had a trying session because of the bereavement he suffered, and he has done magnificently under severe stress and strain during this session.

The Deputy Leader of the Opposition, Mr. Walton, is a long-serving member of this House. Whenever it has fallen to his lot to look after the business when his Leader has been away, I have found Mr. Walton to be just as co-operative in every way as his Leader.

I also thank Mr. McDonald and Mr. Dunn, the Leader and Deputy Leader of the National Party, for their co-operation. I know there are occasions when I have missed out on letting them know what is going on, but usually when I have gone to them to apologize for that, I realize that they have found out already through the grapevine. They have appreciated that the Leader of the House cannot always get his moves across to the Leaders of the other parties. Again, I thank Mr. Galbally, Mr. McDonald and their Deputy Leaders.

The Chairman of Committees, Mr. Campbell, has done a wonderful job, as has the Acting Chairman, and I appreciate the wonderful service they have given.

I also thank the officers of the House—the Clerk of Parliament, Mr. Bruce McDonnell, his assistant, Mr. Graham Grose, and the Usher of the Black Rod, Mr. Bob Evans. One cannot say anything different about these men each year because they do their part so magnificently that one can only say a sincere "thank you" to them.

I thank the House attendants for their service; and thank that magnificent character, Mr. George Oliver, for the way in which he looks after our every need and provides assistance. It is a wonderful thing for the Ministers and Mr. Galbally to know that at the press of a button Mr. Oliver will be here. He is equally attentive to the other members of the House, and that is greatly appreciated.

I thank my personal attendant, Mr. Lou Rezarra, who also meets the needs of the President, for keeping my room in a tidy condition and always being around to do little things.

I also thank the staff of *Hansard*. Speeches are always much better when one reads them than they were when one made them in the House. The *Hansard* staff do a wonderful job.

I do not want to go outside the House in extending my appreciation and Christmas greetings. All members will now go home to their various electorates to fight the good fight on behalf of the parties they represent. There will be a winner and a loser, but we will all come back in the game of politics, having put another Federal election behind us, and in twelve or eighteen months' time Victoria will be facing another State election.

Christmas comes only a fortnight after the Federal election. I extend to all members, their wives and families, my best wishes for a happy Christmas and New Year. I hope that in travelling along the roads none of us will become a victim of the dreadful road toll, and that none of our relatives will be involved in accidents.

I look forward to seeing all honorable members back here at the time and date to be announced by the President, which will be early in the New Year, fit, well and ready to do battle again.

The Hon. J. W. GALBALLY (Melbourne North Province): The ready co-operation that the Leader of the

House displays in arranging the business of the House is in the best traditions of Parliamentary Government. Nobody in this House can say that we have wasted even a minute arguing about what we are going to do. That system has prevailed in the House as long as I have been a member, and I am proud to be associated with it.

The Leader of the House, Mr. Dickie, paid tribute to his Ministers and thanked them for their co-operation, and we do the same. It is easy to ask a Minister if a matter can be held up or put aside for a few minutes. Those devices and requests act in aid of Parliamentary Government, not in derogation of it.

Mr. President, it is a source of comfort to all of us that not even the most turbulent of your flock has incurred your Presidential wrath this year. Not even a polite rebuke has fallen from your lips. Perhaps we are all getting a little old!

The Clerks of the Parliament, Mr. McDonnell, Mr. Grose and, in another category, Mr. Evans, the Usher of the Black Rod, display a deep learning and knowledge of the Parliamentary system and always give me the impression that they have an abiding faith in it. In all the years that I have been a member of this House, the Usher of the Black Rod has never had to lift the Black Rod in anger!

I thank our athletic and handsome Housekeeper, Mr. Oliver. I may not be able to achieve it, but now that Len Thompson has retired, what a magnificent replacement Mr. Oliver would make! He may also be a little expensive. Mr. Oliver always gives the impression that he revels in his work, and displays an eagerness to help.

The hour is getting late, and I will leave it to you, Sir, to thank on behalf of the Opposition the staff of *Hansard* and the Librarian and all her competent and devoted staff. We extend our goodwill to all members of this House. I crave forgiveness for past indiscretions, and display a firm purpose of amendment.

At times we all forget the media, but without the media Parliament would be unknown. I know from time to time that members would have liked those magnificent speeches they make to have been printed on the front page, and are disappointed to find only a small paragraph in the section on farming news! Still, the media does a magnificent job, and in my opinion its integrity is above reproach. God bless you all.

The Hon. S. R. McDONALD (Northern Province): On behalf of members of the National Party, I support the remarks that have already been made by the Leader of the House, Mr. Dickie, and the Leader of the Opposition, Mr. Galbally. I express my party's appreciation to the Leader of the House and the Ministers for their consideration throughout the session. The Leader of the House is to be commended for having continued the tradition started by earlier Leaders of the Government in preserving the rights and privileges of the Opposition and the National Party and, most importantly, the rights of individuals to put forward a point of view by introducing private member's Bills or using some other form of this House.

It is most important that the long and valued tradition of this Chamber should continue. I thank my colleagues, Mr. Dunn, Mr. Bradbury, Mr. Wright and Mr. Evans, sincerely for their support and assistance throughout the year. It is not an easy task for them at times because, in common with other members of the House who live a long distance from Melbourne, it is difficult to reconcile ones electorate commitments with travelling to and from this Chamber.

To you, Mr. President, I add my thanks and commendation for the manner in which you have conducted your high office. Your manner in dealing with those members who occasionally go beyond the rules with

interjections and that sort of thing and your stern schoolmasterish attitude is what is required on such occasions. I am waiting for the time, although I may never see it, when you have to use that Standing Order which has not been used for a long time in this place.

To the Clerk of the Parliament, Mr. McDonnell and his assistants Mr. Grose and Mr. Evans, I also add my thanks. Without them this place would not function anywhere near as efficiently as it does at present.

To Mr. Oliver and his staff, we are indebted for what they do for our comfort to make life reasonably easy for us in this place. To the other persons associated with this Parliament in a variety of ways which I have not mentioned already, I add my party's thanks.

To every member of this Chamber, to the officers and the other persons to whom I have referred, on behalf of my party, I extend to them best wishes for the very best of good health and happiness during the Christmas and New Year period, and express the hope that we will all be back here next year as safe and sound as we are today.

The Hon. D. G. ELLIOT (Melbourne Province): Mr. President, last night you hosted a most memorable dinner the theme of which was somewhat nostalgic. I think everybody indulged in memories. You, Sir, used the word on numerous occasions and I think at one time you nearly broke into the song to that great old melody—

> Memories, memories dreams of love so true, . . . all the sea of memories come drifting back to you.

His Excellency the Governor, Sir Henry Winneke, bless him, I am pleased to say, requested a copy of the little tribute that I paid to him in verse. I was reminded of it this morning and it has already been sent. I thought I should report that to you, Sir, in case I was in need of your future protection. With that in mind, I thought I would use the theme of memories in these wishes for 1977—

> Memories, memories, another year has passed,
> I often wonder, Mr. President,
> If for me it is the last.
> I love this place,
> I like every face,
> And wherever lies our fate,
> I hope now and then,
> We'll recall where and when
> And still call each other "Mate".

The PRESIDENT (the Hon. W. G. Fry): I thank Mr. Elliot for finishing up in the traditional way these Christmas felicitations. It would be churlish of me if I were not to say to the Chief Secretary, Mr. Galbally, and Mr. McDonald a sincere thank you for the very fine words you have said of me. I am somewhat of an Anglo-Saxon in this regard and find it very difficult to take these compliments and reply to them. I appreciate them extremely and I express my sincere thanks for what you have said.

The good work of the Leader of the House has continued this year. When he started off, as the older members will know, this House frequently sat late into the night and honorable members got home in the early hours of the morning. That has all changed. The House now meets at more reasonable hours and that has continued. With the co-operation of the Leader of the Opposition and the Leader of the National Party, it has been possible to get through the work of this House within a reasonable time. Even during this silly season when work crowds up, the work has flowed through much more evenly and without too much trauma, and also without too much sitting at night.

I say to my Deputy President, Mr. Campbell, that it has been a pleasure to have him always on tap. I have only had to say that I need to attend to some matter outside the Chamber for a period, sometimes up to an hour, and Mr. Campbell has simply cancelled his own arrangements to en-

sure that things were in hand. That is how it ought to be and I appreciate what he does.

I also thank those members who act as the party Whips, Mr. Jenkins, Mr. Dunn and Mr. Eddy, for keeping the quotas up and ensuring that a quorum was always present. We have teetered on the brink over the past week once or twice but it has been possible to complete the year without the necessity of ringing the bells to get a quorum in the House. It is many years since it has been necessary to ring for a quorum and I thank honorable members for their co-operation and also the party Whips for their efforts in ensuring that a quorum is always present because it is not right that the business of the House should be delayed while we wait for members to come back from business not concerned directly with what is happening in this Chamber. After all, that is the prime purpose for our being here.

I thank the officers at the Table, the Clerk of the Parliaments, Mr. McDonnell who passes up his *May* with " GG " on it. I take it that that does not mean the Governor-General but Mr. Graham Grose. The three officers act with impartiality towards all members of this House. I know that honorable members approach them from time to time to ascertain whether what they propose comes within the Standing Orders, and I know that they receive impartial advice. I thank them for the support that they have been to me during this year because one does not stand alone in this job; one needs many people to support him and over the past year the Clerks have been a great support to me.

I also thank the Librarian who is doing a magnificent job with her loyal and dedicated staff. For the first time, this year Miss McGovern has had tabled in Parliament a report on the activities of the Parliamentary Library and I suggest that, when the pressures of the session are over, honorable members might study the report and suggest what they think should be done with the massive reorganization that will have to be undertaken.

As previous speakers have done, I also thank Mr. George Oliver and his team of house officers, many of whom are not seen in this House very often—one or two of them are. They are very willing workers and only too eager to assist us in all that we do, whether it is connected directly with the Parliament or, from my point of view, whether it is the need for new ribbons to replace the tattered ones or even, when Her Majesty the Queen came here, finding me a pair of black trousers so that I could appear before her, when I had left my own at home. All these problems, whether they involve ambassadors or trousers, Mr. Oliver simply meets them as they come along and solves them all.

I also thank the Papers Room staff and the Clerk of the Papers, Mr. Tunnecliffe, who have worked magnificently. Mr. Bob Duguid and his staff have also helped to make life around here bearable and far more pleasurable.

The *Hansard* staff under Mr. Stuart, who work extremely hard to prepare the record of our debates deserve our thanks. I do not know what we would do without them. When I read *Hansard* I think what marvellous orators this Chamber holds. I ask honorable members to co-operate with *Hansard* and perhaps I will say a few words about that on another occasion.

The refreshment room staff, including Mr. Barry, Mr. Kerr and Miss Lahiff, who look after our " inner man " so well, give us every aid and assistance possible and seem to make this a brighter place.

My special thanks go to my secretary, Miss Green, my orderly, Mr. Rezarra, and my driver, Mr. Bert Fleming. I could not cope without him. Sometimes we attend three different meetings in a night and arrive home extremely late, yet next morning he always greets me with a smile,

as does Mr. Rezarra, when I arrive at this place. Miss Green is my right hand and without her keeping the diary I would founder on the rocks around me.

At this time we should not forget the people whom we do not often see. The staff of the Government Printing Office. Without the assistance of the Government Printer this place could not function. No matter how late the House sits the Notice Paper is always available right on the dot next day. I want the staff of the Government Printing Office to be aware that we appreciate their efforts.

The people who tend the gardens are to be congratulated. I love to walk in the gardens here at night and at the moment the perfume of the stocks is a delight. Mr. Ashton and Mr. Jack Harris do a wonderful job in maintaining the gardens, the bowling green and the tennis court. Mr. Les Wade also does a wonderful job in Parliament House and his cheery smile always brightens my day.

I was moved by Mr. Elliot's poetry and I wonder who will take over if he leaves. I have been inspired by an old poem—

If I were a Cassowary,
On the plains of Timbuctoo,
I would eat a missionary,
Coat and bands and hymn-book too—

to attempt to grasp the crown of poet laureate, and I make this offering—

I wish I were a knight of old,
I'd roam these precincts on a horse,
I'd incarcerate long-winded talkers,
Their books and notes without remorse.

Christmas is a time for families, and I wish each and every one of you and your wives and families a happy and holy Christmas. I hope the Christmas season sees you all safe and able to come back refreshed in the New Year. I wish you, one and all, a happy Christmas.

The motion was agreed to.

The House adjourned at 5.57 *p.m.*

QUESTIONS ON NOTICE.

PRISON OFFICERS.

(Question No. 505)

The Hon. R. J. EDDY (Thomastown Province) asked the Minister of Health, for the Minister for Social Welfare—

(*a*) What was the number and percentage, respectively, of Victorian prison officers who—(i) resigned; or (ii) retired early due to ill-health, in each of the past five years?

(*b*) Will he ascertain and inform the House of the comparable rates for the other States and Territories?

The Hon. W. V. HOUGHTON (Minister of Health): The answer supplied by the Minister for Social Welfare is statistical, 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*) Resignations and retirements due to ill-health of Victorian prison officers over the past five years are as follows—

	Staff establishment	Resignations		Ill-health retirements	
		Number	Percentage	Number	Percentage
1972–73	517	54	9·6	6	0·9
1973–74	564	63	9·0	4	0·1
1974–75	584	87	6·7	7	0·8
1975–76	619	73	8·5	9	0·7
1976–77	610	92	6·6	22	2·8

(*b*) The Director-General of Social Welfare has written to the relevant departments of the other States and the Northern Territory enquiring if they might provide comparable information. I will make those figures available to the honorable member as they become available.

FACILITIES FOR PSYCHIATRISTS TO INTERVIEW PRISONERS.

(Question No. 590)

The Hon. R. J. EDDY (Thomastown Province) asked the Minister of Health, for the Minister for Social Welfare—

Are reasonable facilities available for private psychiatrists to interview prisoners within penal institutions in order to write reports to solicitors and courts, and are such psychiatrists able to visit on all days of the week?

The Hon. W. V. HOUGHTON (Minister of Health): The answer supplied by the Minister for Social Welfare is—

When prisoners require interviews by private psychiatrists such interviews are invariably conducted at the metropolitan prisons, Pentridge and Fairlea. There are few occasions when psychiatrists wish to interview prisoners at country prisons.

Facilities at Pentridge are quite adequate for the conduct of psychiatrists' interviews and although facilities are limited at Fairlea because there is only one multi-purpose interview room available, a satisfactory alternative arrangement can generally be made.

Interviews are normally conducted on week days only, however the superintendent or governor of each prison has the authority to approve whatever visits thought appropriate and I believe that on occasions the superintendent of Pentridge has permitted psychiatrists' interviews on Saturdays.

LANGI KAL KAL FIRE PRECAUTIONS.

(Question No. 594)

The Hon. R. J. EDDY (Thomastown Province) asked the Minister of Health, for the Minister for Social Welfare—

Has he received a letter from the Langi Kal Kal Rural Fire Brigade claiming that fire precautions at Langi Kal Kal Youth Training Centre are inadequate; if so, what action will be taken?

The Hon. W. V. HOUGHTON (Minister of Health): The answer supplied by the Minister for Social Welfare is—

Yes, I received a letter from the Secretary of the Langi Kal Kal Rural Fire Brigade on 5th October, 1977, indicating that there were inadequate fire protection facilities at the youth training centre. The secretary, Mr. R. K. Cannes, requested that the department consider providing a new tanker for the centre as the existing unit is in poor mechanical condition.

I have replied to Mr. Cannes and explained that the centre's fire truck has now been mechanically repaired and it is considered adequate for the purpose of fighting fires that might occur within the residential area at Langi Kal Kal. The capacity of the existing pump on the unit is being examined with a view to replacing it with a more adequate model if necessary and, furthermore, the superintendent of the centre is currently forming a team of volunteers, comprising both staff and trainees, for training purposes in fighting fires and operating the fire truck. The superintendent is also examining the guidelines for determining the limitations in the use of the truck in the surrounding areas although it is considered that the care and protection of the entire area is the prime responsibility of the Country Fire Authority.

I have had a review carried out on all fire fighting equipment existing at the centre and propose to inspect the area in the near future in company with local members Messrs. A. T. Evans and Austin. My department will do its utmost to provide adequate facilities for its own area and will co-operate to the fullest in fighting fires in the district.

FOSTER CHILDREN.

(Question No. 646)

The Hon. R. J. EDDY (Thomastown Province) asked the Minister of Health, for the Minister for Social Welfare—

Is it the intention of the Social Welfare Department to place Stephen and Mark Wise as foster children with Mr. and Mrs. E. King at Bendigo?

The Hon. W. V. HOUGHTON (Minister of Health): The answer supplied by the Minister for Social Welfare is—

The foster placement of Stephen and Mark Wise is still being considered by the department and several alternatives are being examined. One possibility is that either or both of the boys be placed with Mr. and Mrs. King but as yet that couple have not been fully assessed as foster parents.

POOR BOX FUNDS.

(Question No. 609)

The Hon. R. J. EDDY (Thomastown Province) asked the Attorney-General—

What was the amount contributed through the poor box in each court house in each of the past five years?

The Hon. HADDON STOREY (Attorney-General): The answer is statistical and 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 total amounts paid into poor box accounts at Magistrates' Courts, and the total amounts paid out of such accounts in the calendar years 1973, 1974, 1975 and 1976 and in 1977 to 30th September were as follows—

Court	Calendar year	Receipts		Payments	
		From contributors	From other poor boxes	To or for assisted persons	To other poor boxes
		$	$	$	$
Ararat	1973	740	..	711.24	..
	1974	117.25	400	516.30	..
	1975	165	450	595.20	..
	1976	580	..	494.50	..
	1977 (to 30 September)	535	..	557.50	..
Bacchus Marsh	1973	590	400	20	..
	1974	1,395	..	1,440	750
	1975	1,160	400	723	750
	1976	1,125	..	790	..
	1977 (to 30 September)	1,800	..	800	500
Bairnsdale	1973	1,310	..	819.90	..
	1974	870	..	1,822.12	..
	1975	2,120	..	1,550	..
	1976	3,129	..	3,771.50	..
	1977 (to 30 September)	2,900	..	2,382	..
Ballarat	1973	1,584	..	1,616	..
	1974	564.21	1,350	1,700.25	..
	1975	1,091.47	500	1,833.90	..
	1976	1,600.85	1,500	2,740.32	..
	1977 (to 30 September)	2,156.10	750	2,940.60	..
Beechworth	1973	443	..	401	..
	1974	880	..	445	..
	1975	475	..	757	150
	1976	1,532	..	775	..
	1977 (to 30 September)	1,050	..	1,685	..
Benalla	1973	424.42	..	541.20	..
	1974	92.41	..	144.75	..
	1975	205	..	75	..
	1976	2,969.63	..	1,168.75	..
	1977 (to 30 September)	1,927.97	..	2,685	..
Bendigo	1973	1,239	..	1,326	..
	1974	1,358.90	..	1,487.55	..
	1975	3,029.32	..	2,500.75	..
	1976	3,435	..	3,725	250
	1977 (to 30 September)	3,612.25	..	3,676	..
Box Hill	1973	1,830	..	2,327.50	..
	1974	6,732	..	3,184.50	2,600
	1975	7,474.72	..	5,392.20	2,500
	1976	6,755	..	4,947	1,900
	1977 (to 30 September)	6,680	..	5,352.60	600
Brighton	1973	3,078.10	..	2,884.16	..
	1974	3,335.62	..	3,369.80	..
	1975	3,698.02	..	3,445.71	100
	1976	12,198.26	..	6,166	5,900
	1977 (to 30 September)	6,585.64	..	2,777.50	2,400
Broadmeadows	1973	4,024	..	2,428	37
	1974	3,644.80	..	4,829.87	200
	1975	8,231.80	500	8,208.60	65
	1976	9,353.44	..	9,148.69	30
	1977 (to 30 September)	5,566	1,450	7,159	575
Brunswick	1973	2,476	..	1,849	600
	1974	3,021	..	2,612	300
	1975	4,610	..	3,823	..
	1976	3,850	1,300	4,931	..
	1977 (to 30 September)	4,443	600	5,833	..
Bunnyong	1973	465	..	547	400
	1974	60	..	..	..
	1975	100	..	..	100
	1976	100	..	75	..
	1977 (to 30 September)	65	..	..	100
Camberwell	1973	1,945	..	1,419	..
	1974	7,613	..	7,282	1,100
	1975	10,195	..	10,062	950
	1976	5,879	60	4,764	1,600
	1977 (to 30 September)	4,797	200	4,715	..
Camperdown	1973	874.86	..	656.50	..
	1974	710.73	..	446	100
	1975	2,867.66	..	1,781.80	..
	1976	1,352.60	..	1,170	..
	1977 (to 30 September)	393.05	..	1,820	..

Court	Calendar year	Receipts		Payments	
		From contributors	From other poor boxes	To or for assisted persons	To other poor boxes
		$	$	$	$
Carlton	1973..	3,385.42	..	1,671.50	..
	1974..	603	..	1,293.80	200
	1975..	2,375	..	2,651	200
	1976..	8,171	..	8,012.52	500
	1977 (to 30 September) ..	7,047	..	5,673.33	250
Casterton	1973..	40	..	..	..
	1974..	..	..	..	..
	1975..	65	..	20	..
	1976..	..	..	..	..
	1977 (to 30 September) ..	40	..	15	..
Castlemaine	1973..	170	..	90.60	..
	1974..	175	..	305	..
	1975..	24.50	..	100	..
	1976..	435	..	..	..
	1977 (to 30 September) ..	200	..	245	..
Chelsea	1973..	520	100	450	..
	1974..	2,600	200	2,000	..
	1975..	2,280	..	2,260	..
	1976..	1,080	200	1,550	..
	1977 (to 30 September) ..	1,000	500	1,660	..
Cheltenham	1973..	1,377	..	940	..
	1974..	771.66	..	1,866	..
	1975..	2,909	..	2,415	..
	1976..	4,890	500	5,354	..
	1977 (to 30 September) ..	9,104.55	..	5,085	2,900
Coburg	1973..	3,130	200	2,492	..
	1974..	2,763	700	4,506	..
	1975..	3,238	900	3,537	..
	1976..	4,290	600	4,719	300
	1977 (to 30 September) ..	2,865	200	3,463	..
Colac	1973..	1,701.46	..	1,211.26	..
	1974..	1,663.89	..	1,962.48	..
	1975..	2,694.88	..	2,421.40	..
	1976..	1,737.71	..	2,108	..
	1977 (to 30 September) ..	877.97	..	1,360.10	..
Collingwood	1973..	5,344.53	250	4,872.92	300
	1974..	2,013	300	1,992.42	550
	1975..	4,294	..	2,882.79	600
	1976..	5,762	..	3,695.54	1,000
	1977 (to 30 September) ..	5,337.15	..	2,551.14	2,000
Dandenong	1973..	1,777	..	1,871.08	..
	1974..	7,737	..	7,850	200
	1975..	10,150	..	10,011	..
	1976..	10,220	..	10,746	200
	1977 (to 30 September) ..	9,381 50	..	7,176.51	..
Dayleaford	1973..	..	..	25	..
	1974..	130	..	99.25	..
	1975..	65	..	155	..
	1976..	775	..	97	..
	1977 (to 30 September) ..	305	..	615	..
Dromana	1973..	1,950	..	786	100
	1974..	1,145	..	1,066.50	..
	1975..	4,295	..	2,035.18	..
	1976..	2,530	..	2,360	2,200
	1977 (to 30 September) ..	3,305	..	2,117.63	2,200
Eaglehawk	1973..	222	..	50	..
	1974..	195	..	447	..
	1975..	436	..	25	100
	1976..	330	..	400	..
	1977 (to 30 September) ..	350	..	290	..
Echuca	1973..	879	..	162.60	..
	1974..	1,196	..	1,651.50	..
	1975..	2,400	..	2,103	..
	1976..	1,838	100	2,125.23	100
	1977 (to 30 September) ..	1,183	..	1,385	..
Elsternwick	1973..	4,919.56	..	1,883	700
	1974..	1,043.64	..	922	1,400
	1975..	2,247	..	1,138	950
	1976..	2,026.59	..	1,704.50	1,850
	1977 (to 30 September) ..	1,863.51	..	1,495	600
Eltham	1973..	970	..	1,125	..
	1974..	1,390	..	1,774.50	..
	1975..	2,330	..	2,270	300
	1976..	2,760	..	1,461.55	500
	1977 (to 30 September) ..	3,646	..	2,425.30	700
Fern Tree Gully	1973..	3,202.11	..	1,848	50
	1974..	1,486.40	..	2,280.07	..
	1975..	1,280	..	1,207.06	..
	1976..	3,685	..	2,587.36	600
	1977 (to 30 September) ..	2,060	..	1,762.48	200
Fitzroy	1973..	1,103	1,600	2,299	..
	1974..	320	2,500	2,487	..
	1975..	1,460	3,750	5,636	..
	1976..	4,908	1,050	5,828	..
	1977 (to 30 September)..	6,323	1,000	6,840	..

Court	Calendar year	Receipts		Payments	
		From contributors	From other poor boxes	To or for assisted persons	To other poor boxes
		$	$	$	$
Flemington	1973..	7.42	550	902	..
	1974..	3,374.94	250	1,482	150
	1975..	5,722.36	..	2,583.30	3,500
	1976..	5,867.97	..	6,333.10	1,300
	1977 (to 30 September) ..	5,233.51	..	4,691.50	300
Footscray	1973..	3,432.71	..	1,873.93	..
	1974..	5,339.05	..	6,076	..
	1975..	7,134.29	1,350	8,679.97	150
	1976..	10,705.58	500	9,563.80	200
	1977 (to 30 September)..	5,195.70	..	5,603.30	..
Frankston	1973..	3,374.40	..	3,180.29	..
	1974..	1,950.70	..	2,228.25	8
	1975..	8,347.24	320	6,508.80	200
	1976..	1,298.80	..	2,064.50	400
	1977 (to 30 September) ..	4,788.70	..	4,961	300
Geelong	1973..	5,118.29	375	4,261 55	..
	1974..	7,036.05	120	8,533.65	..
	1975..	9,614.54	301.35	9,907.88	45
	1976..	12,431.68	255	12,638.85	..
	1977 (to 30 September) ..	8,161.76	466	9,149.08	..
Hamilton	1973..	341	..	155	75
	1974..	225	..	73.45	150
	1975..	485	..	87.50	75
	1976..	381	..	713.02	200
	1977 (to 30 September) ..	445	..	550	..
Hawthorn	1973..	2,433.85	..	2,388	850
	1974..	4,688.11	..	2,933	500
	1975..	6,580.06	..	4,968.66	1,500
	1976..	2,970.87	..	2,796	560
	1977 (to 30 September) ..	1,641.45	..	2,184.90	..
Heidelberg	1973....	5,348.64	..	5,071.29	..
	1974..	2,899.74	..	2,815.34	..
	1975..	1,952.10	650	2,686.04	..
	1976..	6,096.88	1,550	7,730.75	..
	1977 (to 30 September) ..	3,685	1,400	5,061.62	..
Horsham	1973..	260	..	165.80	..
	1974..	465	30	476.06	..
	1975..	355	..	537	..
	1976..	1,080	..	535	..
	1977 (to 30September) ..	1,110	..	1,385	..
Kerang	1973..	305	..	302	..
	1974..	433.50	500	495	150
	1975..	395	..	634.43	..
	1976..	1,177	..	940	50
	1977 (to 30 September) ..	815	..	788.90	..
Kew..	1973..	80	..	315	..
	1974..	2,107.25	..	1,139.20	..
	1975..	7,204	..	8,073.30	500
	1976..	2,195	..	1,893	500
	1977 (to 30 September) ..	2,016	..	1,000	..
Kilmore	1973..	115	..	25	..
	1974..	260	..	50	..
	1975..	410	..	110	..
	1976..	505	..	413	..
	1977 (to 30 September) ..	630	..	395	300
Korumburra	1973..	80	..	65.35	..
	1974..	375	..	405.20	..
	1975..	710	..	465	..
	1976..	800	..	1,079	..
	1977 (to 30 September) ..	1,190	..	898.20	..
Kyneton	1973..	310	..	236.49	..
	1974..	180	..	169.75	..
	1975..	390	..	335	..
	1976..	1,045.52	..	863	..
	1977 (to 30 September) ..	810	..	485	..
Lilydale	1973..	940.35	..	464.20	..
	1974..	142.70	..	368	..
	1975..	433.67	..	426.25	..
	1976..	2,622.71	..	1,001	800
	1977 (to 30 September) ..	2,098.16	..	2,433	300
Maffra	1973..	127.91	..	10	..
	1974..	101.65	..	301.30	..
	1975..	453.20	..	330.25	..
	1976..	659.76	..	266.19	..
	1977 (to 30 September) ..	720.53	..	135.25	..
Malvern	1973..	2,310	..	2,038	..
	1974..	2,403	..	2,518	1,050
	1975..	2,831	..	2,028	450
	1976..	6,844	..	7,283	500
	1977 (to 30 September) ..	6,574	..	3,555	2,700
Mansfield	1973..	305	..	550	..
	1974..	..	300	412.15	..
	1975..	140	300	200	..
	1976..	1,155	..	1,108.50	300
	1977 (to 30 September) ..	538.44	..	591.04	..

Court	Calendar year	Receipts		Payments	
		From contributors	From other poor boxes	To or for assisted persons	To other poor boxes
		$	$	$	$
Maryborough	1973	320	..	30	..
	1974	220	..	245	..
	1975	150	..	60	200
	1976	400	..	115	..
	1977 (to 30 September)	195	..	510	..
Melbourne	1973	5,040.38	650	4,922.03	..
	1974	7,178.15	1,725	9,306.93	..
	1975	12,007.90	1,100	12,936.51	..
	1976	16,826.13	9,310	26,848.19	..
	1977 (to 30 September)	17,132.88	10,875	27,168.25	100
Melbourne Children's Court	1973	2,665	..	1,726	..
	1974	2,590	..	2,359	..
	1975	1,647	..	2,192	..
	1976	1,432	..	2,474	100
	1977 (to 30 September)	1,335	..	1,053	100
Mildura	1973	550	..	532.45	..
	1974	655	..	1,017.20	..
	1975	1,705	..	1,510	..
	1976	1,850	..	1,100	500
	1977 (to 30 September)	1,205	..	1,309	..
Mirboo North	1973	..	..	..	..
	1974	50	..	..	..
	1975	100	..	..	..
	1976	..	..	25	..
	1977 (to 30 September)	40	..	..	..
Moe	1973	937.68	..	756.41	..
	1974	1,118.93	..	628.50	..
	1975	2,350.34	..	651	700
	1976	1,369.81	..	1,775	1,250
	1977 (to 30 September)	1,279.77	..	875	100
Moonee Ponds	1973	5,209.50	..	4,996.36	..
	1974	6,635.07	..	5,949	600
	1975	9,680.60	100	8,819.10	300
	1976	11,006.20	700	11,230.12	..
	1977 (to 30 September)	10,887.25	..	10,771.86	1,800
Mordialloc	1973	170	..	130	..
	1974	392	..	471	..
	1975	1,600	..	1,829	..
	1976	2,273	750	2,926.50	..
	1977 (to 30 September)	1,550	1,400	2,820	..
Morwell	1973	739	..	609.25	..
	1974	1,445	..	1,204.75	..
	1975	2,525	..	2,711.30	..
	1976	1,015	..	1,392	..
	1977 (to 30 September)	720	..	419	..
Nhill	1973	10	..	32.62	..
	1974	60	..	45	..
	1975	170	..	142	..
	1976	455	..	300	..
	1977 (to 30 September)	185	..	370	..
Northcote	1973	7,070	..	5,304	900
	1974	2,209	..	3,397	800
	1975	2,595	200	2,105	..
	1976	3,505	..	4,273	..
	1977 (to 30 September)	2,232	..	1,933	..
Nurmurkah	1973	210	..	130	..
	1974	30	..	60	..
	1975	55	..	30	..
	1976	1,605	..	620	..
	1977 (to 30 September)	640	..	1,000	..
Oakleigh	1973	4,566	..	4,553	..
	1974	6,791	..	6,792	..
	1975	11,551	300	11,911.24	..
	1976	13,595	..	12,228.41	1,600
	1977 (to 30 September)	10,553.50	500	11,708.53	..
Orbost	1973	344.50	..	117.88	..
	1974	470	..	477.25	..
	1975	622	..	365	..
	1976	1,000	..	727	..
	1977 (to 30 September)	1,163	..	483	..
Ouyen	1973	245	..	208	..
	1974	325	..	400	..
	1975	255	..	210	..
	1976	390	..	210	..
	1977 (to 30 September)	740	..	130	..
Port Fairy	1973	..	..	..	..
	1974	38	..	25	..
	1975	185	..	50	..
	1976	280	..	110	..
	1977 (to 30 September)	65	..	15	..
Portland	1973	387.94	75	365	..
	1974	365	225	653	..
	1975	248	105	327	..
	1976	385	600	856	..
	1977 (to 30 September)	60	..	240	..

Court	Calendar year	Receipts		Payments	
		From contributors	From other poor boxes	To or for assisted persons	To other poor boxes
		$	$	$	$
Port Melbourne	1973..	180	..	20	..
	1974..	1,130	..	1,162	..
	1975..	2,925	300	2,892	100
	1976..	865	1,050	1,952	..
	1977 (to 30 September) ..	660	500	1,267	..
Prahran	1973..	8,864	..	8,649	100
	1974..	3,495	1,600	5,335	..
	1975..	6,035	1,300	7,566	..
	1976..	10,833	4,225	14,970	..
	1977 (to 30 September) ..	7,146	1,200	6,115	500
Preston	1973..	1,198	800	1,992.50	..
	1974..	5,516	550	6,385.40	160
	1975..	8,245	200	7,330.40	600
	1976..	16,987	400	15,120.30	1,700
	1977 (to 30 September) ..	14,210	1,300	14,226	1,200
Richmond	1973..	425.55	..	898.80	..
	1974..	2,606.90	300	2,103	..
	1975..	3,853	900	4,705	..
	1976..	1,515	500	1,865	..
	1977 (to 30 September) ..	2,036.28	930	2,651.60	..
Ringwood	1973..	3,190	..	2,510	..
	1974..	2,950	..	4,044.22	..
	1975..	6,913	..	5,748	400
	1976..	8,820.59	..	8,123.80	1,100
	1977 (to 30 September) ..	5,020	..	3,147.50	1,300
Robinvale	1973..	70	..	48	..
	1974..	50	..	99	..
	1975..	540	..	96.80	..
..	1976..	455	..	344.30	..
	1977 (to 30 September) ..	715	..	813	..
St. Arnaud	1973..	209.72	..	75	..
	1974..	315.32	..	350	..
	1975..	338.57	..	280	..
	1976..	1,232.25	..	1,255.23	..
	1977 (to 30 September) ..	583.16	..	500	..
St. Kilda	1973..	3,290	200	3,554	..
	1974..	5,759	1,000	7,794	..
	1975..	9,050	1,150	9,432	..
	1976..	4,865	4,600	9,358	..
	1977 (to 30 September) ..	3,780	2,800	7,193	..
Sale	1973..	650.37	..	403.75	..
	1974..	1,805.06	..	1,146.25	..
	1975..	2,070.78	..	1,570.40	600
	1976..	3,972.02	..	3,987.05	..
	1977 (to 30 September) ..	1,802.98	400	2,809.96	..
Sandringham	1973..	995	..	..	650
	1974..	240	..	123	700
	1975..	625	..	226	150
	1976..	1,975	..	625	1,100
	1977 (to 30 September) ..	3,715	..	1,500	1,700
Seymour	1973..	542.62	..	613.12	..
	1974..	966	..	1,422.20	..
	1975..	1,220	500	1,866.75	..
	1976..	1,345.60	..	1,520.85	..
	1977 (to 30 September) ..	2,322.20	300	2,255.20	..
Shepparton	1973..	1,081	..	1,210	..
	1974..	324.15	..	360	..
	1975..	625	..	330	..
	1976..	4,960.31	..	4,010.60	..
	1977 (to 30 September) ..	1,791	..	1,727.40	..
South Melbourne	1973..	2,002.41	..	2,345.18	..
	1974..	2,061.22	..	1,443.68	..
	1975..	2,637.10	..	2,981.13	..
	1976..	3,020.62	1,300	3,757.58	200
	1977 (to 30 September) ..	1,565	200	1,938	..
Springvale	1973..	2,945	..	2,534	..
	1974..	1,210	..	1,408	..
	1975..	4,240.13	..	3,324.30	300
	1976..	5,365	..	4,681.87	1,250
	1977 (to 30 September) ..	3,505	..	3,559.34	300
Stawell	1973..	35	..	32	..
	1974..	120	..	40	..
	1975..	310	..	130	..
	1976..	895	..	360	..
	1977 (to 30 September) ..	820	..	437	250
Sunshine	1973..	5,115.64	..	3,850.89	70
	1974..	8,063.68	750	7,708.60	..
	1975..	10,171.23	350	10,399.80	..
	1976..	14,312.95	..	13,777.08	500
	1977 (to 30 September) ..	7,490.44	1,200	8,439.78	..

Court	Calendar year	Receipts		Payments	
		From contributors	From other poor boxes	To or for assisted persons	To other poor boxes
		$	$	$	$
Swen Hill	1973..	1,029.15	..	355.50	..
	1974..	462.08	150	1,420.80	..
	1975..	1,161.38	..	1,111.50	..
	1976..	780.34	650	1,323.81	..
	1977 (to 30 September) ..	515.50	..	776	..
Tallangatta	1973..	215	..	166.89	..
	1974..	260	..	244.16	..
	1975..	205	..	234.60	..
	1976..	365	..	280.70	..
	1977 (to 30 September) ..	310	..	201	..
Traralgon	1973..	790	..	220	..
	1974..	507	..	983	..
	1975..	1,465	700	1,167.98	..
	1976..	1,340	..	2,223.32	..
	1977 (to 30 September) ..	2,620	250	2,538.80	150
Wangaratta	1973..	676	..	616.46	..
	1974..	1,380.40	..	683.08	50
	1975..	1,264.18	..	1,150	200
	1976..	2,008.15	..	1,538.70	..
	1977 (to 30 September) ..	903.79	..	1,685	..
Warburton	1973..	288.81	..	125	..
	1974..	32.62	..	80	..
	1975..	404.61	..	10	..
	1976..	369.58	..	470	..
	1977 (to 30 September) ..	219.55	..	690	..
Warracknabeal	1973..	77.73	..	20	..
	1974..	34.02	..	35	..
	1975..	429.57	..	35	..
	1976..	287.91	..	89.83	..
	1977 (to 30 September) ..	390	..	25	..
Warragul	1973..	174.55	..	85	..
	1974..	251.29	..	158	..
	1975..	520.41	..	212.50	..
	1976..	593.61	..	285.69	..
	1977 (to 30 September) ..	232.88	..	662.66	150
Warrnambool	1973..	2,432.15	..	2,695.79	..
	1974..	1,198.14	100	1,427.61	175
	1975..	1,227.64	..	1,852.17	30
	1976..	2,331.19	..	2,223.95	400
	1977 (to 30 September) ..	1,555.71	..	1,267.35	..
Werribee	1973..	1,634	..	290	200
	1974..	905	..	707	..
	1975..	785	..	508.60	..
	1976..	1,660	..	683	1,500
	1977 (to 30 September) ..	1,305	..	845	750
Whittlesea	1973..	..	..	..	..
	1974..	65	..	..	..
	1975..	..	..	..	..
	1976..	..	..	..	..
	1977 (to 30 September) ..	1,250	..	..	1,000
Williamstown	1973..	610.35	300	1,025	..
	1974..	2,106.49	450	2,412.40	..
	1975..	2,048.06	1,145	3,378	..
	1976..	3,206.03	450	2,223	250
	1977(to 30 September) ..	2,958.60	200	2,939.40	..
Wodonga	1973..	731	..	689	..
	1974..	711.20	..	713	..
	1975..	696	350	1,148	..
	1976..	1,195	200	944.70	..
	1977 (to 30 September) ..	820.95	..	1,089	..
Wonthaggi	1973	245	..	230	..
	1974..	180	..	200	..
	1975..	175	..	214.50	..
	1976..	255	..	339	..
	1977 (to 30 September) ..	190	..	93	..
Yarram	1973..	611.55	..	57.50	..
	1974..	508.70	..	757.75	..
	1975..	540.44	..	60	..
	1976..	681.96	..	405	..
	1977 (to 30 September) ..	1,386.21	..	285	400
Yarrawonga	1973..	..	..	41	..
	1974..	60	50	110	..
	1975..	135	200	80	..
	1976..	215	..	240	..
	1977 (to 30 September) ..	80	..	55	..

MOBILE TRAFFIC SECTION FOR BENDIGO.

(Question No. 618)

The Hon. S. R. McDONALD (Northern Province) asked the Chief Secretary—

Has a decision been made to establish a Mobile Traffic Section of the Police Force at Bendigo; if so—(i) how many members of the force will be attached to this section; (ii) what will be the responsibilities of this section; and (iii) when is it expected that this section will be established?

The Hon. V. O. DICKIE (Chief Secretary): The answer is statistical 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—

At present there is a Mobile Traffic Section, consisting of three members, based at Bendigo.

However, a proposal to control the mobile traffic and highway patrol units, operating in country areas, on a regionalized basis in order to provide a more efficient police patrol system, is currently under consideration.

With respect to the Bendigo area, the proposal envisages that the headquarters for one of the regions, which would encompass the police districts of Bendigo, Shepparton and Swan Hill, would be located at Bendigo. The proposal also envisages that a staff of 23 police personnel, under the control of an inspector, would be required to service the proposed region. The present number of staff in the various districts is ten members.

A final decision on the proposal will be made shortly.

POLICE STATIONED AT BENDIGO AND GEELONG.

(Question No. 619)

The Hon. S. R. McDONALD (Northern Province) asked the Chief Secretary—

(*a*) How many members of the Police Force are stationed in district headquarters and stations at Bendigo and Geelong?

(*b*) How many members of the force are attached to the criminal investigation branches and the D24 communications sections at Bendigo and Geelong?

The Hon. V. O. DICKIE (Chief Secretary): The answer is statistical 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—

Police district	Officers	Senior sergeants	Sergeants	Senior constable and constables	Total
Loddon Police District					
District Headquarters, Bendigo	1 Chief superintendent 1 Chief inspector	..	1	..	3
Bendigo Police Station		2	11	36	49
Eaglehawk Police Station		..	1	4	5
Criminal Investigation Branch (Bendigo)		1	1	5	7
Communications Section (Bendigo)	Staffed by members of the Bendigo Police Station				
Barwon Police District					
District Headquarters, Geelong	1 Chief superintendent	1	..	1	4
Geelong Police Station	1 Superintendent	5	14	56	75
Norlane Police Station		1	4	16	21
Criminal Investigation Branch (Geelong)		1	4	11	16
Criminal Investigation Branch (Norlane)		..	1	3	4
Communications Section (Geelong)		1	6	8	15

RAIL FREIGHT RATE FOR TELEVISION NEWS FILMS.

(Question No. 621)

The Hon. N. B. REID (Bendigo Province) asked the Minister for State Development and Decentralization, for the Minister of Transport—

As the cost of the carriage of newspapers by VicRail is at three-quarters of the general freight rate, is it proposed to now include television news films in this rate; if not, why?

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): The answer supplied by the Minister of Transport is—

The Victorian Railways Board has advised me that the freight rate for the carriage of newspapers is not necessarily three-quarters of the general freight rate for parcels.

Television news films in packages weighing 5·5 kilograms or more are carried at three-quarters parcels rates.

MUNICIPAL BOUNDARIES.

(Question No. 634)

The Hon. I. B. TRAYLING (Melbourne Province) asked the Minister for Local Government—

(*a*) Did he publicly promise to cause a redistribution of boundaries covering five municipalities on the Bellarine Peninsula to be effective for the 1978 municipal elections; if so, what municipalities are involved?

(*b*) Has the necessary inquiry been initiated which will produce recommendations on which he will act; if not, when will the inquiry commence?

The Hon. A. J. HUNT (Minister for Local Government): 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—

(*a*) At a meeting of representatives of the councils of the City of South Barwon, the shires of Bellarine, Barrabool and Winchelsea and the Borough of Queenscliffe, I indicated that some changes to the boundaries of the five municipalities could be effected by the August, 1978, elections.

It was further indicated that particular attention would be given to the Queenscliffe borough and to residential areas now divided by municipal boundaries. Areas such as Ocean Grove–Barwon Heads, Torquay–Jan Juc, Lorne–North Lorne, and Highton–Wandana Heights could be examined.

(*b*) The necessary inquiry has not yet been initiated. The Local Government Advisory Board will be conducting the inquiry and the terms of reference to enable the board to commence its deliberations are currently being considered. As soon as the terms of reference are in draft form they will be formalized in conjunction with administrative officers of the municipalities and myself. That will be in the next few weeks and the board should commence its deliberations very early in the new year.

EFFECT OF STRIKES ON PRIMARY INDUSTRY.

(Question No. 643)

The Hon. K. I. WRIGHT (North Western Province) asked the Minister for State Development and Decentralization, for the Minister of Transport—

Will the Minister of Transport arrange a conference between the Victorian Farmers Union, the Graziers Association of Victoria and the Australian Railways Union to discuss solutions to problems faced by farmers and graziers caused by snap strikes?

The Hon. D. G. CROZIER (Minister for State Development and Decentralization): The answer supplied by the Minister of Transport is—

It is of course open to the Victorian Farmers Union, the Graziers Association of Victoria and the Australian Railways Union to hold discussions at any time. I would be pleased to consider calling the parties together if I am informed of the specific issues which the parties wish to have discussed.

TOTALIZATOR AGENCY BOARD AGENCY, MYRTLEFORD.

(Question No. 644)

The Hon. D. M. EVANS (North Eastern Province) asked the Minister of Water Supply, for the Minister for Youth, Sport and Recreation—

With respect to the Totalizator Agency Board agency in Myrtleford—(i) how much has been invested by punters in the past twelve months, and how much has been exported in the form of taxes and rebates; and (ii) how much has been paid in wages to employees or for services provided by businessmen or tradesmen in Myrtleford in the past twelve months?

The Hon. F. J. GRANTER (Minister of Water Supply): The answer supplied by the Minister for Youth, Sport and Recreation is—

(i) As the honorable member will appreciate, the release of investment figures for individual agencies could create a security risk, and for this reason I am not prepared to make public the turnover of the Myrtleford agency. However, I am prepared to make the information available to him privately.

(ii) Totalizator Agency Board agents are paid according to the category of the agency. These categories are fixed in relation to the agency betting turnover. It is the responsibility of the agent to meet incidental expenses such as power, casual wages and cleaning from his or her fee.

I can advise, however, that an amount of $474 was expended for goods and services provided by local tradesmen during the past twelve months.

[Subsequently, by Proclamation published in the *Government Gazette* (No. 13 of 21st February, 1978) Parliament was prorogued until the 7th March, 1978.]