

Tuesday, 22 March 1988

The SPEAKER (the Hon. C. T. Edmunds) took the chair at 2.5 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

BRUNSWICK-RICHMOND POWERLINE

Mr KENNETT (Leader of the Opposition)—Will the Minister for Industry, Technology and Resources inform the House why the government has evaded the normal planning processes with the Brunswick to Richmond powerline? Why did the government grant a stroke-of-the-pen exemption to the State Electricity Commission, thus denying local residents and others the opportunity to object, appeal, or be heard by an independent panel? What steps will the government take to rectify this monstrous injustice and to restore the public's rights, which the planning system is supposed to protect?

Mr FORDHAM (Minister for Industry, Technology and Resources)—Given the tenor of the question, I am surprised it was not addressed to the Minister for Planning and Environment. The Leader of the Opposition has as usual half researched an issue. There was approximately a six-year period from the appointment of a Parliamentary committee to the beginning of construction work on the Brunswick-Richmond powerline. The committee was chaired by a member of the Liberal Party.

During the period of the work of the Parliamentary committee, opportunities were sought and given for the community to comment on the then proposed powerline. Later, an environment effects statement process was initiated through the Ministry for Planning and Environment and, again, community views were received. Those facts should be evident to the Leader of the Opposition if he is still interested in this issue.

If the Leader of the Opposition would like a briefing from the State Electricity Commission on this matter or from the Ministry for Planning and Environment, the government would be prepared to provide it.

CHILD ABUSE

Mr HANN (Rodney)—Is the Minister Assisting the Minister for Education aware that an administrative officer with the Social Biology Resources Centre, which is associated with the University of Melbourne, Mr Garry Jaynes, is an active member of the Gayzette Collective, which has been openly promoting paedophilia? Is the Minister also aware that the administrative officer, Mr Jaynes, has been the coordinating officer responsible for a child abuse course run by the Social Biology Resources Centre?

Mr CATHIE (Minister Assisting the Minister for Education)—I am not aware of the circumstances the Deputy Leader of the National Party has raised. I shall institute inquiries into those matters.

PREMIERS CONFERENCE

Mr McDONALD (Whittlesea)—Will the Premier inform the House what preparations Victoria is making for the crucial forthcoming Premiers Conference and what effect the financial decisions that will be made at that conference will have on Victoria?

Mr CAIN (Premier)—The government will endeavour to go to the next Premiers Conference, which is to be held in the middle of May, showing that the kind of economic restraints and firm policies which have stood this nation in good stead over recent years

are still in place. The Premiers Conference will be tougher than normal. The desire will be to try to restrict further the capital works programs of all governments.

This government recognises the need for restraint if the necessary economic changes are to be made to underpin our future economic prosperity. I know that many Australians are feeling the pinch; this government recognises that more than others. I have been saying for many months that people are hurting; they are finding it difficult to make ends meet. All honourable members know the reasons for that.

There has been restraint in the wages sector. On all occasions, this government has suggested moderate increases. The ordinary wage and salary worker is far behind what he or she would be earning had wages and salaries kept pace with inflation.

Those ordinary wage and salary earners are not as far behind as they would have been had the Fraser approach continued. For seven years the Fraser government told the Australian Conciliation and Arbitration Commission that it should give those ordinary wage and salary earners nothing, and Opposition members supported that government.

The substantial recovery of this nation's economy is due solely to the centralized wage fixing system, which is supported by a range of Labor governments across this country, and which has restored some sanity in the wage fixing system although, at the same time, people have not been able to get all they would wish. If the Fraser approach—the Liberal approach—had continued, those ordinary wage and salary earners would have received nothing.

Mr Gude—Rubbish!

Mr CAIN—The honourable member says “Rubbish”, yet for seven years his party supported the kinds of things the Fraser government was doing to the people of this country.

The Victorian government introduced the prices peg to assist people; the Opposition opposed it, and the National Party supported it. The prices peg was designed to afford some protection for people against rising prices. Honourable members may recall the ridiculous claim that supermarket shelves would be left empty by the end of the year after the scheme was introduced. That was nonsense. The prices peg scheme has operated successfully for the past twelve months. The Government has also introduced the education expense allowance and the education maintenance allowance; it has reduced motor vehicle registration fees; and provided approximately \$300 million in tax concessions. The government has taken those steps to try to reduce the costs imposed on ordinary wage and salary earners.

If the Liberal Party had had its way, it would have reduced wages and salaries even further and scrapped the centralised wage fixing system, reverting to the late 1970s style government with the strong on both sides—the employers and unions—getting what they want at the expense of the great mass of the people. That is the problem this nation and this State would have faced if the Opposition had had its way.

The Victorian government will put to the other States at the Premiers Conference the kind of forward looking, constructive economic policies that have put this State to the forefront of economic growth right across the country. I stress that Victoria has had, by far, the lowest unemployment rate of any State for 57 consecutive months. That is what the government has done and will continue doing for many years to come.

BRUNSWICK-RICHMOND POWERLINE

Mr MACLELLAN (Berwick)—Is the Minister for Industry, Technology and Resources aware that, in the construction of his favourite Yarra Valley powerline in the Yarra Bend National Park, a significant spillage of concrete has occurred due to the failure of the State Electricity Commission to properly supervise works on the site?

Mr FORDHAM (Minister for Industry, Technology and Resources)—I am not aware of the incident to which the honourable member for Berwick has referred, but I shall be pleased to make some inquiries to determine whether this is a serious incident.

HISTORIC BUILDINGS COUNCIL

Mr B. J. EVANS (Gippsland East)—In view of previous decisions on recommendations by the Historic Buildings Council, why has the Minister for Planning and Environment not acted on recommendations of the council in relation to the Trades Hall?

Mr ROPER (Minister for Planning and Environment)—As the honourable member for Gippsland East would know, because he is a member of the National Party, Parliament specifically provided for the Historic Buildings Council to hold hearings and to make recommendations for the Minister for Planning and Environment to accept in whole or in part. The Historic Buildings Council has carried out an extensive review of the Trades Hall building and has made extensive recommendations that are currently being considered by the Government.

The honourable member for Gippsland East may believe the Minister for Planning and Environment is simply a rubber stamp for the council, but former Ministers for Planning and Environment over the past few years and those from the previous government would certainly not agree with that view. It is a matter of advice and of deciding what part, if not all, of that advice to take.

The government is considering other issues regarding the planning arrangements for the Trades Hall. It is reviewing work that was done a decade ago between the Honourable Dick Hamer and Mr Ken Stone, which is when the issue of refurbishing what is a crumbling building was last raised. At that time, some legal work was done. This issue has not suddenly arisen in the past few months; it has been unresolved for a long time.

It is the intention of the government to ensure that the historic nature of both the built environment and the emotional environment of the Trades Hall building is retained.

Honourable members interjecting.

Mr ROPER—Members of the Liberal Party have no feeling for either historic buildings in general or the Trades Hall in particular. Members of the government and most Melburnians do because of the important role the Trades Hall Council has played over a long period. The government will work with the Trades Hall Council and its consultants to ensure that one of the major historic places of this State is preserved in a sensible way. The alternative to using commonsense in this matter is to let the building continue to moulder away as it has over recent years. The previous government was not in favour of that and neither is this government.

NATIONAL GUN LAWS

Mr SIMPSON (Niddrie)—Will the Minister for Police and Emergency Services advise the House of the discussions he had last Friday with other police Ministers from around the country aimed at reducing the level of physical violence in our society?

Mr CRABB (Minister for Police and Emergency Services)—A meeting of the Australian Police Ministers Council was held in Canberra on Friday under the chairmanship of Mr Gunn, the appropriately named Queensland Minister for Police. The meeting was the most productive, intelligent, and bipartisan in which I have been involved throughout the gun debate. It was a refreshing change from the discussions that have been held in this Chamber on the issue.

The meeting produced a landmark agreement between the mainland Australian States with Tasmania being the only discordant voice among the States and Territories. The meeting agreed on a set of minimum standards for the control of firearms and weapons in

our society, including the types of weapons, the licensing process, permits to purchase, and processes for registering weapons.

It is on that basis that I was pleased that the Commonwealth government undertook to play its part by refusing the importation of undesirable weapons and refusing to continue the production of such weapons at the small arms factory at Lithgow. The Commonwealth government will not allow the importation into any State of weapons which do not meet the minimum agreed standards. One assumes that currently applies only to Tasmania. However, I am somewhat alarmed at press reports I have seen in recent days indicating that the New South Wales Premier elect appears to be preparing himself to renege on that agreement, when the ink is barely dry.

It would be a shame and a disgrace if that landmark agreement, entered into in a positive way by governments of all political persuasions on a bipartisan basis on behalf of the innocent, unarmed people in our community, were not honoured.

Honourable members interjecting.

Mr CRABB—If the New South Wales Premier elect attempts to bring down that agreement I trust that the Commonwealth government will be as good as its word and use every available power to ensure New South Wales sticks by the agreement.

FIREARMS REPORT

Mr LIEBERMAN (Benambra)—Has the Minister for Police and Emergency Services received a report on firearms from Mr Burwyn Davidson, a preselected Australian Labor Party candidate? If so, will he lay the report on the table of the Library; if not, why not?

Mr CRABB (Minister for Police and Emergency Services)—No doubt honourable members will not be surprised to hear that I have received a suitcase full of papers on the guns issue. I have come to the conclusion that everyone who owns more than one gun has prepared a paper on the issue and sent it to me. I have received many reports, including the one referred to by the honourable member for Benambra. Given that it has been canvassed openly in today's newspapers, I do not think it is necessary to table it in the Library.

VICTORIA'S ECONOMIC STRATEGY

Mr SEITZ (Keilor)—Can the Treasurer indicate what approaches he has received from other State governments, in view of the success of Victoria's economic strategy and particularly with respect to investment by private industry in Victoria?

Mr JOLLY (Treasurer)—As honourable members would be aware, the outstanding performance of Victoria's economy has meant that all State governments have shown an active interest in the policies of the State. It is almost economic history that when the Liberal government was in power in 1982, employment was on the slide and unemployment was increasing. At present it is a part of the convention on the economy that Victoria has the lowest unemployment rate in Australia. Also, since the Cain government has been in power private investment has increased from a national share of 22 per cent to 27 per cent; that is a very large increase in a short time.

The Leader of the Opposition should listen; I hope he goes to the Liberal Party conference and listens to the Premier elect of New South Wales on economic policy because, although the Premier elect of New South Wales, Nick Greiner, may be soft on the guns issue, he is hard headed on economics.

Unlike the economic troglodytes of the Opposition, the slow learners, and rather than taking six years to recognise that the Victorian government has the top economic policy of any State in Australia, within approximately 24 hours of being elected, Premier elect

Greiner has indicated that his economic management is to be Cain-like. He intends to follow the economic policies of the Cain government.

The Leader of the Opposition should attend the Liberal Party conference and ask Nick Greiner about his economic policies. What has the Opposition done in Victoria?

Every time the government has come forward with an economic policy that has set the pace for the nation, what has been the position of the Opposition? It has opposed those policies. Although the Victorian Development Fund created many jobs and provided an economic and social infrastructure, the Opposition opposed it.

The Opposition also opposed the joint venture involvement of the government in the Portland aluminium smelter and said it would be unprofitable. What is the position of the Opposition now? One does not hear a word from the Opposition about the government's involvement. Honourable members already know that aluminium prices are at record levels.

The Victorian government is rejuvenating the State Bank; it has introduced legislation to improve its operation. A legislative measure is currently before the House to do so. What did the Leader of the Opposition want to do with the State Bank of Victoria? He wanted to sell it. That was his policy. The Leader of the Opposition is opposed to all the major economic policies in the State.

I hope the slow learners on the other side of the House pick up their game. It is too easy to debate economics; the Opposition will not even ask questions on the subject! The reason it does not ask questions is that the Victorian government is setting the pace in private investment and has the lowest unemployment rate in Australia. This was recognised by the New South Wales Premier elect, Mr Greiner, and his comments were reported in the *Age*. Although I have not had the opportunity of reading the full transcript, I shall seek a copy of it because I should like to see the extent to which Mr Greiner supports the economic policies of the Cain government. He clearly recognises that parties need policies and, unlike the Opposition in this State, which is bereft of policies, the New South Wales Liberal Party has policies.

BLACKBURN COMMITTEE RECOMMENDATIONS

Mr KENNETT (Leader of the Opposition)—I direct a question concerning post-secondary education to the Minister Assisting the Minister for Education. Will the Minister explain why the government refuses to accept the recommendation of the Blackburn committee on the standardisation of testing of students to lift educational standards—a practice that all major Western nations have now adopted, including the United States of America, the United Kingdom, and Sweden?

Mr CATHIE (Minister Assisting the Minister for Education)—I am delighted to have a question about education from the Leader of the Opposition because, in seven years the Liberal Party has not been able to announce any education policy.

I am delighted to inform the Leader of the Opposition that the Blackburn report has been pretty well fully implemented by the government. It introduced the new Victorian certificate of education within a short period.

Honourable members interjecting.

Mr CATHIE—The question concerned testing, and last year I announced an invitation to the key educational research body in Australia—the Australian Council for Educational Research—to undertake testing in such a way that we could monitor education in a longitudinal fashion; that is, to look back at similar testing.

Mr Kennett interjected.

Mr CATHIE—The Leader of the Opposition would not understand the concept of getting a picture of where our students are now compared with where they were seven

years ago and where they were seven years before that. The government believes that that is important. I shall be delighted to listen to the Leader of the Opposition when he is able to announce what the Liberal Party stands for in the education field. In seven years, I have not heard anything.

BANANA ALLEY

Mr JASPER (Murray Valley)—I refer the Minister for Industry, Technology and Resources to the continuing problems with the redevelopment of the Banana Alley complex in Flinders Street. When will the vaults be let for occupation, especially those to be used by the Victorian wine industry?

Mr FORDHAM (Minister for Industry, Technology and Resources)—This issue falls within the ambit of the Ministries of transport and tourism. Ongoing difficulties, mainly concerning industrial relations, have occurred on the Banana Alley site.

I have been appreciative of the support given by the honourable member for Murray Valley to the Victorian Wine Industry Association Inc. in its efforts to establish the centre. The Liquor Control Commission recently dealt with that association's licence application and that aspect has now been resolved. I should expect construction to start almost immediately, but I shall consult with my colleagues and make sure that the honourable member for Murray Valley is fully informed of the situation.

SCHOOL RETENTION RATE

Mr SHELL (Geelong)—Will the Premier notify the House of recent advice received by him on the impact of measures being taken by the government to improve the retention rate in Victorian State schools?

Mr CAIN (Premier)—This is a timely subject in the light of the so-called policies announced today by the Liberal Party. I understand the highlight of those policies is the external testing of eight-year-old students—if one can call that a policy.

Honourable members interjecting.

Mr CAIN—I think it is compulsory external testing for eight-year-olds or for Year 3, Year 6 and Year 10 students. If that is the best the Liberal Party can do, it obviously has no policies.

The education system is performing extremely well in answering the diverse challenges being faced in equipping children for their roles in society. The education system provides our children with the wide-ranging skills and capacities needed for their future.

I am pleased to inform the House that the retention rate to which the honourable member referred has doubled in recent years. The number of young people staying at school between Year 7 and Year 12 has more than doubled from 25 per cent in 1981 to 52 per cent in 1988. That is an astonishing performance and is a tribute to the Deputy Premier, and the Minister Assisting the Minister for Education with responsibility for Post-Secondary Education, the Ministry of Education, the teachers, and all persons associated with the delivery of education in this State.

The increase in the retention rate in the past twelve months has been 5 per cent above the 46.9 per cent last year. That is a heartening figure for any society. It represents a return to the days when education was regarded as it should be. When I consider the figure that applied when the Labor Party came to office—in 1981 there was a 75 per cent dropout before completing Year 12—I am delighted that those days are behind us and that the majority of students in government schools are remaining until Year 12 has been completed.

That shows that young people want to maximise their career chances by obtaining the most they can from the education system. Whether they achieve formal qualifications at

the end of their education remains to be seen, but at least they have the chance to obtain the benefits that are available to them in their higher teens.

The government is well on target in achieving its goal of a 70 per cent retention rate by 1995. It is astonishing that, although the government has been able to announce that kind of progress, the Liberal Party has taken until today to announce one small part of its policies. If there is one area that is calling out for a thoughtful approach, it is education, but the Liberal Party appears incapable of providing it. Until today, I cannot recall a question being asked about education during question time, nor have I been asked one question by the Opposition about government policy or government administration over the past seven sitting days. I do not know what honourable members opposite are concerned about; there has not been a significant question to me since Parliament resumed.

The retention rate highlights the difference between what the government has achieved and what the previous Liberal government failed to achieve in all the years it was in government. A retention rate of 25 per cent in 1981 was a dismal performance. The retention rate has been doubled by the government in six years; that is a breathtaking performance.

AUSTRALIA DAY COUNCIL RECEPTION

Mr BROWN (Gippsland West)—I direct to the Premier a question without notice about the official government reception held last night for persons associated with helping the Australia Day Council. Eminent Australians such as Dawn Fraser and John Newcombe attended that reception. Because neither the Premier nor any other Minister of the Crown was in attendance, I ask: why did the government snub the dignitaries who attended the reception, especially keeping in mind that this is the bicentenary year? It was the first government reception where the government, as the host, did not have a representative in attendance.

The SPEAKER—Order! The latter part of the honourable member's question is out of order because it is an expression of opinion.

Mr CAIN (Premier)—The government enjoys a good relationship with the bicentennial committee. I attend functions of the committee as often as I can. I had other commitments yesterday, so the head of my department represented me at that function. The persons who were present at that function recognise what the government has done to support the council, and what it will continue to do.

ESTABLISHMENT OF VISTEL

Mr ERNST (Bellarine)—Will the Treasurer outline the progress that has been made in implementing the public sector telecommunications network that was outlined in the economic strategy update last year?

Mr JOLLY (Treasurer)—The State government has established an organisation known as Vistel that has the potential of saving the public sector \$20 million a year. I am sure Mr Greiner will be interested to examine the performance of Vistel!

In April 1987 the government entered into an agreement with Telecom to gain access to space on Telecom's network. In July 1987 a regional telephone network was established with Ballarat; public offices in that region were linked with their head offices in Melbourne. The establishment of that network has resulted in savings of \$145 000 a year.

Through the auspices of Vistel a video conference service has been established. It is being used by the Planning Appeals Board to facilitate hearings in regional Victoria. The first area in which that system operated was the Ballarat region. In February this year the government introduced a new computer-controlled PABX system that is based in Melbourne and links a number of government departments and agencies: the Department of Industry, Technology and Resources; the Land Conservation Council; the Department

of Conservation, Forests and Lands; and the Ethnic Affairs Commission. It has resulted in improved services to the public, something that will be welcomed by all honourable members. In addition it has resulted in a saving of \$200 000 a year.

It is also planned to establish a network with the Geelong public offices; this will mean that those offices will have a facility similar to the Ballarat regional network. It will result in savings of \$200 000 on a full-year basis.

Honourable members opposite will realise that the government is at the forefront of improving communications within the public sector in Victoria. Once again, the Victorian government is setting the pace for the nation. The government's creativity will not only improve services to the public but will also result in savings of at least \$1 million in this financial year.

PRIVATE BUS LINES

Mr LEA (Sandringham)—I direct to the Minister for Community Services, as the representative in this place of the Minister for Transport in another place, a question concerning the continuing decimation of the private bus line industry by the government. As buses operated by private industry run at a cost of \$1 a kilometre less than government-operated buses, will the Minister call for tenders for Metropolitan Transit Authority bus routes, thus saving the Victorian taxpayer \$10 million a year?

Mr MATHEWS (Minister for Community Services)—The honourable member has not been in Parliament long enough to remember the lessons about financial probity which were administered to the Liberal Party by the Gowans inquiry. The government has noted those lessons and will stick strictly to the tender procedures which the Minister for Transport is following in this matter.

REVIEW OF INTERNAL MUNICIPAL BOUNDARIES

Mr STEGGALL (Swan Hill)—Will the Minister for Local Government inform the House what criteria he uses in deciding which municipalities will and which will not have a spill of councillors following a review of internal boundaries?

Mr SIMMONDS (Minister for Local Government)—Approximately 138 municipalities in Victoria this year will have internal boundary changes as a result of recommendations made by the Local Government Commission. In making the recommendations, the commission assessed the degree of change from the previous boundaries and made recommendations regarding whether a spill would be required. In general, there was a total change in the ridings of the municipalities where spills occurred, although some municipalities made submissions about their particular circumstances, and they were taken into consideration.

INDUSTRIAL TRAINING FOUNDATIONS

Mr MICALLEF (Springvale)—Can the Minister Assisting the Minister for Education with responsibility for Post-Secondary Education advise the House what progress has been made in establishing industrial training foundations in Victoria?

Mr CATHIE (Minister Assisting the Minister for Education)—There is no issue of greater importance to Australia's economic recovery and to the future competitiveness of our manufacturing industry than raising the skill level of all Australians and, in particular, raising the skill level of young Australians.

I hope the Opposition does not continue to treat this matter as lightly as it has done. For that reason, the government is keen to ensure that our post-secondary institutions, particularly technical and further education colleges, colleges of advanced education, and universities, should be responsive to the needs of industry and to the training and vocational education needs of industry.

A number of industrial training foundations have been set up. This has become a major initiative under the State's economic strategy and under the government's economic programs. The prime purpose of the foundations is to introduce a comprehensive and integrated system of training and career development within each industry. Each foundation will be managed by a particular industry and will have a representative management committee that will represent the interests of both the employers and the trade unions.

Already the government has established foundations in the key areas of the metals and engineering industry, the hospitality and tourism industry, and the building and construction industry. The development of further foundations is also under way, particularly in the road transport, timber and aerospace industries. A much better coordinated and integrated system of training is important to the future of Australia.

In their new roles, the foundations could well become a system of advisory committees to the government and to industry and thus assume responsibility for the training programs in those industries.

Mr Gude interjected.

Mr CATHIE—The honourable member for Hawthorn continues to interject about the number of students one can place in higher education.

Mr Gude interjected.

Mr CATHIE—That is not so.

Mr Gude interjected.

The SPEAKER—Order! I advise the honourable member for Hawthorn that I shall take action if he continues to interject and he will hear the rest of the proceedings from outside the Chamber.

Mr CATHIE—My only response to the honourable member for Hawthorn is a reminder that at this stage the government has achieved a record level of apprenticeships in Victoria. To indicate the sort of commitment the government is making to the new industry foundations, I point out that in the 1987–88 financial year it granted them more than \$1.65 million. That shows a commitment and dedication to addressing the needs of vocational training in the State. The government will continue with those programs.

LAW REFORM COMMISSION

Mr JOHN (Bendigo East)—Has the Attorney-General directed any references to the Law Reform Commission? If so, will he advise the House of the details?

Mr McCUTCHEON (Attorney-General)—At this stage I have not directed any new references to the Law Reform Commission.

BICENTENNIAL GREAT AUSTRALIAN HOME SHOW

Mrs HILL (Frankston North)—Has the Minister for Consumer Affairs had the advertising for the Bicentennial Great Australian Home Show examined? If so, with what results?

Mr ROPER (Minister for Consumer Affairs)—I thank the honourable member for Frankston North for the question and for her continuing concern for the rights of consumers in our society. Over a period numerous claims have been made by the various organisers of this show. Last year they claimed, falsely, a level of government support for the show and, one might say, tricked many small business people into taking out particular stalls which had little or no relevance.

Unfortunately, many cases of that kind of deception were reported. A change was made in the management some time ago and at least some of the most outrageous claims ceased

to be made. However, significant concern was expressed about the claims made in the advertising campaign, in particular that the show had more than 500 exhibits. The suggestion was made that the event was lively and that, if one were interested in purchasing products for one's home, the show was the place to go.

Last week we received reports from people concerned about the show and the false suggestion in the advertising campaign that the show had 500 exhibits. Officers of my department visited the show on Friday and, with the best will in the world, were able to count only 107 exhibits and that was fewer than the public was advised.

Generally speaking, the officers found that not only the advertising of the show but also the pre-organisation left much to be desired. The show has been conducted under difficulties; nonetheless I was concerned to read in one of today's newspapers a suggestion that the show would somehow provide further and better entertainment between now and next weekend because, although there may have been 107 exhibits on Friday, there would be significantly fewer today.

Indeed, the suggestion of it being a large garage sale conducted over the weekend is as near as the show will get to the idea of it being a home show. I advise people who attend the show to be particularly careful should they be persuaded that the remnant exhibitors have something to offer them. People should remember that the provisions of a measure agreed to by Parliament for door-to-door sales will apply, which specifically include a ten-day cooling-off period.

I am concerned about the claims that have been made and I hope that these kinds of activities will not occur again. One is sympathetic both towards the public and towards the businessmen who last year were conned into believing they would have access to something which purported to be what obviously was never intended. Many consumers have not been affected because of the resulting publicity but some small business people lost considerable sums of money due to the organisation of this show.

PETITIONS

The Clerk—I have received the following petitions for presentation to Parliament:

Citizens' rights

TO THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY OF VICTORIA IN PARLIAMENT ASSEMBLED:

This petition of the undersigned citizens of Victoria respectfully shows our concern that the government has announced its intention to deny our civil rights to own personal property (to wit certain firearms owned for legitimate private purposes), to dispose of such personal property in a free and open market, and to refrain from involuntary association and accordingly we respectfully request the Parliament to oppose legislation which would effectively permit the State to abrogate the natural rights of individual citizens by intruding in private premises to confiscate personal property which is now legal, or to enforce such dispossession by other punitive methods such as fines, arrest, or excessive taxation, or to impose on the citizens a burden of involuntary membership of an organisation as a prerequisite to exercising a right and in support of our concerns and petition we show that such abrogation of civil rights is demonstrably ineffective and counterproductive in ensuring the public safety of our community or other valid social purpose.

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

By Mr McNamara (3491 signatures)

Firearms regulations

TO THE HONOURABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY IN PARLIAMENT ASSEMBLED:

The humble petition of the undersigned citizens of the State of Victoria sheweth that where amendments to the Firearms Act 1958 are proposed that such amendments incorporate the concepts outlined hereunder.

Your petitioners therefore pray that the following concepts be rejected:

(a) compulsory fingerprinting of shooter's licence holders;

- (b) compulsory membership of hunting-shooting organisations;
- (c) limitations as to the type or number of firearms possessed and used by legitimate shooter's licence holders;
- (d) the "permit to purchase" system;
- (e) the system of long arms registration; and
- (f) the introduction of an onus of responsibility system on hunting-shooting organisations for screening members as to their suitability to own firearms.

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

By **Mr Lieberman** (1513 signatures)

It was ordered that the petitions 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:

Dentists Act 1972—

Dental Board—Report and statement of accounts for the year ended 30 September 1987.

Specialist Practitioners Qualifications Committee—Report for the year ended 30 September 1987.

Grain Elevators Board—Report for the year ended 30 September 1987.

Planning and Environment Act 1987—Notice of approval of an amendment to the Otway Planning Scheme—Amendment No. L1.

Port of Portland Authority—Statement of accounts for the year 1986–87.

Public Record Office—Report of the Keeper of Public Records for the year 1986–87.

Victorian Institute of Marine Sciences—Reports for the years 1984, 1985, 1986.

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The following proclamations fixing operative dates for various Acts were laid upon the Table by the Clerk, pursuant to an Order of the House dated 24 February 1987:

Agricultural Acts (Further Amendment) Act 1987—Section 13—24 February 1988 (*Gazette* G.7, 24 February 1988).

Corrections Act 1986—Parts 2, 4, 5, 6, 7, 9, 10; Divisions 2 and 3 of Part 8; Sections 4 and 11; Schedule 1, items 1, 3, 4, 5, Parts (1), (3), (4), (6), (9)—1 March 1988 (*Gazette* G.7, 24 February 1988).

Geelong Market Site (Amendment) Act 1987—24 February 1988 (*Gazette* G.7, 24 February 1988).

Health (Amendment) Act 1987—Sections 5, 6 and 7—14 February 1988 (*Gazette*, G.5, 10 February 1988).

Loddon-Campaspe Regional Planning Authority Act 1987—Whole Act other than section 14—15 February 1988 (*Gazette*, G.5, 10 February 1988).

Metropolitan Fire Brigades Superannuation (Amendment) Act 1987—24 February 1988 (*Gazette*, G.7, 24 February 1988).

Occupational Health and Safety Act 1985—Schedule 2, Items 14, 15, 16, 17, 18, 19, 23, 24 and 34—23 February 1988 (*Gazette* S.11, 23 February 1988); Schedule 2, item 20—16 March 1988 (*Gazette* G.10, 16 March 1988).

Planning and Environment Act 1987—Remaining provisions other than items 118 and 119 of the Schedule—16 February 1988 (*Gazette* G.5, 10 February 1988).

Prostitution Regulation Act 1986—Section 82—16 February 1988 (*Gazette* G.5, 10 February 1988).

Shop Trading Act 1987—Sections 30 and 32—17 February 1988 (*Gazette*, G.6, 17 February 1988).

Taxation Acts (Amendment) Act 1986—Section 30—29 February 1988 (*Gazette*, G.7, 24 February 1988).

Victoria Grants Commission (Amendment) Act 1987—1 June 1987 (*Gazette*, G.7, 24 February 1988).

FIREARMS (AMENDMENT) BILL (No. 2)

Mr COOPER (Mornington)—I move, by leave, upon the Firearms (Amendment) Bill (No. 2) being further committed:

That it be an instruction to the Committee that when they next consider the Firearms (Amendment) Bill (No. 2) they have power to consider an amendment and new clause which would provide for the amendment of the Crimes (Family Violence) Act 1987 allowing police to search for and seize firearms where the police have made a complaint for an intervention order and for the confiscation of firearms so seized.

The motion was agreed to.

COGNATE DEBATE ON BILLS

Mr FORDHAM (Minister for Industry, Technology and Resources)—By leave, I move:

That this House authorises and requires Mr Speaker to permit the second reading and subsequent stages of the Supply (1988–89, No. 1) Bill and the Works and Services (Ancillary Provisions, No. 1) Bill to be moved and debated concurrently.

The motion is self-explanatory and is in line with similar motions that have been adopted by the House over a number of years. I yearn for the day when the Works and Services (Ancillary Provisions, No. 1) Bill can be absorbed into the Supply (1988–89, No. 1) Bill, and perhaps further discussions can be held in the future.

The motion was agreed to.

FIREARMS (AMENDMENT) BILL (No. 2)

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

Discussion was resumed of clause 1.

Mr LIEBERMAN (Benambra)—No-one can deny that Parliament should be interested in debating the objects and the purpose of the Bill, which is to protect the public from injury or the threat of injury and to prevent damage to property from the misuse of firearms.

That, I believe, is a common objective of all honourable members in this place. The government has been found wanting and, deserves the strongest possible criticism—it has started to realise at last that it is receiving that criticism—in purporting to enact proposed new legislation to protect people from the misuse of firearms.

The government has alienated the community and has singled out the law-abiding people of the State who own guns lawfully and who use them responsibly, and has endeavoured to portray those innocent citizens to others in the community who do not own guns as somehow or other being second-class citizens or unworthy citizens, when there is no question that the evidence and the statistics available throughout Victoria and Australia indicates that most of the people who own guns are responsible, law-abiding citizens, who deserve the respect of Parliament and who do not deserve the criticism, the contempt and the rotten and scurrilous remarks made by members of the government in recent months on this issue.

In the past couple of weeks comments have been made in this place by people such as the honourable member for Werribee, who suggested that people who owned firearms and enjoyed the sport of shooting were somehow in need of psychological care. That sort of statement highlights the character and personality of the government and its motivation in trying to divide the community.

To fulfil its purpose—that is, to prevent the citizens of this State from coming to harm as a result of the misuse of firearms—one should expect the measure to contain effective provision to cause that to occur. However, an analysis of the Bill and its purpose reveals that it is sadly lacking in this respect. It reveals that the government sets out deliberately

to alienate the community. It sets out deliberately to make law-abiding citizens appear unworthy and irresponsible people in the eyes of those who are not aware of the intricacies of firearm ownership and the enjoyment that can be obtained from a worthwhile sport. The government stands condemned for its attitude to those people.

In stating the purpose of the Bill, the government is endeavouring to say that the requirement for people to join gun clubs will provide protection to the community. It is a nonsense to make it mandatory for people to join gun clubs or sporting organisations. It is infantile, ill thought out and ill conceived.

Further, when one examines the Bill, one notes that the government is not content with trying to divide the community or to conscript people into joining associations by force of law; it is also endeavouring to provide that the community will not have the right to decide which clubs and organisations will be formed in relation to the use of firearms, sporting shooting, and hunting. Rather, it is attempting to say that only those organisations, clubs, and associated bodies which the government approves through its political influence will be deemed to be the organisations to which members of the community will be compelled to belong.

The purpose of the Bill—to protect the community against the misuse of firearms—will not be achieved by following that track, and the government must now begin to realise the nonsense of what it is saying. It has failed at two national forums, one of which took place last year and which was heralded by the Prime Minister and other Labor Premiers, including the now departed Premier of New South Wales, Mr Unsworth, and the Victorian Premier, as being an event of great importance that would resolve the problem of violence in our community. It failed again at a forum last week.

All those attempts to capture the stage and divert the attention of the Australian people from the real issues affecting our society and our economy have failed. In fact, the Labor Prime Minister and the Labor Premiers are misrepresenting the situation by saying that their decisions, or their inability to make proper decisions, will effectively prevent damage to property and protect the community against the misuse of firearms. That is nonsense.

In its ridiculous attempts to achieve the purpose of the Bill, the government is attempting to make a retrospective provision to take away from people property that they bought lawfully; that is, to prohibit the ownership of certain firearms—in this case, all semiautomatic firearms.

Honourable members have seen the spectacle of the government using executive action and bypassing Parliament without adequate debate or consultation. Honourable members have seen the government violate the rights of innocent citizens in attempting to prevent the misuse of firearms by making illegal the possession of firearms which were previously legally owned. The government has removed those rights without making adequate arrangements for those people to be compensated.

Rather than a misuse of firearms—which is the government's phrase—honourable members have seen the misuse of Parliament, of the executive, and of the Governor in the regulation-making process with which the government has been associated.

The government must be stopped. The message received on Saturday will ring in the ears of Labor supporters and Labor Parliamentarians throughout the Commonwealth. The government must realise that the people of Victoria—indeed, the people of the Commonwealth of Australia—whether they own and use a gun, will not tolerate a government that behaves in this manner, seeking to divide the community under the guise of endeavouring to prevent the misuse of firearms. It is an act of arrogance and callousness. In the various elections which took place on Saturday the government has been found guilty by its own Australian Labor Party supporters and has been condemned.

The remarkable fact about this government is that it is so far removed from the wishes of the people of Victoria that it is unable to listen carefully to what the people want and it is unable to appreciate what the people want. Even to this day, the government, the

Premier, and the Minister for Police and Emergency Services are still defending what they have been found guilty of rather than acknowledging the error of their ways.

Rather than conceding that it has been wrong and setting about as a good and responsible government should to repair the damage in our society and bring people together so that the issue of violence can be resolved by intelligent people who present all points of view, the government today is persisting in its arrogant attitude. The government continues to divide the people of Victoria and mislead them. The community is not comprised of fools and will not be misled. Despite the rhetoric of the Minister for Police and Emergency Services and the attempt to use Australian and overseas statistics—which have been misrepresented—the government has not been able to mislead the people of Victoria. Thank goodness!

Mr Chairman, you will be as concerned as I am that the government, in trying to achieve the purposes of the Bill, passed a regulation through the executive. That regulation was disallowed by a House of Parliament and the government went to the Governor and re-enacted that firearms regulation.

The government pursued that course in the knowledge that the regulation removed property rights from people such as firearms dealers. Up until November last year, firearms dealers were buying semiautomatic firearms because the government had asked them to buy those firearms. The government left the firearms dealers in a position where, having spent their hard-earned money in buying those firearms in good faith, overnight they could not dispose of the firearms—not even to another State in Australia where those firearms could be held, sold, and used. The government made no arrangements for those people; it deceived them and abandoned them.

Honourable members should not tolerate a government that goes about its business in a dishonest and deceiving way in seeking to achieve the objects of proposed legislation.

An honourable member—“Contra” Crabb!

Mr LIEBERMAN—That is an appropriate title on which the Minister should reflect. Because of the additional debate and research that has taken place since December last year when the regulation was first put in place, the government now knows that the number of semiautomatic weapons in this State is approximately 200 000 to 300 000. It now knows that many of those semiautomatics are not the dangerous, military-type firearms about which there is consensus that they should be withdrawn from the community with proper compensation being provided. The government knows those facts now whereas it did not know them in December. I concede that the government may have acted in good faith at that time, but it now knows the facts.

Members of the government are also aware of the strong indication from many law-abiding citizens who own the innocuous semiautomatic .22 rifle with a magazine capacity of a low number that they will not cooperate and hand over those weapons while the government is attempting to deal with their legal rights in the current, shabby way. The government is aware that it may face large-scale civil disobedience.

For the first time in my experience the community in which I live is openly expressing an indication that, if the government goes ahead with its firearms control proposal, it will disobey the law. I do not encourage people to do that, but I have a great fear that they intend to do what they say and that this great State faces, for the first time, massive civil disobedience caused by this government under the guise of protecting the community from the misuse of firearms. In other words, the civil disobedience will be triggered by this government's ignorance and heavy-handed arrogance.

The government has divided the community and put law-abiding citizens into a situation where, for the first time in their lives, they are contemplating breaking the law. That is the sort of society the government is creating. I have spoken with members of the Police Force who expressed their private fears that, if the government's proposals become law, they will be required to enforce that law. They will be required to knock on the doors of law-abiding

citizens, to pursue the law of Crabb and Cain, and confiscate property that will be illegally owned but which, as recently as November last year, was legally owned.

Last year the government amended the Firearms Act. As late as November last year, the government did not propose a provision to confiscate legally owned property. Only a few weeks later, it was proposing that the firearms that were legal in November were no longer legal and were unpalatable in our society. The government is placing police officers in the position of having to go to law-abiding citizens and confiscate their firearms.

Mr Maclellan—Where are they?

Mr LIEBERMAN—There are hardly any members of the government in the Chamber. I acknowledge that apart from you, Mr Acting Chairman, there are only three members of the government in the Chamber.

I express concern on behalf of those members of the Victoria Police who are apparently going to be asked by this arrogant, foolish government to go out and enforce this law under the guise of protecting the community against the misuse of firearms.

Mr E. R. Smith—It is an unenforceable law.

Mr LIEBERMAN—This unenforceable law will have innocent citizens being used for the purposes of achieving the government's political objectives.

In the face of the knowledge of the threatened massive civil disobedience that is obviously fermenting, and in the face of the expression of concern by good police officers who know the community well and understand people far better than the Minister for Police and Emergency Services obviously does, members of the opposition parties are now expected by the government to continue debating tongue-in-cheek in Committee what purports to be approved proposed legislation that will prevent the misuse of firearms in our community.

The government has lit a fuse in the community. One has only to examine clause 5 to realise the provocation contained in it. I have spoken to the hundreds of people who have made submissions to me on the issue since last December. I think of the young girl in Beechworth who is a champion pistol shooter and who is training to represent our nation in the Olympic Games. She has a good chance of winning a medal for Australia. In the hour she spent with me, in the company of her father, she explained her horror and apprehension at the treatment the government is meting out to people like her and her family and friends because of the way it has divided our society and the way it has tried to put down and treat with absolute contempt and disrespect law-abiding citizens who happen to enjoy owning guns and who comply with laws of the land about the use of firearms.

I do not own a gun. I was trained in the armoured regiment of the Army as a gunner in Centurion tanks. Although I do not wish to own a gun, I know a bit about them. I have many friends who own guns and I have no wish to see them placed in the position in which this rotten proposed legislation places them.

The government stands condemned and will continue to dig its own grave on this and many other issues between now and the next election. I am sure that Saturday was the beginning of the end—a deserved end—for this government, which no longer deserves the respect of Parliament or the State.

Mr LEA (Sandringham)—I declare at the outset that I have never owned a gun, and I have not fired a gun since I was twelve years of age. I can sit back in the debate about the objectives of the Bill and be calm and rational from a non-shooter's point of view.

The purpose of the Bill is to protect people from injury or the threat of injury and to prevent damage to private property. I am amazed that it has taken the government so long to introduce the Bill. I refer to paragraph 151 of the 1979 Australian Labor Party policy which, nine years ago, stated:

All firearms to be registered and possession of firearms to be restricted to those requiring them for essential occupational and limited supervised and recreational purposes.

Why has it taken the government nine years to come to the realisation that it has to do something about gun control? My investigation took me to the findings of the Australian Labor Party State conference of 14 June 1981. The resolution on firearms passed by that conference bears a similarity to the objectives of the Bill. The resolution provided:

Such reforms to include the annual licensing of persons wishing to possess guns;

That is novel in a sense, because this government has paid no attention to the licensing of guns. I have spoken to several constituents who have said that they have not had a notice to renew their gun licences for at least two years. The licensing system and its neglect by the government is scandalous. The resolution further provides:

The applicant can demonstrate competence in the safe-handling of firearms;

Is that not familiar? It further provides:

That the applicant be able to provide a real guarantee of responsible use, such as bona fide membership of a government-approved gun club . . .

It has taken seven years to come to fruition. The resolution further provided:

The applicant can demonstrate that he or she can guarantee the security of the gun—

I need not go on.

The Labor Party established its policy on guns in 1981. One has to question the sincerity of the government's attempts to control firearms when it has taken until 1988—and the tragic events of Hoddle Street and Queen Street—for the government to implement its policy. Does the government care about the public? All that the government has done is to politicise the situation. The government has leapt into the vanguard—

The ACTING CHAIRMAN (Mr Kirkwood)—Order! I remind the honourable member for Sandringham that this is the Committee stage, not the second-reading stage which has been debated in full. The Committee is debating clause 1, which is a narrow debate.

Mr LEA—I thank you for your guidance, Mr Acting Chairman. I was attempting to relate the government's purpose today with that stated in both 1979 and 1981. I have made my point.

In the purpose of the Bill there is no distinction between the proper use and the criminal use of guns. That is a fundamental point that the government has omitted to distinguish in the Bill.

The government has grouped all gun owners together in attempting to solve the problem of the rate of homicides. In the purpose of the Bill, the government should distinguish between the two groups. It is a slur on the people who have owned guns and have used them legally to lump them together with those who criminally misuse firearms.

I quote from a publication called *Trends and issues No. 10—Firearms and Violence in Australia*, which landed on my desk today. It states:

Central to any successful implementation of new gun control laws is the provision of an effective system of enforcement.

That issue is not tackled in the purpose of the Bill. The article further states:

Current Australian research suggests that the present enforcement system is seriously deficient.

Honourable members would not question that. In considering the purpose of the Bill, one has to ask whether the Bill will achieve what it sets out to achieve. The *Trends and issues* article is pertinent. It states:

Firearms control should not be regarded as a panacea for all ills facing Australian society. As has been noted, nearly two-thirds of homicides in Australia are committed with means other than firearms.

In considering the purpose of the Bill, the government has taken the stance that those provisions will prevent all homicides in Victoria.

The complete disappearance of guns from Australia would not eliminate violence. But a reduction in the number of firearms in Australia, and further restriction on their availability, would undoubtedly prevent considerable death and injury.

I would not debate that point with the government. I have received many letters, telephone calls, and representations in my office. Except for three people, everyone was concerned about the use of firearms and urged that their use be properly regulated.

Competent shooters and sportsmen have used their rights legitimately and fairly for almost 200 years but the government has seized on this issue for political gain and to capitalise on what it hoped would be an election winner. The by-election on Saturday in Kew proved the opposite.

The Minister for Police and Emergency Services has not encompassed in the purpose of the Bill an easily perceivable outcome. Those in society outside this place recognise that and have registered their disapproval of the proposed legislation. Even people like me who are not shooters—I reiterate that I am not a shooter and do not wish to use a firearm—have stated that Victorians should be allowed to use guns privately and constructively.

Finally, I repeat what I said earlier: that it is scandalous that the Labor government has used a policy, which sat on the shelf for nine years, for political opportunism and that it has not distinguished between the criminal use of guns and their use by private, law-abiding citizens. That is my stand and I think the government will be brought down by its lack of foresight.

Mr SHELL (Geelong)—Everyone has the right to live in peace and without the fear of any threat to his or her life, property or person through violence. That is the nature of our community and the proposed legislation is part of the government's program for decreasing violence.

Mr Crozier—It is for disarming the citizenry by prohibition.

Mr SHELL—It is all very well for members of the Opposition to interject but it should be apparent to them that the Bill is part of a program.

Mr Crozier—We understand that!

Mr Cooper—A hidden program.

Mr SHELL—It is not hidden; it has been announced publicly. The honourable member for Mornington attended the meeting at Warrnambool and was not able to answer the questions asked of him by members of the Liberal Party about his party's policy on firearms. The honourable member for Mornington addressed that meeting.

Mr E. R. Smith—Did you?

Mr SHELL—No, I did not. I was not invited to address the meeting.

Mr McNamara—You sat on the floor.

Mr SHELL—I sat on the floor for almost 4 hours because there were no available seats in the hall, which was packed out.

The ACTING CHAIRMAN (Mr Kirkwood)—Order! The honourable member for Geelong has been purposely sidetracked. I ask him to return to clause 1, the purpose of the Bill.

Mr SHELL—The Committee is dealing with the purpose of the Bill. At the meeting at Warrnambool, the National Party suggested no purpose other than to say that everyone should have the right to own guns. The honourable member for Mornington also suggested no purpose at the meeting because he could not outline any platform of the Liberal Party against which people could measure the government's proposal.

The government is concerned to decrease the level of violence in the community. It has done so firstly, by supporting the national committee on violence; secondly, it has given the Social Development Committee a reference to examine violence in the community; thirdly, it introduced the Crimes (Family Violence) Bill; fourthly, it introduced the Firearms (Amendment) Bill (No. 2); and, fifthly, it has increased the powers of the police to detect violence. The government is addressing violence in the community.

The honourable member for Benambra spoke for 20 minutes on the purposes of the Bill but did not once indicate a way to improve the Bill. The honourable member said that he agreed with clause 1, as did members of the National Party and the honourable member for Sandringham, but did not suggest any improvements to the Bill—which indicates the dearth of policy in the Liberal Party.

The purpose of the proposed legislation is to reduce violence in the community, which is what the government is all about.

Mr MACLELLAN (Berwick)—The words in clause 1 are unexceptionable, but the purpose of the proposed legislation is offensive to many citizens within the community.

I do not hold a shooter's licence or own any weapons. Indeed, in thinking about the matter, I can only imagine that there have been occasions when I might have offended against the spirit of the Bill. Occasions arise, from time to time, when it is necessary for people to use firearms and when it is not always readily apparent to them that they need a shooter's licence or, indeed, that the weapon they are using ought to be registered in their name. Rural communities are bedevilled by problems such as this.

It was of some interest to me that the Bill before the Committee has been changed in some detail from the Bill as originally drafted and introduced.

I would expect that, if a government member addressed the Committee on the purpose of the Bill as stated in clause 1, the honourable member would provide some details of the Ministerial meeting which took place last Friday, before the people gave their verdict on Saturday. I should have thought that either the Minister for Police and Emergency Services or a member of the government representing the Minister would have made a clear statement about that historic meeting that the Minister for Police and Emergency Services spoke of during question time, because the Committee does not have the fine details of the agreement that was reached at that meeting or, indeed, of the undertakings or agreements that were put on behalf of the government of Victoria. Press reports certainly indicate that it would not have been the purpose of the meeting, although it seems to be the purpose of the Bill, to ban all semiautomatic firearms. The Committee knows that is the purpose of the Bill because the government introduced regulations along those lines.

Mr Crabb—It is not mentioned in the Bill.

Mr MACLELLAN—The Minister for Police and Emergency Services gets upset about that. The community does not have a clear statement of the view put by the Victorian government at the Ministerial conference, although honourable members have reason to suspect that it was a variation on the suggested purposes of the Bill as put over the past few days.

On Friday the Victorian government backed away from some of the statements that it had made previously. There is every reason for the government to do that because some of the statements it made previously did not make sense, and some of the actions taken do not contribute to the solution of the problem.

There is common ground between all political parties in Parliament that military-style weapons should be banned. Let us take that common ground and implement that, with compensation. Again, how can the Committee discuss adequately the purpose of the Bill and the clauses if it does not know details of the compensation, where funds are coming from or how much is available? The Committee does not know of the Ministerial conference

decisions, let alone the variations of the Ministerial conference decisions that have occurred as a result of the people having spoken on Saturday, the day after the Ministerial conference.

Quite clearly, following the election of a new government in New South Wales, which was a very welcome and constructive step in the political atmosphere of this nation, the situation for New South Wales is completely different. Consequently, there seems to have been a change in the detailed position of the Queensland government as well.

Mr CRABB (Minister for Labour)—On a point of order, Mr Acting Chairman, there is no doubt that the honourable member for Berwick does not get a chance to speak in this Chamber very often and is now taking the chance. However, whatever his views may be about what is occurring in Queensland, New South Wales or any other place he has visited lately, they have nothing whatever to do with clause 1 of the Bill.

Mr Leigh interjected.

Mr CRABB—It is not my fault that the name of the honourable member for Berwick was not on the list of speakers for the second-reading debate and, as a consequence, his attempt——

Mr Leigh interjected.

Mr CRABB—Of course, only 25 honourable members had spoken before the government gagged the debate! I understand why the Liberal Party does not have the honourable member for Berwick in its top line-up, but it is not my fault that he is not in the top line-up. The fact is that the matters he has been raising in the past few minutes have nothing to do with clause 1 with which the Committee is now dealing, and I ask you, Mr Acting Chairman, to bring him back to order.

Mr MACLELLAN (Berwick)—Mr Acting Chairman, I accept the criticism and I shall make absolutely certain that I refer specifically to clause 1. The purpose of the Bill is to amend the Firearms Act and to make further provision for the protection of the public from injury or the threat of injury. I suggest to the Committee that the New South Wales and Queensland governments having the same legislation as Victoria will assist and contribute to Victorian citizens being safer from injury or the threat of injury to themselves and the prevention of damage to property.

I say, therefore, that just as the meeting at Warrnambool may not have been relevant, so perhaps the Minister's meeting may not have been relevant. However, it is relevant, and if the purpose of the Bill is to be achieved, honourable members should consider the consensus between the political parties and those things they all agreed to ought to be done to minimise the differences that occur from time to time.

If the Bill is designed to keep people safe from injury, it is certainly relevant that one should not try to stir up sections of the community to hide guns or to defy the law. That is the very argument that has been put nationally, in New South Wales, in Queensland and in Victoria. It is a significant argument and one that is relevant to the purpose of the Bill.

If honourable members agree that shooters' licences and proper training are appropriate and sensible measures to have in place, they had better agree that it is also proper and sensible, to achieve the purpose of the measure as contained in clause 1, that they should not allow a sizeable part of the community of law-abiding licensed gun owners who have not offended against the law to be pushed into a corner to the point where they believe the government is attempting to confiscate their weapons and to compensate them inadequately, if at all.

That is how the purpose of the Bill should be achieved. If one is really sincere and anxious to achieve the purpose of the Bill, one certainly cannot do so with the policies that the government has had. One does not do it by telling someone who is younger than eighteen years of age and who is using a junior shooter's permit that when he turns eighteen years of age he cannot continue shooting legally, although he has been using a junior

permit. That is what the government has done. That does not achieve the purpose of the Bill.

If the purpose of the measure, to protect the public from injury or the threat of injury, is to be achieved, that cannot be done by saying to a young person that he can shoot so long as he has a junior shooter's permit but he cannot do so when he becomes eighteen years of age because the government is not prepared or has decided not to issue an adult licence to him.

That is the sort of provision that the government has inflicted on the community. Young people who have visited my electorate office have said, "I have turned eighteen. I have tried to obtain a shooter's licence but I have been told that I cannot have one. I have had a junior permit, but suddenly I am told there is then a period during which I am not allowed to have a shooter's licence".

It was legal for them to shoot the week before they turned eighteen years of age, but illegal for them to shoot the week after their eighteenth birthdays because the government decided to place a moratorium on the issue of new licences.

Mr Crabb—That is not in the Bill, either!

Mr MACLELLAN—It is not in the Bill but it is relevant to achieving the purpose of the Bill because the public will not be safe from the threat of injury if there is not goodwill among citizens who have gone to the trouble of taking out the appropriate junior permits and undertaking the necessary courses of study to become competent in using their guns when their reward, when they turn eighteen years of age, is that they will not be able to shoot because the Minister will not undertake the administrative procedures for the issue of more shooters' licences. That position has upset those people, and they have approached members of Parliament about this matter.

A thoroughly respectable preacher from one of the churches in my electorate—he is a minister of the church—was told that he could not have a permit to purchase an additional rifle. He was furious that he was refused a permit by a junior policeman acting on behalf of the registrar. He has a valuable and important collection of guns and he cannot understand why he is not able to have a permit for an additional rifle.

How will the government achieve the purpose of the proposed legislation? The preacher pointed out that there is no provision in the Bill—until it is amended—for a collector of guns, now that the famous regulation is in place. He is not able to move or use those guns because of the regulation; the purpose of the Bill has become a fantasy for him and he is upset and annoyed. I do not believe he will, in any sense, break the law, but he says that the law will not achieve the purpose of the Bill.

The Minister, as the honourable member for Benambra said, has divided the community. The Minister has blackguarded people of good character who have not offended against the law. They have done all the things that have been expected of them but all they have received is abuse from the Minister as though they intended to cause injury, destroy property or commit murder. How can the purpose of the Bill be achieved in such a politically created atmosphere?

The government expected that it had a good political issue on its hands and that it would be able to manoeuvre the situation to cause embarrassment to other political parties or others with different views, but the situation has blown up in its face.

The purpose of the proposed legislation is unexceptionable. The attitude of the Minister and the government has been shown in public statements, but it is not encompassed in the purpose of the Bill. Their attitude destroys the purpose of the Bill.

There is much in common between the political parties that could be put into useful legislation and implemented within the community without the division of shooters or anyone else but the government is intent, not on achieving the purposes of the Bill, but on

achieving a controversy about guns. It needs the Opposition to oppose it; it needs the National Party to oppose it.

Mr Crabb—You supported us in December.

Mr MACLELLAN—The government has drafted the proposed legislation in such a form as to cause a reaction against it. Its desire is not to achieve the purpose of the Bill but to achieve a separate purpose.

The stated purpose, as I said, is unexceptionable. It is to protect the public from injury or the threat of injury and to prevent damage to property arising from the misuse of firearms. The exceptionable attitude which is resisted by shooters and, generally, by many people within the community who have never owned guns and who never intend to fire guns, is that the government is intending to divide the community and to mislabel those members of the community who are law-abiding and who have observed the laws but who are now being characterised as Rambos.

The Minister might like to use that word to describe ordinary citizens who have not disobeyed the law as I might, equally, use the words to describe the Minister's proposal to export guns to America. We are not the better off in either of those situations. The purpose of the Bill is not achieved by those attitudes.

The Minister quickly identified the fact that the public's reaction to his suggestion of exporting guns to America was hostile. It is equally true that that is unacceptable in view of the purpose of the Bill, which will not be achieved. Harmony is not suggested by the purpose of not injuring and not damaging property. We will not achieve the purpose of the Bill if people who are law-abiding shooters with proper licences are characterised as Rambos and as though they cannot be trusted.

The Bill deserves criticism because the purpose of the Bill is not supported by the Bill and because it divides the community rather than seeks out consensus within the community and with other States.

Mr W. D. McGRATH (Lowan)—We are in a different climate from that of last week when the Bill was last before Parliament. Undoubtedly, this is because of the various elections held around Australia last Saturday, particularly the State election in New South Wales.

The purpose of the Bill is what it is all about. In hindsight, perhaps more credibility should have been given by members of Parliament to the reasoned amendment moved by the honourable member for Benalla, which asked the government to withdraw the Bill, to consider the matter of criminal misuse, to investigate the provision of firearms education of applicants before licensing, and to introduce tougher penalties for misusing firearms. The reasoned amendment was a commonsense approach. It endeavoured to gain consensus between the parties so that there would be proper gun legislation in every aspect. But that was not to be the case.

In New South Wales the position of the National Party on gun legislation, gun registration, gun control and gun education has now been adopted. Given today's climate, the Victorian government might have decided to withdraw the Bill, to examine all the issues and to endeavour to reach agreement with the Liberal and the National parties. There might have been a common degree of tolerance and consideration between all parties that would have achieved an acceptable Bill.

Clause 1 provides:

The purpose of this Act is to amend the Firearms Act 1958 to make further provision for the protection of the public from injury or the threat of injury and for the prevention of damage to property arising from the misuse of firearms.

The first part of the clause provides that the purpose of the proposed legislation is to amend the Firearms Act. I do not need to remind honourable members that it was not long ago that amendments to the Firearms Act were made. Prior to Christmas amendments

to the Act were made. The National Party thought then that the amendments should be satisfactory but, before those amendments have been given the test of time to determine whether they are satisfactory, the government has introduced a new set of amendments.

Mr Kennedy interjected.

Mr W. D. McGRATH—In all honesty, I do not believe the honourable member for Bendigo West could suggest that any firearms legislation would come to terms with the types of atrocities that have been committed. It is sad that the Labor Party should mention the Queen Street and Hoddle Street shootings as reasons for the Bill.

Mr CRABB (Minister for Labour)—On a point of order, Mr Chairman, the Committee is debating clause 1, which, in my view, allows a fairly narrow debate relating to the words and concepts of the clause. The honourable member has made more than a passing reference to everything else.

Mr RAMSAY (Balwyn)—On the point of order, Mr Chairman, I believe it is a wrong interpretation to suggest that debate can be limited to the words of the clause. If the purpose of the proposed legislation, as stated in the clause, is inadequate, surely there is opportunity for honourable members to point out that fact. I suggest that that is what the honourable member for Lowan is doing.

The CHAIRMAN (Mr Fogarty)—Order! I suggest that the honourable member for Lowan may canvass matters, so long as he debates whether clause 1 achieves the purpose of the Bill, but he should not enter into any further debate. He is wandering a little bit wide.

Mr W. D. McGRATH (Lowan)—I suppose clause 1, which states the purpose of the Bill, identifies every other clause in the Bill and the amendments that are proposed to be moved by both the lead speaker from the Liberal Party and the honourable member for Benalla on behalf of the National Party. The purpose of the Bill is to try to protect the public from injury or threat of injury and to prevent damage to property arising from the misuse of firearms.

In deciding whether the Bill will achieve the ambitions that the Minister for Police and Emergency Services has for it, one has only to look at the front page of today's *Sun* where it is reported that an ALP document has claimed that the proposed legislation will be unworkable, unenforceable and politically damaging. One could almost say that was written by the National Party, as I have heard the honourable member for Benalla echo those words at a number of public meetings. One wonders about the credibility of the Premier in introducing the Bill to Parliament, especially in light of the fact that honourable members have not had time to determine whether the amendments passed last year will be effective. The government seems hell-bent on trying to put more hurdles in front of what is the purpose of the Bill.

The CHAIRMAN—Order! I am glad to hear the honourable member say the word "purpose" occasionally, because he is getting away from clause 1.

Mr W. D. McGRATH—The government seems hell-bent on trying to put hurdles in front of law-abiding citizens. The purpose and the objects of the Bill are similar and could almost be placed together. In the objects one notes a presumption against private ownership, which is probably one of the main purposes of the Bill, in line with the philosophy or ideology of the Labor Party, which does not want to allow private ownership of firearms in this country.

The CHAIRMAN—Order! This is not a second-reading debate. The clause allows narrow debate on the purpose of the Bill, which is to make further provision for the protection of the public from injury or threat of injury, and so forth.

Mr W. D. McGRATH—Thank you, Mr Chairman. The National Party put up good and positive reasons last week why the Bill should not proceed. If the motion moved by the National Party had been carried the government could have gone away and come back

with appropriate purpose for the proposed legislation. National Party members will continue to put forward the philosophy and policy of the National Party as is its right in this particular—

The CHAIRMAN—Order! Clause 1 states that the purpose of the Bill is to protect the public from injury or threat of injury and the prevention of damage to property.

Mr W. D. McGRATH—Quite right.

The CHAIRMAN—Order! The honourable member is confined to dealing with the purpose of the Bill; continuing to repeat the word “purpose” is not sufficient to allow debate on matters outside the scope of clause 1.

Mr W. D. McGRATH—You are right, Mr Chairman, in pointing that out. The clause also refers to the misuse of firearms, which the National Party believes is not properly addressed by the government in the purpose of the proposed legislation. The misuse of firearms can be controlled only by proper educational programs, appropriate licences and proper penalties. Those particular purposes are not identified in the clause. The National Party will continue to raise this matter in the debate on other clauses.

Mr RAMSAY (Balwyn)—I am a licensed shooter, and I belong to the Sporting Shooters Association of Australia (Vic.). My family own registered guns, which are properly stored: the rifle bolt and ammunition are stored separately from the weapon itself, and the firearms are secured in a way that would meet the requirements of the Bill. If the Sporting Shooters Association of Australia (Vic.) had a non-active list, I would no doubt be a prominent member on it, as I am not a frequent shooter.

The concern the Committee should hold in relation to the purpose of the Bill relates to the manner in which the government has been proceeding with the proposed legislation over the past week or two. The Committee should ask the Minister to make a clear statement of the government's intention during debate on the purpose of the Bill as provided in clause 1. The government recalled Parliament for an extended day last Wednesday.

The CHAIRMAN—Order! The honourable member should return to clause 1, the purpose of the Bill.

Mr RAMSAY—When the Bill reached the Committee stage last Wednesday, the government moved to report progress when clause 1 was called on. During that adjournment period, the Minister for Police and Emergency Services attended a national conference of police Ministers and, on behalf of the government, conceded a position that is not in keeping with the purpose of the proposed legislation.

I regret that the Minister for Police and Emergency Services is now leaving the Chamber; the chances of the Committee obtaining an explanation of the government's position on the purpose of the Bill appear to have evaporated.

Last week the House was told one thing, but the statement of the Australian Police Ministers Council to which the Minister has given agreement, conflicts with the purpose of the Bill and the provisions contained therein.

Before debate continues, the Committee needs to know the government's intention on the use of legislation, and regulations made under legislation, to prohibit the use of semiautomatic weapons in Victoria. That position existed last week and was the subject of a regulation disallowed by the Legislative Council and reimposed by the government.

The Minister for Police and Emergency Services then attended a national conference and agreed with a statement indicating that the Victorian government supports the banning of all automatic firearms but supports the restriction of access to semiautomatic weapons to a limited number of authorised users who have a legitimate occupational or sporting need to possess such firearms, including members of an approved sporting shooting club, for use in approved competitive events.

The CHAIRMAN—Order! The purpose of the Bill is clearly defined in about four lines.

Mr RAMSAY—It is a completely inadequate statement of the purpose of the Bill. The Bill will restrict ownership of firearms to certain categories of persons, including members of sporting shooting clubs.

The Minister for Police and Emergency Services attended that conference in Canberra, and agreed with the statement that semiautomatic weapons could be owned by certain restricted categories of people but distinguished between some categories with legitimate occupational and sporting needs, on the one hand, and members of sporting shooting clubs, on the other hand.

The Committee needs to know the government's position before the clauses can be logically debated. Will the government bring in amendments to fulfil the purpose of the Bill in accordance with what the Minister for Police and Emergency Services agreed to in Canberra last Friday? Is the Victorian government proposing to adopt a course of its own that will be completely out of step?

On Friday last, the Minister agreed that strict licences for other forms of lawful control should be allowed; that is according to a press announcement from his office.

Mr CRABB (Minister for Labour)—On a point of order, clause 1 of the Bill has nothing to do with that. If the honourable member wants to raise that on Thursday during private members' business time, that is fine but it has nothing to do with the Bill.

The CHAIRMAN—Order! I uphold the point of order. Clause 1 is limited. Whatever statements the honourable member is making should relate to clause 1, the purpose of the Bill.

Mr RAMSAY (Balwyn)—On the point of order, that subject relates to clause 1. The government has come to the Committee with a legislative proposal in which it claims that clause 1 states the purpose of the Bill. On the one hand, the purpose of the Bill is not sustained by the other clauses; on the other hand, the purpose is not in keeping with what the Minister has publicly agreed to as a result of the meeting of the Australian Police Ministers Council. The Committee is not aware of what the government wants. Is it a purpose of the Bill to ban semiautomatic rifles? Is it a purpose to restrict access to semiautomatic rifles, and if so, how?

Is it a purpose of the Bill to allow ownership of firearms by persons other than the specified categories at present in the Bill? At the conference last week, the Minister for Police and Emergency Services said that there would be a category of sporting shooter other than a member of a club who would be allowed to possess a firearm. Unless the Minister can clarify those matters for the Committee during debate on clause 1, it will become extraordinarily difficult for the Committee to logically consider in what ways the Bill should be amended.

The statement of purpose in clause 1 is grossly inaccurate and misleading. For example, so far as the Sporting Shooters Association of Australia (Vic.) is concerned, I would be classified as being on the inactive list of sporting shooters. A purpose of the Bill not referred to in clause 1 is to impose an extra financial burden upon me and thousands of others, if the condition of maintaining a registered firearm is to continue, and if I wish to continue as a licensed shooter. The licence at present costs \$15 and the cost of joining the Sporting Shooters Association of Australia (Vic.) is \$25.

The CHAIRMAN—Order! Will the honourable member for Balwyn return to clause 1, as to the purpose of the Bill, and not presuppose what may be debated at a later stage? The clause can only be debated as clearly defined in four lines.

Mr RAMSAY—The statement of purpose is totally inadequate. There is no reference to the increased cost of being a licensed shooter, yet that is one of the provisions of the Bill. There are thousands of others like me, and in my case the fee would increase from \$40 to \$100 if the Bill were passed in its present form. The government should be honest

and insert into the purpose clause the fact that one purpose is to substantially increase the cost of owning a firearm in Victoria.

The Minister for Police and Emergency Services has now returned to the Chamber; I hope the Committee can obtain a clear explanation of the government's position in relation to the statement made at that conference last Friday, and the position he outlined to the House during the second-reading debate, and how those two different positions are associated with the purpose of the Bill.

Mr E. R. SMITH (Glen Waverley)—Very laudable sentiments are contained in the stated purpose of the Bill. The provision includes "the protection of the public from injury or the threat of injury, and for the prevention of damage to property arising from . . ."; they are very brave words, particularly as the government cannot enforce the provisions contained in the Bill. Nobody could complain about that purpose. However, because there are 300 unfilled police positions, and although the government has failed to fill those positions, it thinks it can enforce the Bill. It is a ridiculous state of affairs to propose laudable purposes but, at the same time, to be unable to enforce them. Some police stations in Melbourne do not have available facilities.

Mr CRABB (Minister for Labour)—On a point of order, after one and a half hours of a 2-hour debate the honourable member for Glen Waverley is speaking about police stations; that is outside the terms of clause 1.

The CHAIRMAN—Order! The honourable member for Glen Waverley can relate police stations to the purpose of the Bill but he should not divert too far.

Mr E. R. SMITH (Glen Waverley)—On the point of order, when talking about the purpose of the Bill and the provisions contained therein, the enforceability of such provisions is relevant. In its arrogance, the government has introduced a provision in the Bill to attempt to ban semiautomatic weapons within Victoria. The provision is ludicrous; in order to pass legislation or to ensure the enforceability of an Act, one needs to examine whether the provisions can be enforced. It is reprehensible that the government is making criminals of so many members of the community. How does the government intend to enforce the Bill?

The House has heard from the Premier—whether honourable members can take notice of his words is another thing—that the government will not have members of the police force knocking on doors at all hours of the day to see whether people who have registered their weapons are actually holding those weapons.

The Premier said that the government would not have police knocking on people's doors to enforce the law, but I do not know what provision within this Bill will allow the government to otherwise enforce such a law.

The purpose of the Bill is to protect the public from injury or the threat of injury; in other words, from violence. That subject has been canvassed in this Chamber many times but the Bill makes no provision for it. Honourable members have already said that if the government were fair dinkum it would amend the Crimes (Family Violence) Act to allow police on duty to adequately cope with violence.

The CHAIRMAN—Order! Would the honourable member speak on clause 1, not on additional provisions for the Police Force?

Mr E. R. SMITH—What I am saying is that to make this Bill enforceable the government must give the police powers that are workable and that can be enforced. The only way to do that is to amend the Crimes (Family Violence) Act so that the police, on finding out that a specific individual is liable to commit a violent act against a member of his or her family, can lawfully deal with the situation.

This is what the Bill is supposed to do but no provision is contained in the Bill to enforce it. It does not seem to have occurred to the government that the same effect can be achieved by amending another Act.

The CHAIRMAN—Order! Clause 1 relates to the purpose of the Bill. The honourable member is going all over the place. I ask him to come back to discussion of clause 1.

Mr E. R. SMITH—Thank you for your guidance, Mr Chairman. The point I am making is that the purpose of the Bill is to protect the public from acts of violence involving the use of firearms but the Bill contains no provision to enforce that. It is a ludicrous Bill. Whenever honourable members bring up points about how the law can be enforced, the Minister, in his usual way, yawns or makes some silly interjection. However, he will not address his attention to the purpose of the Bill.

This issue has already been canvassed in an Australian Institute of Criminology article on firearms and violence in Australia, which states:

It should be noted, moreover, that the vast majority of Australian gun owners are responsible individuals who pose little or no risk to themselves or to their fellow citizens.

The CHAIRMAN—Order! Will the honourable member speak on clause 1, please!

Mr E. R. SMITH—Yes, Mr Chairman. The article continues:

The challenge facing public officials in Australia is to minimise the availability of firearms to criminal or otherwise irresponsible persons.

No provision has been made in the purpose or anywhere else within the Bill to stop the two types of people who are misusing firearms the most, the criminals and the lunatics. All the government will do will be to incur the disdain of an innocent group of law-abiding people who, in fact, have already shown their disdain in the Kew by-election at the weekend by rejecting the government. They showed this government and other Labor governments throughout Australia that they are not prepared to suffer this type of invasion of civil liberties.

Labor Party members have always been famous for trumpeting civil liberties but, when it comes to the crunch, it is the Labor Party that is prepared to infringe on the civil liberties of innocent people while the criminal and lunatic elements in the community are left immune. The people of Victoria have seen the Bill in its true light—that is, an exercise in public relations that has backfired severely on the government. Nothing in the Bill gets at the heart of the problem of violence.

We have already heard from previous speakers what happens when governments try to bring in draconian measures. They lose the respect of the community. This happened in the United States of America in the 1930s when prohibition of alcohol was introduced. People who had not before had a drink or wanted to drink suddenly wanted one when prohibition was introduced. The government of the United States of America tried to make alcohol illegal.

The CHAIRMAN—Order! Back to Spring Street, Melbourne, please. Back to clause 1 and relate it to what is contained in the Bill.

Mr E. R. SMITH—Thank you for your enlightened guidance, Mr Chairman. The point I am making is that the government is trying to bring in a measure to address a problem similar to the problem experienced in the United States of America. The result there was that the crime rate went up and the black marketing of alcohol increased. That was the beginning of organised crime in America. That is what will happen if this Bill is introduced; organised crime will flourish and trading in illegal firearms will increase.

The government is going the wrong way about trying to give people protection. The government is not listening to people in the community or to the firearms industry. The purpose of the Bill should be to protect the public from criminals and from lunatics but that is not what will happen. All the Bill will do is to pour scorn on law-abiding citizens who own semiautomatic firearms. It will not get to the crux of the matter.

The Social Development Committee is currently examining the issue of violence in the community. We should be considering what that committee has come up with so far.

The CHAIRMAN—Order! I ask the honourable member to return to the purpose of the Bill, clause 1 of the Firearms (Amendment) Bill (No. 2).

Mr E. R. SMITH—The government should be examining what the experts in the community say are the causes of violence. Nothing is gained by damning law-abiding citizens. The government should be providing protection for those people who need protection from the criminal and lunatic elements of society who run amuck.

The purpose of the Bill is laudable but its provisions are unenforceable. I suggest the government listens to people in the community before it is made a laughing-stock throughout the Commonwealth.

Mr GUDE (Hawthorn)—I express my general support for the introduction of proposed legislation to deal with the control of firearms in Victoria and to seek to reduce the impact of the problems that can be associated with the misuse of firearms.

I do so at a time when the community is settling down after the heat of the massacres that took place in the State some time ago. One would hope that in calmer moments we might achieve the consensus to which the Minister at the table referred in his response to a question in the Chamber today.

I am disappointed that the proposed legislation was introduced in the way it was. I am disappointed that the Premier, who chose at that time to make himself the lead speaker—the key proponent, the pusher, if you like, of the measure—has now promptly proceeded to take a back seat. That is interesting in itself, as the honourable member for Benambra pointed out, and after Saturday one could not blame him. He started distancing himself long before that.

It is disappointing that he has now given the Bill to the “second eleven”, and the Minister at the table is the same person who wanted to sell guns to the United States of America.

Mr CRABB (Minister for Labour)—On a point of order, Mr Acting Chairman, the honourable member has not said one word regarding the contents of clause 1, which is what we are supposed to be debating.

The ACTING CHAIRMAN (Mr Kirkwood)—Order! I uphold the point of order.

Mr GUDE (Hawthorn)—The Bill should follow the intent of clause 1, but it does not. My concern, as an elected representative and as a private citizen, is that responsible, law-abiding citizens should have the right to own firearms and use them for lawful purposes.

The clause provides, “for the protection of the public from injury or the threat of injury and for the prevention of damage to property from the misuse of firearms,” but, at the same time, the Bill denies decent, law-abiding, responsible Victorians the opportunity of owning guns and, to that extent, the purpose clause is in conflict with the Bill.

An honourable member interjected.

Mr GUDE—The honourable member for Bendigo West, who is out of his place, would be better fitted in a tree and, should he go public in Bendigo, he would find out how quickly he would be swept out of office.

The ACTING CHAIRMAN—Order! The honourable member for Bendigo West is out of his place.

Mr GUDE—The point I was attempting to make before I was rudely interrupted was that many law-abiding citizens in Victoria will be prevented from owning guns because the purpose of the Bill is in total conflict with the impact of the proposed legislation.

Trends and issues No. 10—Firearms and violence in Australia, of the Australian Institute of Criminology publication, refers to gun ownership, and states:

There are at least 3·5 million guns of all types—registered, unregistered, licensed, and unlicensed in the hands of private citizens—in Australia. In 1979 there was one gun to every five or six people in the nation. Today there is one gun to every four people.

Would the government have us believe that one in every four people in Australia is not a law-abiding citizen? Would the government have us believe that that proportion of people in this State are irresponsible? If that is what the government thinks, it should say so. It should not try to hide behind some spurious argument in the name of care and concern because that is not what the government is doing, and it is not what the Bill is doing; it is in conflict with the purpose provision of the Bill. The real solution will be in penalties, not in some of the other mechanisms the government is seeking to put in place.

On the general issue of conflict between the purpose clause and the content of the Bill, the government's proposals will force a large number of semiautomatic rifles underground and onto the black market—that has already happened. I do not know how many, but a number of members of the Victoria Police are concerned about it and, as a private citizen, I am concerned about it.

The ACTING CHAIRMAN—Order! Would the honourable member stay with clause 1!

Mr GUDE—I am on clause 1, and my remarks relate specifically to the way in which the purpose clause is in conflict with the balance of the Bill. The Bill itself will drive guns into the hands of undesirables—the psychopaths and the irresponsible and criminal element in the community.

In 1983 the government introduced amendments to the Act that have increased the number of pistols in the State. Today, only a matter of seconds later in the context of legislative enactment, the government has done a 360 degree turnabout and wants to take guns from the community.

The purpose of the Bill, laudable though it may be, is in total conflict with the following clauses. It makes a charade and a mockery of the procedures of Parliament that we were called back for a special sitting last week and sat into the late hours of that evening to achieve precisely nothing other than the government having egg on its face.

The number of pistol collectors has increased tenfold, from 300 to 3000, since the most recent amending legislation was proclaimed on 1 December 1987. A matter of months later the government wants to bring about change, and it is doing so in total conflict with previous decisions. The government makes a mockery of the entire legislation when one reads the purpose clause of this Bill.

I get no pleasure from having to speak on a purpose clause in a Bill. I am disappointed, as a member of the legislature of Victoria, to have to tell the people of Victoria that the Bill the government has introduced is not appropriate to the purpose clause, that it is a charade and a mockery and makes complete fools out of the Parliament and the people who pay the salaries of each and every one of us. I get no pleasure out of being here and being paid under false pretences, because that is the position when this sort of Bill comes before Parliament.

It is as well that I am paid and that members of the Opposition and the National Party are here to point out the deficiencies and frailties of the proposed legislation. One might further suggest that the government is deliberately seeking to deceive the people of Victoria.

Last weekend the Premier said that he would take account of clause 1 as it directly relates to the purpose of the Bill and that he would take heed of what happened at the Kew "referendum". The government's vote dropped 20 per cent and the Opposition's vote, on a two party preferred basis, increased by nearly 6 per cent in a seat that the Liberal Party holds extremely well in any event.

If ever the Premier needed an indication that the purpose clause might be all right but that the body of the Bill was irrelevant, that it defied the purpose, that was it. The Premier should come clean.

As the honourable member for Balwyn said in the debate, it would be helpful and instructive if the Minister for Labour could tell the Committee a little more about what is proposed in light of the outcome of the national conference. The Minister knows that it is relevant and he is trying to run away from it. The Minister did not turn up when the rallies were on.

Mr CRABB (Minister for Labour)—On a point of order, Mr Acting Chairman, apart from being boring and repetitious, the honourable member for Hawthorn is not speaking to the content of clause 1.

The ACTING CHAIRMAN (Mr Kirkwood)—Order! The honourable member for Hawthorn is not referring to clause 1, and I uphold the point of order.

Mr GUDE (Hawthorn)—I thought I was as close to clause 1 as the Minister was to the rallies which he did not attend. I shall conclude by reiterating my concern that the government has made a complete mockery and charade of the proposed legislation. The Bill does not in any way relate to the purpose clause, as laudable as that aim may be, and the government is not as caring and concerned about this issue as are members of the opposition parties.

Mr LEIGH (Malvern)—It is important that honourable members should consider the purpose of the Firearms (Amendment) Bill (No. 2). According to the Minister for Labour, this measure will protect the community—

The ACTING CHAIRMAN—Order! The honourable member should address his remarks to clause 1.

Mr LEIGH—Yes, Mr Acting Chairman, I am referring to clause 1 and the purpose of the Bill. This measure and its purpose will not do anything to enhance the well-being of our community. As the Committee is talking about the purpose of the Bill, I believe I should refer to the comments reported in today's *Sun* at page 1 under the heading, "Backfire—ALP paper blasts Cain gun laws". According to one of the Minister's own colleagues, this Bill will not work. I shall quote from the article by Ian Munro:

A confidential internal ALP document has blasted the Cain government's gun laws as unworkable, unenforceable and politically damaging.

Mr CRABB (Minister for Labour)—On a point of order, Mr Acting Chairman, most honourable members are capable of reading the *Sun* for themselves; they hardly need the honourable member for Malvern to read it for them. In any case, the comments of the honourable member are not relevant to clause 1 which, according to the rules of this Chamber, allows for a very narrow debate.

Mr McNamara—We are talking about the purpose of the Bill.

Mr CRABB—The honourable member's comments are not relevant to the debate.

Mr COOPER (Mornington)—On the point of order, Mr Acting Chairman, the purpose of the Bill is as expressed in the Bill.

The ACTING CHAIRMAN—Order! What is now before the Chair is the purpose clause, clause 1, not of the Bill.

Mr COOPER—I am suggesting that, as printed in the Bill, clause 1 states:

The purpose of this Act is to amend the Firearms Act 1958 to make further provision for the protection of the public from injury or the threat of injury and for the prevention of damage to property arising from the misuse of firearms.

The honourable member for Malvern is quoting from an article in today's newspaper which says, as I understand it, that the Bill does not achieve that purpose. Therefore, it is

highly relevant to the point that he is making and to this clause. If the honourable member for Malvern can supply evidence to the Committee to demonstrate that the Bill does not meet its purpose, I suggest it is relevant for him to quote from the article to reinforce his point.

Mr LEIGH (Malvern)—On the point of order, Mr Acting Chairman, firstly, at the stage when the Minister raised his point of order, I had quoted only a few lines from that article, so the Minister has pre-empted what I was about to say. Secondly, as the honourable member for Mornington has said, the purpose of the Bill is about enforceable gun laws. I am quoting from a document that says the purpose of the Bill will not produce enforceable gun laws. I have clearly related my comments to the purpose of the Bill.

The ACTING CHAIRMAN (Mr Kirkwood)—Order! I have listened to both points of view and it has become obvious to me that the honourable member for Malvern was not confining his comments to the provisions in clause 1. Therefore, I uphold the point of order.

Mr LEIGH—The Minister for Labour appears to be under some delusion about what is the purpose of the Bill. He claims that its purpose is to ensure that there are enforceable gun laws in this State. What I object to—

Mr Crabb—Read it!

Mr LEIGH—I shall be delighted to read it. Clause 1—the purpose clause—states:

The purpose of this Act is to amend the Firearms Act 1958 to make further provision for the protection of the public from injury or the threat of injury and for the prevention of damage to property arising from the misuse of firearms.

The article from which I commenced to quote suggests that the purpose of the Bill, which the Minister is so concerned about, will not work. His own factional colleagues are saying, according to today's *Sun* and *Herald* and a whole range of people, that what is contained in this measure is a farce. Earlier today the Minister said that the Premier elect of New South Wales, Mr Greiner, is in fact breaking an agreement made by the various States.

The ACTING CHAIRMAN—Order! The honourable member cannot range widely in this debate. I ask him to come to order and to debate the clause in the proper manner.

Mr LEIGH—Mr Acting Chairman, I am trying to say that the purpose of the Bill is unenforceable, yet the government intends to proceed with it. In an article in today's *Herald* Mr Davidson, a member of the Minister's own faction, is reported as having said that what the Minister proposes to do is incorrect and will not work. What does the Minister say about the comments of his own factional colleague? The *Herald* article states:

Mr Crabb said today he thought "not much" about the document.

The Minister is not interested in the opinions of his political party, let alone anyone else in the community. If the Minister is interested in ensuring that the purpose of the measure is successful, he ought to find out not only what his own party members are saying but also what members of the community are saying. The reason that none of his party members is present in the Chamber to support him is, I suspect, because they are out in their electorates trying to pick up a couple of points as a result of the Labor Party's strange electoral showing all around Australia last Saturday.

The fact is that, under this Minister, Labor Party members are in a mess. The Minister's colleague, the Premier, deserted him on Saturday night and left him to carry the can. What is proposed in the Bill is clearly unworkable. That view is also being expressed by Labor Party supporters. Mr Davidson, a member of the Minister's party, does not believe the purpose of the Bill is workable.

If the Minister is interested in a bipartisan approach to this problem in Victoria, instead of blindly following his political party and his own bias or prejudice about guns, he should

sit down and talk not only to the Liberal and National parties but also to his factional colleagues, the gun community in general and everybody else.

Everyone agrees that gun law reform is necessary in this State, but no-one wants the sort of jack-boot approach that has occurred under this Minister. If the Minister is interested in a bipartisan approach, he should stand up now and say: "Right, we will take away this measure. We accept what everybody is saying; we made a mistake; we thought we could gain some political mileage from it, but we mucked it up." If the Minister and the government are serious, that is what they should do. Unfortunately, the Minister is not serious. He is interested in some grandiose political scheme to make himself the first Scottish Premier of this State. That will not work.

I ask the Minister to withdraw this Bill and discuss the measure with the Opposition and the remainder of the community to discover whether we can provide some workable gun legislation.

Honourable members interjecting.

Mr LEIGH—It is all very well for honourable members who are sitting out of their places to interject, but I have yet to see one of them make a contribution on this matter. Let us see them put their views on the record.

Mr Pope interjected.

Mr LEIGH—Honourable members know the views of the almost former honourable member for Monbulk, but they do not know about the views of other government backbenchers.

The honourable member for Springvale is quite happy to spend his day interjecting while other people are speaking, but he rarely stands up in this Chamber and supports a measure in any way.

I conclude my remarks by saying simply that the government should reconsider its position on this Bill.

Mr I. W. SMITH (Polwarth)—I do not wish to repeat the brilliant speech that I made in the second-reading debate, but I should like to address my remarks to what is purported to be the purpose of the Bill and to alert the Committee to the fact that it is an absolute fraud. The purpose of the measure is not as the Bill states. It is to create a smokescreen in the community to overcome the government's failure to control the rapid increase in violent crime. Honourable members know the reasons for that. Because the government removed powers from the police and allowed the early release of criminals from prison, there was a need to create a smokescreen in the community and to pretend that the government would do something about law and order.

The ACTING CHAIRMAN (Mr Kirkwood)—Order! The honourable member for Polwarth made a very good speech during the second-reading debate, but that stage has been passed. I suggest the honourable member should confine his remarks to clause 1, which deals with the purpose of the Bill.

Mr I. W. SMITH—Thank you, Mr Acting Chairman. However, the purpose set out in the Bill cannot materialise because it is fraudulent in its base. It is now neither correct nor will it prove to be correct. If ever there were any doubt in the government's mind, surely last Saturday's result in New South Wales in particular and, to a lesser extent, in the Kew by-election would only have increased that doubt. The Liberal Party's result in Kew would have been much better if the duck shooters had all voted. Most of them were away, and some of them must have forgotten to vote.

The real purpose of the Bill has been camouflaged and the effect of the measure will not be as the purpose states. It will be the re-election of a conservative government in this State because Victorians will just not believe the purpose that the Bill sets out to portray.

Honourable members now have the advantage of having read in today's newspaper reports of comments made as a result of people, people at the grassroots of the Labor Party, bringing to the Minister's attention what the purpose of this sort of legislation should be. At both Federal and State levels the Labor Party has increasingly fallen out of touch with the people at the grassroots. Those people say that if there is to be discussion about firearms and alteration of firearms legislation the community needs something in which it can believe, to see that it will work and that the community will benefit.

The people at the grassroots are saying that if one intends to go down that track one must consider the reality of eastern seaboard politics. The reality now is that the Victorian government will be isolated in its purpose, and that will make it less able to enforce the purpose of this Bill and its various clauses.

Surely the government must now not only concede that it is on the wrong track but also search for more realistic measures to meet the purpose of the Bill. No-one could disagree with the expressed purpose, but there is great disagreement with the method of achieving that purpose.

I know that the Minister for Police and Emergency Services has been briefed on the New Zealand system of firearms control.

The ACTING CHAIRMAN—Order! In my view and the view of those who provide professional advice to me, the honourable member for Polwarth and other honourable members do not have the right to canvass widely the philosophies on firearms, whether rightly or wrongly, nor the restraints. The principles that the honourable member now raises have already been canvassed during the second-reading debate.

Mr I. W. SMITH—Thank you, Mr Acting Chairman. I know that, if your will were incorporated in the Bill, its purpose would be quite different. I am trying to direct the Minister's attention to the reality that, if the purpose of the Bill is to be achieved, he must change the content of the measure. The stated purpose of the measure cannot be fulfilled, particularly now, because of the change in political circumstances across the eastern seaboard.

After the amendments are dealt with, honourable members should take the opportunity of making a thorough examination of sensible options, including the New Zealand system, while the Bill is between here and another place.

Mr McNAMARA (Benalla)—The National Party also holds the strong belief that the purpose as stated in clause 1, to provide for the protection of the public from injury or threat of injury and for the prevention of damage to property arising from the misuse of firearms, is not adequately addressed in the amendments now before the Committee.

The National Party certainly supports the statement in clause 1, but it is important for the government to address this issue seriously, forget about the Fabian socialist philosophy and other things and consider what can be done to protect the public adequately.

The Bill makes provision for persons to be members of approved clubs as a prerequisite to firearm ownership. That will certainly do nothing to protect the public. It also makes provision to ensure that transactions involve a dealer; again, that will do nothing to protect the public.

The government must get off the track that is leading it nowhere and get onto a track that will result in the prevention of violence and damage to property in our community.

The Bill should provide for emphasis to be placed on licence testing and education in firearm use prior to the granting of a shooter's licence. Further, there should be only one stage at which such testing takes place, in a similar fashion to driver's licence testing, and there should be only one fee. Those sorts of provisions are enshrined in the New Zealand legislation.

The National Party urges the government to drop the failed provision of firearms registration, on which its whole thrust has been built since 1982. I direct the government's attention to the advice that the Registrar of Firearms offered, that registration should be abolished forthwith. I emphasise that the government should attempt to achieve the purpose as stated in clause 1 in a far more appropriate way.

The Registrar of Firearms, Chief Inspector Newgreen, said that any firearms Act should repress the criminal and irresponsible use of firearms, and look after the public interest, and should not place harsh restrictions on responsible and mature sports shooters, while at the same time educating the public, particularly juniors, in the safe use and handling of firearms. The government would do well to consider the registrar's recommendations.

There have been suggestions by members of the Police Force, and particularly those members on the Firearms Consultative Committee—in fact, the entire committee—that Victoria should adopt the system that now operates in New Zealand and that the measure should concentrate on providing for education and training of people in the safe use of firearms, coupled with tougher penalties for infringements. Unless there are appropriate penalties for the criminal misuse of firearms, nothing will be achieved.

There are penalties within the provisions of the Crimes Act which should be mandatory for a number of offences. In concert with the proposed legislation, the government should take immediate steps to introduce those mandatory penalties.

Many comparisons have been made with similar legislation in an attempt to ascertain whether a Bill might be introduced that will achieve the purpose set out in clause 1 of the Firearms (Amendment) Bill (No. 2), members of the government have referred to the Canadian example.

It would be relevant also to consider in detail the legislation in force in the United States of America, Switzerland, and other countries. I direct the attention of the Minister for Police and Emergency Services to the Federal Bureau of Investigation in the United States of America figures for 1980 to 1985, during which time some 30 States of the United States of America eased firearm ownership laws. They indicate that over that period there was an increase of 12 per cent in firearms ownership laws, and an 18 per cent increase in the ownership of handguns. It might have been expected that there would have been an increase in violence associated with those increases, but coupled with the easing of controls in firearms legislation, there was a toughening of the laws relating to penalties for crimes of violence involving the use of firearms.

It is interesting to note that violent crime involving the use of guns during that same period, from 1980 to 1985, decreased by 18 per cent. During that five-year period, the prison population in the United States of America increased by some 40 per cent. There was a government that was prepared to place the onus and the responsibility on those who criminally misused firearms.

The ACTING CHAIRMAN (Mr Kirkwood)—Order! The Chair finds it difficult to relate the fact that the debate is limited to clause 1 by what the honourable member for Benalla is saying. The terms of clause 1 are not being referred to and I suggest that the honourable member for Benalla is far too wide-ranging in his speech and is not restricting his remarks to clause 1.

Mr McNAMARA—Members of the National Party are genuinely concerned to reduce the incidence of violence in our society. We want to see an attempt by the government to address this problem. I ask members of the government to forget their rhetoric and their philosophy and seriously address this problem. It is something the government has not been prepared to do up to date. I ask that the government listen to its own impartial advisers. I direct attention to the advice given by the Firearms Consultative Committee and also by the Registrar of Firearms. They are people in organisations appointed by the government and they are giving the government a clear message that if a system is

introduced based on the New Zealand system and it is coupled with tougher penalties something will be achieved for the public of Victoria.

The clause was agreed to.

Clause 2

Mr COOPER (Mornington)—I move:

1. Clause 2, line 8, after “(2)” insert “or (3)”.

This is a consequential amendment which allows for the insertion later of amendments Nos 2 and 3 standing in my name.

Mr CRABB (Minister for Labour)—It is more than a consequential amendment. As best I can judge, it is designed to test the issue, and this is as good a point to test it as any other. The amendment purports to enable amendment No. 3 to be agreed to. Amendment No. 3 would make retrospective the Opposition's proposal to disallow the regulation in regard to .22 calibre semiautomatic rifles. I understand the difference between the two sides of the Committee on this issue and I am not about to canvass it again.

I trust I am in order in foreshadowing amendment No. 26 standing in the name of the honourable member for Mornington. That amendment would have the effect of leaving the situation as such that the government could by regulation prohibit any weapon except a .22 calibre semiautomatic rifle. Frankly, the logic of that approach eludes me. It would be possible, if that amendment were accepted, to prohibit an airgun by regulation but to treat .22 calibre semiautomatic rifles as being unable to be prohibited seems to me to be ludicrous. Consequently, I have no intention of supporting this amendment.

The CHAIRMAN (Mr Fogarty)—Order! Amendments Nos 2 and 3 are consequential on amendment No. 1. Is the honourable member for Mornington speaking to his amendment No. 1 and canvassing his amendments Nos 2 and 3 in the knowledge that they are consequential?

Mr COOPER (Mornington)—Yes. The Minister for Police and Emergency Services has directed attention to amendment No. 26 standing in my name. It refers to the preclusion—if I may use that word—of the government being able to ban particular classes of semiautomatic firearms. The Minister for Police and Emergency Services referred particularly to .22 calibre semiautomatic rifles. Amendment No. 26 goes further than that because it includes other types of semiautomatic weapons as well.

The government has not produced any evidence to support the blanket ban it has applied. The Opposition simply states what is supported by evidence from other parts of Australia, as well as from overseas, that the blanket ban will create a worse situation than that which the government is setting out to improve. The blanket ban will drive thousands—perhaps hundreds of thousands—of firearms underground into the black market where they would become available to the very people the government is seeking to keep the firearms away from—the criminals, the psychopaths and the irresponsible.

The government cannot treat the sporting rifle in that way. The blanket ban is simply not enforceable and it will not work in the way the government envisages. That is why the Opposition attempted last week in the other place to lift the regulatory ban. The response now of the Opposition is to do that through legislation. It is unfortunate that it must be treated that way, because the Opposition would have preferred to have the regulation lifted and not have the will of Parliament flouted in the way that it has been by the government.

The Opposition was not prepared to use the Governor in some political brawl by dragging him into this matter, but the government was prepared to take that line of action. The Opposition is seeking to take the action envisaged by amendment No. 26 standing in my name. Amendment No. 1 is consequential in that respect.

The Opposition is attempting to preclude the government from selectively proclaiming clauses or parts of clauses and from avoiding proclaiming any part of a Bill with which it does not agree but which may have been passed by Parliament. There have been many examples of the government's willingness to put legislation not only on the back-burner but into a pigeonhole and ignore it. Over the past three years, significant and important legislation has been debated at length in both Houses of Parliament; the government has finally agreed to it and has then ignored it. The device the government seems intent upon using has been debated before today.

On many occasions, members of the Opposition have indicated that they will not agree to a clause which provides that an Act will come into operation on a day or days to be proclaimed. Quite simply, the government cannot be trusted to obey the will of Parliament. Amendment No. 2 circulated in my name omits the words "or days" from the Bill because the government cannot be trusted.

Amendment No. 3 circulated in my name is part of the package and deals with the lifting of the blanket ban on all semiautomatic weapons. It requires that section 16 (2) will be deemed to have come into operation on the day on which the regulation proclaiming the ban was tabled in Parliament.

When the package of proposed amendments is taken together, one can see the reason behind it and why the Committee should support the three proposed amendments. The government cannot be trusted with regard to the proclamation of Bills. The Opposition rejects the claim that the government can be trusted and that is why it will insist that the words "or days" be omitted from clause 2.

Amendment No. 26 circulated in my name is a consequence of amendment No. 3. If amendment No. 26 is agreed to—as I believe it will be—it should be backdated to operate from the time that the regulation proclaiming the ban on semiautomatic weapons was tabled in Parliament.

I urge the government to consider this matter carefully, logically and calmly. The days of the hyperbole and the rhetoric on this issue should be over for the government. Cold, hard commonsense should be crawling into the minds of members of the government. If the deeds of last Saturday have not imprinted themselves upon the minds of members of the government——

The CHAIRMAN (Mr Fogarty)—Order! The honourable member for Mornington should get back to the Bill.

Mr COOPER—I am on the Bill; I am explaining why the government should accept my proposed amendments.

Mr CRABB (Minister for Labour)—On a point of order, Mr Chairman, given the number of proposed amendments and amendments to amendments, this will be a complex afternoon and evening's business and it is as well that honourable members involved in the debate are clear on what is happening. My point of order is that the honourable member for Mornington seems to be addressing both his amendments Nos 1 and 2.

Mr Cooper—You have got it right!

Mr CRABB—Amendments Nos 1 and 2 are about entirely separate matters and it would be helpful to the Committee if it could debate different matters separately. Amendments Nos 1 and 3 to be proposed by the honourable member for Mornington are connected; however, amendment No. 2 is about a separate matter. It will be difficult for the Committee to deal with these matters together.

The CHAIRMAN—Order! When the honourable member for Mornington was called, it was suggested that he move amendment No. 1 in his name and that he could canvass amendments Nos 2 and 3 as they were consequential upon amendment No. 1. He was allowed to continue on that line.

Mr CRABB (Minister for Labour)—On a further point of order, Mr Chairman, amendment No. 2 to be proposed by the honourable member for Mornington is not consequential upon or even connected with his first amendment.

Mr Cooper—The Chairman has ruled! What do you want? Do you want to start again?

Mr CRABB—After what the honourable member for Mornington did with the amendment last week, I would be quiet if I were he. It will be extremely difficult if the Committee debates every proposed amendment to a clause at one time. It will be impossible! Amendment No. 2 to be proposed by the honourable member for Mornington is identical to amendment No. 1 to be proposed by the honourable member for Benalla. It is about an entirely different matter from those involved in amendments Nos 1 and 3.

The CHAIRMAN—Order! In making the suggestion to the honourable member for Mornington, it was anticipated that amendments Nos 1, 2 and 3 were consequential. If defeated on amendment No. 1, the honourable member for Mornington would not pursue amendments Nos 2 and 3. In fairness to the Minister for Labour, if he objects and believes there is no affinity between amendment No. 2 and amendments Nos 1 and 3, the Committee will deal with them separately. If an objection is raised, I have no alternative but for the Committee to deal with the amendments separately.

Mr Crabb—Do them together.

Mr Perrin—What was the point of order about?

Mr COOPER (Mornington)—That is exactly what the Committee was debating; it was debating amendments Nos 1, 2 and 3, all consequential upon each other. I was simply saying that, following last Saturday, the government should reconsider its position. It should now see that its position cannot be maintained. The government cannot advance the evidence it claimed it had last week regarding the ban on semiautomatic weapons. The Labor Party's own people are saying that the government should reconsider the issue, and the Opposition is giving the government that opportunity.

I appeal to the government to reconsider the matter calmly and factually and to support the proposed amendments. The government will rue the day if it does not support logical and sensible amendments to this important Bill.

Mr McNAMARA (Benalla)—The National Party supports the amendments. Amendment No. 2 moved by the honourable member for Mornington is identical to amendment No. 1 circulated in my name. Clause 2 requires shooters' licence renewals to be subject to occupational need or six months' membership of an approved shooting club and that the requirement will come into operation twelve months after it is applied to new licence applicants. It also refers to the day or days on which the legislation is to be proclaimed. For some time, the National Party has been opposed to the concept of commencement clauses containing the words "or days" as the government has used that opportunity of circumventing the wishes of Parliament.

In some cases, Parliament has decided not to oppose a specific clause—I cite clauses in the Local Government Bill and the Infertility (Medical Procedures) (Amendment) Bill (No. 2)—and the government has accepted that decision without amendment. It has then proclaimed the Bill but not the clause with which it disagreed. The government has selectively proclaimed certain Bills ignoring those clauses amended by the Opposition.

The National Party is concerned about this bypassing of the Westminster system and will vote to omit the words "or days" from clause 2. That will ensure that, when the Bill is passed by Parliament, it must be proclaimed in one piece or not at all. The National Party will certainly support the Liberal Party in achieving that aim.

Amendment No. 3 to be proposed by the honourable member for Mornington deals with section 16 (2) of the principal Act. It refers to the government's ban by regulation on semiautomatic weapons.

That regulation was thrown out by the Upper House. Following the first attempt by the Premier, and the refusal of the Governor to reintroduce the regulation, it was subsequently accepted after a visit by the Minister for Police and Emergency Services. The regulation was reintroduced on 10 March. The amendment moved by the honourable member for Mornington provides for a date of 9 March which will ensure that the government's action will be restricted. The National Party supports the amendment.

Mr CRABB (Minister for Labour)—Amendment No. 2 effectively requires that all clauses of the Bill shall come into operation simultaneously. The difficulty with that proposition—I understand the colleagues of the Opposition in the other place have the same view—is that one might have the same situation as arose with the Firearms (Amendment) Act, when it was clearly necessary to introduce some provisions at the earliest opportunity and the government preferred not to have to introduce other aspects at that stage.

Some honourable members complained that young people had attained the age of eighteen years with valid junior permits but were not able to obtain licences. The reason was that training courses had to be made available, as provided under the earlier Bill. Consequently, those who had not obtained licences could not do so because they had not yet undertaken training courses. It is unduly restrictive to say that all clauses ought to take effect simultaneously. The government does not support the amendment.

Mr CROZIER (Portland)—I seek your guidance, Mr Chairman. I wish to speak on amendment No. 3 proposed by the honourable member for Mornington.

The CHAIRMAN (Mr Fogarty)—Order! That will be in order.

Mr CROZIER—I repeat, for the benefit of the Minister and for the record, the reasons why this is, in the opinion of the Opposition, now a necessary mechanism. The honourable members for Mornington and Benalla have explained the sequence of events that have led to this decision on our part. The reasons are quite clear; that is, the disallowance motion that was passed by the other place on 9 March, which was immediately followed by a reimposition of the ban on all semiautomatic rifles, similar but not identical in wording, to Statutory Rule No. 374 of 15 December.

That illustrates, if any further confirmation were needed, what many of us have been saying for weeks now—that this government would not hesitate to use sections 32 and 49 of the Firearms Act in a completely unscrupulous manner; and the broad regulatory power contained in those sections, specifically section 49 (1) (*db*), including the regulatory power of prescribing by regulation any type of firearm, means that this government's aim of progressive confiscation of private firearms could be allowed by the abuse of this regulation.

It is not only the question of proclamation—and, having been tricked once by this government, the Opposition does not intend to be tricked again—but also the abuse of this regulatory power pursuant to the two sections of the Act to which I have referred. Clearly, the only valid alternative in the minds of those on this side of the Committee is to remove or clarify that broad regulatory power. This is the intention of amendment No. 26 which is clearly germane to the discussion on clause 2 of the Bill.

Unless that power is now taken away from the government by regulation and restored to Parliament, all this government has to do is simply wait until Parliament rises and then continue to ban, by regulation, any class or type of firearm it likes.

We know now that is exactly what the government would do. Therefore, unless the amendment or something like it is written into the Act, that threat will remain. Clearly, the amendment is germane to this argument. It is also fundamental to the Opposition's position on the matter, that clause 2 be amended as proposed by the honourable member for Mornington in his amendment No. 3.

Mr McNAMARA (Benalla)—Following the remarks of the honourable member for Portland during which he adequately described the purpose of the amendment, this is an

opportune time to advise the Committee of the new clause I propose to move, which relates to the same subject. I hope the proposed new clause has been distributed; if not, I shall make sure the Minister has a copy. The National Party will be proposing a new clause to deal with the disallowance of regulations and to ensure that the disallowance provision that currently operates is further widened.

Mr CRABB (Minister for Labour)—On a point of order, Mr Chairman, it will be impossible to make progress if honourable members are allowed to speak on proposed new clauses. The Committee has not yet dealt with clause 2. The remarks of the honourable member for Benalla are not even vaguely related to what the Committee is discussing.

The CHAIRMAN (Mr Fogarty)—Order! I uphold the point of order. The new clause to be proposed by the honourable member for Benalla has been circulated. The Committee is debating amendment No. 1 to clause 2, which was moved by the honourable member for Mornington.

Mr McNAMARA (Benalla)—On the point of order, Mr Chairman, as the honourable member for Portland so adequately explained, amendments Nos 1 and 3 which are circulated in the name of the honourable member for Mornington are specifically designed to ensure that the disallowance provisions under the regulations are properly interpreted. That is specifically what the National Party intends to do at a later stage; that is, to widen the disallowance provision to ensure that the wishes of Parliament are properly pursued.

The CHAIRMAN—Order! The Committee is dealing with amendment No. 1. The honourable member for Mornington said he wished to speak to amendments Nos 2 and 3. The honourable member for Portland accepted that point of view. The honourable member for Benalla is now canvassing his own proposed amendment, and I rule him out of order.

The amendment was negatived.

Mr COOPER (Mornington)—I move:

2. Clause 2, line 9, omit "or days".

The amendment proposes the omission of the words "or days". I have already canvassed the reasons for the amendment and I do not wish to take up the time of the Committee except to say that the matter has been thoroughly canvassed by all speakers on this side of the Committee. It is clear that, on the basis of the performance of this government on other Bills over the past two or three years, the amendment needs to be agreed to and the Opposition is determined that that will be the case.

Mr McNAMARA (Benalla)—The National Party proposed moving an identical amendment and therefore supports the amendment moved by the honourable member for Mornington. I have outlined the reasons for the initial introduction by the National Party of a similar provision last year. As the National Party has said on a number of occasions, it intends to include this provision in every piece of proposed legislation that passes through the Chamber.

The Committee divided on the question that the words proposed by Mr Cooper to be omitted stand part of the clause (Mr Fogarty in the chair).

Ayes	..	..	..	..	..	41
Noes	..	..	..	..	..	36
Majority against the amendment						5

AYES
Mr Andrianopoulos
Mr Cain
Mr Cathie
Mr Crabb
Mr Culpin

NOES
Mr Austin
Mr Brown
Mr Coleman
Mr Cooper
Mr Crozier

AYES

Mr Cunningham
Mr Ernst
Mr Fordham
Mr Gavin
Mrs Gleeson
Mr Harrowfield
Mrs Hill
Mr Hill
Mr Hockley
Mr Jolly
Mr Kirkwood
Mr McCutcheon
Mr McDonald
Mr Mathews
Mr Micallef
Mr Norris
Mr Pope
Mrs Ray
Mr Remington
Mr Roper
Mr Rowe
Mr Seitz
Mr Shell
Mr Sidiropoulos
Mr Simmonds
Mr Simpson
Mr Spyker
Mr Stirling
Mrs Toner
Mr Trezise
Dr Vaughan
Mr Walsh
Mr Wilkes
Mrs Wilson

Tellers:
Mr Kennedy
Mr Sheehan

NOES

Mr Delzoppo
Mr Dickinson
Mr Evans
(Gippsland East)
Mr Gude
Mr Hann
Mr Hayward
Mr Heffernan
Mr Jasper
Mr John
Mr Lea
Mr Leigh
Mr Lieberman
Mr McGrath
(Lowan)
Mr McNamara
Mr Perrin
Mr Pescott
Mr Plowman
Mr Ramsay
Mr Richardson
Mr Ross-Edwards
Mr Smith
(Glen Waverley)
Mr Smith
(Polwarth)
Mr Steggall
Mr Stockdale
Mr Tanner
Mr Wallace
Mr Weideman
Dr Wells
Mr Whiting

Tellers:
Mr McGrath
(Warrnambool)
Mr Williams

PAIRS

Miss Callister
Dr Coghill
Mrs Hirsh
Mrs Setches

Mr Kennett
Mr Reynolds
Mr Maclellan
Mr Evans
(Ballarat North)

Mr McNAMARA (Benalla)—I move:

2. Clause 2, lines 10 and 11, omit sub-clause (2) and insert—

“(2) Section 7 (2) comes into operation on a day to be proclaimed, being a day after sub-division (4) of Division 1 of Part I of the Crimes Act 1958 has been amended by the insertion of a provision, or provisions, to the effect that a person found guilty of an indictable offence under that sub-division (except section 29 of that Act) and who carried a firearm or imitation pistol when committing the offence is guilty of a further offence and liable to a penalty of imprisonment for not more than five years.”.

The National Party is opposed to the provisions of clause 2 (2) and proposes to delete the subclause. The National Party believes the provision places a further restriction on the renewal of a shooter's licence, and it opposes that further restriction.

The government should be amending the Crimes Act to ensure that people who use firearms in the commission of offences are liable to tougher penalties. The amendment suggests that a penalty be imposed on top of any other penalty imposed under the provisions of the Crimes Act.

The provision the National Party has moved to delete comes into operation twelve months after the Bill is proclaimed. It gives a shooter twelve months to meet the occupational prerequisite of six months' gun club membership to obtain a new shooter's licence. People should not be compelled to become members of sporting clubs. That membership should not be one of the prerequisites for obtaining a shooter's licence.

The government should be addressing the problem of violence in our society. Unless it addresses that problem, it will achieve very little in the way of firearms control.

Mr CRABB (Minister for Labour)—The government will not support the amendment. I can see no reason why anyone would support the amendment or even suggest it. The only effect of the amendment would be to defer the increase in a penalty for carrying a firearm in the commission of an indictable offence until it is provided for in the Crimes Act. That offence is already included in the Bill. The amendment has no purpose.

The amendment was negatived, and the clause was agreed to, as was clause 3.

Clause 4

Mr COOPER (Mornington)—I move:

4. Clause 4, line 4, after "shooting" insert "or firearm owners".

The definition contained in clause 4 is incomplete because it fails to recognise that some clubs which are based solely around firearms do not involve shooting. I direct attention specifically to firearm collectors. There may be others.

The amendment is simple and is commonsense. It should not be regarded as politically partial. It seeks to rectify a problem that has been overlooked by the government in the preparation of the definition. The problem the definition, as currently worded, creates will become apparent to the government after it begins approving certain shooting clubs. As the amendment is sensible and clarifies an imperfect definition, the government and the National Party should support it.

Mr CRABB (Minister for Labour)—I have no difficulty with the intent of the amendment but I am advised that it is unnecessary because the words "Approved sporting shooting club" covers collectors' clubs. The government wishes to accommodate firearm collectors and clubs of that nature.

I am advised that the definition, as drafted, includes firearm owners' clubs like collectors' clubs. The government does not support the amendment, but, while the Bill is between here and another place, I shall have the matter checked.

The amendment was negatived.

Mr COOPER (Mornington)—I move:

5. Clause 4, line 9, omit "may" and insert "shall".

The purpose of the amendment is to eliminate any possibility of political control of a firearm organisation. The Bill appears to enable the Governor in Council to overrule the recommendations of the Firearms Consultative Committee.

As one of its duties, that committee must take into account the nature of the club or organisation and recommend whether it should be recognised as an approved sporting shooting club. The government is attempting to take over that role of the committee and is attempting to turn the committee into a toothless tiger. That smacks of political control especially when one considers some of the more well-publicised remarks of the Minister for Police and Emergency Services about the Sporting Shooters Association of Australia (Vic.). One such remark was that the Minister would not approve of that association as a recognised sporting shooting club.

The ability to recommend the approval of a firearm club or organisation should not be given to the Minister or any politician, especially when a decision could be affected one

way or another if the Minister and the particular organisation involved had a difference of opinion. For example, the Minister for Police and Emergency Services has had a severe difference of opinion with the Sporting Shooters Association of Australia (Vic.) and the relationship has disintegrated to the point where legal proceedings are likely.

If that situation arises between a Minister and an organisation, the organisation cannot believe its application will be regarded fairly. The Firearms Consultative Committee should be seen to be independent and impartial. The Governor in Council should act on the recommendation of the committee on an application by an organisation to be recognised as an approved sporting shooting club. The Opposition will not have it any other way, nor would anyone in the State.

The clause allows the government of the day to override the recommendations of the Firearms Consultative Committee; that is unfair and unreasonable. Therefore, I urge the Minister to understand that, although he may not have any intention of overriding any recommendation of the committee, a future Minister may not be as impartial. I would accept the word of the Minister if he declared that he had no intention of overriding the committee.

The amendment is highly regarded in the shooting fraternity because its acceptance will demonstrate once again that the Firearms Consultative Committee is an impartial body, that it will have the power to make decisions and will be able to make impartial recommendations to the Governor in Council.

No-one wishes to see the approval of shooting clubs degenerate into the political arena as has happened in recent weeks. The Opposition is determined to ensure that this matter is taken out of the political arena and that the amendment is supported.

Mr McNAMARA (Benalla)—The National Party is concerned with the drafting of clause 4 and opposes the whole clause. The Governor in Council should not determine which sports shooting clubs should be approved organisations and it is totally inappropriate for the government to intervene in that fashion.

The Minister for Police and Emergency Services is being sued for libel by the Sporting Shooters Association of Australia (Vic.) because of libellous remarks that he made about that organisation. I understand that the Victorian taxpayers are footing the bill for the Minister's defence of that action and the National Party is concerned about that development.

The National Party does not believe any government should determine which sporting shooting clubs should be approved. The Minister has already made it clear that he intends to determine which sporting shooting clubs should be approved organisations on the basis of whether they will lie down and agree with the proposed legislation.

The proposed legislation is based on the requirement that persons who are not farmers and who do not require firearms for their occupational use to be members of sporting shooting organisations before obtaining shooters' licences. All legitimate sports shooting organisations should be recognised.

The National Party does not believe in the philosophy that a person is suddenly a safe shooter because he takes up a \$25 membership of a sports shooting organisation. Those organisations will raise considerable revenue from the increase in membership proposed by the Bill, because approximately 400 000 people will be compelled to take up membership of those clubs. Approximately \$10 million may be raised by those organisations and I assure the government that, after the administrative costs of admitting new members have been offset, almost every cent of that increased revenue will be used to get rid of the government so that there is no recurrence of this type of legislation.

The National Party does not understand why the government wants people to be members of approved sports shooting clubs to obtain shooters' licences, because the government's action will backfire on it. The government continues to pussyfoot with

criminal offenders but it is determined to impose certain conditions on approximately 400 000 citizens of Victoria. The amendment proposed by the honourable member for Mornington slightly improves a flawed clause, but the whole philosophy as put forward in clause 4 is opposed by the National Party

Mr CRABB (Minister for Labour)—The requirement in clause 4 is connected with further clauses that provide that sporting shooters, to demonstrate the bona fides of their commitment to shooting, should prove that they are members of approved shooting clubs. The government has told sporting shooting clubs that it wants membership of their clubs to be subject to a process of induction. A person may be recommended by another member with his application for membership being approved by the committee of the relevant organisation.

That is being done very effectively by pistol clubs and firearm collectors' organisations. Hypothetically, at some future time, a club may find itself in the situation where its activities may be scrutinised because it did not appropriately vet its membership or, indeed, do something untoward.

It was felt that it was more appropriate that obligations of that type were exercised by the Governor in Council or by a committee which, in essence, is a firearms consultative committee and not a quasi-judicial committee.

Mr CROZIER (Portland)—The amendment proposed by the honourable member for Mornington should be read in conjunction with foreshadowed amendment No. 30, which will have the effect, if passed by the Committee, of deleting clause 22. Clause 22 seeks to remove the function of the Firearms Consultative Committee to approve sports shooting organisations for the purposes of the Bill. That power was given to the Firearms Consultative Committee by the Firearms (Amendment) Bill, now the Act, which added paragraph (d) to section 54 of the principal Act.

The Opposition does not approve of the compulsory membership of any organisation, including a sporting or recreational shooting organisation, but believes that membership of an organisation can be a factor in the consideration of an application for a shooter's licence and that that power, as has been pointed out, should remain the function of the Firearms Consultative Committee and not of the government of the day.

It is apparent that the Minister has his own views on what organisations should be approved sporting shooting organisations. As the honourable member for Benalla has already stated, the Minister has tangled directly with one of the largest organisations, the Sporting Shooters Association of Australia (Vic.), because of an untimely remark about that organisation, and that matter will be determined in a court of law.

The Minister should have been present at the many meetings that have occurred around country Victoria or at the monster march held on 30 January in Melbourne, because even though he may have observed the march from a great height in a helicopter, he might have gained a different view about the bona fides of the Sporting Shooters Association of Australia (Vic.) if he had been at ground level.

The Minister may have also taken notice of the confidential internal Labor Party document referred to in this morning's *Sun*, a document that has been referred to already.

Mr CRABB (Minister for Labour)—On a point of order, Mr Chairman, the Committee is addressing an amendment that seeks to omit the word "may" from line 9 of clause 4 and insert the word "shall" in its place. The remarks that the honourable member for Portland has been making in the last 10 minutes have no relevance to that amendment.

Mr CROZIER (Portland)—Mr Chairman, I submit that my remarks are relevant because, although the significance of the change in those words may not be fully appreciated by the Minister, the amendment removes the discretionary power. The amendment moved by the honourable member for Mornington will require the Governor in Council to declare that an organisation is approved.

Of course, one of the consequences of that approval—as is pointed out by the internal document to which I referred and to which honourable members, including the honourable members for Malvern and Benalla, have already alluded—will be to strengthen enormously the financial base of such organisations. It may be worth reminding the Committee of what was stated in that internal document.

Mr CRABB (Minister for Labour)—I raise a further point of order, Mr Chairman. The fact is that the matters being raised by the honourable member are not relevant either to the amendment or to clause 4. The Committee is simply dealing with the process through which the Governor in Council approves a sporting shooting club. That allows for a very narrow debate.

The CHAIRMAN (Mr Fogarty)—Order! I agree that it allows for a narrow debate.

Mr ROSS-EDWARDS (Leader of the National Party)—The National Party will oppose the clause in its entirety, as the honourable member for Benalla has explained.

The CHAIRMAN—Order! The Committee is dealing with amendment No. 5 moved by the honourable member for Mornington.

Mr ROSS-EDWARDS—That is right, Sir. As the honourable member for Benalla pointed out, the amendment improves the clause, but the National Party will still oppose the clause. It is totally undemocratic to force anybody to join a shooters' club.

Mr Crabb interjected.

Mr ROSS-EDWARDS—I am making a point relevant to the amendment. Clause 4 provides for the approval of sporting clubs. One has to join a gun club.

Mr Crabb—Which provision of the Bill states that one must join a gun club?

Mr ROSS-EDWARDS—That is contained in the measure, but that sporting club has to be approved by the Governor in Council. The Minister for Labour has made it quite clear that one sporting club in particular, which is held in the highest regard, will not be approved by the Minister. In other words, he has prejudged it. Before the proposed legislation has been passed this dictator has said that he will not approve that club. Why should honourable members support the Bill when the Minister makes the judgment himself? He talks about Governor in Council approval, but the Minister concerned has already made his judgment.

At least the Leader of the Labor Party in New South Wales resigned as Leader of the Opposition because he admitted that he made an error of judgment. The Minister has made a grave error of judgment in making the statement that he will not approve a particular club.

Mr Crabb interjected.

Mr ROSS-EDWARDS—The Minister has said that he will not approve the Sporting Shooters Association of Australia (Vic.).

Mr Crabb interjected.

Mr ROSS-EDWARDS—If the Minister wants to make an issue of this matter, the National Party will provide the relevant information to him. The Minister has cast aspersions on that club's suitability for approval. If the Minister intends to do that at this stage, what is the point of supporting the measure? Honourable members would be quite wrong in supporting the Bill in these circumstances.

Mr CRABB (Minister for Labour)—In response to the matters raised by the Leader of the National Party I make it clear, as I tried to do earlier—he may not have been in the Chamber—that the purpose of this approval process is to ensure that the approved sporting clubs are those clubs that exercise an appropriate degree of surveillance of their members and proposed members.

It was anticipated that the process would be similar to that undertaken by pistol clubs and collectors' clubs where, to become a member of such a club, one needs to be recommended in some fashion, one needs to be vetted or one needs to be known to members of the committee or other members of the club. That also occurs with football clubs.

I am saying that the Sporting Shooters Association of Australia (Vic.) is not in that category because it does not follow those sorts of processes. Therefore, in those circumstances it is phoney; all one has to do is to pay \$25 and one becomes a member. In the present circumstances, it would not be approved. If the association or any of its ancillaries or suborganisations were to change its processes for inducting members in such a way as to make the processes adequate and similar to those that apply in pistol groups, it would be approved.

Honourable members interjecting.

The CHAIRMAN (Mr Fogarty)—Order! The Leader of the National Party and the honourable member for Malvern are out of order, and the honourable member for Malvern is also out of his place. There should be some decorum in this debate.

Mr CRABB—I make it clear that if the Sporting Shooters Association of Australia (Vic.) or one of its suborganisations or any other shooting club were to amend its induction procedures for new members so as to meet the criteria that I have described, it would be approved. My personal views are irrelevant; this provision involves other people and personnel in the clubs.

Mr W. D. McGRATH (Lowan)—There is a fault in the Minister's argument for forcing anyone who wishes to own or possess firearms to belong to a shooting club. I fully understand the vetting processes that take place before people can become members of pistol clubs. That occurs for a specific purpose; it is a target shooting sport. However, recreational shooting is not a specific sport and it is totally wrong to force a recreational shooter to join a shooting, rifle, gun or field and game club. It is inappropriate for a person to be forced to join a particular club in order to retain his firearm for recreational use.

It is all very well to place such a requirement on members of pistol clubs, because they engage in a specific sport. The Minister used football clubs as an example to illustrate his argument. One must join a football club in order to engage in the organised sport, but if one wishes to kick a football in the park one does not need to be a member of a club. If a person wishes to be a recreational shooter in order to shoot rabbits or quail, why should he have to join a specific club?

The other night a meeting took place in Horsham. It was not a rally or a march, but delegates of various clubs and associations met together: there were two delegates from the Victorian Farmers Federation, two from the Victorian Field and Game Association, two from the pistol club, two from the gun club, two from the rifle club and two trader representatives. Those delegates prepared some sixteen points for consideration. However, one point in particular sums up the feelings of those people about the clause. The delegates agreed that the requirement to join a competitive shooting club as a prerequisite to field shooting should be totally rejected. They believe there should be no absolute requirement or compulsion to join a club to enable them to retain the right to own and possess a firearm.

That is why the National Party will oppose clause 4 in its entirety. To replace the word "may" with "shall" will not overcome the difficulties that will be faced by the many genuine, law-abiding citizens who own firearms. By substituting "shall" for "may" the Governor in Council—which is the Minister—will still have the right to reject a particular gun club.

Even if a gun club is approved, the officials will have to vet every person who wishes to take out membership for that person to participate in recreational shooting. People will not have to go along to the gun club on 6, 10 or 12 occasions and participate in the club's

activities but they will be able to take up membership so that they may enjoy recreational shooting.

I do not believe the amendment moved by the Opposition, or the clause as a whole, will adequately overcome the problems that it seeks to overcome.

The Committee divided on the question that the word proposed by Mr Cooper to be omitted stand part of the clause (Mr Fogarty in the chair).

Ayes	..	..	..	..	..	41
Noes	..	..	..	..	..	36
Majority against the amendment						5

AYES

Mr Andrianopoulos
Mr Cain
Mr Cathie
Mr Crabb
Mr Culpin
Mr Cunningham
Mr Ernst
Mr Fordham
Mr Gavin
Mrs Gleeson
Mr Harrowfield
Mrs Hill
Mr Hill
Mr Hockley
Mr Jolly
Mr Kennedy
Mr Kirkwood
Mr McCutcheon
Mr McDonald
Mr Mathews
Mr Micallef
Mr Norris
Mr Pope
Mrs Ray
Mr Remington
Mr Roper
Mr Rowe
Mr Sheehan
Mr Shell
Mr Sidiropoulos
Mr Simmonds
Mr Simpson
Mr Spyker
Mr Stirling
Mrs Toner
Mr Trezise
Dr Vaughan
Mr Walsh
Mr Wilkes

Tellers:

Mr Seitz
Mrs Wilson

NOES

Mr Austin
Mr Brown
Mr Coleman
Mr Cooper
Mr Crozier
Mr Delzoppo
Mr Dickinson
Mr Evans
(Gippsland East)
Mr Gude
Mr Hann
Mr Hayward
Mr Heffernan
Mr Jasper
Mr John
Mr Leigh
Mr Lieberman
Mr McGrath
(Lowan)
Mr McGrath
(Warrnambool)
Mr McNamara
Mr Perrin
Mr Pescott
Mr Plowman
Mr Ramsay
Mr Reynolds
Mr Richardson
Mr Ross-Edwards
Mr Smith
(Polwarth)
Mr Stockdale
Mr Tanner
Mr Wallace
Mr Weideman
Dr Wells
Mr Whiting
Mr Williams

Tellers:

Mr Smith
(Glen Waverley)
Mr Steggall

PAIRS

Miss Callister
Dr Coghill
Mrs Hirsh
Mrs Setches

Mr Kennett
Mr Maclellan
Mr Evans
(Ballarat North)
Mr Lea

Mr WHITING (Mildura)—I oppose the clause. The situation that applies in country areas, particularly my electorate, was illustrated by a telephone call I received from a person who takes part in small bore rifle activities who lives in the township of Murray Valley, which is approximately 200 kilometres from the nearest small bore rifle shooting club. That person asked me whether he had to become a member of an approved shooting club to be eligible to use a small bore rifle for that purpose.

Although persons would not be expected to attend regular meetings at the club, it would be a 400-kilometre round trip to attend any meeting. I presume the office bearers of the club would attend regularly and that the situation would end up becoming a farce. That would be the extreme. There may be other people living in that district in a similar position but eventually they will decide that it is a farce and will carry on their small bore rifle shooting in their own home towns, not worrying about the law of this State.

There has been much talk about decent, honourable citizens creating civil disobedience. I would not blame those people for not taking notice of the proposed legislation if it should be passed in its present form.

Although the Firearms Consultative Committee is currently comprised of people of strong morals and high standards, it is feasible that the present government could influence the members or appoint to that committee people who would take only the advice of the Minister and, therefore, would not recommend, for argument's sake, that the Sporting Shooters Association of Australia (Vic.) be an approved sporting shooters' club, thereby having the effect that the Minister originally claimed would not occur. For those reasons, the National Party opposes this clause.

Mr COOPER (Mornington)—The Opposition is disappointed that the government refused to accept what I believe was a reasonable amendment in regard to eliminating the political control of government over the approval of sporting shooters' clubs. The point was made clear, and I am sad that the government seems determined to pursue the course of trying to control sporting clubs. The point made by members of the Opposition and National Party was obviously ignored by the government, to its detriment.

The Opposition is left with no alternative to lending its strong support to the National Party by opposing this clause on the basis that the government appears determined to ride roughshod over any organisation with which it does not agree. Honourable members have heard the Minister trying to wriggle off the hook tonight, but he has made it clear that he will shaft the Sporting Shooters Association of Australia (Vic.), the largest sporting shooters' organisation in this country. He is determined to knock it off. He has done it publicly. He has gone off at a tangent—

Mr Crabb interjected.

Mr COOPER—I ask the Minister to withdraw the word "mongrel".

The CHAIRMAN (**Mr Fogarty**)—Order! The honourable member for Mornington has found the word offensive and has requested a withdrawal.

Mr CRABB (Minister for Labour)—I withdraw.

Mr COOPER (Mornington)—I thank the Minister for the polite withdrawal of the word! The Minister has demonstrated his bitter and vindictive attitude towards the largest sporting shooters' organisation in Australia.

Mr Crabb interjected.

The CHAIRMAN—Order! The Minister will come to order.

Mr COOPER—The Minister has fallen out of his tree again; he has shown that he cannot take it, has gone off in a fit of pique and has announced that he will not do anything about approving that organisation, no matter how good it is and how relevant it is to the shooting fraternities of this State. He has made up his mind. It is a blatant example of political control and political influence in this area.

The Minister has determined that he will crush the Sporting Shooters Association of Australia (Vic.); he does not care about it, and he does not care about its members or what they think. He does not care about anything other than his own personal satisfaction because he believes he has been insulted by the organisation because its representatives described him as a Minister who does not know what he is talking about, and they are right. They have described the Minister as grossly ignorant, and time and again he has demonstrated that that is so. He does not know what he is talking about when it comes to firearms. He has achieved his revenge by saying he will not approve of the organisation.

It is an appalling state of affairs that a reasonable amendment providing that political control or influence over the approval or non-approval of shooting clubs is not left in the hands of the Minister is not accepted by the government. The government is determined to have its way.

The Opposition has argued that the Governor in Council should act on the recommendation of the Firearms Consultative Committee, but the government has rejected that suggestion out of hand because the Minister is determined to have his way with the Sporting Shooters Association of Australia (Vic.). He is determined to crush the association. However, the Opposition is equally determined to protect the interests of the Sporting Shooters Association of Australia (Vic.) and any other legitimate organisation that represents hundreds or thousands of law-abiding and respectable citizens in the State. That is what the opposition to this clause is all about; it is nothing less than an effort to ensure that political control over shooting organisations is not left in the hands of any government or any Minister, particularly not in the hands of the current Minister for Police and Emergency Services.

Mr McNAMARA (Benalla)—The National Party totally opposes clause 4 in its present form because it does not believe any government should determine which sporting organisations are approved. For a number of years the National Party has had a philosophy that no-one should be forced to join any organisation. The National Party is particularly opposed to compulsory union membership in the industrial arena.

The National Party is concerned that the government is introducing standover tactics in the proposed legislation. There is no justification for those tactics. Nothing can be achieved by this clause to make Victoria a safer State. If the government moved more in the direction of harsher penalties for people committing criminal offences and laid off the 400 000 or 500 000 law-abiding citizens who possess firearms, it would achieve more.

The government introduced the Bill with the arrogant attitude that it would be a quick vote winner. Honourable members may have heard about the telephone call of the Premier to the New South Wales Premier, who was defeated in the election only last weekend. He said, "We have a great new policy; we will get tough on sporting shooters". When the New South Wales Premier, Barrie Unsworth, resigned today, he announced that he had politically misjudged the issue of firearms.

Mr CRABB (Minister for Labour)—On a point of order, Mr Chairman, the contribution honourable members are currently hearing has nothing to do with clause 4 of the Bill.

The CHAIRMAN (Mr Fogarty)—Order! I agree with the point of order.

Mr McNAMARA (Benalla)—The National Party is concerned that the clause attempts to intimidate sporting shooters' clubs. The Minister has been blatant in the way in which he has threatened and intimidated sporting organisations. An organisation that shows the backbone to stand up for its members has been called a phoney club and told it will not be recognised because the government will introduce the authority provided in this clause.

The National Party has said that this is not on! The National Party will not allow a little Arbroath lout to introduce a Bill to intimidate sporting clubs in Victoria. The National Party will not allow any intimidation of genuine law-abiding people who have every right to own a firearm and to take part in a legitimate sport. The government, through the Bill, is placing ordinary law-abiding citizens into a class worse than that of criminals. Last year

it attempted to fingerprint every sporting shooter in Victoria but would not allow the police to fingerprint criminals.

The issues need to be addressed more seriously. The main issue is to turn the focus upon the criminal, not the innocent person; the government is not prepared to do that. It pussyfoots around with criminals but persecutes law-abiding citizens.

Clause 4 should not be allowed to be introduced. If it is included in the Bill it will give the government absolute power to disaffiliate or not recognise any sporting shooting organisation in Victoria. What terrible traumas the Sporting Shooters Association of Australia (Vic.) has experienced in recent months when its very existence has been threatened! The Minister has been telling the public that anyone who joins the Sporting Shooters Association of Australia (Vic.) will not be allowed to own a firearm.

For that reason, the National Party will not allow the clause to be included in any legislation. It is not a matter of amending the clause but of throwing out the entire provision.

Mr KENNETT (Leader of the Opposition)—Clause 4 clearly indicates the non-preparedness of the government, in particular the Minister for Labour and the Premier, to accept any consultation to bring about legislation that is fair and equitable, and which would ultimately reflect the view of the community as a whole.

For some time the Liberal Party has been saying—and continues to repeat—that it will support any measure that tightens up firearms ownership which is enforceable, equitable and effective. Tremendous arrogance has been shown not only by the government but also, and in particular, by the Premier and the Minister for Labour, who, I am sure, have acted in a way that has been contrary to the advice received from their own backbenchers.

One cannot ignore the fact that throughout the country over the past weekend the community has responded most resoundingly to the Labor Party's arrogance. Whether or not the government or the Minister like it, it is that sort of arrogance that will ultimately cause the government to lose office. It will be decimated at the polls because when a legitimate point of view is being put forward by the opposition parties in relation to the clause, the Minister is interested only in holding his position to show that he is right. The opposition parties disagree with that position.

Major movement has occurred around the country, in particular in New South Wales and Victoria, on the question of firearms control. Nobody doubts the objectives, but people object to the way it has been done and to the arrogance associated with this type of clause, when the Minister for Labour will not take on board a suggestion or a recommendation that could only improve the proposed legislation to make it more equitable. I hold the Minister for Labour personally responsible for what the government is doing to its own political party and supporters who are deserting their cause in droves because the Minister no longer listens to the community.

Clause 4 concerns a large number of constituents in society who are Labor Party supporters, as well as non-Labor Party supporters, who have told the government that the clause allows the Minister to impose dictatorial controls in respect of those clubs and associations that he considers acceptable. The Liberal Party will be more than happy if the Minister continues with his arrogance; he is backed up by the Premier, who is not here tonight. If that is the way they wish to proceed on this clause and other clauses, so be it, but the Premier and the government have to accept that unless they start listening to genuine contributions from the opposition parties and from the community at large, the Premier will be swept out of office, just as the Minister has to accept——

The CHAIRMAN (Mr Fogarty)—Order! The Leader of the Opposition must return to clause 4.

Mr KENNETT—I am dealing with clause 4 because that highlights the arrogance of the government, particularly the Minister for Labour and the Premier. The former Premier of

New South Wales tonight indicated that he accepts responsibility for a bad decision because he did not listen, and because he tried a political short cut to buy short-term political votes——

Mr CRABB (Minister for Labour)—On a point of order——

The CHAIRMAN—Order! I ask the Leader of the Opposition to return to clause 4.

Mr KENNETT (Leader of the Opposition)—I am speaking on clause 4. I understand it is a sensitive matter to the Minister; he must have had one hell of a time at caucus today, but that will be nothing compared to what he will face in the future because the government—particularly the Minister for Labour, and the Premier who introduced the Bill—even after the weekend is still not prepared to listen to reasonable suggestions.

Encapsulated in the clause is an opportunity for the Minister and the government to say they have listened and learned, but no, the Minister arrogantly continues with the line that any suggestion made by the opposition parties as a result of representations received must be wrong. I do not mind; you are not coming back after the next election, Mr Chairman, and you do not mind. The Minister for Water Resources does not mind. However, the honourable member for Monbulk will mind because the Minister is rejecting public interests. He is rejecting the advice that the community is giving to him, to strive for the objective but, for goodness sake, to ensure that he does it in a equitable and enforceable way. At the end of the day the Minister for Labour and the Premier, because they are not prepared to listen to suggestions on the clause from the opposition parties, must accept not only defeat and their own political demise, but also defeat for pushing the previous Premier of New South Wales into accepting a policy that had not been fully analysed.

The Opposition, as a result of much consultation, will make the same suggestion on many other clauses in the debate. It does not matter whether the miserable Minister and the Premier, in collusion, ignore the voice of Parliament and the people, but they do so at their political peril. At some stage the Minister must understand that he cannot separate himself from those who elected him. If he does not accept their opinions he will end up underneath the people.

The sitting was suspended at 6.29 p.m. until 8.3 p.m.

Mr KENNETT—Prior to the suspension of the sitting for dinner we were discussing clause 4.

Mr Crabb—We might have been; you weren't!

Mr KENNETT—There he goes yet again. The arrogance of the Minister shows through time and again. I was addressing the fact that the clause, as it currently stands, gives the Minister, through the Governor in Council, almost unfettered dictatorial powers to exclude anyone or any club or association that he sees fit, based on a personal whim.

Mr Crabb—You're wrong!

Mr KENNETT—We are not wrong. I can understand the Minister being testy about this because he is now starting to admit that his whole handling of this issue has been grossly misguided and, no doubt, he and the Premier must accept some responsibility for the defeat of their colleagues north of the border.

The clause gives the government the opportunity of clearly indicating to Parliament and to the people of Victoria that as the government pursues its objective of tighter firearms controls it can also listen to and accept the reasonable and constructive contributions of others which will improve firearms legislation.

Mr Crabb interjected.

Mr KENNETT—The Minister, who obviously has had an enjoyable dinner, now comes back into the Chamber and says that the government will not listen to any contributions

from the Opposition and that the government intends to pursue its own agenda in the arrogant way that it originally put this measure into place.

Mr Crabb interjected.

Mr KENNETT—Our vote did not go down by 50 per cent! The clause is important because it gives Parliament and the public the opportunity of seeing whether the Premier, who introduced the Bill—who has not appeared in the Chamber today to listen to honourable members' contributions—is now prepared to admit that he has been wrong and that the government has made a mistake.

The objectives of the government may have been fine but the way in which the government is seeking to go about imposing its objectives is not. The Bill is totally unenforceable and, in fact, it will put the public at greater risk. In introducing the Bill, and in the provisions of this clause, the Victorian government led the vanguard of a vitriolic approach to the question of firearms control both here and in New South Wales. There is no doubt that the Premier and the Minister for Police and Emergency Services must accept a great deal of responsibility for the failure of the Unsworth government in New South Wales.

The Minister for Industry, Technology and Resources may laugh but it is not a laughing matter for those of his colleagues whom he helped lead to destruction. The Minister, along with the Premier and the Minister for Police and Emergency Services, will be responsible for leading his own party to a massive electoral defeat unless he is prepared to accept that government members are representatives of the public and the community. They must be prepared to listen to what the community is saying.

Over the past twelve months the government has become totally consumed by its own authority. That attitude is represented in this place and it is reflected in this clause.

Mr Fordham interjected.

Mr KENNETT—It is important to recognise that. The Minister for Industry, Technology and Resources, who has served in this place a long time and who understands the importance of Parliament, will appreciate that Parliament is the instrument of the public and that it is designed to advance and protect the public interest. When any Minister, such as the Minister for Police and Emergency Services, starts to put himself above the people and does not listen to them, the ultimate effect is that the public will lose respect for the Minister and for the political party of which he is a member.

From the way in which the Minister has used the Governor in Council in recent times, when he has overruled the supremacy of Parliament, it is obvious that he is quite prepared to misuse the powers of the Governor in Council and, if necessary, he is prepared to politicise the office of the Governor. That is unacceptable. If any lesson is to be learnt from these recent times, it is that Bills passed by Parliament wherever possible should confine the activities of the government to the passage of legislation which can be carefully scrutinised by Parliament. There is no better example than this clause.

Clause 4 states:

(2) After section 3 (4) of the Principal Act insert—

“(5) The Governor in Council, on the recommendation of the Firearms Consultative Committee, may . . .

Two points need to be made. Firstly, in the past the Minister has not consulted with the Firearms Consultative Committee; and, secondly, he has totally abused the office of the Governor in this State for his own political ends. If the Minister is prepared to overrule the supremacy of Parliament, how can we accept his word that he will not allow his personal idiosyncrasies and frustrations to wipe out legitimate clubs and associations which have a legitimate right to exist?

The Minister has said that neither he nor his government will accept any amendment that will remove the provision relating to sporting shooting clubs. That is arrogant. If he

is confident about what he is doing, he should have no fear of its removal. It is a condemnation of the Minister that, with so many clauses of the Bill yet to be dealt with, he is adopting an arrogant approach. He has foreshadowed that the government will oppose all Opposition amendments. If that is so, there is no doubt that the Bill will proceed unamended to another place and that, ultimately, it will need to be substantially amended in the other place.

If the Minister does not like that, we suggest that he put into action his plan to go to the people early. I guarantee that he will not do so because ultimately——

Mr Crabb interjected.

Mr KENNETT—The Minister interjected and said, “careful”. The Opposition is more than happy to go to the people any time the government wishes.

What is behind clause 4 and the proposed legislation is not so much good, commonsense legislation, but the result of a play between two individuals in the State—the Premier, as he pursues his idiosyncrasies, and the Minister, who pursues his leadership ambitions.

The Minister blatantly suggested to the community that the confiscated weapons could be sold overseas—an outrageous suggestion. On this clause, he now suggests that if the Opposition amends the proposed legislation in a way that the government does not like, the government will go to the polls.

I will lay \$100 to \$1 that the Minister has no more courage to face the people today than he had twelve months ago; it is all rhetoric. In the development of the Bill, the Minister was not prepared to consult, nor was he prepared to attend the numerous meetings held around the State. All he can do is to appear on television and threaten to go to the electorate early; and amendment of the Bill could be a reason for an early election.

I say to you, Mr Minister, that the Bill will not pass through the Parliament in the form in which it has been submitted. Many amendments will be submitted by the Opposition and the National Party to make the proposed legislation enforceable.

I challenge the Minister to say again that he is happy to go to an early election on this matter.

The CHAIRMAN (Mr Fogarty)—Order! Is the Leader of the Opposition addressing the Chair, the Minister, or what?

Mr KENNETT—I am addressing the Minister through you, Mr Chairman. Clause 4 is only one of many that the Opposition intends to amend. On that criteria, the Minister should have the gumption to put into practice his threat to go to the polls. If he will not go to the polls, he will end up caving in in another place, accepting the amendments we move and heaving a great sigh of relief that he will not be hoisted on his own petard. The damage done by the government in its own constituency with clauses like this will not be repaired between now and the next election. The red of the seat as opposed to the blue of the seat the greater will be the rejection of the government because of the approach the Minister is adopting on this clause.

The Liberal Party and I seek good and enforceable legislation, but if the Minister, supported by a now nonexistent back bench—and those who are here are neutered and silent—continues with the arrogance that he and his Leader have shown on this proposed legislation during the rest of the debate on the clauses before the Committee, ultimately the government will pay a heavy electoral price. That will be to the Opposition’s advantage. It will simply turn from what is now a good movement our way into a landslide.

If the Minister, through his own arrogance, is not prepared to examine clauses such as clause 4, and his Premier is not prepared to be present to listen to the submissions, then they, between them and together, not only will see the Bill either extensively amended in the Upper House or not proclaimed because the government will withdraw it in another

place, but also will certainly signal to the community that the government believes it is above the community. This dictatorial approach "that we know better than the people what Victorians should be doing with their lives", will continue to be an issue which will earn the Labor Party the greatest electoral rejection that the State has seen since the 1976 election when the Minister for Police and Emergency Services came into the House. The government then had 22 members. The government will be wiped from the political face of the Victorian electoral map if the Minister does not start accepting some responsibility for the people who gave him the opportunity of serving in this Parliament.

Mr LIEBERMAN (Benambra)—I do not support clause 4. I spoke at length earlier today and will not go over the same points again.

Mr Crabb interjected.

Mr LIEBERMAN—The interjection from the Minister for Police and Emergency Services again is an indication of his arrogance. I have a responsibility to tell Parliament about the concerns of the people I represent in north-eastern Victoria as the honourable member for Benambra. Hundreds of people have spoken and written to me about their fears and concerns that the government will not be fair and even-handed on its approach in trying to put in place laws which will protect the community and which are fair, equitable and enforceable.

If the Minister does not know it, I shall now tell him another reason, in addition to the other reasons that have already been adequately put by other honourable members in this debate, why clause 4 is reprehensible and has to be defeated.

The Minister is on public record as having said that the Sporting Shooters Association of Australia (Vic.) is an organisation which, from the Minister's point of view speaking on behalf of the Cain government, is not to be respected and listened to.

Mr Chairman, you will recall the derogatory remarks made on television some weeks ago by the Minister about the Sporting Shooters Association of Australia (Vic.). My personal knowledge of many of the members of the association in country Victoria and the executive, is that they are people with which the Minister should be proud to be associated, and proud to listen to. He is duty-bound to give them respect. The Minister does not have to agree with what they say, but he should listen to them and give them the courtesy, as a Minister of the Crown, knowing that they are experienced people who speak for thousands of persons who enjoy the sport associated with the use of firearms in hunting, in target shooting and the like.

By his own action, the Minister has indicated that if he, as a Minister of Her Majesty's Executive Council, is involved in a meeting with His Excellency, the Governor, to recommend certain courses of action, as clause 4 proposes, he has already declared publicly that he would not recommend the Sporting Shooters Association of Australia (Vic.) as being a worthy organisation to be an approved sporting shooting club.

An honourable member interjected.

Mr LIEBERMAN—I was not here during the debate earlier, I was in the Privileges Committee hearing matters which Parliament asked me——

An honourable member interjected.

Mr LIEBERMAN—The Minister may have said something earlier which amounted to a back-down from what he said publicly, but I am not willing to give the Minister or the government power to arrogantly advise His Excellency, the Governor, or, alternatively, to bring in laws and de facto laws through the *Government Gazette* by way of advertisements that will deprive people who form themselves into sporting shooting organisations of the right to recognition under this law.

If one examines the Bill carefully, there is no right of appeal against the decision of the Governor in Council if it receives a recommendation from the Firearms Consultative

Committee to give approval to a sporting shooting club. There is no appeal if the Governor in Council—that is His Excellency, advised by his Ministers—decides, notwithstanding a recommendation of the Firearms Consultative Committee, that it will not receive the sanction of the government.

There is no right of appeal at all. Who in his right mind would give this arrogant government power over the rights of citizens to form approved shooting clubs already knowing that this government is riddled with prejudice and with political arrogance? The political arrogance of the government is that if one does not agree with the government on issues involving the use of firearms in this State one is judged unworthy. If one has the temerity to stand up to this government publicly and puts a slightly different point of view, one is put down. That is on the record. The Minister for Labour went out of his way to bucket the Sporting Shooters Association of Australia (Vic.) on television. He demeaned the association and attempted to convince the community that it was an unworthy organisation.

Mr Crabb—And your party has done a deal with them.

The CHAIRMAN (Mr Fogarty)—Order! The Minister is being disorderly. The Chair is in this direction.

Mr LIEBERMAN—That is a classic demonstration of this government's style.

Honourable members interjecting.

Mr LIEBERMAN—Mr Chairman, you should throw that fellow out!

The CHAIRMAN—Order! I warn the Minister and the honourable member for Mornington and I ask for some decorum. The Minister will have the right of reply.

Mr LIEBERMAN—Mr Chairman, the interjection from the Minister was——

The CHAIRMAN—Order! I am trying to keep matters in order and the honourable member for Benambra is trying to aggravate that.

Mr LIEBERMAN—No, I want the Minister to withdraw, because he made an imputation against my Parliamentary colleagues and me. The Minister said, by interjection, that the Parliamentary Liberal Party has made a deal with the Sporting Shooters Association of Australia (Vic.). I call on him to withdraw because I will not tolerate that imputation. It is an indication of this government's style; if one has an alternative view, the government will turn around and try to belittle one.

The CHAIRMAN—Order! I heard the Minister's interjection. It was not a personal reflection but the honourable member for Benambra has asked for a withdrawal. The honourable member has taken offence at a reflection that has been made about the Parliamentary Liberal Party and has asked for a withdrawal.

Mr CRABB (Minister for Labour)—Mr Chairman, if I am directed by the Chair to withdraw something that, in an intemperate moment, I said about another political party, which the honourable member alleges is a description of himself, I am happy to withdraw. I do not believe my interjection was unparliamentary but, if the Chair directs me to withdraw, I shall.

The CHAIRMAN—Order! The Minister should withdraw and allow the Committee to get on with the business.

Mr LIEBERMAN (Benambra)—The Minister has not withdrawn, Sir.

The CHAIRMAN—Order! I have accepted his withdrawal.

Mr LIEBERMAN—I thought he was asking you whether you accepted it.

The CHAIRMAN—Order! Let us get on with the business.

Mr LIEBERMAN—The Minister's behaviour in the past few minutes has adequately demonstrated what I have said. This government cannot be given any power without right of appeal to go to His Excellency the Governor to give the thumbs down on an organisation simply because that organisation has a quarrel over a political issue or policy of the government of the day. Surely the criteria for giving approval to a sporting club should be that its track record, performance, integrity, standards, charter and constitution are good and that its members are seen to be responsible and that they will carry out the requirements expected of them by the law.

They should be the criteria, not some narrow-minded prejudiced or warped political judgment simply because the arrogant government is offended that someone has had the temerity and courage to stand up and put an alternative view. Thank goodness the association did that because the community has had the opportunity now of discovering what this government is all about.

Mr Kennett—Mr Chairman, I direct your attention to the state of the Committee.

Mr Crabb—That's great, Jeff.

Mr Kennett—You said it was an important Bill.

A quorum was formed.

Mr CRABB (Minister for Labour)—For the benefit of the honourable member for Benambra and the Leader of the Opposition who were not present in the Chamber earlier today because of other Parliamentary business in which they were engaged and for the benefit of those intrepid readers of *Hansard*, whoever they may be, I again put on record the position concerning the approval of sporting shooters' clubs.

The intention of the clause is to ensure that approved sporting shooters' clubs are those which have appropriate induction processes for new members, as there are with most clubs, whereby someone desiring to be a member must be recommended and seconded by other members who know them, and be subject to some approval process by some mechanism or subcommittee within the club.

That is the whole purpose of people applying to be members of shooting clubs. In that respect, if the Sporting Shooters Association of Australia (Vic.), or any of its subgroups, were to change its procedures so that they fit those criteria, as do pistol clubs, collector clubs and others, they will be approved by this process. My professional relationship with the leaders of the association would not in any way interfere in that process. I have now said that for the second time.

The Leader of the Opposition also made some noise about an early State election. I should have thought that he would have expressed some gratitude to me for suggesting that there might be an early election. I did not do it entirely to assist him but he should have recognised that by that suggestion I am supporting what he has been doing around country Victoria: telling his backbench members that there will be an early election to prevent this year's challenge to his leadership being brought on before the election.

The CHAIRMAN (Mr Fogarty)—Order! The Chair is over in this direction and the Minister should be speaking on clause 4.

Mr CRABB—I should have thought the Leader of the Opposition would have the decency to say, "Thank you" to me for contributing in some small way to his position as Leader of the Opposition, a position which all honourable members on this side support. I indicate again that the government will not accept the amendment.

The Committee divided on the clause (Mr Fogarty in the chair).

Ayes	..	..	..	..	..	41
Noes	..	..	..	..	..	35
Majority for the clause	..	..	..	..	..	6

AYES

Mr Cain
Mr Cathie
Mr Crabb
Mr Culpin
Mr Cunningham
Mr Ernst
Mr Fordham
Mr Gavin
Mrs Gleeson
Mr Harrowfield
Mrs Hill
Mr Hill
Mr Hockley
Mr Jolly
Mr Kennedy
Mr Kirkwood
Mr McCutcheon
Mr McDonald
Mr Mathews
Mr Micallef
Mr Norris
Mr Pope
Mrs Ray
Mr Remington
Mr Roper
Mr Rowe
Mr Seitz
Mr Sheehan
Mr Sidiropoulos
Mr Simmonds
Mr Simpson
Mr Spyker
Mr Stirling
Mrs Toner
Mr Trezise
Dr Vaughan
Mr Walsh
Mr Wilkes
Mrs Wilson

Tellers:
Mr Andrianopoulos
Mr Shell

NOES

Mr Austin
Mr Brown
Mr Cooper
Mr Crozier
Mr Delzoppo
Mr Dickinson
Mr Evans
(Gippsland East)
Mr Gude
Mr Hann
Mr Hayward
Mr John
Mr Kennett
Mr Leigh
Mr Lieberman
Mr McGrath
(Lowan)
Mr McGrath
(Warrnambool)
Mr McNamara
Mr Perrin
Mr Pescott
Mr Plowman
Mr Ramsay
Mr Reynolds
Mr Richardson
Mr Ross-Edwards
Mr Smith
(Glen Waverley)
Mr Smith
(Polwarth)
Mr Steggall
Mr Stockdale
Mr Wallace
Mr Weideman
Dr Wells
Mr Whiting
Mr Williams

Tellers:
Mr Coleman
Mr Jasper

PAIRS

Miss Callister
Dr Coghill
Mrs Hirsh
Mrs Setches

Mr Heffernan
Mr Tanner
Mr Lea
Mr Maclellan

Clause 5

Mr COOPER (Mornington)—I move:

7. Clause 5, lines 17 to 30, omit paragraphs (a) to (f) and insert—

“(a) to protect the public from the criminal or irresponsible misuse of firearms; and

(b) to condemn the misuse of firearms in the community for acts of violence, crime and vandalism; and

(c) to foster education in the safe use and handling of firearms; and

(d) to restrict the number and availability of firearms in Victoria to only licensed shooters for lawful purposes.”.

The amendment makes changes to the objects clause of the Bill, which contains what I consider to be a change in the rights, certainly in the law, in regard to the private ownership of property in this State. If it were seeking a simple statement of objects, the government

could not have gone far wrong by restating the purpose clause, that is, clause 1. However, since the government is so hell-bent on including the objects clause, I find it incredible that it should have directed attention to the question of private ownership of property in this State rather than directing attention to what an amendment to the Firearms Act is all about.

Honourable members realise where the government's priorities lie in this matter. The first point it stated as an object of the Bill was to establish a presumption against private ownership of firearms. That is quite an incredible situation. The government has decided that its first priority in any amendment to a measure concerning firearms legislation is to establish a presumption against the private ownership of property.

The government then went on to say that the second object of the Bill was to establish the principle that the ownership of firearms is not a right but a privilege to be conferred on persons who satisfy objective standards. Its next stated objective was to change any remaining perception in the community that ownership of firearms is a matter of right. Despite the fact that the Minister has acknowledged earlier in debate on this Bill—not today, but on Wednesday last—the fact that people who own firearms have rights, the government has stated that one of the objects of the Bill is to change any remaining perception in the community that ownership of firearms is a matter of right. In the last three objects of the Bill, the government finally gets around to directing its attention to what firearms legislation and firearms control should be all about.

Not only does the government have its priorities confused but also in the first three of its six objects of the Bill it is totally wrong. Three of those objects strike at the very heart of what should be some of the basic precepts of a democracy, that is, the right to own property, the right of responsible and law-abiding citizens to obtain a shooter's licence, and the right of people to be able to buy a firearm and to use it for lawful purposes. They are the basic rights of anybody who lives in a democracy, like the one we are supposed to be living in.

The government and in particular the Minister for Police and Emergency Services apparently do not believe that responsible and law-abiding citizens have rights. The government believes it has the right to tell people where to get off. It believes it has the right to control people from cradle to grave! It is a "nanny" government with a "nanny" mentality! The government knows what is best for us; we shall take our medicine; it will tell us where to get off. The community had just better like it; if it does not like what the government proposes, then the government will use jack-boot tactics and force it on the community.

Honourable members know that the government attempted to force amalgamations in the local government area. Municipalities were given no say on the proposed amalgamations. Now the government is doing it again. The arrogance and jack-boot mentality of this government has to be seen to be believed!

There is no doubt that the arrogance and jack-boot mentality so prevalent in this government got its comeuppance last Saturday. The people of this country rebelled against the Labor Party and its attitude to peoples' rights. The Unsworth Labor government was thrown out because it was pursuing the same kinds of laws in New South Wales. The Premier and the Minister for Police and Emergency Services have the political blood of Barrie Unsworth on their hands!

Mr CRABB (Minister for Labour)—On a point of order, Mr Chairman, to hear this speech once today was all right, but this is the third time honourable members have heard it. The speech had no relevance to the previous clauses and it has no relevance to clause 5, which is before the Committee.

The CHAIRMAN (Mr Fogarty)—Order! I agree with the Minister for Labour. To save time, the honourable member for Mornington should get on with the business before the Committee.

Mr COOPER (Mornington)—If we are to get on with the objects relevant to the Bill, honourable members should be addressing matters of community concern rather than matters of Labor Party concern. Despite what the Premier and the Minister for Police and Emergency Services might believe, the Opposition is not concerned with the problem of the Labor Party surviving in Victoria; the Opposition is concerned with ensuring that the people of Victoria are well served by any legislation considered and passed by Parliament. The Opposition believes the objects of the Bill should be effective, equitable, enforceable and relevant to the issue of firearms and to matters that concern the community.

Amendment No. 7 proposes to eliminate the six objects of the government—although one could hardly call them that, except as an overstatement! The Opposition proposes to replace the six objects with four objects which are highly relevant to what the community would expect from any legislation proposed to amend the Firearms Act.

The first object of the Bill should be:

to protect the public from the criminal or irresponsible misuse of firearms.

I invite arguments from the Minister for Police and Emergency Services or from any other member of the government on whether they find that object offensive or irrelevant. I suggest that the people of Victoria certainly would not find it offensive or irrelevant. Victorians would find it highly relevant. It is the kind of objective Victorians would expect as the No. 1 priority of any government proposing to change the firearms legislation.

The second object proposed is:

to condemn the misuse of firearms in the community for acts of violence, crimes and vandalism.

I should be interested to hear any substantial argument—or any argument at all—which could be mounted against such an object. It fits very well with community aspirations and with community demands. The Opposition seeks to do something for the community. It does not address the Bill as a vehicle for the Labor Party putting into effect its socialist doctrine of eliminating private ownership. The Opposition is redirecting the government to what it should be doing rather than what it is doing.

The third object of the Bill proposed by amendment No. 7 is:

to foster education in the safe use and handling of firearms.

Even the Minister for Police and Emergency Services will agree that there must be firearms left in the community, and there will always be firearms available to responsible, law-abiding members of the community. Even this government agrees that some people, particularly farmers, need firearms in the pursuit of their business activities. The fostering of education in the safe use and handling of firearms is an important object of any firearms legislation and one which will receive strong support from this side of the House.

In a spirit of bipartisanship and in a spirit of total honesty and willingness to compliment the government when it does something right, I am very pleased that there are changes being implemented to the licensing provisions. New licensees will undertake a course on firearms law and will have to pass a test to show that they have some knowledge of the safe use and handling of firearms before they are granted a licence. That is highly commendable. I applaud the government for putting that particular provision in train. The government should therefore be willing to support the third object as outlined in amendment No. 7. It cannot want to disallow it.

The fourth object proposed in amendment No. 7 is:

to restrict the number and availability of firearms in Victoria to only licensed shooters for lawful purposes.

This object includes some of the words of the government's objects clause but redirects the wording towards what is right and proper. The Opposition is acknowledging by that proposed object that this government and any government following it—the Liberal government will certainly be following this government after the next election—will remove guns from irresponsible and criminal users of firearms and restrict the availability

of firearms in Victoria to only those people who have licences to use guns for lawful purposes.

The Liberal Party has said, and will make the point over and over again, that it is for strong and effective firearms controls and for cracking down on those who misuse firearms. As the later amendments will indicate, the Liberal Party believes people who transgress the firearms laws, particularly through criminal or irresponsible misuse of firearms, should not only face severe penalties—in some cases imprisonment but certainly a monetary penalty—but also have an embargo placed on the renewal of their licences for certain periods. In some cases, those who transgress firearms laws should have their shooters' licences suspended and, in the most severe cases, those licences should be cancelled forever.

Licensed people who have firearms have a responsibility to obey the law. The law must be fair, equitable and enforceable. When the Liberal Party is in government in this State, it will introduce laws that are equitable and effective. They will be enforced quickly and the Liberal government will crack down on those people who misuse their firearms. The Liberal Party is not about slapping people on the wrists when they go off the rails with firearms. It is about dealing with them properly so that when the community is endangered by the misuse of a firearm, the licence of the person misusing the weapon will be taken away for a period or forever. That is the purpose of amendments I shall propose later.

In the seemingly increasing cases of domestic violence, the police should be able to act immediately to take away firearms, if they are involved. The question of guns being available only for lawful purposes is directly related to this matter. When police officers call at a house where a domestic incident is occurring and where they believe guns are in the house, they should have the ability to seize the guns on their own initiative and remove them from the property. They would then await a court order to determine the future of the firearms. If it were ordered that they be returned, that would be done, or they may be confiscated for a certain period.

We cannot afford to wait for incidents to be resolved by the illegal use of firearms. Police officers have the experience and training to act on their own initiative in such situations. That will be to the benefit of the community and will significantly reduce the number of domestic situations that are resolved—if I can use that word—by someone grabbing a gun and killing the other person involved in a dispute.

The thrust of the amendment is to zero in on those matters of concern to the community and to get away from the political platitudes of the Labor Party which have been included in the objects of the Bill and which do not belong there.

The objects of the Bill are clear and the objects of my amendment are clear. The firearms legislation must be directed at protecting the community against the criminal and irresponsible misuse of firearms. The four objects contained in the amendment I have moved do that and they deserve the unanimous support of the Committee.

Mr McNAMARA (Benalla)—The National Party is opposed to the objects of the Bill, which are to establish a presumption against private ownership of firearms, to establish the principle that the ownership of firearms is not a right but a privilege to be conferred on persons who satisfy objective standards—whatever they may be—and to change any remaining perception in the community that ownership of firearms is a matter of right. The objects of the Bill also refer to restricting the number and availability of firearms in Victoria, protecting the public from injury or the threat of injury and condemning the use of firearms in the community for the resolution of personal or interpersonal conflict.

The National Party is concerned about the objects and has drafted a proposed amendment to eliminate most of them from the Bill to ensure that its object will be the right of any stable, law-abiding citizen who can demonstrate sufficient knowledge to use firearms safely and responsibly to use firearms.

Through the honourable member for Mornington, the Liberal Party has moved four proposed objects of the Bill, which are to protect the public, to condemn the misuse of firearms, to foster education in the safe use and handling of firearms, and to restrict the number and availability of firearms to only licensed shooters for lawful purposes.

The National Party supports the thrust of the amendment, and I note the similarity between the objects detailed in it and the suggested objects of Chief Inspector Newgreen. The National Party has no objection to the objects in the amendment as it was moved. The amendment, as it was circulated, did not include the word "only" in paragraph (d). That could be construed as restricting the number and availability of firearms to licensed shooters. That was obviously not the intention of the honourable member for Mornington, and as he moved the amendment with the word "only" included the National Party will support it.

The National Party does not believe in the proposal put forward by the government because it reinforces the rhetoric and unenforceability of the Bill. We must get back to basics. All Victorians want firearms legislation which will protect the public; there is no disagreement about that. The argument involves the matter of approach. The Bill should achieve something and not simply contain blind, Fabian, socialist rhetoric that does nothing to protect the public. Time and again the National Party has said that the issue we should be debating is the increase in the level of violence in our society. That is not solved by the government introducing harsh restrictions on responsible and mature people who happen to own firearms.

Firearms legislation must be directed at attacking the misuse of firearms. Violent acts of any sort, whether firearms, cricket bats or knives are used, must be reduced. It would not be any comfort to a victim to know that he was bludgeoned to death with a cricket bat or stabbed to death with a knife rather than being shot dead with a firearm.

Society must address the problem of increasing violence. In my second-reading speech, I incorporated police statistics showing that the level of violence in society had doubled in the past five years. That is horrific. A change of attitude is necessary. Society must consider the effect video, television and cinema violence has. We must examine the way the young members of our community are educated and the attitudes being instilled in them not only at home but also through the education system.

If we start early and instil in young individuals while they are still in the school system respect for authority and attitudes of self-discipline, a far better society will result. Unfortunately we will reap a harvest of a generation that has grown up with rather lax attitudes. We must go through the process of re-education. It is a matter of concern that the government has not pursued such a policy.

Violence is brought about by various pressures exerted on people, not the least of which is financial pressure. Much of that financial pressure has been brought about by the mismanagement of the Labor government because it has placed people under severe financial restraints. Many domestic violence problems stem from financial difficulties coupled with the misuse of alcohol and drugs.

The government should direct its attention to the wider aspects of the problem. It should seriously examine the kind of society that is developing today. The National Party has suggested a number of practical reforms; that legislation be introduced that not only will protect the Victorian public against acts of violence, but also will be enforceable and acceptable to both the sports shooting fraternity and the owners of firearms.

For those reasons the National Party cannot support the objectives as set out in the Bill. I shall defer the amendments that I had intended to move and I shall support the amendments moved by the Liberal Party, so long as the honourable member for Mornington accepts the amendment to the last part of his proposal.

Mr AUSTIN (Ripon)—Honourable members have today seen revealed the attitude of the Labor Party towards the proposed changes to the gun laws. Some months ago the

government decided, because of certain events, that it needed to have strong gun laws and it proposed a number of changes to the existing legislation.

Today the Committee is dealing with proposed legislation which is not to be subject to a single government amendment. The government is saying that nothing has changed. In its arrogant way, the government decided that it would sell its policy to the public by chucking it down the throats of the people, and that that policy would stand for all time. All the education the government has had, all the things it has been told, and all the reactions it has received from the public have not changed its view one iota. I find that completely and utterly irresponsible. No other proposed legislation of such importance introduced by any political party has ever passed through this place without the government of the day thinking that it required some amendment.

The hallmark of this government is its arrogant attitude towards the community. The Minister for Water Resources, who is at the table, will have to agree because he is a sensible Minister who has been around in political circles for a long time.

Paragraph (c) proposed in amendment No. 7 provides for the fostering of education in the safe use and handling of firearms. The Minister for Water Resources must be lonely because he is the only member of the government party in the Chamber. That is the only support the Bill has from the government, except that of the honourable member for Williamstown, who has just entered the Chamber.

Safety is what we are dealing with. The problem with the government is that, when anything goes wrong, it wants to ban it. It does not matter whether one is speaking about motor cars or people having a few extra beers at the Melbourne Cricket Ground; the government wants to ban it. That is all the government thinks about. The government will want to ban by-elections next!

The answer to all those types of problems is public education. If too many people are being killed on the roads, the government should teach people how to drive motor cars, not have police pointing the other sorts of guns at them and saying, "You have had four beers instead of three and you must not drive a motor car again". If people in the electorate I represent have had too many beers, they drive down the table drain on the way home. They do not have someone stopping them driving for two years.

Apart from the Minister for Water Resources and the honourable member for Williamstown, I suggest no-one in the government party understands about gun safety. Probably only about half the members in the Chamber understand how to close a gun. Would you, Mr Acting Chairman, know how to close a shotgun?

One aspect that interests me more than anything else is that when speaking about the person who was shot during the duck hunting opening, all the reports said the same thing. They said a member of the shooting party took up a gun from the back of a utility and, although it contained cartridges, the gun was broken. That is only half of the safety aspect. The other half of the safety aspect is that the gun should not have contained cartridges anyway. At least the gun was broken. The reports were almost excusing the fact that the person was shot because, when he closed the gun, the safety catch was faulty. What a lot on nonsense! Anybody who has handled a gun knows that a gun should never be pointed at man or woman at any stage, regardless of whether the gun is loaded.

In all the reports of that incident, no-one took up that point. I am sure that you, Mr Acting Chairman, the Minister for Water Resources and the honourable member for Williamstown know that, when one closes a gun, one brings the stock to the barrel and not the barrel to the stock. The government should examine gun management and safety to ensure that people who handle guns in future are educated in their use. That is far more important than banning many aspects of gun ownership.

Mr I. W. SMITH (Polwarth)—I support and congratulate the honourable member for Mornington; I have enjoyed working with him on a committee to revamp the objects of the Bill so that they are more meaningful and effective. To me the objects herald a new

surge of Fabian socialism in the Labor Party. If one removes the word “firearms” from the list of objects, one finds complete Fabianism. I shall quote the objects of the Bill with the word “firearms” removed. Paragraph (a) provides:

To establish a presumption against private ownership;

How does that sound for Fabianism? Paragraph (b) provides:

To establish the principle that ownership is not a right . . .

Another Fabian principle. Paragraph (c) provides:

To change any remaining perception in the community that ownership is a matter of right.

All I have done is to remove the word “firearms” from those passages. They represent the first rung of the ladder leading to a socialist State. The government has ridden on the emotive issues resulting from the Queen Street and Hoddle Street killings to begin a campaign on Fabian socialism in Victoria. It should be resisted by all freedom-loving people.

The government often talks of the need for a bill of rights. The philosophy of the Liberal Party is that people’s rights are unencumbered except for those which are legislated against. There is no need for a bill of rights to establish such rights. People have all the rights they require, except those which are legislated against.

The debate on firearms law has exposed the division which exists between the Premier and the Minister for Police and Emergency Services. The Premier, in his address—not a second-reading speech, but an address—spoke of the removal of rights which form the objectives of the Bill, at least temporarily.

When the Minister for Police and Emergency Services responded to the excellent speech made by the honourable member for Mornington, he conceded that shooters have rights. If there was a doubt about what the Minister said, that doubt was removed by what the Minister said in an article in the *Age* of 12 March. The article is on page 6 of the Saturday Extra. It is headed “Gun Laws—The Debate”. The debate was conducted at the *Age* premises between Mr Drane of the Sporting Shooters Association of Australia (Vic.) and the Minister for Police and Emergency Services. The Minister was asked this question:

Couldn’t it be that the government is overreacting and penalising thousands of responsible shooters for the actions of a couple of mentally unbalanced people who happened to use guns?

The Minister’s response was:

I don’t think so. On the contrary, I think what we’re trying to do is enshrine the rights of responsible shooters.

The Minister had nothing to do with the drafting of the Bill or, if he did, he did not understand it.

The objects of the Bill attempt to remove the rights of shooters, not to enshrine them. The objectives of the Bill not only remove those rights but they also remove the perception of those rights. The Minister and the Premier are at opposite ends of the spectrum in arguing whether rights exist for people who own and use guns.

The Minister at least has approached the issue realistically; the Premier has not. The Premier is attempting to cope in a paranoid fashion with the doubling of violent crime rates since the government has been in office. He is travelling down a narrow track which, fortunately, will lead to his undoing—as it led to Mr Unsworth’s undoing in New South Wales.

When the Minister for Water Resources was the Leader of the Opposition—which was some time ago—all honourable members knew what the Labor Party stood for. It was a party of principle and not a party of pragmatism. When the Minister for Water Resources was the Leader of the Opposition the Labor Party gained a swing of 3 per cent in a by-election; yet the Labor Party threw him out of the leadership and took on the Fabian socialism which is spelled out in the objectives of the Bill.

It is ironic that when the then Leader of the Opposition gained a 3 per cent swing in a by-election, he was "Cained"—booted out—yet when the Premier suffers a 20 per cent fall in his vote his leadership is not threatened.

The Premier has enshrined Fabian objectives in the Bill that are horrendous to the ordinary working man who once supported the Labor Party and who now wants to leave the Labor Party. The downfall of the Labor Party will be the conservative parties gain; I shall not shed a tear over that.

The honourable member for Springvale knows something about domestic violence. I can assure the honourable member, who is interjecting, that there is no domestic violence in my household, nor has there been.

The honourable member for Springvale should say to the Committee: "These objectives are both unworkable and unenforceable. If domestic violence is to be addressed, police should be given the capacity to intervene when it is reported". Once a conviction has been recorded, it is too late. When violence is reported, the police should be given the capacity to confiscate any weapons which may inflict harm, whether the weapon is an axe, a shotgun or a long knife. That would allow a cooling-off period.

The Liberal Party has proposed amendments to the Crimes (Family Violence) Act in another place so that police will have appropriate powers to intervene. The objectives of the Bill will do nothing to remove the problem that the Premier perceives—and which he has exaggerated. The objects will breed an excessive lack of goodwill and resentment to proper authority. The objects are being used as a smokescreen by the Premier to cover up the fact that the rate of violent crime has doubled since the government came to office.

The Premier has conceded that the Bill will do nothing to remove firearms from criminals and maniacs. He has rested his case solely on diminishing domestic violence. The objects of the Bill will not diminish domestic violence.

The proposed amendments of the Liberal Party to the Bill and the proposed amendments to the Crimes (Family Violence) Act represent a sensible approach to the problem about which the Premier is concerned. If the Premier is sincere in his concern, the amendments will be adopted.

Mr W. D. McGRATH (Lowan)—As the honourable member for Polwarth has said, the objects show the government's attitude towards gun ownership in Victoria. The government has used the atrocities of Queen Street and Hoddle Street to impose its philosophy on private gun ownership.

Although the government has identified its opposition to private gun ownership, it has not addressed the need for tougher penalties for the misuse of firearms. It has not addressed the need for education before a shooter's licence is granted. It has not dealt with the many aspects of firearms law which have been raised at public meetings around the State. Shooters have come together at those meetings to put forward their views. Shooters who have attended those meetings have agreed that there is a need to outlaw the criminal misuse of firearms.

I have not seen the Minister for Police and Emergency Services at such meetings. Unfortunately, the Minister seems to have had more important things to do! The issue of firearms affected the results of the elections held at the weekend. It is one of the most important political issues of the past two or three years. It has had important effects in both Victoria and New South Wales.

It is a pity that the Minister for Police and Emergency Services has failed to address many of the aspects raised at the various rallies throughout the State by Victorian shooters who are law-abiding citizens. The Minister has not addressed criminal misuse of firearms. If one is to attempt to come to terms with that problem, one needs to address the penalties attached to it.

One of the most interesting letters I have read for some time appeared in today's *Access Age*. The letter is from Linda Manwaring of Leopold who writes in only four lines about the gun policy. The letter is headed "National's gun policy" and states:

Unsworth's gone, Cain's going—tread carefully, Kennett, the gun laws we really want are those of the National Party.

That is the point the National Party has been trying to make in Parliament during the past two or three weeks and when firearm legislation was debated prior to Christmas.

The National Party will continue to try to convince the government that proper, sensible, and stricter gun laws can be implemented to prevent criminal misuse of firearms. That is what the government should be providing for the citizens of Victoria.

Mr WILLIAMS (Doncaster)—Not many honourable members from what are called the city electorates have spoken on behalf of the Liberal Party. I wish to do so and to emphasise that I am not in favour of criminal misuse of guns. I support strongly the amendments moved by the honourable member for Mornington and agree with him that the object of the Bill should be to protect the public from criminal or irresponsible use of firearms. I roundly condemn any misuse of firearms.

I have been disturbed by what I have seen on television about the opening of the duck hunting season. Women voters in the metropolitan area are alarmed. Although in general principle I understand the apprehension and anxiety of people connected with gun clubs, they should respect the need for stricter control. One has only to consider the results at the polling booths in New South Wales which show that the middle ground Liberal Party representatives came out the winners and not some representatives from country New South Wales who seemed to be on the far right of the condemnation of firearms.

I deplore the objects set out in the Bill. The thought of the condemnation of private ownership of firearms is abhorrent to any member of the Liberal Party. I should have thought that colleagues of the Victorian Labor Party in another place in Canberra would run a mile from condemnation of private ownership of firearms! The old, true and loyal members of the Labor Party who were brought up on a diet of socialism would welcome this condemnation in the Bill.

The CHAIRMAN (Mr Fogarty)—Order! The honourable member for Doncaster should debate clause 5.

Mr WILLIAMS—Mr Chairman, I am referring directly to clause 5. I remind the Chair that the Bill seeks to restrict the number and availability of firearms in Victoria. I do not object to that intention but strongly object to the unreasonable, undemocratic and dictatorial restriction of firearms, especially for people who have proved by their past conduct that they are able to handle firearms without any danger to the public.

I deplore the fact that traditional community rights of ownership and freedom of action seem to be under some threat. Guns will not be surrendered, especially by criminals and deranged people. As I understand the situation in New South Wales, fewer than 1 per cent of banned guns were surrendered. In New South Wales and Victoria alone there could be as many as 1 million self-loading guns. From where will the \$150 million compensation come to pay for those guns? It is all very well for the Minister for Police and Emergency Services to look quizzically but he intended to flog the guns to the American Mafia! If \$150 million is spent on buying the guns, less funds will be available for schools, hospitals and other needy areas in urban Melbourne.

One of the worst aspects of clause 5 is that the government seems to believe armed robberies and murders will somehow nosedive if guns are surrendered. That is unrealistic because the gun that killed Donald Mackay, the anti-drug campaigner, was sold to a criminal for \$10 000.

The CHAIRMAN—Order! The honourable member for Doncaster should come back to clause 5.

Mr WILLIAMS—Mr Chairman, I am speaking specifically to clause 5, which deals with protecting the public from injury or threat of injury through the misuse of guns. Measures introduced to ban guns are not the way to stop the misuse of firearms. Mr Chairman, as I understand the situation, it is implicit in the whole policy of the government that there should be a diminution of violence in the community.

Everyone is in favour of that objective but the government in its wisdom has decided to refer the matter to the Social Development Committee, of which I have the honour of being a member, and intends to establish a community council on violence to research this problem. Why the rush and hurry to pass the proposed legislation through Parliament before both bodies have been able to use their talents, wisdom and the activities of their research staff to research the facts and figures on the problem of violence? The community council on violence has not even been established yet!

The Bill is a political stunt and its objective is to harass and persecute gun owners as a sort of sacrificial offering to the gods because of the awful tragedies in Clifton Hill and Queen Street, Melbourne, which none of us wants to see repeated.

The community often hears about the increase in the murder rate in Victoria. The murder rate per 100 000 people has changed little from what it was a decade ago. The latest available statistics show that in 1984–85 there were 1.68 murders per 100 000 people and in 1974–75 1.67 murders per 100 000 people. However, in practically all other areas of violent crime tremendous increases in the crime rate have occurred. The incidence of breaking and entering of homes and other premises has soared from 891 to 1747 per 100 000 people; the incidence of motor vehicle theft has increased from 361 to 663 per 100 000 people; the incidence of armed robbery has increased from 21 to 43 per 100 000 people and the incidence of serious assault has increased from 22 to 59 per 100 000 people.

That is what women voters in metropolitan Melbourne and metropolitan Sydney are concerned about. People's homes are no longer their castles, and it is about time that the government did something about it. I believe that was the reason for the defeat of the Labor government in New South Wales.

Guns will continue to be used to kill people wantonly no matter what Parliament does unless the drug trade is stopped. Most serious crimes, especially those involving guns, are drug related. The best deterrent against violent crime is not to ban guns, but to increase the number of police by at least 2000, as has been recommended for many years by successive Chief Commissioners of Police and other experts.

In my own city of Doncaster and Templestowe we have fewer than 50 police to look after 110 000 people, barely one-fifth of its entitlement of one policeman or policewoman to every 500 people. That is what the people in the marginal electorates in the outer eastern suburbs of Melbourne are concerned about, police protection. Those people are not jumping up and down about the number of guns in the community. Two people contacted me about supporting the government's gun legislation, but I was inundated by calls from people who assured me that they were Labor voters—I have no reason to doubt what they told me—who were indignant about the Bill. I believe it is the same situation in New South Wales. Many loyal Labor voters resent being branded as criminals and they turned against the government in New South Wales.

The level of unlawful homicides, of course, has increased but again I stress that it is an unpleasant by-product of a violent society, increasingly racked with economic and other disorders for which the Federal and State governments must take a large share of the blame. Who is to blame for unemployment, family breakdowns, drugs, ill-health, media sensationalism, depravity and other causes of social distress? I believe the Federal and State governments have to share in that blame because those sorts of things are at the very core of increasing violence within our community.

The murder rate in Victoria is still the lowest in Australia. It is well below that of the United States of America, Canada and Ireland, to name just a few countries. Twenty per

cent of all murders occur within the family home and another 20 per cent result from domestic disputes; less than 20 per cent of murders are due to the actions of strangers outside the ties of residence, occupation and sex; 40 per cent of all murders are the result of alcohol. What is the government doing about the abuse of alcohol in our community? It has made a start, I grant it that, but there is a long way to go.

Most homicides spring from spur of the moment attacks and are not the result of long-term planning, especially by demented gunmen. Men make up four-fifths of homicide offenders and two-thirds of the victims.

The CHAIRMAN (Mr Fogarty)—Order! The honourable member is very enlightening, but I ask him to return to clause 5.

Mr WILLIAMS—I am trying to establish that there is no reason for clause 5. Only 10 per cent of all murders in Victoria were caused by shotguns, 20 per cent were caused by rifles and 7 per cent were caused by handguns. However, nearly 30 per cent of murders are due to knife attacks and approximately 25 per cent are due to strangulation, bashing and other manual forms of violence by one person against another. What will the government do about that? Regrettably, axes, hammers and other heavy objects cause 10 per cent of all murders. Will the government ban axes and hammers?

The underlying causes of violence in our community lie far deeper than the availability of guns. The Australian Labor Party will rue the day that it listened to Mr Rod Cameron who says that his research indicates that 80 per cent of the Australian community wants a severe restriction on guns. It was that policy that led to the defeat of the Labor government of New South Wales, and it will lead to the defeat of the Cain government in Victoria.

Mr J. F. McGRATH (Warrnambool)—The proposed legislation supposedly will address the problems that occurred in Hoddle Street and Queen Street and other homicides around Victoria. The purpose of the Bill is to protect the public from injury or the threat of injury and to prevent damage to property through the misuse of firearms.

If the government is serious about the protection of people from injury it needs to take the appropriate steps to prevent tragic events such as occurred at Hoddle Street and Queen Street from happening again. It is clear that the Bill will not achieve that end. It is obvious that the Bill is an attack on sporting shooters and responsible, law-abiding gun owners.

Over the period of the debate on this matter sporting shooters, through their activities, whether it be in the march to Parliament House or at meetings that have been conducted throughout the State, have put themselves under the microscope and they have been examined by the media, the government and the public. This has occurred because sporting shooters have expressed their views and feelings about an issue on which they are deeply concerned.

The government has gone in the wrong direction, because the people to whom I refer have proved beyond doubt and without reservation to be very responsible. They proved that at the march in Melbourne. There is some dispute about the number of people who participated in the march, but the crowd was enormous. I participated also; I travelled from Warrnambool with a group of shooters and marched with them and observed their behaviour during the march. I was proud to have spent the day with those shooters.

The CHAIRMAN (Mr Fogarty)—Order! There may have been a march in Melbourne, but I ask the honourable member to relate his remarks to the amendment and the clause now before the Committee.

Mr J. F. McGRATH—My remarks are relevant to clause 5, because honourable members are dealing with a measure that seeks to take away the rights of the people who participated in the march on that day, under the guise that the government intends to remove the opportunity of a repetition of the Hoddle Street and Queen Street massacres. The government has gone about it the wrong way because the demonstration has proved to all honourable members that the shooters are a responsible group of people. What the

Bill sets out to do will not address the issues that the Minister and the government seek to address.

I do not believe any honourable member will depart from the view that there is a desire to prevent incidents such as those that occurred in Hoddle Street and Queen Street, but there are many other issues that ought to be dealt with in order to achieve that purpose. It is a matter of sadness to me that very little discussion has occurred, particularly in government responses in this Chamber, about the effect that violence depicted in videotapes, on television and in other forms of media has on the attitudes of people who commit violent crimes. In framing the objects of the Bill, it certainly would have been pertinent to consider the introduction of some sort of control or review of video and television violence.

Mr Crabb interjected.

Mr J. F. McGRATH—I am telling the Minister what should be contained in the Bill. The Minister ought to address the issues. He says he has done so, but it is patently obvious that he has not. Those are the sorts of issues he ought to address. The criminal misuse of firearms and a substantial increase in penalties for misuse of firearms should also be considered.

Clause 5 contains five objects of the Bill, but all that the government seeks to do is remove the opportunity for firearms ownership or the presumption of ownership of firearms. However, the amendment moved by the honourable member for Mornington contains four objects that seek to achieve some sort of control over the criminal or irresponsible misuse of firearms and, more importantly, to deal with education in the safe use and handling of firearms. The point illustrated by the honourable member for Ripon clearly demonstrates the importance of the Opposition's proposed new subclause (c) in relation to firearms.

The objects now contained in clause 5 of the Bill do not address the real issues. Therefore, the National Party totally opposes clause 5 as it now stands. It supports the amendment moved by the honourable member for Mornington, along with the adjustment that I understand will be made. The amendment will perhaps go some way towards addressing the problems of firearms violence. However, I reiterate the need to address many other issues that impact on what I consider to be attitudes of society, and which I believe are more of a problem in the misuse of firearms than the firearms themselves.

Mr CRABB (Minister for Labour)—Despite the lengthy and vociferous rhetoric that honourable members have heard on this clause, the reality is that the difference between the government and the opposition parties is fairly clear and stark in regard to this matter. It is the government's view that Victorians do not have a God-given right to own firearms.

Mr Williams—So you say!

Mr CRABB—That is right; that is the view of the government. I am trying to draw a distinction. The honourable member for Doncaster may very well believe that people have a right to keep guns under their beds, and he can vote on the matter. However, I am describing the difference between the government and the opposition parties.

The government holds the view that people do not have a right to own weapons. It believes it is proper that, for occupational reasons and so on, people such as security guards and farmers clearly have a right to own firearms, as do sporting shooters.

Mr McNamara—Barrie Unsworth has changed his mind. Have you read the article in tonight's *Herald*?

The CHAIRMAN—Order!

Mr CRABB—The contribution of the honourable member for Benalla has been based on triviality, and I do not expect anything different from him.

Mr Richardson—You are more uncomfortable now than I have ever seen you.

The CHAIRMAN—Order! The honourable member for Forest Hill is out of order and out of his place.

Mr CRABB—Despite the attempts to turn this issue into a political ball that can bounce around this place, I say clearly that the difference between the government and the opposition parties on this objects clause is that the government believes people should not have guns unless they have good reasons for having them. Those reasons include the need for a gun in one's occupation, if one is a primary producer or if one is a genuine sporting shooter, collector or something of that nature.

The fact is that the Opposition has clearly put the view, I think—amidst the rhetoric—that so long as they are not convicted criminals or lunatics, people have a right to own weapons. That is the clear difference between the parties and that is what this argument essentially is all about.

The government does not believe people should own guns just because they wish to own guns, keep them under their beds or in their cupboards or wave them around or play with them. The government believes people ought not to have guns unless they have good reasons to have them. Indeed, that is what good governments are for.

Mr Richardson interjected.

Mr CRABB—In regard to the various contributions to the debate, I point out that the honourable member for Doncaster was the only member of either opposition party who devoted one moment of his speech to the concerns of the people who do not own guns. Every other honourable member who has spoken on behalf of either opposition party has spoken consistently on behalf of shooters and the interests of the shops.

Mr Cooper—Your head is full of wee shops and they are all shut!

Mr CRABB—I wonder how the honourable member for Mornington ever got to the front bench! The fact is that the difference between the government and the opposition parties on this issue is clear and stark, and the government stands by its position.

Mr CROZIER (Portland)—For once I agree with the Minister for Labour: the differences between the government and the opposition parties on this issue are indeed stark. The ownership of firearms, the right to own them and the skill in their proper handling and use—

Mr Sidiropoulos interjected.

Mr CROZIER—The honourable member for Richmond would not know.

Mr Sidiropoulos interjected.

The CHAIRMAN—Order! The honourable member for Richmond should calm down.

Mr CROZIER—I am tempted to believe that there may be some deleterious effect in the electromagnetic field of the Richmond powerline! However, I shall resume my remarks. I was saying that the right to own firearms and the skill in their proper handling and use are very much part of our Australian heritage. That right and that part of our heritage is under unprecedented threat. Clause 5 explains precisely why.

In an article by Peter Stephens in the *Age* of 12 March 1988—to which the honourable member for Polwarth referred—the Minister for Police and Emergency Services conceded, although he has not done so tonight, that there were indeed rights belonging to responsible shooters when he said:

I think what we're trying to do is enshrine the rights of responsible shooters.

Presumably responsible shooters have rights, but the ownership of firearms is not among those rights. Perhaps the Minister will respond and take the Committee through the intricacies of that contradiction when he again replies.

I have an interest to declare; I am a firearm owner, I am also a farmer, a member of the Victorian Farmers Federation and a member of the Sporting Shooters Association of Australia (Vic.). In good company with my friend, the honourable member for Benalla, and other honourable members, I took part in the January march, to which the honourable member for Warrnambool has referred.

In the article, Mr Drane of the Sporting Shooters Association of Australia (Vic.) remarked that, if the government has done one thing with this orchestrated legislative hypocrisy, for which we on this side of Parliament and many citizens can be grateful, it is to unite, not only the people like myself who are licensed shooters and who own firearms, but also those who consider that right as part of our heritage and who believe there is a legitimate use for guns. The Minister did not attend the march, although I understand he observed it from a great height—I would be interested to know whether he observed the march from a helicopter.

There were people on that memorable day who were there because of their real concern about the authoritarian and increasingly unresponsive government that is eroding the basic rights and civil liberties of citizens.

The CHAIRMAN (Mr Fogarty)—Order! The honourable member for Portland should get back to the clause.

Mr CROZIER—I accept your direction, Mr Chairman. I am alluding to the first part of the objects as delineated in the amendment moved by the honourable member for Mornington to clause 5.

I am grateful to the Minister and the government for exposing beyond reasonable doubt their true objectives in the proposed legislation. My view is totally different. I hold the view encapsulated and used with great success by the new coalition government in New South Wales in these words:

All responsible citizens have the right to own and use firearms for lawful purposes provided they are licensed.

That object cannot be reconciled with clause 5 and cannot be reasonably reconciled with the stated purpose of the Bill.

I am pleased the government has adopted the wording in clause 1 that was suggested to it by its own expert to which reference has been made tonight and, indeed, reference was made when firearms legislation was last before Parliament in October last year.

On October 14 I suggested that the true object should be the wording now contained in clause 1 and, in part, in paragraph (e), except that there is a misprint: the word “injury” where second occurring should be “damage”. That is academic. The amendment moved by the honourable member for Mornington is consistent with that object; the Bill is not.

The intention of the government is a matter of concern to many of its supporters. That is one of the reasons for the electoral debacle in New South Wales when many thousands of traditional supporters of the Labor Party were dismayed and indeed outraged by the betrayal of the Labor government.

The CHAIRMAN—Order! That matter has been run and lost. I ask the honourable member for Portland to come back to the clause.

Mr CROZIER—Bearing in mind the length of the debate I shall conclude, but this is relevant because of what the government has done and what the former New South Wales government was persuaded to emulate to elevate the legitimate concerns of public safety into a political exercise, which was directed primarily against the legitimate interests of licensed shooters.

Flowing through the rhetoric both in the so-called address by the Premier in his second-reading speech and from the former Minister for Police and Emergency Services when the Firearms (Amendment) Bill 1987 was introduced is the fallacious assumption that the

number of licensed and registered firearms in the hands of licensed shooters is related to the escalating incidence of major crime.

That is part of the fallacy and the subterfuge that the government has endeavoured to perpetrate. Of course, the leading article in the *Sun* today had as its headline, "Backfire". The article, in part, stated:

A confidential internal ALP document has blasted the Cain government's gun laws.

The CHAIRMAN—Order! Does the article relate directly to the clause and the amendment?

Mr CROZIER—The main thrust of the Bill is contained in paragraphs (a), (b) and (c) in proposed section 3A. Those paragraphs have been read out several times; I shall not repeat them, but the *Sun* reports:

We have allowed ourselves to fall into the trap of preparing legislation which is based on little practical knowledge of firearms, is inconsistent to the point of being held up to ridicule, does not achieve what it sets out to do, is unworkable, unenforceable and in some cases is unnecessarily politically damaging.

The last statement is a monumental understatement.

Mr E. R. SMITH (Glen Waverley)—Average, thinking Australians have a perception that the ownership and possession of firearms is a right. It is something that, as the honourable member for Portland has said, has been carried on for generations but the government endeavoured to sneak through a Fabian socialist philosophy that private ownership is not a right but a privilege.

The perception of the community is that it is a right, and this socialist claptrap is something Australians will not wear. The people advising the government cannot be Australians; they must come from other places and they have come here believing they know what Australia needs.

The average, thinking Australian has said, "Enough of this!" During the past few weeks it has been shown by the opposition to the government's policy and by the support of the other parties in the elections held at the weekend that Australians are not prepared to put up with this unAustralian type of legislation.

The Opposition has moved some sensible objectives which will protect the public from the criminal and the irresponsible use of firearms.

Those are the sorts of objects the government should be pursuing. They are practical and enforceable. Over the centuries common law has provided that a person can own and possess a firearm, whether it be a spear, crossbow, flintlock or even a modern-day firearm. It is only in the past few years that statute law has developed in the form of firearms legislation.

The Firearms Act is respected and understood by thinking Australians. I said earlier in the debate that the government is not addressing the real problem or trying to get at the root of the problem, namely, violence; nor is it trying to restrict the use of firearms by people such as criminals and lunatics. The Bill is simply an attempt to thwart the right of law-abiding citizens to own and possess weapons. As I said, that right has been enshrined over the centuries. It is very much an Australian thing.

I am disappointed that the government has listened to people who are trying to infiltrate our system with unAustralian ideas. Many thinking, working-class people are horrified. I am told that the majority of the people marching through the city in opposition to the proposal were blue-collar, working-class people who would normally support the Labor Party but who have left it in droves because they can no longer support a party that is trying by stealth to bring in Fabian social engineering. It is typical of the government to think it will get away with it by simply appealing to the people who have not thought it through. Once the people began to realise what the government was trying to do, the

perception by passive members of the community that this type of legislation would reduce the misuse of firearms no longer applied; quite the reverse.

People now concede that there is nothing in the Bill that is worthwhile in attacking the root problem of firearms misuse, that is, violence. Nothing in the objects of the Bill or its proscription of private ownership of firearms addresses the real problem of violence, which is the cause of the tragedies that occurred last year.

The amendment proposed by the honourable member for Mornington is sensible. I am sure the amendment will be accepted when the Bill reaches another place. I confidently predict that the government will accept the amendment when the Bill is returned to this House because it will no longer want the embarrassment that this Bill has brought to the Labor Party.

The objects set out in clause 5 of the Bill are anathema to thinking Australians, the people who have Australian blood going back over centuries. They do not want this type of socialist claptrap. I commend the amendment moved by the Opposition and supported by the National Party because it is only in that way that Australia will be able to retain its heritage, a heritage of which we are proud, and maintain the Australian way of life.

The Committee divided on the question that the paragraphs proposed by Mr Cooper to be omitted stand part of the clause (Mr Fogarty in the chair).

Ayes	..	..	..	..	..	42
Noes	..	..	..	..	..	37
Majority against the amendment						5

AYES

Mr Andrianopoulos
Mr Cain
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Ernst
Mr Fordham
Mr Gavin
Mr Harrowfield
Mrs Hill
Mr Hill
Mr Hockley
Mr Jolly
Mr Kennedy
Mr Kirkwood
Mr McCutcheon
Mr McDonald
Mr Mathews
Mr Micallef
Mr Norris
Mr Pope
Mrs Ray
Mr Remington
Mr Roper
Mr Rowe
Mr Seitz
Mr Sheehan
Mr Shell
Mr Sidiropoulos
Mr Simmonds
Mr Simpson
Mr Spyker
Mr Stirling
Mrs Toner
Mr Trezise

NOES

Mr Austin
Mr Brown
Mr Cooper
Mr Crozier
Mr Delzoppo
Mr Dickinson
Mr Evans
(Gippsland East)
Mr Gude
Mr Hann
Mr Hayward
Mr Jasper
Mr John
Mr Kennett
Mr Leigh
Mr Lieberman
Mr McGrath
(Warrnambool)
Mr McNamara
Mr Maclellan
Mr Perrin
Mr Pescott
Mr Plowman
Mr Ramsay
Mr Reynolds
Mr Richardson
Mr Ross-Edwards
Mr Smith
(Glen Waverley)
Mr Smith
(Polwarth)
Mr Steggall
Mr Stockdale
Mr Tanner
Mr Wallace
Mr Weideman

AYES

Dr Vaughan
Mr Walsh
Mr Wilkes
Mrs Wilson

Tellers:
Mr Cunningham
Mrs Gleeson

Miss Callister
Mrs Hirsh
Mrs Setches

NOES

Dr Wells
Mr Whiting
Mr Williams

Tellers:
Mr Coleman
Mr McGrath
(Lowan)

PAIRS

Mr Heffernan
Mr Lea
Mr Evans
(Ballarat North)

The clause was agreed to.

Clause 6

Mr McNAMARA (Benalla)—I invite the Committee to vote against this clause. It provides for a licensed gun dealer to arrange for any sales of firearms between individuals. The National Party considers there is no need for the clause to be included. From time to time many firearms are freely sold between licence holders; before a firearm can be sold to an individual the requirement is that he must hold a shooter's licence. Under the old A, B and C permit system the appropriate endorsement on the shooter's licence was needed to enable a person to purchase the appropriate firearm. A shooter would need an A, B and C qualification to purchase a centre-fire weapon, and to purchase a .22 or shotfire weapon he would need A and B licence endorsements.

The National Party is aware of the requirement upon the licensed shooter who is disposing of a firearm to notify the Registrar of Firearms that he has relinquished ownership of the firearm, as there is a requirement for the purchaser of the firearm to register it with the Registrar of Firearms. Adequate provisions are included in the existing legislation to ensure that any transaction involving firearms is reported. The purchase of a firearm by a gun dealer must be recorded by the dealer in a book kept in his shop. Any firearm purchased by an individual from a dealer also must be registered with the Registrar of Firearms. There is complete provision for any transaction involving firearms to be recorded under the existing legislation.

The National Party sees no need for any further bureaucratic intrusion that would require individuals to go even one step further and to involve a third party in a firearms transaction between two licensed shooters. That is entirely unnecessary. The National Party opposes clause 6 in its present form.

Mr COOPER (Mornington)—The Liberal Party will not accept the National Party's invitation to vote against the clause.

The question of registration of firearms is a matter that should more properly be addressed later in a question relating to a rewriting of the Firearms Act. The questions of registration and a number of other matters, have been addressed by the government in recommendations made to it by its own advisers, but which it has ignored. As I understand it, the advice was to undertake a complete rewriting of the Act.

The Liberal Party desires to have the matter addressed but is prepared to allow the government to continue with its proposals on registration of transactions on the basis that later the matter will need to be fully addressed in a rewriting of the Firearms Act. If the government does not rewrite the Act the Liberal Party will certainly do so after the next election.

The Committee divided on the clause (Mr Fogarty in the chair).

Ayes	66
Noes	10

Majority for the clause	56
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AYES

Mr Andrianopoulos
 Mr Austin
 Mr Brown
 Mr Cain
 Mr Cathie
 Dr Coghill
 Mr Coleman
 Mr Cooper
 Mr Crabb
 Mr Crozier
 Mr Culpin
 Mr Cunningham
 Mr Delzoppo
 Mr Dickinson
 Mr Fordham
 Mr Gavin
 Mrs Gleeson
 Mr Gude
 Mr Harrowfield
 Mr Hayward
 Mrs Hill
 Mr Hill
 Mr Hockley
 Mr John
 Mr Jolly
 Mr Kennedy
 Mr Kirkwood
 Mr Leigh
 Mr McCutcheon
 Mr McDonald
 Mr Mathews
 Mr Micallef
 Mr Norris
 Mr Perrin
 Mr Pescott
 Mr Plowman
 Mr Pope
 Mr Ramsay
 Mrs Ray
 Mr Remington
 Mr Reynolds
 Mr Roper
 Mr Rowe
 Mr Seitz
 Mr Sheehan
 Mr Shell
 Mr Sidiropoulos
 Mr Simmonds
 Mr Simpson
 Mr Smith
 (Glen Waverley)
 Mr Smith
 (Polwarth)
 Mr Spyker
 Mr Stirling
 Mr Stockdale
 Mr Tanner
 Mrs Toner
 Mr Trezise
 Dr Vaughan
 Mr Walsh

NOES

Mr Evans
 (Gippsland East)
 Mr Hann
 Mr McGrath
 (Warrnambool)
 Mr McNamara
 Mr Ross-Edwards
 Mr Steggall
 Mr Wallace
 Mr Whiting

Tellers:

Mr Evans
 (Gippsland East)
 Mr Jasper

AYES

Mr Weideman
Dr Wells
Mr Wilkes
Mr Williams
Mrs Wilson

Tellers:

Mr Ernst
Mr Richardson

NOES

Clause 7 was agreed to.

Clause 8

Mr McNAMARA (Benalla)—I move:

12. Clause 8, lines 26 to 42 and page 4, lines 1 to 12, omit sub-clauses (1) and (2).

The amendment will delete the reference relating to the shooter's licence. The National Party does not believe in those requirements—namely, that a person requiring a licence should be engaged in primary production or should be a member of a sporting club for six months or should have an occupational need to obtain a shooter's licence. The criteria are too narrow.

At present, only 30 000 people in the State out of more than 350 000 licensed shooters are members of sporting clubs and there may be another 30 000 or 40 000 farmers who would hold shooters' licences. This would mean that several hundred thousand people would be forced into joining sporting organisations.

As I said earlier in the evening, the National Party does not believe in compulsory membership, whether it be of sporting organisations or trade unions. For that reason it will oppose clause 8.

Mr COOPER (Mornington)—I fully sympathise with the views of the honourable member for Benalla on this matter. The Liberal Party is proposing to deal with this matter in a different way but with the same result. Members of the Liberal Party are thoroughly opposed to compulsory membership of a sporting club and I therefore foreshadow that I shall move an amendment to insert another category of person who can be provided with a licence.

The amendment will cover the vast majority of shooters in this State who do not currently belong to shooting clubs. The question arises of the approach to this matter. The Liberal Party has no objection to the categories set out in clause 8; that is, that a person who is entitled to have a shooter's licence should be engaged in primary production or be a member of an approved shooting club or be in an occupation or business of a kind that, in the opinion of the registrar, requires the possession of a firearm.

Although we have no quarrel with those categories, the clause deliberately omits the vast majority of shooters in Victoria who see no reason why they should join a shooting club. The government is saying that nobody can be legitimate unless he is a member of a shooting club.

The vast majority of people have said that they do not belong to a shooting club but are responsible law-abiding citizens who have never been in trouble with regard either to a criminal offence or the irresponsible use of a firearm. They believe joining a shooting club will prove nothing other than that they have been frogmarched into a club. Membership of a club will do nothing for them when they hold a licence. It is a needless imposition on many people who currently hold a licence. In the future, those who demonstrate to the registrar or his delegate that they have a legitimate need or reason to own a firearm and should be given a licence must satisfy the registrar that they are law-abiding citizens and will act responsibly in handling a firearm. There should be no reason why they should not be granted a shooter's licence. The Liberal Party will not support the National Party's

amendment but will urge the Committee to support my amendment No. 8, which will be moved following a decision on the amendment currently being considered.

Mr CRABB (Minister for Labour)—The difference between the government and the opposition parties is quite clear. They have a view that anyone who is not a convicted felon or a certified lunatic has the right to own a weapon. They encapsulate this by using the term, “good reason”. The government rejects that position. People should not own weapons unless they fit one of the categories enunciated in the Bill, which is either an occupational category, such as primary producer, or someone who is a genuine sporting shooter.

The best example of the inadequacy of the good reason criteria was the young man Vitkovic who committed the act of violence in Queen Street last year. He obtained a licence. He was a licensed shooter and passed the test and did all that was needed. He gave the reason, “he desired to go hunting”, and that was a good reason for owning a weapon. In the government’s view, that is not adequate.

The Opposition’s proposition is not adequate in protecting the people in our society who expect governments to protect them. The government rejects both amendments.

Mr JASPER (Murray Valley)—The National Party supports the proposition by the honourable member for Benalla to oppose clause 8 (1) and (2). It was interesting to hear the comments by the Minister. It is ridiculous for the Minister to suggest that clause 8 (1) and (2) somehow would have prevented the massacre in Queen Street because that particular person would then not be able to be licensed. All he needed to do was join a sporting shooters’ club under the Bill and pay \$25 for the privilege. That person could still perpetrate that sort of crime. It is a ridiculous proposition and the National Party totally rejects it.

The government would have tightened the proposed legislation even further, but following representations it has realised that perhaps primary producers should be eligible to be licensed for guns on their properties. The government has accepted that proposition. It then came forward with the amendments that are before the Committee which lists those categories of persons who may be licensed to own guns. They are the three categories which the National Party agreed to.

The National Party does not believe the hundreds and thousands of Victorian gun owners should be disadvantaged by the clause. If a person is not a primary producer or cannot meet the demands of being registered as a shooter in his particular profession, or he does not wish to belong to a shooting association, the Minister will take the gun from him.

There are hundreds of law-abiding citizens in Victoria who should be allowed to own guns under the proposed legislation, and who would be worthy people to own guns, but the Minister will confiscate those guns.

In my second-reading speech, I highlighted the fact that people in the community who are honest citizens, and who want to own guns for a particular reason, should be allowed to do so. A gun may have been handed down through the family for a hundred years but, unless that owner belongs to a sporting shooters’ association, is in a profession where he or she needs a gun or is a primary producer, the Minister will take that gun away and give some form of compensation.

A person came to my office recently and said, “My father is a primary producer who lives a short distance out of Wangaratta, but I work in Wangaratta as a motor mechanic and at weekends I like to shoot on my father’s farm”. This person is a licensed shooter who shoots vermin and uses the gun for a sporting activity.

According to the Minister, the only way that person can be licensed to shoot on his father’s farm is for him to join a sporting shooters’ association. He said to me, “I do not want to belong to a sporting shooters’ association, I only shoot on my father’s property”.

He would not be regarded as a primary producer and could not be registered as such. This is the ridiculous proposition put forward by the Minister. He is saying that, under the proposition of the National Party, only a felon or a lunatic would be deprived from obtaining a licence and from having a gun.

Under the Firearms Act, there is a regulating power, a testing power. People should be educated about their rights and the effects of owning guns, and what they should and should not do with them. That is being done in other countries around the world, but the Minister will not accept that as an alternative.

The Bill will not reduce the number of crimes that are being committed as quoted by the Minister time and again in support of the proposed legislation. The clause should be rejected in its entirety.

I am surprised at the Liberal Party's about-face. Members of that party showed some backbone earlier in the debate and backed the National Party on the majority of the clauses. The National Party rejects the amendment. Hundreds of gun owners in Victoria should have the right to own guns and they should not have to meet the three special criteria laid down by the government.

The Opposition is suggesting that it will go one stage further. It will add to that a person who "has a good reason to own a firearm". Who will be responsible for deciding whether a person should own a firearm? The Bill provides for the Registrar of Firearms or an authorised officer of the Police Force to do that, but that could be the Minister himself. He might be the person who is authorised. That is the type of provision he might put into this measure.

The protection suggested by the Liberal Party does not go far enough. It is all right for the Liberal Party to say that it will tighten up the existing situation, but it will not do that. I support strongly the comments of the honourable member for Benalla who proposed that clause 8 (1) and (2) should be rejected in their entirety and that a person should have the opportunity to apply for a licence, be subjected to proper testing procedures and education, and then become licensed. Tough penalties should also be included for people who commit offences against, or abuse, the Firearms Act.

The National Party will ensure that that is carried through. I hope the Liberal Party recognises that its proposed amendment does not go far enough and that significant changes must be made to tighten up this measure. I believe the government has recognised that the provision will not work and it will accept the views expressed by the community. The National Party asks the government to rethink clause 8 in its entirety.

Mr STOCKDALE (Brighton)—I shall forgo the luxury of commenting on the fractious contribution of "the mouth from the north".

The CHAIRMAN (Mr Fogarty)—Order! I will not allow the honourable member to get away with that. "The mouth from the north" does not go over well with the Chair. Do I conclude that the honourable member for Brighton is referring to the honourable member for Murray Valley?

Mr STOCKDALE—I can understand how you draw that conclusion, Mr Chairman.

The CHAIRMAN—Order! I ask the honourable member to withdraw.

Mr STOCKDALE—If you find the remark offensive, Mr Chairman, I withdraw. I shall make two short statements on the comments of the Minister for Labour. They display monumental arrogance. They reflect an enormous want of confidence in the responsible officer of the Ministry.

The amendment seeks to confer on the registrar and, presumably through him, the police, the discretion to approve who should be regarded as having a good reason to own a gun, but that is not enough for this Minister. He wants to preserve unto himself exclusively the right to determine who has a good reason to have a gun. It is a direct want of confidence

by the Minister in the officers appointed by this measure to discharge those responsibilities. It will no doubt send a tremor through police officers that their own Minister is prepared to stand up in Parliament and deny their capacity to carry out their duties effectively according to the law.

The Liberal Party has no reservations. It is happy to confer on Victoria's fine Police Force the discretion that this amendment would confer upon it.

The Minister's comment proves beyond a shadow of a doubt that his stand is foursquare for political purposes based on the tragic events of Hoddle Street and Queen Street. The reality is that his own remarks do not add up. Nothing in the Bill will prevent those tragic events from taking place. Indeed, I have heard him admit as much on radio. I heard the Minister and the Premier say that they agree that no gun laws will stop the actions of demented individuals.

The reality is that nothing in the amendment will prevent those events from occurring nor would anything contained in the government's proposals. It is hypocrisy of the first order for the Minister to make political capital out of those events. I am ashamed that the government has so consistently abused the tragic deaths of Victorians in that way.

Mr JASPER (Murray Valley)—Mr Chairman, I recognise your decision in response to the comments made by the honourable member for Brighton. Perhaps we should be calling him "the mouth from the South" or "the clown from the south".

The CHAIRMAN (Mr Fogarty)—Order! Let us put these remarks in the proper context. I requested the honourable member for Brighton to withdraw and, in due course, he did so. I now ask the honourable member for Murray Valley to withdraw his statement.

Mr JASPER—I am prepared to withdraw the comment on the basis that I heard the honourable member for Brighton speaking to this clause. I suggest that the honourable member does not understand much about guns, as he represents the electorate of Brighton. He might talk about honourable members making long speeches, but I remind the Chamber that the honourable member for Brighton holds the record of making the longest speech in this Chamber.

The CHAIRMAN—Order! The hour is getting late. Let us get back to the debate.

Mr JASPER—I suggest that the honourable member for Brighton should do what other honourable members representing city electorates should do: go out into the country with the Minister for Labour and try to understand the position on guns in country Victoria. Perhaps if he were the Treasurer instead of the shadow Treasurer, he might discover he did not fit that position anyway.

Honourable members need to visit rural electorates to fully appreciate the implications of what clause 8 will do to firearms ownership in Victoria. Hundreds of thousands of people who own guns that are not registered will not comply with subclauses (1) and (2). Attempting to restrict ownership to those areas is unenforceable and unworkable, as demonstrated by previous speakers. It shows a lack of understanding of the implications of this measure on the operation of the Firearms Act in Victoria.

Mr CROZIER (Portland)—Mr Chairman, I shall make one short point. The amendment proposed by my colleague, the honourable member for Mornington, is not something he or we have dreamed up.

The CHAIRMAN—Order! The Committee must protect the rights of the honourable member for Mornington by the way in which it deals with the amendment moved by the honourable member for Benalla. I suggest that the Committee is not dealing with the amendment proposed by the honourable member for Mornington at this stage. The honourable member for Portland will have every opportunity later.

Mr CROZIER—I make a point on clause 8——

The CHAIRMAN—Order! The Committee is dealing with amendment No. 12 moved by the honourable member for Benalla. When the Chair puts the amendment, it will be done in a fashion to protect the rights of the honourable member for Mornington. The honourable member for Portland will have every opportunity at that stage.

Mr CROZIER—I appreciate that. My short point is simply this: what is proposed by the honourable member for Mornington is to return section 22AA of the principal Act, which clause 8 seeks to amend, to its original status. I point out that that section was amended by the last Firearms (Amendment) Bill debated by Parliament as recently as October last year. The words “has a good reason to possess a firearm” were specifically included in that measure, and are presently contained in that section of the Act.

The CHAIRMAN—Order! I let the honourable member get away with murder.

The Committee divided on the question that subclause (1) stand part of the clause (Mr Fogarty in the chair).

Ayes	..	..	..	..	..	69
Noes	..	..	..	..	..	10
Majority for the subclause						59

AYES

Mr Andrianopoulos
Mr Austin
Mr Brown
Mr Cain
Mr Cathie
Dr Coghill
Mr Coleman
Mr Cooper
Mr Crabb
Mr Crozier
Mr Cunningham
Mr Delzoppo
Mr Dickinson
Mr Ernst
Mr Fordham
Mr Gavin
Mrs Gleeson
Mr Gude
Mr Harrowfield
Mr Hayward
Mrs Hill
Mr Hill
Mr Hockley
Mr John
Mr Jolly
Mr Kennedy
Mr Kennett
Mr Kirkwood
Mr Leigh
Mr Lieberman
Mr McCutcheon
Mr McDonald
Mr Maclellan
Mr Mathews
Mr Micallef
Mr Norris
Mr Perrin
Mr Pescott
Mr Plowman
Mr Pope
Mr Ramsay
Mrs Ray
Mr Remington

NOES

Mr Evans
(Gippsland East)
Mr Hann
Mr Jasper
Mr McGrath
(Lowan)
Mr McNamara
Mr Ross-Edwards
Mr Wallace
Mr Whiting

Tellers:
Mr McGrath
(Warrnambool)
Mr Steggall

AYES

NOES

Mr Reynolds
 Mr Richardson
 Mr Roper
 Mr Rowe
 Mr Seitz
 Mr Sheehan
 Mr Shell
 Mr Sidiropoulos
 Mr Simmonds
 Mr Simpson
 Mr Smith
 (Glen Waverley)
 Mr Smith
 (Polwarth)
 Mr Spyker
 Mr Stirling
 Mr Stockdale
 Mr Tanner
 Mrs Toner
 Mr Trezise
 Dr Vaughan
 Mr Walsh
 Mr Weideman
 Mr Wilkes
 Mr Williams
 Mrs Wilson

Tellers:

Mr Culpin
 Dr Wells

The CHAIRMAN (Mr Fogarty)—Order! The time for me to report progress under Sessional Orders has now arrived.

Progress was reported.

The SPEAKER—Order! The time appointed under Sessional Orders for me to interrupt business has now arrived.

On the motion of Mr FORDHAM (Minister for Industry, Technology and Resources), the sitting was continued.

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

Discussion was resumed of clause 8.

Mr COOPER (Mornington)—I move:

8. Clause 8, page 4 line 5, omit 'and'.' and insert—

“or—

(iv) a person who has any other good reason to possess a firearm; and”.

This amendment inserts an extra category of a person who is eligible to have a firearm and is along the same lines as the previous amendment. The Opposition has no quarrel with allowing a person to have a firearm if that person is engaged in primary production or is a member of a gun club or if he or she is a person whose occupational business requires him or her to have a firearm.

The vast number of people in Victoria are not members of gun clubs. Those people who are responsible law-abiding citizens and wish to have a shooter's licence should be entitled to apply for one and to have it granted to them. The Opposition utterly rejects the suggestion of the Minister for Police and Emergency Services that under what is proposed, those people who are not convicted felons or certified lunatics should not be able to have a licence. The Opposition is referring to responsible law-abiding citizens of this State who

can prove to the Registrar of Firearms or his delegate that they are responsible people who can act responsibly, should have a shooter's licence, and can responsibly own and use a firearm. The Opposition is not advocating that a licence be made available to anybody who is not a convicted felon or a certified lunatic. To put it in those terms is to trivialise an important issue but, more importantly it is to misrepresent the position of the Opposition and I resent that very much. It is not a position the Opposition holds or has ever held.

Members of the Opposition are in favour of tough gun laws which are equitable and fair. What the government proposes is not equitable and fair. What the Opposition proposes returns some equity and fairness to the legislation.

The Minister has stated that under the proposed amendments somebody like Frank Vitkovic, the person who perpetrated that horrible massacre in Queen Street, would get a licence. Of course he would get a licence if he proved himself to be a responsible law-abiding citizen and belonged to a gun club. Frank Vitkovic was a member of a gun club, as was pointed out by the honourable member for Murray Valley and others.

What the government proposes will not achieve the government's objective. All that it will do is put law-abiding citizens through the hoops for no reason. Worse still, the Minister for Police and Emergency Services by imputation has said to the Parliament and to the people of Victoria that all shooters are potential Frank Vitkovics. The Minister is saying that unless people join a shooting club and meet the criteria laid down by the government in clause 8, those people are the sorts of people who will go out and perpetrate the same kind of crime as Frank Vitkovic did in Queen Street.

The Opposition rejects that as a deliberate and disgraceful slur on the law-abiding responsible shooters of this State. Some 250 000 to 300 000 people in Victoria are licensed shooters. I resent and I resent on their behalf any imputation that those shooters are potential homicidal maniacs or are in fact homicidal maniacs. The overwhelming number of licensed shooters—99 per cent of them—act responsibly when using firearms. It is a disgusting insult when the Minister for Police and Emergency Services stands up and accuses those shooters of being in the same mental state or potentially in the same mental state as the man who perpetrated that horrible massacre. It is an insult of which he should be ashamed. I am sure the members of the Labor Party who are sitting on the government side are ashamed of the imputation he makes. I reject that as any kind of valid argument.

I have not heard any valid argument advanced by the Minister for Police and Emergency Services or any other member of the government to support the proposition that people who have an adequate reason to be licensed shooters and to own firearms should be rejected. Nothing has been advanced to support the government's argument. The Opposition is protecting the position of the majority of shooters in this State who, under the proposed categories, would not be able to obtain a shooter's licence. Clause 8 must protect the position of those shooters. There is no reason why they should be frogmarched and forced to join gun clubs. Amendment No. 8 will reinstate that category.

Mr JASPER (Murray Valley)—The National Party reluctantly supports the amendment moved by the honourable member for Mornington and supports the comments he has made.

The National Party totally opposes clause 8 (1) and (2). The criterion should be that a person is tested for a licence and, once accepted for a shooter's licence, should be put through a rigorous testing procedure, as members of the National Party have clearly indicated. Those people must meet the education criterion. I reiterate that the National Party is totally opposed to clause 8 and to the implications that one must meet the three criteria in the clause and the additional criteria proposed by the Opposition. The National Party reluctantly supports the amendment.

However, I point out to the Committee that the amendment refers to a person who has any other good reason to possess a firearm. In that case, a person would be subject to

convincing the Registrar of Firearms or an authorised officer that he should be entitled to own a firearm.

Hundreds and thousands of people throughout Victoria are licensed shooters and do not wish to meet the criteria set out in the Bill. Licensed shooters, if they are not primary producers or in an occupation requiring firearms for their profession, will be frogmarched into joining sporting clubs of some description, and that will be an additional cost to them, which they may not want to meet. The Bill does not recognise the hundreds and thousands of law-abiding citizens who own guns and who do not wish to be involved in shooters' associations.

During my second-reading speech and my earlier contribution during the Committee stage, I mentioned that many people do not meet the criteria set out in the Bill. I urge the Minister to at least accept the amendment put forward by the Opposition as it covers people who want to become licensed shooters but who do not wish to meet the criteria set out in the Bill. It must be established who will be the people to accept or reject a person's request to possess a firearm. Reluctantly, the National Party supports the amendment but indicates that clause 8, subclauses (1) and (2) should be rejected.

The Committee divided on the question that the word proposed by Mr Cooper to be omitted stand part of the clause (Mr Fogarty in the chair).

Ayes	..	..	..	..	..	42
Noes	..	..	..	..	..	37
Majority against the amendment						5

AYES

Mr Andrianopoulos
Mr Cain
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Cunningham
Mr Ernst
Mr Fordham
Mr Gavin
Mrs Gleeson
Mr Hill
Mr Hockley
Mr Jolly
Mr Kennedy
Mr Kirkwood
Mr McCutcheon
Mr McDonald
Mr Mathews
Mr Micallef
Mr Norris
Mr Pope
Mrs Ray
Mr Remington
Mr Roper
Mr Rowe
Mr Seitz
Mr Sheehan
Mr Shell
Mr Sidiropoulos
Mr Simmonds
Mr Simpson
Mr Spyker
Mr Stirling
Mrs Toner
Mr Trezise
Dr Vaughan

NOES

Mr Austin
Mr Brown
Mr Coleman
Mr Cooper
Mr Crozier
Mr Delzoppo
Mr Dickinson
Mr Evans
(Gippsland East)
Mr Gude
Mr Hann
Mr Hayward
Mr Jasper
Mr John
Mr Kennett
Mr Leigh
Mr Lieberman
Mr McGrath
(Lowan)
Mr McGrath
(Warrnambool)
Mr McNamara
Mr Maclellan
Mr Perrin
Mr Pescott
Mr Plowman
Mr Ramsay
Mr Reynolds
Mr Richardson
Mr Ross-Edwards
Mr Smith
(Polwarth)
Mr Steggall
Mr Stockdale
Mr Tanner
Mr Weideman
Dr Wells

AYES

Mr Walsh
Mr Wilkes
Mrs Wilson

Tellers:
Mr Harrowfield
Mrs Hill

Miss Callister
Mrs Hirsh
Mrs Setches

NOES

Mr Whiting
Mr Williams

Tellers:
Mr Smith
(Glen Waverley)
Mr Wallace

PAIRS

Mr Heffernan
Mr Lea
Mr Evans
(Ballarat North)

Mr McNAMARA (Benalla)—By agreement between the parties, the National Party will deal with the rest of the amendments in bulk.

The CHAIRMAN (Mr Fogarty)—Order! The honourable member for Benalla is dealing with his amendment to clause 8.

Mr McNAMARA—I do not intend to proceed with the amendment circulated in my name. The National Party will proceed with amendments in another place.

Mr COOPER (Mornington)—By arrangement between the parties, as the honourable member for Benalla said, it was agreed that the debate would conclude at this time. Although the Opposition is anxious to pursue its amendments, it will keep to that agreement. The amendments will be pursued in another place.

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

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

JOINT SITTING OF PARLIAMENT

La Trobe University

Victorian Health Promotion Foundation

A message was received from the Council acquainting the Assembly that they have agreed to meet with the Assembly for the purpose of sitting and voting together to recommend members of the Parliament of Victoria for appointment to the Council of the La Trobe University and the Victorian Health Promotion Foundation, as proposed by the Assembly.

PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL

This Bill was received from the Council and, on the motion of Mr ROPER (Minister for Planning and Environment), was read a first time.

PLANNING AND ENVIRONMENT (AMENDMENT) BILL

Mr ROPER (Minister for Planning and Environment)—I move:

That this Bill be now read a second time.

The Planning and Environment Act 1987 came into operation on 16 February 1988. On that date, the planning controls which were in force under the Town and Country Planning Act were revoked and new planning schemes were made under the Planning and Environment Act.

Some concerns have arisen with the transitional provisions of the Planning and Environment Act. The Administrative Appeals Tribunal has ruled that it has no power to deal with appeals lodged after 16 February in respect of applications for planning permits lodged before that date. In addition, decisions on the applications have been made under the old planning controls.

This ruling differs from the interpretation given by the Victorian Government Solicitor and senior counsel. The government wishes to act quickly to prevent these issues dragging on for months or years and requiring resolution by the Supreme Court at great cost and inconvenience to developers, councils and individual householders.

The Bill removes any doubts, and its quick passage is clearly in the interests of the community as a whole.

Firstly, the Bill clarifies that, since 16 February, responsible authorities and the Administrative Appeals Tribunal have had the ability to decide on permit applications lodged but not determined before that date.

Secondly, it ensures that, in making these decisions, the responsible authority and the Administrative Appeals Tribunal will use the planning controls in force at the time of determination. This is a long-established legal requirement which should not be affected by the introduction of new legislation.

Councils, acting in good faith, have made many decisions on permit applications since 16 February based on the old planning controls. In the vast majority of cases the planning controls have remained the same, before and after that date. The Bill will ensure that these decisions are recognised and that applicants will not suffer cost and delay by having to apply for new permits under the new Act.

The government also intends to clarify other transitional provisions contained in section 207 of the Act. This section provides for arrangements, contracts and agreements. The amendment to section 207 provides for continuity of those matters so that, where proceedings had commenced under the Town and Country Planning Act, they can be continued under the Planning and Environment Act. This will avoid the need for anyone to recommence proceedings under the new Act.

The Act provides for panels to consider submissions relating to planning scheme amendments. The panel reports to the planning authority which prepared the amendment, and the planning authority has to make the panel's report available for any person to inspect.

To minimise delays in the progress, the Bill provides that the panel's report must be available for public inspection not later than 28 days after its receipt by the authority. The report will be available sooner where:

- (a) the planning authority decides to release it within that period; or
- (b) the planning authority makes a decision on the amendment within that period. In this case, the report is to be made available immediately after the decision.

The remaining amendments are minor corrections to provisions of the Act.

The amending Bill will obviate concerns that have been raised and will help everybody to get on with the process of taking up the new opportunities for innovative planning presented by the Planning and Environment Act.

I commend the Bill to the House.

On the motion of Mr HEFFERNAN (Ivanhoe), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 29.

LEGAL PROFESSION PRACTICE (INCORPORATION) BILL

Mr McCUTCHEON (Attorney-General)—I move:

That this Bill be now read a second time.

The object of this Bill is to amend the Legal Profession Practice Act to allow for incorporation of solicitors' practices.

PRESENT POSITION

At present, the Legal Profession Practice Act makes it an offence for a company to provide services as a solicitor. The Act only allows legal services to be provided either by a solicitor as a sole practitioner or by a partnership of solicitors. The Law Institute of Victoria considers that this restriction imposes unnecessary burdens on solicitors and is not essential for the protection of the public.

The Law Institute has pointed to a number of advantages for practitioners flowing from incorporation, including the relative ease with which changes in senior personnel can be effected in a company in contrast to a partnership. A partnership must be dissolved and reconstituted every time a partner leaves or dies, or a new partner enters the firm. This necessitates cumbersome changes to deeds and leases when partners join and leave the practice.

Incorporation will remove some of the administrative problems inherent in a partnership structure. The legal entity will remain unaffected as partners join the practice, leave or die. There will simply be a change of shareholdings and directors. The constant ownership of assets will in turn facilitate borrowing and giving of charges.

Incorporation offers substantial benefits over partnership in the provision of capital. A solicitor's practice is nowadays capital intensive. The acquisition of expensive communications, copying, data processing, information retrieval, computing, word processing and other equipment that is now necessary for an efficient legal practice must under present rules be financed by capital contributions by the partners, or by borrowing or leasing. Partnerships are unable to give security to a lender over many of the partnership's assets, such as receivables and work in progress.

At present, financiers who lend to solicitors' practices seek securities from individual partners in the practices. This security often cannot be provided without great inconvenience to the members of the practices. A practice which operates through a company will be able to offer securities, such as charges over the company's income and mortgages over the company's property and assets. These securities will be more acceptable to both financiers and the members of the practice.

Easier access to capital will mean that smaller firms, in particular, can expand and modernise and therefore remain competitive in the market for legal services without merging. The need to remain competitive is more pronounced now that a number of large Victorian firms have merged.

Considerable sums of money are involved as fixed and working capital in a solicitor's practice. The satisfactory provision of sufficient capital is important from the point of view of the public because it will assist in maintaining the stability of the solicitor's business, in the expansion of successful and efficient firms and in the introduction of new and modern equipment aimed at providing a good service at an economic charge.

The Law Institute has urged successive governments over many years to amend the Act to allow companies to provide legal services. The government has accepted the desirability of allowing solicitors' practices to incorporate, subject to strict conditions to safeguard the public interest.

PROPOSED NEW ARRANGEMENTS

The Bill sets out in detail the conditions under which solicitors' practices will be allowed to incorporate and the manner in which they will be regulated.

Legal practices will be allowed to incorporate if the following conditions are satisfied:

1. the memorandum and articles of association of the company must be approved by the Law Institute. The company must carry on business only as a legal practice and it must hold a practising certificate. This will ensure that the Law Institute of Victoria retains control over all activities of the company;

2. solicitors' companies will be incorporated as unlimited liability companies. This will ensure that a company will not be used as a device to limit the liability of the members of the firm to their clients;

3. each director of the company must hold a current practising certificate, except in the case of sole practitioners. Because of the statutory requirement that a company must have a minimum of two directors, the Bill provides that a sole practitioner may set up a company in which the second director is a prescribed relative or a person approved by the Law Institute of Victoria. I note that there are more than 1200 sole practitioners in Victoria. This modification to the conditions applying to multi-person practices will ensure that sole practitioners are not placed at a disadvantage in competing with larger firms, while retaining adequate Law Institute supervision and control over company activities;

4. all directors of the company who hold practising certificates will be liable for all acts and defaults of the company as if the directors were engaged in practice as solicitors in a partnership. This will preserve the present civil and criminal liability of practitioners. In addition, directors will, of course, have onerous duties and responsibilities under the law applying to companies;

5. all shares in the company must at all times be registered in the name of a person who holds a current practising certificate. In addition, all beneficial interests in the shares must be held by a person who holds a current practising certificate and must be disclosed to the Law Institute of Victoria. This will ensure that a company cannot be used to alter the incidence of income tax;

6. when the practising certificate of a shareholder of the company is either cancelled or suspended, the shareholder must automatically transfer his or her shares to the other shareholders of the company or to a person nominated by existing shareholders. If the person is an officer of the company, the person must resign his or her office immediately; and

7. if a shareholder in the company dies, that share may be held by a legal personal representative for a period of six months, after which it must either be redeemed by the company or transferred to another shareholder of the company or to a person nominated by existing shareholders;

CONCLUSION

The Bill will provide a more attractive basis for many solicitors in organising their practices. Legal practitioners are a significant sector of small business in the Victorian community. The facility provided by this Bill is another example of the government's concern to ensure that a positive environment for small business is fostered in this State.

At present, solicitors' practices are subject to cumbersome and archaic restrictions deriving from the law of partnership. There is no justification on public interest grounds for perpetuating these restrictions. The proposals made in this Bill will have the effect of allowing solicitors the benefits of incorporation, while imposing strict conditions to ensure that the public interest is safeguarded. By facilitating the raising of capital, the Bill will help smaller firms in particular to expand and acquire modern equipment. This in turn will enable solicitors to improve their efficiency and to provide a better standard of legal services to the public.

I commend the Bill to the House.

On the motion of Mr JOHN (Bendigo East), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 5.

NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL

This Bill was returned from the Council with a message relating to amendments.

It was ordered that the message be taken into consideration next day.

ADJOURNMENT

Casual employment at Totalizator Agency Board—Discrimination against female students—Undergrounding of powerline—Mildura courthouse—Home renovation scheme—Care of foster children—School bussing system in country Victoria—Laverton High School

Mr FORDHAM (Minister for Industry, Technology and Resources)—I move:

That the House do now adjourn.

Mr GUDE (Hawthorn)—I raise a matter for the attention of the Minister for Labour. It relates to casual employment provided by the Totalizator Agency Board.

I have been advised by employees of the Totalizator Agency Board that with the change in the working week from 40 hours to 38 hours, a number of problems have occurred. One problem relates to the underpayment of staff. I have a copy of a memorandum about the conditions of employment of casual clerical staff at the TAB which was circulated on 5 February. It shows that adult clerks who work up to 20 hours a week between 8 a.m. Monday and 8 a.m. Saturday are entitled to \$11.57 an hour. A number of clerks who fall within that category are being underpaid by being paid at the rate of \$10.60 an hour. Clerks who work in a different time slot and who should be paid at the rate of \$19.05 an hour are being paid at the rate of \$17.45.

If those figures are correct—and on the evidence presented to me the rates that are being paid are the incorrect ones—the TAB is in breach of section 108 of the Industrial Relations Act. That section relates to penalties pertaining to the breaching of an award. Significant penalties can be brought against any employer—including the Totalizator Agency Board—who does not meet his obligations. I ask the Minister to pay attention to that matter.

Employees of the TAB have raised the matter with the Minister. One of the Minister's advisers has kept promising that action will be taken but, to date, no action has been taken. This matter has now reached the point where employees are feeling aggrieved. As I said, if the information provided to me is correct—I have no reason to believe otherwise—the TAB is obviously breaching that section of the Act. The Minister ought to take action against the board, embarrassing as it may be to proceed against a government agency.

In the context of the same wrongs and concerns expressed by the officers, employees have raised with me their concerns about a shonky ballot of employees that dealt with a supposed agreement on the 4 per cent wage increase. I understand that the matter came before Commissioner Luckman. I ask the Minister to investigate that matter at the same time as he is investigating the other matter that I raised.

I am also advised that the employees have expressed their dissatisfaction at being forcibly paid under an electronic transfer arrangement. In other words, the money they earn is directly credited to their accounts. I direct to the attention of the Minister section 82 (1) of the Industrial Relations Act which provides the following:

Every employer shall pay or cause to be paid at least once in every fortnight all earnings due to every person employed by him in a trade to which an award or an agreement applies.

Section 82 (3) reads:

For the purpose of this section a payment is a payment in money if it is made—

(a) in cash; or

(b) with the authority in writing of the person employed—

(i) by cheque, postal order or money order . . .

Approximately 60 employees have not given the TAB written approval to be paid under the electronic transfer arrangement. If that is the case, the TAB is breaching section 82 of the Act.

I ask the Minister to investigate the matter in the interests of all employees of the TAB and to ensure that that section of the Act is upheld. I ask the Minister to advise me of the action that is taken so I can report to the employees who have taken up the matter with me on their own behalf and on behalf of fellow employees.

Mrs GLEESON (Thomastown)—I raise with the Minister Assisting the Minister for Education as the representative in this place of the Minister for Education a matter concerning computer science education in schools. My concern relates to a survey that was taken by the northern region of the Ministry of Education and was published in the *Herald* of 16 March 1988. The survey showed that in three secondary schools in the electorate I represent computer science education was not equally accessible to female students. The three schools involved are the Lalor High School, Thomastown High School and Epping High School. Epping High School is in the electorate of Whittlesea, however, 60 per cent of the students at that school come from the Thomastown electorate.

The Thomastown electorate has a large migrant population that comprises 34 nationalities. The survey showed that girls from non-English speaking backgrounds as well as English-speaking backgrounds were being denied equal access to computer science education. The reason given for this inequality was the bullying attitude of the male students at the secondary level of education. The survey pointed out that the discrimination did not exist at the primary level of education.

The survey noted that girls were being “bullied and pushed out of the way in the rush to get to the computers”. This attitude is of concern to me in view of the policy of the government that is directed at science, especially computer science, in the preparation of students for today’s work force.

Both males and females should be provided equal opportunities in the work force when applying for jobs. If girls are pushed out at the higher levels of secondary education, they will not have the opportunity of competing equally with the boys when they are seeking employment. That is probably why girls do not continue with the so-called more difficult data base subjects like computer science. The region has agreed to follow up this topic, but an educative process is required in schools to teach female students not to allow themselves to be bullied.

The survey noted that at the primary level of education there was no pushing to get to the computer terminals. That indicates that the attitude is learned. In the rush to get to terminals, the boys often become aggressive not only towards the girls but also towards each other. The end result is that the girls drop out of the courses disheartened and not wishing to continue.

The State government has the best education policy Victoria has had for many years. The lack of literacy in the community today is a legacy of the former Liberal government’s education policy, which had a much more liberal approach and through which students were not disciplined to undertake the more difficult subjects. This government has turned that attitude around. Regrettably it is necessary to build into the policy another program to ensure equality of access and participation in the courses that are offered.

I urge the Minister to convey my concern to the Minister for Education in another place and to request her to monitor the situation carefully to enable female students access to

education. Migrant girls should not be discriminated against and should have equal access with their Australian counterparts and male students in the school.

Mr LIEBERMAN (Benambra)—I ask the Minister for the Arts, who is at the table, to raise the following matter with the Minister for Industry, Technology and Resources. My office has been contacted by a constituent, Mr Turner, who is a farmer in the electorate I represent. Apparently Mr Turner has been advised that a private powerline to his property must be installed underground because of government policy.

The placing of the powerline underground will cost thousands of dollars—I do not know the precise figure but, according to the message I received, the sum Mr Turner will have to pay is substantial. He has said that it will be difficult for him to raise that amount of money. Mr Turner asked me to raise with the Minister and the government his concern and to point out that he understands that the Premier has already said that the government does not have the money to underground the proposed powerline in the Kew electorate.

Accordingly, Mr Turner said that if the government does not have the money to put that powerline underground and if he cannot afford to put his powerline underground, why is he forced to do so when the Premier is able to cop out?

Mr WHITING (Mildura)—I had hoped the Attorney-General would have been present in the Chamber to listen to the matter I wish to raise concerning his portfolio. The matter concerns conditions at the Mildura courthouse.

The previous Attorney-General, the Honourable Jim Kennan, early last year arranged for the reconstruction of the building and part of stage 1 required the purchase of the adjacent bank building. That has taken place and some renovations have been carried out.

Presently, the five upstairs rooms of the bank building have no furniture, carpeting or air-conditioning in today's temperature of 35 degrees. Mrs Diana Duck, President of the North West Law Association, informs me that the Deputy Registrar of the Family Court tried to conduct compulsory financial conferences in that area but found that conditions were so bad that he requested to be moved to another venue.

Unfortunately, two Magistrates Courts were sitting at the time. The County Court was also sitting in Mildura, as was a town planning tribunal. All the available space was taken up by the courts sitting at the various available venues and the deputy registrar had to be transferred to the regional TAFE Board building. That was not satisfactory, but the conditions were better than those of the existing building at the courthouse.

It is estimated that \$15 000 would cover the provision for air-conditioning, carpeting and furniture, which is a small amount in the overall picture considering that that would immediately make available at least five rooms for the network of people who work in the area and the duty solicitor, and at least provide some meeting place for clients. At present the only space available to the duty solicitor or counsel for interviews with clients is in the foyer or in the street. There is no protection from the sun, wind or rain in the street, although numerous conferences are held in that area.

The Attorney-General should reconsider the situation. Although it is appreciated that a small stage 2 conversion would cost a great deal of money which is not justified at the moment, to have the carpeting, air-conditioning and furniture provided in the upstairs rooms of the former bank building would be of benefit to those people in Mildura who are required to use those rooms, and to the visiting court officials who have also expressed their dissatisfaction when they are forced to use substandard conditions at the courthouse. I hope the Attorney-General will receive that message and will take immediate action.

Mr SHELL (Geelong)—I direct to the attention of the Minister for Housing and Construction a matter concerning the home renovation scheme implemented by the government. It is an excellent scheme which enables low-income earners to remain in their homes for as long as possible so that they do not have to enter nursing homes or some other institution. The scheme provides that sort of service and lends money at a

reasonable rate of interest so that the persons concerned are able to carry out the renovations required to allow them to stay in their homes.

The constituent about whom I am concerned contacted me last week and said that she took advantage of the scheme, but has encountered some problems associated with it. She was visited by a person from the home advisory centre who said that the house needed some renovation, such as repairs to the windows, the windowsills, the sliding rails on the windows, some paintwork and the replacement of some ventilators. Because there was some delay in receiving the loan money of \$2000, the contractor whom she contracted to do the work had arranged to go on six weeks' holiday and, consequently, when the money came through he was not available to do the work.

The contractor contacted a fellow contractor and he received the relevant quote of the work to be carried out. The work standard of the repair of the windows, frames and windowsills was not sufficiently high to prevent water leakage problems from recurring. The paintwork that was carried out by another contractor was of a high standard and the constituent had no complaint, except that the colour was not what she would have liked.

Will the Minister for Housing and Construction investigate the matter to see if the work can be brought up to standard, even if the job has to be done again, and ensure that it be done as quickly as possible?

Mr PERRIN (Bulleen)—I note that the Minister for Community Services is not in the Chamber, but I ask the Minister for the Arts on his behalf to take up the matter I raise. It is a matter of payment on behalf of foster children. One of my constituents, who is a foster parent, has brought to my attention an unsatisfactory situation regarding the care of foster children in Victoria. Mrs Risstrom of Templestowe is fostering children who are long-term wards of the State. From the information supplied, it appears she has done an excellent job.

I ask the Minister to correct a number of anomalies in the payments made to parents of wards of the State and foster children. Mrs Risstrom's income level is above the allowable limit and she is unable to obtain the family allowance. Therefore, her foster children are unable to receive the \$60 education expense allowance. A situation may arise where the foster parent's income is depriving the foster children of valuable resources for education.

Mrs Risstrom has also brought to my attention a further problem with regard to the allowance paid by the government for foster children. She has a male foster child, and there is a further discrimination in the clothing allowance paid by Community Services Victoria.

The annual allowance for girls is \$156, but the allowance for boys is \$135, a difference of \$21. It is clear discrimination against the boys who are wards of the State and who are foster children. Officers of the North Eastern Foster Care Association are unable to explain to me or the foster parents why discrimination occurs against male foster children in Victoria.

I am sure the Minister will agree that we cannot have discrimination against foster children, particularly male foster children who are paid \$21 less in clothing allowance than the females. Every means of support should be given to foster children in our community and for the foster parents who do an excellent job.

Mrs Risstrom pointed out that by being a foster parent she was saving the State approximately \$850 a week because the fostered child would otherwise have to be housed in an institution of some kind. That is a significant sum of money being saved through the foster care parents and children's plan, so it is important that it should operate efficiently.

It appears to Mrs Risstrom that the State government wants only poor foster parents. I am sure that is not the case. I am positive the Minister can take action. I understand he cannot do much about the family allowance because it is a Federal issue. Mrs Risstrom has taken up that matter with her Federal member, Neil Brown, who, I am certain, will

ensure that a well presented case is put on behalf of her foster children. I am concerned that the education allowance is not paid for three foster children.

Mr Gude—Disgraceful!

Mr PERRIN—It is disgraceful. The second point is that there appears to be discrimination against male foster children because they are not given the same clothing allowance as girls. I ask the Minister to take up those matters with the Minister for Community Services, as they are clear areas of discrimination that should not occur within the foster care program.

Mr JASPER (Murray Valley)—I raise with the Minister Assisting the Minister for Education a matter concerning an anomaly with the school bussing system in country Victoria. The Minister and most honourable members will be aware that the school bussing system is provided to bring students from country areas into schools at larger centres. The service is for those attending primary and secondary government schools as well as Catholic schools. There is a restriction on any other people who wish to use the system.

Approximately three years ago I was part of a deputation making representations seeking a change to the regulations which would allow people attending Community Youth Support Scheme facilities in some country centres, particularly those in the City of Wangaratta, to use the school bussing service. The Minister for Education decided that if there were room on a bus a student could travel into the city to take part in the CYSS program.

I have had brought to my attention by the Deputy Director of the Wangaratta College of Technical and Further Education, Mr Murray Johnson, the position of one student at the college, Timothy Sharp, who is undertaking a basic commercial cooks' course which commenced in the first semester of 1988. Mr Sharp lives approximately 30 miles out of Wangaratta at Eurobin and has to travel into Wangaratta each day. Unfortunately, he does not have suitable travel arrangements and wants to secure a method of travelling into Wangaratta to undertake his course. He could catch a school bus which passes by close to his home but, on checking whether he would be able to travel on the school bus, he was told that the rules precluded him from using the bussing service.

The deputy director has checked the availability of a place on the school bus and it has been determined that room is available for Mr Sharp to travel to the college each day and that a seat could be made available to him. However, because of the regulations, a person undertaking this type of course is not able to take advantage of the school bus. I believe that regulation should be changed.

In his letter to me Mr Johnson states:

This is a situation where the student has attempted to train so that he might break the unemployment cycle and has been supported by the Department of Employment, Education and Training through a formal training allowance, yet, now his success in his effort to train is in jeopardy because State government regulation makes no allowance for people in his situation.

I bring the position of this student to the attention of the Minister. I agree entirely that the regulations covering the school bussing system should be available, firstly, to students travelling to government schools and, secondly, to those travelling to Catholic schools. There is also a provision in the regulations to allow those attending CYSS programs to use the service.

I seek the Minister's consideration in making a further change to allow this type of arrangement so that a student who attends a specific course will be able to use the school bussing system, when room is available on the bus, so that he can train to allow him to obtain employment in the work force.

Dr COGHILL (Werribee)—I raise a matter for the attention of the Minister Assisting the Minister for Education. It concerns an issue referred to in the Laverton High School's recent newsletter. Firstly, I emphasise that the community and I have a high regard for the

school. The matter I raise should in no sense be seen as a reflection on the educational standard of the school or the quality of the school or the staff. This sentence appears in the Laverton High School newsletter:

The school council wishes to remind parents of the motion that no student be issued with a Term 1 report unless 1988 fees and other moneys owing to the school have been paid.

That reference appears to be at variance with statements made by Ministers responsible for education from time to time and, in fact, over many years. It may well lead parents and students to believe they will be placed at a disadvantage if, for whatever reason, the voluntary contributions proposed by the school have not been paid for specific students.

I seek clarification from the Minister about the legal situation and the rights of parents and students in these circumstances.

Mr CATHIE (Minister for the Arts)—The honourable member for Hawthorn raised with the Minister for Labour the difficulty faced by casual employees at the Totalizator Agency Board and the underpayment of staff and lack of action arising from the lack of payment. I shall direct that matter to the attention of the Minister so that he can investigate it and reply to the honourable member.

The honourable member for Thomastown raised with the Minister for Education a matter following a survey published in the *Herald* which indicated that there are difficulties in making computer programs available to girls in secondary schools in the electorate that she represents, particularly schools with students from non-English speaking backgrounds.

It is obvious that educational programs should be available on the basis of better access and participation for girls in mathematics and science areas. That is a government policy, and I shall raise the matter for investigation by the Minister for Education.

The honourable member for Benambra raised with the Minister for Industry, Technology and Resources the problems faced by a Mr Turner on his farm, where he has been ordered, presumably by the State Electricity Commission of Victoria, to underground a private powerline on his property. The gentleman is concerned about the costs that he will face, and I shall ask the Minister to investigate.

The honourable member for Bulleen raised with the Minister for Community Welfare Services the anomalies that arise because of income levels established in the payments made on behalf of foster parents looking after foster children.

I agree with the honourable member's comments that those foster parents need every possible support, and, if there are anomalies affecting a number of allowances, I shall ask the Minister for Community Services to investigate them.

The honourable member for Murray Valley raised the issue of school bussing services in north-eastern Victoria and particularly the restrictions under current regulations which exclude those older students who are attending post-secondary institutions and undertaking technical and further education programs, particularly training programs.

The honourable member referred to the case of one Timothy Sharp who requires transport into Wangaratta and who is undertaking a basic commercial cook's course. I shall raise that matter with the Minister for Education and see whether a solution can be found.

The honourable member for Werribee raised the issue of a newsletter at Laverton High School that indicated that some penalties would be applied to students at that school if fees were not paid.

The Minister for Education has made it quite clear, as has Mr Kevin Collins, the general manager for the schools division, that those fees are voluntary. That is the government's decision and I shall ask the Minister to investigate what has occurred at that school.

Mr McCUTCHEON (Attorney-General)—The honourable member for Mildura raised a matter concerning the Mildura courthouse. The honourable member described what happened today in that courthouse building, and it is obvious that the courthouse was under considerable pressure, with two Magistrates Courts, the Country Court, a Family Court conference and a town planning tribunal all being held in the courthouse.

The courthouse is not always under so much pressure, but the renovations are yet to be completed, especially in relation to the bank building next door to the courthouse. I have been informed that the proposal for the complete refurbishment of the project is finalised and that it has been fully costed. Costings will be forwarded to me to ensure that the project is considered for inclusion in the coming Budget.

The honourable member also raised the matter of the expenditure of \$15 000 being immediately authorised to allow air-conditioning and carpeting to be completed in some rooms so that they can be made more workable. I assure the honourable member that I shall make inquiries to see if that can be done.

Mr WALSH (Minister for Housing and Construction)—The honourable member for Geelong raised a matter concerning one of his constituents who was involved in a home renovation scheme to have her house partly renovated. The contractor that she first employed went on holidays and he subsequently employed another contractor to do that work. I require more information from the honourable member, but I shall have that matter investigated and inform him of the result.

The motion was agreed to.

The House adjourned at 12.13 a.m. (Wednesday)

Wednesday, 23 March 1988

The **SPEAKER** (the Hon. C. T. Edmunds) took the chair at 2.4 p.m. and read the prayer.

TELEVISIONING OF PROCEEDINGS

The **SPEAKER**—Order! I advise the House that I have given permission to Channel 10 to film the proceedings covering questions without notice this afternoon on a shared basis, under the usual guidelines, and under the directions of the Serjeant-at-Arms.

QUESTIONS WITHOUT NOTICE

MINISTERIAL STAFF

Mr BROWN (Gippsland West)—Can the Premier confirm that Mr Tony Sheehan, an adviser to the Minister for Conservation, Forests and Lands and Mr Demetri Dollis, an adviser to the Minister for Ethnic Affairs, the preselected Australian Labor Party candidates for Northcote and Richmond respectively, were yesterday warned by Mr Bob Hogg, the Premier's chief adviser, that their jobs would be in jeopardy if they issued a statement calling on the government to put the Brunswick-Richmond powerline underground?

The **SPEAKER**—Order! I am not sure of the relevancy of the question to the responsibilities of the Premier and what jobs are involved about which the Premier may have responsibility. Can the honourable member explain the relevancy of the question?

Mr BROWN—Mr Speaker, clearly the question refers to government interference at the senior level, namely, by the Premier's own staff. The question relates to the threatening of jobs of public servants. Have two public servants had their positions threatened by the Premier's own senior staff?

The **SPEAKER**—Order! I accept the relevancy of the question and I presume the honourable member is directing the question to the Premier as the Leader of the government.

Mr CAIN (Premier)—I want to put the record straight, firstly, about the premise upon which the question is based. The two persons to whom reference was made are not public servants, as I understand it; they are Ministerial advisers in the same way the Leader of the Opposition and the Leader of the National Party have assistants. They are people engaged or employed at the request of and, as it were, in the gift of the Minister. I understand they are people who are there at the will of the persons who engage them.

Honourable members interjecting.

Mr CAIN—I can understand the anxiety expressed by honourable members opposite. If they want me to answer, I will. I understand the kinds of views expressed by a wide range of people on this issue. I do not understand the views expressed by the Liberal Party that has supported the powerline for the past six years, but I do understand the desire of some people to upgrade the urban environment. I also understand the obligation of the government and the fact that it is not possible for government to satisfy all the wishes of those concerned with the urban environment and to provide every facility and improvement that they would wish.

The Minister has said on more than one occasion that the views expressed by a whole range of people are being taken into account. I would have thought the anxieties expressed about the powerline by the total population of this government, the political party that supports it, and all those people out there in the community would be far less than the anxieties that are daily expressed on the Opposition benches about the leadership of the

Liberal Party. If honourable members think there is any concern in my party about the powerline issue, I assure them that it pales into insignificance compared with the concern on Opposition benches about the Leader of the Opposition continuing to lead their party.

Mr BROWN (Gippsland West)—Mr Speaker, my point of order is that the question relates specifically to threats, standover tactics, and bully-boy methods used by the government towards staff members. The Premier is debating the question and I suggest, Mr Speaker, that you should bring him back to order.

The SPEAKER—Order! The Deputy Leader of the Opposition has asked a question which would present a great deal of difficulty in the answering without using either rhetoric or debater's tactics. I do not uphold the point of order. I ask the Premier to round off.

Mr CAIN (Premier)—I round off by saying that if the best the Opposition can do on this issue is come to question time every day, as it does, paying regard to what is in the current daily newspapers, it is time the Opposition gave it away altogether. I will not listen to what is based on what appears in the daily newspapers, which is what the Opposition runs with at question time.

Honourable members interjecting.

The SPEAKER—Order!

Mr CAIN—This issue is being considered by the government and will be dealt with in due course. The government will discuss the matter with whomever it pleases.

Mr RICHARDSON (Forest Hill)—On a point of order, Mr Speaker, I direct to your attention *May's Parliamentary Practice*, Chapter 17, under the heading of "Oral answers":

An answer shall be confined to the points contained in the question . . .

The question clearly relates to the intimidation of public servants, not so much the construction of the Brunswick-Richmond powerline, and the Premier has successfully evaded that question by his answer.

The SPEAKER—Order! I shall not rule on that as a point of order. I understand that the honourable member for Forest Hill has made an explanation of his interpretation of the response of the Premier.

PROHIBITED WEAPONS

Mr ROSS-EDWARDS (Leader of the National Party)—I refer to the Minister for Police and Emergency Services the situation faced by several of my constituents who are licensed shooters and who own a registered semiautomatic rifle which is not able to be used now because of a recent regulation of the Governor in Council. Will the Minister for Police and Emergency Services explain to the House which of the alternatives the government will take about the future of semiautomatic rifles? Will the government confiscate them with compensation, will it confiscate them without compensation, or will the regulation be rescinded so that the rifles can be used as they were in days gone by?

Honourable members interjecting.

The SPEAKER—Order! The question is in order in respect of the flow of legislation.

Mr CRABB (Minister for Police and Emergency Services)—As honourable members are aware, not so many years ago the then Liberal government put in place legislation which would require compensation to be paid in situations where guns which had been prohibited were surrendered.

The prohibition within the existing legislation allows people the right to possess prohibited weapons as long as they possessed them prior to the prohibition. It is the government's intention to introduce an amendment to the legislation so that people who are not able to possess those weapons will consequently be required to surrender them. I

have made it crystal clear, and I shall repeat it as often as is required, that compensation will be paid on the rifles at the full market value which applied prior to the day of the prohibition. That is an entirely fair and equitable system of doing it.

Honourable members interjecting.

Mr CRABB—What occurs is dependent on the passage of the proposed legislation through both Houses of Parliament.

SCHOOL RETENTION RATE

Mrs RAY (Box Hill)—I ask the Premier whether the government is considering reintroducing external tests at Year 10, with a certificate, and, if so, what advice he has received on the effect that this would have on the school retention rate?

Mr CAIN (Premier)—Honourable members will recall that yesterday I was pleased to inform the House about the greatly improved school retention rate that has occurred in Victoria. At almost the same time as I was doing that, the Liberal Party was talking of reintroducing Statewide examinations for years 3, 6 and 10, as I understood it, including compulsory testing of Year 10 students. That smacks of a return to the old intermediate certificate examination system of some years ago, and is simply a case of the Liberal Party again demonstrating that it is living in the past.

The policy about which we heard yesterday was six years in gestation and three days in delivery, but totally lacked credibility. It indicates that the Liberal Party wants Victoria to return to the 1950s; that is the way I understood it to be presented. By the time the intermediate certificate was abolished many years ago, it had well and truly outlived its purpose. It did not equip students in any way for decent careers, but because they had a piece of paper in their hands many young people believed, quite incorrectly, that it would obtain a good job for them. A reintroduction of such a certificate may well undermine the good retention rate because it will encourage people to leave school earlier and to say, "I have this piece of paper: that is all I need".

Mr Fordham—The Liberal Party abolished it!

Mr CAIN—As the Deputy Premier has said, the Liberal Party abolished it for the kinds of reasons I am now enunciating.

It would be misleading for young people in their formative and impressionable years to return to believing that a piece of paper in their hands will get them through their problems. It is a worthless piece of paper in that sense. There would be a reversal to the trend of more people leaving school earlier than they should.

The government has no plans to reintroduce such a certificate. The Opposition has not told us what would happen to the children who do not pass the examination and do not obtain that piece of paper. What is to be done with them? Will they be held down if they fail or do not perform as well as they should, according to whoever dreamed up the policy? Is there to be some threshold over which they will not advance if they cannot pass the examination?

As to the grade 3 situation, clearly and without qualification the government believes no child should be made to feel a failure in grade 3 because he or she does not have that perceived level of capacity that his or her fellow students aged eight or nine years may have. Does any honourable member disagree with that? What does that do to a child? I do not know. Is that what the Opposition wants?

I note that there seems to be a total lack of support from parents, teachers and unions involved with the teachers in the industry. I do not know about the honourable member for Sandringham; he was a teacher!

There is a total lack of support not only for that Liberal Party brainchild—that is, the part of the policy referring to testing—but also for the entire education policy. I cannot

recall a major policy having been announced by an Opposition through which a Minister received a bigger run, because what the Opposition announced is nonsense. A major policy announcement by the Liberal Party seems to have been rubbished from one side of the media to the other.

It makes me wonder who the dunce in the House really is when the Opposition comes up with this sort of proposition. The other point made by the Chairman of the Association of Independent Schools of Victoria was that he quite rightly foreshadows the dangers of test results being used to compare the performance of different education sectors. That would be counterproductive.

A return to that kind of approach is totally destructive of all the good things that have happened in education, not just under this government but under the previous government as well. Many good achievements in education would fall by the wayside if we took steps to introduce this nonsense.

MINISTERIAL STAFF

Mr BROWN (Gippsland West)—Did the Premier instruct his chief of staff, Bob Hogg, to threaten two individuals, employed by the government at the cost of the taxpayer, that if they expressed a personal view on the underground cabling of the Brunswick–Richmond powerline, they would be dismissed?

Mr CAIN (Premier)—Up until yesterday, I had been asked six questions by the Opposition in approximately seven or eight days and not one of them concerned government administration or government policy.

Mr Brown—It is precisely about government administration and policy.

Mr CAIN—It is not. The discussions that go on in respect of that matter within government and in other places are far less acrimonious than the discussions that go on about the leadership of the Liberal Party, so Opposition members should not get themselves in a knot about what discussions go on between Ministerial advisers in government. They are talking every day about a whole range of issues.

As a pretender to the throne, the Deputy Leader of the Liberal Party ought to be more concerned about the non-existent policies of the Opposition. If he wants to be a credible Deputy Leader of the Opposition, or Leader of the Opposition, it is about time he did something about its policies.

FIREARMS CONTROL IN NEW SOUTH WALES

Mr HANN (Rodney)—I ask the Premier: is it a fact that he was directly responsible for encouraging the former Premier of New South Wales, Mr Unsworth, to adopt a policy of confiscation of semiautomatic rifles?

Mr CAIN (Premier)—How long do I have?

The SPEAKER—Order! I should clarify for the House the responsibilities of individual honourable members. I believe the question is in order but it ranges a fair way from the responsibilities of the Premier of Victoria.

Mr HANN (Rodney)—Mr Speaker, I shall be more specific with the question: did the Premier approach the then New South Wales Premier prior to a decision being made in relation to semiautomatic rifles and urge that government to adopt a similar policy?

The SPEAKER—Order! The question is in order. It refers to a head of government approaching the head of another government.

Mr CAIN (Premier)—For some months now I have been trying to convince a whole range of people right across the country about semiautomatic rifles and, when the Minister for Police and Emergency Services went to the police Minister's conference last Friday,

the benefits of my capacity to convince were seen. A policy emerged from the conference that reflects the desire of people right across the country for control of semiautomatic weapons.

Honourable members interjecting.

Mr CAIN—The Leader of the Opposition, the Deputy Leader of the National Party and others can chuckle as much as they like about the serious issue of the lethal consequences of semiautomatic rifles, but I will not chuckle about it and I will not get down to the level to which they have sunk when the government has responded to what I believe is a perfectly proper and considered recommendation of the Chief Commissioner of Police.

The recommendation of the Chief Commissioner of Police on semiautomatic rifles is correct. The majority of people believe he is correct. The government will not resile from endeavouring to remove those lethal weapons from the community. Members of the Opposition can smile and deride the government as much as they wish but the evidence about the link between the number of violent occurrences involving the misuse of firearms and the number of firearms in the community is overwhelming.

If the Opposition wishes to ignore that evidence and wishes to continue to ignore it to curry favour with people in one electorate or another, it can do so. However, the government is pursuing a proper and appropriate policy on this issue. That has never changed. I have made the views of the government very clear and they have been listened to by a wide range of people. The people accept the need to control the use of semiautomatic rifles.

ESTABLISHMENT OF NATIONAL AND STATE PARKS

Mr POPE (Monbulk)—Will the Premier advise what progress the government has made in its program for developing a Statewide system of national and State parks?

Mr CAIN (Premier)—I thank the honourable member for Monbulk for his question because he has been one of the strongest supporters of national parks in the State and his work in the Monbulk electorate is acknowledged by a whole range of interest groups. The honourable member has been a strong supporter of the government's conservation strategy, which outlines in considerable detail a system of Statewide parks to ensure that representative samples of Victoria's natural ecosystems are permanently protected.

Since coming to office in 1982 the government has increased the area of parklands by approximately 45 per cent. Recently the government added the Dandenong Ranges National Park, the Barmah State Park and the Avon Wilderness to the State system. If the Opposition believes they are all bad, let it say so. The government intends to legislate for further additions to the park system on the basis of the investigations of the Land Conservation Council and the recommendations that the government has adopted. They include the Point Nepean National Park. Is the Opposition against that? It did nothing about that area for 30 years; it did not try for 30 years.

The final negotiations with the Commonwealth on an appropriate land swap as part payment for this park are almost completed. The Point Nepean National Park represents a monumental step taken by this government. The other two parks in east Gippsland are the Errinundra and Rodger River parks. I hear members of the Opposition chanting but I ask simply, "What would the Opposition do?"

It does not have a policy, so far as I can ascertain, but the Liberal Party spokesperson on conservation, the Honourable Marie Tehan in another place, told the Toyota Landcruiser Club of Australia in February this year that the Liberal Party would not support the establishment of any new parks in the first twelve months of government or possibly longer. She also said that parks exist primarily to serve recreational needs rather than for conservation purposes. The Opposition has a problem!

The contrast between the approach taken by the Liberal Party and that of the government could not be more stark. The government is proposing more parks. It already has, as I have said, an appreciable track record to look back on. When the new parks are created, they will give the State the most accessible and diverse system of parks in the world. Is the Opposition opposed to that? At the moment the Leader of the Opposition is calling out to the honourable member for Evelyn.

For the first time anywhere in the world a representative system of parks will be established. In November 1987, the Opposition spokesperson on conservation undertook to make a statement on east Gippsland the following week.

That was after we had been down and considered the rain forest, about which steps were taken. As the Minister for Planning and Environment has said, we are still writing. I suppose it can be said in summary that the Opposition, on this issue as on a whole range of issues, is in total disarray. It has no policy for national or State parks, except, "We have had enough, we don't want any more".

MINISTERIAL STAFF

Mr KENNETT (Leader of the Opposition)—I ask whether the Premier's chief of staff, Mr Bob Hogg, has the unfettered right to threaten dismissal or use standover tactics against other persons employed on the public payroll? If not, does the Premier intend to discipline Mr Hogg?

Mr CAIN (Premier)—I can say in response to the question only that we, on this side of the House and while in government, have enjoyed far greater harmony and loyalty from the staff that we have engaged over the past six years than can be said for the Opposition. More failed advisers and obsessive persons have been through the Opposition corridors than any other place I can think of. The Leader of the Opposition should not talk about staff and about how they are handled; he is the last person who should talk about that.

We enjoy, right across the spectrum of all Ministries, very good and harmonious relations with the staff we engage; and I am sure it will continue. The reason why we enjoy those relations is that we have faith in and concern for the issues and policies the government is announcing and the advisers are loyal and are people who care. That is the difference; they are not professional office managers. They have some feeling—like the members of this government: they have some feeling about what the government is doing. They believe in it. That is the big difference between the government and the Opposition. We believe in what we are doing. We believe in the policies and philosophies of the Labor Party.

Mr DELZOPPO (Narracan)—On a point of order, Mr Speaker, I believe the House has been very patient with the Premier. He is debating the question. He has contravened Standing Order No. 127 and I ask you, Mr Speaker, to bring him back to order.

Mr CAIN (Premier)—On the point of order, Mr Speaker, I am not debating the issue. I was asked about the methods of selection and the way staff were engaged and retained. I am saying, Mr Speaker, that I am entitled, in answering that question, to indicate the type of people we employ, their commitment to the government, their belief in the policies the government is pursuing—unlike the Opposition. I understand the views of Opposition members would be clouded, because they do not have people employed who have a commitment to anything. They have no commitment to anything—all they are concerned about is office and the perks of office. I believe I am entitled to expand on the background and the commitment of the people in this government who have supported Ministerial advisers. The point of order should be dismissed.

The SPEAKER—Order! I advise the House that before I rule on the point of order that I agree with the honourable member for Narracan. The House has been very patient with the responses of the Premier this afternoon. I uphold the point of order and ask the Premier to come back to the nub of the question and round it off.

Mr CAIN—I do round off, Mr Speaker, by saying that the way staff is engaged by this government and the relationship Ministers have with them and the whole package of hiring and firing has been very harmonious. That is in marked contrast with the Opposition. As I say, the reason that it is a harmonious relationship is that they believe in what they are doing: they want to come in and make their contributions, be part of the best government in Australia and to have the satisfaction of knowing that they are serving in the best government in the country—without question, the best government in the country. That is even acknowledged by Mr Greiner in New South Wales. As the Treasurer said yesterday, Mr Greiner wants to adopt our economic policies. He wants to know how our Cabinet system works because he wants to model his on it. I assure Opposition members that he wants to. He wants to emulate the performance of this government. The Opposition has a Leader who cans everything every time we propose anything.

Mr DELZOPPO (Narracan)—Mr Speaker, I direct your attention to Standing Order No. 127. The Premier is defying your ruling and I ask you to bring him back to order.

The SPEAKER—Order! I do not believe the Premier was debating the subject. He was making a comparison. If I believed he was debating the subject, I would say so. The Premier was making a comparison with what was occurring in New South Wales. I do not uphold the point of order.

VIDEO VIOLENCE

Mrs WILSON (Dandenong North)—Will the Attorney-General advise the House of the outcome of discussions on video violence which occurred at the meeting of Attorneys-General held last week?

Mr McCUTCHEON (Attorney-General)—I wrote to the Commonwealth Attorney-General prior to that meeting requesting that he inform the Attorneys-General what he would be doing about providing the States with the right to review the classification of videos and films that had been previously classified by the Commonwealth but which, in the opinion of the States, may be due for reclassification.

I asked whether he would inform the Attorneys-General about the X-rated videos which are still able to be distributed in the Australian Capital Territory and the Northern Territory and, further, whether the Commonwealth government would apply more harsh conditions in order to restrain the importation of videos containing wanton and gratuitous violence and other material that the community does not want to be available.

At the meeting in Brisbane, the Attorneys-General agreed that there were loopholes in the classification of video material. The Commonwealth Attorney-General indicated that he will be amending the Australian Capital Territory ordinance in the next two weeks to enable the States to request reclassification of video material, particularly material that was classified prior to 1984 when the guidelines were amended.

The Commonwealth Attorney-General had with him Mr John Dickie, the new Commonwealth Chief Censor, who provided the meeting with the proposed amendments to video classification which, in the case of M-rated videos, will prevent children under the age of fifteen years from viewing such films unless they are in the presence of a parent or guardian.

It is proposed that labels which give a clearer definition of the classifications PGR, M and R will be placed on video cassettes that are for sale or hire. Also there will be additional information relating to sex, violence and bad language, to indicate why the censor has placed that classification on the respective videos.

When the ordinance is gazetted I intend to bring to the notice of the Commonwealth Chief Censor film titles which have been discussed widely in the media in Victoria. They include *I Spit on your Grave*, *Blood Sucking Freaks*, and *The Texas Chainsaw Massacre*.

There have been numerous complaints about these videos. Currently they are rated R under the provisions that were in place before 1984. I shall request that these be reviewed and be placed under the 1984 guidelines and, because of the violent content they contain, they may well be refused classification altogether.

PARLIAMENTARY PROCEEDINGS

The SPEAKER—I advise the House that industrial action by members of staff will cause some inconvenience to members of Parliament in the next hour. The proceedings of the House will continue to be recorded, but production of Daily *Hansard* may be delayed. There will also be some difficulties in the telephone exchange. I ask for the cooperation of members. It would be appreciated if that cooperation were provided.

PETITIONS

The Clerk—I have received the following petitions for presentation to Parliament:

Industrial waste

TO THE HONOURABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY IN PARLIAMENT ASSEMBLED:

We, the undersigned are opposed to the location of the MMBW, \$11.5 million industrial waste plant to treat industrial acid, alkalis, cleaning, and paint industry residues in Holden Road, Diggers Rest.

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

By Mr Cunningham (81 signatures)

Medical Treatment Bill

TO THE HONOURABLE THE SPEAKER AND THE HONOURABLE THE MEMBERS OF THE LEGISLATIVE ASSEMBLY IN PARLIAMENT ASSEMBLED:

The humble petition of the undersigned citizens of the State of Victoria respectfully sheweth:

That we oppose the Medical Treatment Bill because it allows for and facilitates a patient to commit suicide by refusing all medical treatment even ordinary, effective life-saving treatment, and allows a guardian of a ward over eighteen to authorise the same refusals.

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

By Mr Williams (21 signatures)

It was ordered that the petitions 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:

Planning and Environment Act 1987—Notice of approval of an amendment to the Lillydale Planning Scheme—Amendment No. L9.

Police Regulation Act 1958—

Determination No. 493 of the Police Service Board.

Determination No. 9 of the Police Service Board for Police Recruits.

Determinations Nos 2 and 3 of the Police Service Board for Protective Services Officers.

Statutory Rules under the following Acts:

Abattoir and Meat Inspection Act 1973—No. 75.

Agricultural Chemicals Act 1958—Nos 76, 77.

Boilers and Pressure Vessels Act 1970—No. 61.

Building Control Act 1981—No. 85.

Corrections Act 1986—Nos 73, 86.

Drugs, Poisons and Controlled Substances Act 1981—Nos 82, 83.

Fertilizer Act 1974—No. 78.

Firearms Act 1958—No. 92.

Health Act 1958—No. 60.

Liquor Control Act 1987—No. 84.

Parliamentary Salaries and Superannuation Act 1968—No. 87.

Prevention of Cruelty to Animals Act 1986—No. 79.

Public Service Act 1974—No. 88.

Racing Act 1958—No. 89.

Road Safety Act 1986—Nos 90, 91.

Seeds Act 1982—No. 80.

Stock (Artificial Breeding) Act 1962—No. 81.

Supreme Court Act 1986—No. 57.

Wildlife Act 1975—No. 59.

PIPELINES (AMENDMENT) BILL

Mr FORDHAM (Minister for Industry, Technology and Resources) moved for leave to bring in a Bill to amend the Pipelines Act 1967 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

FLORA AND FAUNA GUARANTEE BILL (No. 2)

Mr CATHIE (Minister for the Arts) moved for leave to bring in a Bill to provide for the conservation and management of flora and fauna.

The motion was agreed to.

The Bill was brought in and read a first time.

CRIMINAL INJURIES COMPENSATION (AMENDMENT) BILL

Mr McCUTCHEON (Attorney-General) moved for leave to bring in a Bill to amend the Criminal Injuries Compensation Act 1983 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

HEALTH SERVICES BILL

Mr ROPER (Minister for Planning and Environment) moved for leave to bring in a Bill relating to health services, to repeal the Hospitals and Charities Act 1958, to make consequential amendments to certain Acts, to amend the Cancer Act 1958 and the Mental Health Act 1986, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL

Mr ROPER (Minister for Planning and Environment)—I move:

That this Bill be now read a second time.

The purpose of the Bill is to make a number of machinery improvements to the Pathology Services Accreditation Act 1984.

The past twenty years have witnessed many remarkable developments in the range and sophistication of tests undertaken by pathology services. Although a large proportion of Victorian laboratories are ethical, there is, nevertheless, ample scope for abuse either by performing tests at an unacceptable standard, or by carrying out tests to generate income instead of in the interests of the patient.

The Pathology Services Accreditation Act aims at protecting consumers by ensuring that pathology laboratories provide a quality service and produce reliable and meaningful results as a contribution to patient care. This is achieved by requiring pathology services to be accredited with the Pathology Services Accreditation Board, and by specifying in regulations the standards and conditions of practice which must be observed by such laboratories. Proposals for regulations to be made under the Act are currently being finalised by the board.

In the meantime, the board has recommended that the various machinery changes as proposed in this Bill should be made to resolve potential problems with the operation of the principal Act before its substantive provisions are proclaimed.

The major change is to enable the board to arrange with agencies to carry out both initial as well as subsequent inspections on its behalf. The Pathology Services Accreditation Act currently empowers the board to arrange with a university, corporation, or other body or person to carry out inspections to determine whether an accredited pathology service is observing prescribed requirements or standards. However, in the case of the initial inspection which must be made when an application for accreditation has been received by the board, the inspection panel must be appointed by the board, and must consist of public servants.

The board has advised the government that the establishment of its own inspection unit would not be cost effective. It has pointed out that existing agencies, such as the National Association of Testing Authorities, already have the expertise, experience, and infrastructure to provide a suitable inspection service without the need to create a special unit directly under the control of the board. This is consistent with the approach adopted by the Commonwealth which uses the National Association of Testing Authorities to undertake inspections for the purposes of its own accreditation scheme.

The Bill requires the names of the inspection agencies with which the board has entered into an arrangement to be published in the *Government Gazette*. It will then be the responsibility of the applicant for accreditation, or the accredited pathology service, to obtain the inspection reports required under the Act direct from the approved inspection agency. Where no agency arrangement exists, the board will retain the right to set up its own inspection panel to carry out such inspections.

The government has accepted the advice of the board and the amendments proposed by the Bill will give the board the capacity to enter into agency arrangements for all inspections required under the legislation.

In addition, three minor amendments to other provisions of the Act will be made by the Bill. These are, firstly, to enable regulations to be made prescribing ethical standards for the proprietors and staff of pathology services; secondly, to make some drafting corrections to the description of category 3 laboratories; and, thirdly, to establish an eighth category of accredited service to bring the Victorian legislation into line with

Commonwealth accreditation principles. These are described in more detail in the explanatory notes attached to the Bill.

It is appropriate to mention at this stage that the Commonwealth accreditation scheme to which I have referred applies only to pathology services receiving Medicare rebates. It is, therefore, more limited than that established under the Victorian Act.

The Commonwealth scheme recognises that State legislation should have the principal role in accrediting pathology services. The effect is that, when the outstanding provisions of the Pathology Services Accreditation Act are brought into operation, the Victorian Pathology Services Accreditation Board will become fully responsible for accrediting all laboratories in this State. Such accreditation will be recognised by the Commonwealth under its own accreditation requirements and, accordingly, Victorian accreditation will complement, and not duplicate, the Commonwealth scheme.

I commend the Bill to the House.

On the motion of Mr WEIDEMAN (Frankston South), the debate was adjourned.

It was ordered that the debate be adjourned until Wednesday, March 30.

GROCERY PRICES (AMENDMENT) BILL

The debate (adjourned from March 3) on the motion of Mr Spyker (Minister for Property and Services) for the second reading of this Bill was resumed.

Mr PESCOTT (Bennettswood)—The Opposition does not support the Bill. The government seeks to take the credit for market forces that have kept increases in grocery prices down in this State. The Bill is nothing less than a sop to the left-wing price gazers, or price watchers, in the government party.

The Opposition is not saying that people are not concerned about prices—they are—but it is saying that the price watchers in the Australian Labor Party, the people who support the government, ought to look elsewhere for the causes of high prices in Victoria. They should look outside Victoria and they will find that Victoria has some of the highest grocery prices in this country. They should look beyond the basket of items put forward by the government and they will find the prices of many items have increased by more than increases in the consumer price index. They should also look outside the private sector, which the government is trying to attack, to the public sector and the way in which its prices have increased.

The real issue in Victoria is falling living standards. The deterioration in the circumstances of people during the Cain Labor government's period in office is of concern. One should consider how pathetic the price pegging proposal was and how pathetic it is that the government seeks to maintain it. The government has said that the man in the street is worse off now than he was before. The Prime Minister, Mr Hawke, has said so and the Premier, Mr Cain, has said that people in Victoria are worse off now than before.

Poverty has been increasing in this State. Why is it that the people of Victoria have to put up with the highest taxes per capita levied by any government around this nation? Why is it that most of the people in Victoria put up with the fact that there are 20 000 more people unemployed now than when the government came to office?

The government claims to have the lowest unemployment rate in Australia, but 20 000 more people in Victoria are unemployed now than when the government came to office. Honourable members may recall the job creation fund they were told about before the Cain government was elected. It proposed to bring all the spare cash from the statutory authorities into one fund to create employment opportunities in this State. That money has now disappeared and 20 000 more people are unemployed now than when the government came to office.

However, this miserable government talks about continuing the prices peg. The Minister for Property and Services wishes to extend this political hoax. The Opposition will not support the Bill, and it hopes the National Party will come to its senses and not support it either.

The Bill is a hoax of the first degree. The consumer price index increase last year for Australia was running at approximately 3.8 per cent, yet the government has claimed that its prices peg policy has been an unqualified success. It claims it has been an unqualified success because it has managed to keep grocery price increases below consumer price index increases. The prices peg was set at 6 per cent when, in fact, the actual CPI was below 6 per cent. In any case, the law provided that increases could not be beyond 6 per cent for a basket of certain items, so the legislation had to be a success unless the people broke the law. The price of the grocery basket has increased by only 2.8 per cent, which is meant to be to the credit of the government. That is absolute nonsense, and the government should have some nous and should understand that other items that are not in the basket have increased in price to compensate the manufacturers and producers of food for the fact that the prices of certain items have been artificially held down.

The government should realize that the basket includes only 170 items; an average-sized supermarket holds approximately 7000 items, and a small supermarket is likely to carry 6000 items. It is a political trick, and the Opposition will not support it. Another argument is: if the increases in the prices of items in the grocery basket have been kept at 2.8 per cent, which is below the 6 per cent, why was the control necessary?

Why must this State have more and more government control? The answer is that Victoria has an arrogant, dictatorial government, and the Minister has been busy controlling travel agents, putting his nose into the housing industry and into motor car traders' business and placing more and more controls on the community. It is something the socialists do not understand. They do not have a clue that there are other ways of doing things. They do not have a clue that free market forces are keeping prices down; not last year's prices peg legislation.

Even if the Opposition were to agree with the concept of a prices peg, there would be no reason to maintain it, as price increases have been below 6 per cent because the rise in the consumer price index has been below 6 per cent. In order to work out why the government wishes to perpetuate this nonsense, one should examine the history of price pegging by the Labor Party across the nation. There is clear evidence that late in 1986 the Australian Labor Party intended to use price watching activities in its push against business as a key part of its election strategy. An article in the *Australian* of 19 November 1986 stated:

Sources within the caucus said it was the government's intention to make prices a grassroots electoral issue over the next eighteen months, and to turn up the heat as the next Federal election approached.

I shall read another newspaper report to confirm that this was being considered by the Labor Party nationally a few months before the proposal was introduced in this State. An article by Michelle Grattan in the *Age* of 24 November 1986 stated:

Prices are the more visible arm of the scissors cutting living standards. The most effective neutralization of prices as an issue is, of course, through bringing down the general inflation rate. But short of being able to slow inflation, far and fast enough, and with tight wage restraint, the Government has to rely on convincing people that squeezed living standards are unavoidable and on projecting the appearance of concern and activity...

A deliberate campaign was begun by the Labor Party towards the end of 1986 to use prices as an election strategy. Is it not a funny coincidence that the government wants to extend its prices peg legislation about twelve months from now when there should be an election some time in the next twelve months?

Mr Spyker interjected.

Mr PEScott—The Minister says, "Make it two years". I thought the Minister was listening to me, but he clearly did not understand. The Opposition does not agree in any way whatsoever with this concept. The *Sydney Sun Herald* of 15 March 1987 stated:

The Prime Minister threatened to use the Federal government's constitutional powers to control prices. He announced the establishment of a national Consumer Affairs Bureau, the beefing up of the Prices Surveillance Authority, the enlistment of pensioner and community groups in nationwide prices scrutiny committees, and the appointment of science Minister Barry Jones as the new "prices Minister".

That took place a little after the introduction of the prices peg legislation in Victoria. To follow on from the Commonwealth idea of having a prices Minister, we in Victoria now have our own special prices Minister, the Minister for Property and Services, who is sitting at the table trying to shepherd through an extension to an Act that was not even handled by him when it was introduced last year. It was a consumer affairs issue last year before the Central Highlands Province by-election and it was considered too much for the Minister for Property and Services to handle. The Bill was given to that jack-of-all-trades, but master of none, the Minister for Labour. That Minister had his finger in it; he was to become a hero by implementing this smart strategy to try to win the Central Highlands Province by-election.

The government is attempting to extend the gimmick with the Bill before the House, but the Opposition will not support it because it believes in the application of free market forces. Why does the Opposition believe in free market forces? The answer is that they are fairer, more equitable and better for consumers. Even those more advanced socialist States—even more advanced than Victoria because they have been longer at it; I am speaking about the Soviet Union and China—realise that controlled prices are not working. What takes place in countries like the Soviet Union and China? They are finding more and more markets, and more people are being able to sell their produce as they like. The Labor government in Victoria will catch up one day. The Opposition believes the government should get out of the lives of people and stop applying unnecessary controls on prices which are best left to the marketplace. Prices peg legislation and price control have never worked.

Mr Spyker interjected.

Mr PESCOTT—If the Minister for Property and Services is amused by my historical references, he can go back as far as Babylon, before Christ or before the Middle Ages; he could even go back to the Netherlands, but he would discover that price control has never worked.

Mr Spyker interjected.

Mr PESCOTT—I am now told by the Minister that it is not price control; it is price pegging. One pegs a price and therefore one is not controlling it! I have never heard such rubbish. The Minister does not understand what the Bill is about; it is an extension of another Act. I wonder whether the Minister has read the principal Act.

The government would argue that the Bill was introduced to protect and help Victorian consumers. Let us look at what Victorian consumers have to put up with. I refer to the activities of the Federal Australian Labor Party prices task force which was part of the election strategy to which I referred earlier. The task force comprised a group of Australian Labor Party members of Federal Parliament who decided to monitor prices. They got together and went around to all the States. Their first report was published on 6 May 1987.

The report stated that the average weighted basket of groceries surveyed contained goods including bread, cheese, coffee and toilet paper. The report stated that in Melbourne the basket of groceries cost \$67.16 compared with the national average of \$65.90. The cost of the basket of groceries in Victoria was well above the national average. The next highest priced grocery basket was in Canberra at \$66.35. Not only was the cost of the Victorian grocery basket above the national average, but also it was higher than the cost of the Canberra basket by 70 cents. The Australian Capital Territory is a long way from most of the places where food is produced in this country. Although food is produced close to Melbourne, Melbourne people are paying the highest grocery prices around the nation.

The statistics were produced from the research of a group of Federal Australian Labor Party members. Therefore the government will not be able to say that the research was biased or was not done properly. The price of the basket of groceries in Sydney was \$65.81; in Brisbane \$65.77; in Perth \$65.52; and Adelaide had the cheapest grocery basket at \$63.48, which is \$4 less than the price of the Victorian grocery basket.

Honourable members get the notion from the government that it is doing something to help Victorian consumers, yet Victorian consumers have to pay more for their groceries than people in any other State. Why should the person buying groceries in Victoria have to pay more? The reason is clear: Victoria is the highest taxing State in Australia.

An examination of the per capita State taxation figures reveals that Victoria is way ahead of the other States. There is no comparison, and every man, woman and child in this State attracts tax of \$1021 a year. The second highest taxed State has a figure that is \$150 less than the Victorian figure. That represents \$3 a week less taxation. It is because of those State taxes and charges that Victoria's grocery prices are so high. Because of the State taxes and charges, Victorians must pay more than everybody else. As I said, it is easier to transport food to Melbourne than to Sydney because Melbourne is much nearer to the production centres of Australia. At the time the first survey was conducted, even the Western Australian prices were cheaper.

In November last year the prices task force produced a further report showing that there had been some movement to isolate the States of Tasmania and Western Australia. Those States, on average, now pay more for their groceries than Victoria, but, as I said, they are isolated. The figures produced by that group of Federal ALP members told a sorry tale for Victorian consumers. Victorians pay more for groceries than people in New South Wales, Queensland, South Australia and the Australian Capital Territory.

The figures of the prices task force tie in very much with research undertaken by the Wodonga branch of the Liberal Party which went across the border into Albury at the end of last year and made a comparison of grocery prices as between Albury and Wodonga. I am indebted to the honourable member for Benambra who provided me with the results of the investigations which confirmed the results of the survey undertaken by the ALP prices task force that the prices of groceries in Victoria were a lot higher than prices in New South Wales.

The government argues that there is a case for price pegging, yet the price pegging that has occurred in the past year has done nothing to prove that it should continue. It is a silly idea, and it was a silly idea in the first place. Price pegging has had little effect. Across Australia prices have increased at about the same rate. There is nothing special about what has happened in Victoria.

The cost of producing food has continued to be higher in Victoria than it has been in other States. Manufacturers, distributors, and retailers have had to put up with a high per capita rate of payroll tax in Victoria. The only State in which the rate is higher is New South Wales—and the Labor government there was defeated last weekend because it did not understand what it was doing in that area. In Queensland, South Australia, Western Australia, and Tasmania, the average per capita rate of payroll tax is well below that of Victoria.

The per capita rate of payroll tax in Victoria increased by 4.1 per cent in the last year. Despite that, manufacturers kept their cost increases down to 2.8 per cent. Under government legislation they were allowed to increase costs by 6 per cent, yet they were able to keep them to 2.8 per cent.

The Treasurer has come into the House; it is good to see him! It is his policies and the policies of the government which have caused hardship to those who produce and sell food in Victoria.

Another area I want to talk about is petroleum franchise fees. In the past twelve months, those people who bring the food to Melbourne and distribute it to various centres have

had that franchise increased by 10·4 per cent per capita. Under existing legislation, the private sector must peg prices in line with the consumer price index but the government is allowed to levy a per capita increase of 10·4 per cent. The per capita rate of petroleum franchise fees is higher in Victoria than in any other State.

There are public authority taxes in every State. Regardless of which method the government uses to calculate such taxes, they are approximately four times higher in Victoria than in any other State. The State with the next highest rate of taxation is South Australia—where there are also meant to be Labor whiz-kids in the government. The rate of such taxation in Victoria is four times higher than in South Australia. Producers of grocery items in Victoria pay more in taxes and charges than producers in any other State.

The government says that prices must continue to be pegged. It is clear from the amount of money that has been taken from public authorities that the government is raking it in! The people who are trying to get the State moving are having difficulty in paying their bills.

I could go on and deal with increases in the financial institutions tax, land tax, and stamp duty. The per capita rate of financial institutions duty has increased by 12·5 per cent over the past year; yet producers of groceries in Victoria have been able to keep cost increases down to 2·8 per cent. The point has been well made that the government has created a situation where those who are trying to produce what is required for Victorians to live on are having difficulty because of the expenses imposed on them by the government.

The Liberal Party believes the government is audacious to argue that price pegging should continue. It is a political trick. All prices will not be pegged below increases in the consumer price index. Victorian prices for such goods are the highest in Australia. Victorians are paying more to live; their living standards are declining. The Liberal Party cannot accept this outrageous Bill.

Mr WALLACE (Gippsland South)—I am concerned that the Minister responsible for Youth Affairs and Prices, for whom I have great respect, is introducing the Bill. The measures he advocates have not worked over the past twelve months. The National Party is concerned about that and will not support the Bill. You can fool some of the people some of the time, but you cannot fool all of the people all of the time—and that is what the government is trying to do!

All grocery prices must be controlled. The government cannot pick only 170 items and expect to have the control it wants over prices. The government is trying to catch votes; that is a disastrous situation. The Bill will not assist the general public.

In an unguarded moment at a press conference last year the Premier said that he avoided supermarkets like the plague. The Premier does not understand what the Bill is about. One must shop in supermarkets to see what happens in the grocery business. I shop with my wife every week. I am aware of what happens in supermarkets. Supermarkets are the most competitive businesses in the world.

The government is tackling the wrong things. It is not the supermarket bill that causes people most concern. Prices generally are eroding their standards of living. Other areas of expenditure are also eroding the standard of living of Victorians—and the Treasurer is well aware of that. Less than \$1 in every \$5 is spent on food. Honourable members must consider the cost of transport, health care, fuel, power, and housing. It is crazy for the government to target supermarkets for special attention.

Most of the control measures on grocery prices fall well short of the controls imposed on wages—and that is one of the areas that the government should examine. Government taxes and charges have soared dramatically; that is of concern to the general public. Over the past six years the cost of rental accommodation from government housing authorities has increased by 86 per cent; local government rates and charges have increased by more than 78 per cent; gas and electricity charges have risen by 80 per cent; and public transport fares have increased by 81 per cent. Those increases should be examined by the government.

They are the main reasons why people are having difficulties living on their present level of wages.

There have been large increases in other areas—for example, the Federal Treasury has increased the rate of excise fees and taxes. The scheme proposed in the Bill does not take into account the fact that many grocery products sold in Victoria are produced in New South Wales.

I refer to some case histories—and I am sure many honourable members will speak on the matters that I will raise.

Looking at the prices of items in the basket, in the second column one finds Seakist Ally Pink Salmon, 440 grams, for which the typical price is \$3.76. If the price peg is working properly, it should be right, but that item is on the supermarket shelves today at \$4.96. Why is the price peg not working now? What is wrong with it? That is the case with many of the items that are on supermarket shelves today. If we are to look at all these things we have to look at a whole range of matters. The Coca Cola 375 ml. six-pack is in the shops at the present time at \$3.12.

I am trying to point out that it is not the government's price control measures that control this: it is competition. Last week the price of the Coca Cola 375 ml. six-pack was \$3.08. Mr Minister, listen to this and you will hear all about it.

The SPEAKER—Order! The honourable member will address the Chair.

Mr WALLACE—Mr Speaker, I hope you will understand what I am trying to explain to the Minister. Apparently he is not interested. The situation is that an item that cost \$3.08 last week dropped to \$1.99. Why did it drop to \$1.99? Because of competition. That is why the industry does not need this stupid price peg.

We look across further—at coffee, for instance, an overseas commodity. In a situation where there was no coffee available, the price went through the sky. Government members thought, "Goodness, they are making a rake-off; they are ripping off people". That was not true, Mr Speaker. The price rose because of the requirements and because of what was happening in the industry.

One could go on and deal with many items, such as ice-cream. A typical situation is to do with margarine. You, Mr Speaker, would be well aware of some of these points. A 500-gram container of Meadowlea margarine costs \$1.42. The Mrs McGregor brand was making big inroads into the Meadowlea market so Meadowlea decided to buy out the Mrs McGregor brand and Mrs McGregor margarine is now the low quality brand and traders have been able to drop it right down to 89 cents. That occurred because the regulations are not working; the government cannot blame the supermarkets for this. It is a competitive business. That is why the government's price peg is not working and will not work. There are many other areas that the government must consider and work at.

Mr Speaker, families are the ones that concern me the most. I ask the Minister at the table why he is picking on a lot of commodities that are packaged in 500-gram packages. Families buy the 750-gram packages which are not included in the basket and the traders can charge whatever price they want. The Minister is not addressing those matters, Mr Speaker.

Family people know jolly well that if they buy a bigger packet it will be more economical, but the government does not care about that. Mr Speaker, you as a family man would know what I am talking about. The situation is stupid.

The National Party will support measures that will work to help people, but it will not support measures that are not working and have not worked over the past twelve months. The National Party wanted to give the government a chance to prove its point but the government made a fool of itself. Its legislation did not work.

Mr Speaker, the point that I have made has been fairly clear. This legislation is absolute nonsense. Supermarkets in this country are the most cut-throat businesses in the world. Mr Speaker, the Minister knows as well as I know that this legislation is not working and that it will not work while he picks on just one item.

The National Party will not support the Bill and will oppose it under the conditions which the Minister is trying to push through at the present time.

Mr POPE (Monbulk)—Mr Speaker, at the outset may I state that I am the President of the Knox Prices Action Group—a consumer price group that operates in the outer eastern area.

Mr Richardson interjected.

Mr POPE—Mr Speaker, I take up the interjection of the honourable member for Forest Hill and I will pass it on to the members of the Knox Prices Action Group, of whom there are many, and of whom only about three are members of a political party; not all of those three are members of the Australian Labor Party.

Mr Speaker, honourable members should be reminded of exactly what the prices peg was when it was established in early 1987. The government considered the 170 most essential items and put those grocery items into a basket and said that the cost of those items would not increase by more than 6 per cent. Although it was not in the Bill that was introduced in 1987, the government stipulated that the increase in government household charges would also stay within 6 per cent. That was the other side of the equation. I shall go through the various statistics shortly, but in essence there has been only a 3.2 per cent increase in the cost of items in the basket and a 2.8 per cent increase in government household charges in the twelve months since the prices came into operation.

The measure has been a resounding success that is applauded by consumers and wage earners throughout Victoria. The honourable member for Gippsland South stated that wage earners spent 20 per cent of their income on grocery items and food items. They are obviously the ones who are benefiting from this legislation which was introduced and which the government now wants to extend for another twelve months.

Honourable members have heard a lot of humbug from the honourable member for Bennettswood with respect to his statistics, statistics that do not bear up. Where did he get a figure of less than 6 per cent in the consumer price index? That is his statement, not mine. His figure of less than 6 per cent in the CPI in 1987 is incorrect. I do not know where he has his research done, but, if he does it himself, heaven help us in the future if he continues in this way. The reality is that it is actually around 7 per cent. With respect to the food items contained in the basket, as I mentioned earlier, we have had only a 3.2 per cent increase in the price in the past twelve months. In the previous twelve months, prior to the prices peg coming into operation, in 1986 the national average increase in the total cost of food was 8.9 per cent. In Melbourne the figure was 10.2 per cent.

That figure was also arrived at in independent surveys such as that carried out by the well accredited and appreciated Knox Prices Action Group. It also came up with a figure of approximately 10 per cent. In 1986, prices increased by 10.2 per cent. That is what occurred under what the honourable member for Bennettswood described as free market forces. He believes those forces should operate in place of the highly successful prices peg introduced by the government, which it is attempting to extend for a further twelve months.

In 1987, the national average increase in food costs was 4 per cent. In Melbourne it was only 3.8 per cent. The prices peg in Victoria produced an increase of only 3.2 per cent on the 170 items in the basket. Those items are the most essential and most used items, irrespective of their size, which the honourable member for Gippsland South referred to. The items in the basket are those with the largest turnover and the sizes of items included in the basket are the most appropriate. That is why they are in the basket and that is why the honourable member for Gippsland South is wrong.

The House also heard the honourable member for Bennettswood quote figures from the prices task force. I am not sure from where he got the figures but, if he did his own research, he failed to do it accurately. The survey conducted by the prices task force shows that in Melbourne, between April and October, the price increase was 0.83 per cent. In Sydney, the increase was 1.96 per cent and the Australian average was 2.47 per cent. What sort of humbug is the honourable member for Bennettswood putting to this House? The prices task force figures bear out that the prices peg has had an effect in Melbourne. In fact, the task force figures indicate that price increases in Melbourne were well below the national average and certainly below the average in Sydney. The honourable member for Bennettswood tried to defend the figures he quoted for early 1987, but the figures he used for late 1987 are not borne out by the statistics. The honourable member is blatantly wrong.

One can have some sympathy with the view of the Liberal Party as the party has always been anti-consumer and anti-worker. It illustrated that last year when it opposed the prices peg scheme. The Liberal Party has been consistent in its antagonism towards the worker and the consumer. However, the somersaulting of the National Party on this issue is unbelievable. The National Party was overjoyed with the prices peg campaign when it was introduced last year. It joined the government benches but warned the government that the increase had better not be more than 6 per cent because that would prove the scheme to be a failure.

After twelve months, the price increase has been only 3.2 per cent, but the National Party is letting down the workers and consumers of this State once again. It is joining with its conservative colleagues in opposing what is obviously a scheme of great benefit to all Victorians. The benefit of the reduction in food prices in Melbourne amounts to \$140 million; that amount has been saved by consumers through the reduction of price increases in 1987.

The honourable member for Bennettswood referred to the consumer price index and gave incorrect figures. The consumer price index increase in Melbourne in 1986 was 1.3 per cent above the national average. In 1987 Melbourne's consumer price index increase was 0.2 per cent below the national average. That represents a movement of 1.5 per cent in two calendar years. Those figures are provided by the Australian Bureau of Statistics and not the Wodonga branch of the Liberal Party, which was the source of the figures used by the honourable member for Bennettswood.

To further condemn the position of the National Party, I refer to REARK quarterly supermarket surveys, which show how incredible it is that the National Party can oppose the prices peg. The surveys show that in high service supermarket chains, the 170 items in the basket cost \$312.26 in country areas and \$313.25 in other areas. In the major supermarket chains, the items in the basket cost \$303.15 in country areas while the average figure for Victoria was \$305. Once again, prices in country supermarkets are below the State average. That was not the case before the prices peg was introduced.

Country residents were spending a larger percentage of their incomes on groceries than were metropolitan residents. That issue was raised by the honourable member for Gippsland South, who now says that the scheme should not be extended for a further twelve months. I am sure all country people would like to hear that when free market forces operated, prices increased by 10.2 per cent. I am sure country residents will be thrilled to hear that more of their wage packets will be spent on groceries! That is what will happen by the National Party opposing the extension of the prices peg.

The National Party has somersaulted and jumped into bed with the other conservative party. Admittedly, at least the Liberal Party has taken a consistent anti-consumer and anti-worker stance.

The total average increase for country supermarkets is \$304.84 while the average in all locations is \$306.14. Country Victoria has probably benefited the most from the prices peg campaign, the campaign the National Party is now prepared to dump. I am sure the friend

of the honourable member for Benalla, Peter Radford, the democratic socialist, would not agree with the National Party today, but perhaps the honourable member can ask him when he sees him next. Perhaps that will be when the next by-election occurs!

The figures of the Australian Bureau of Statistics tell the true position. Those figures have shown that there has been a greater reduction in food prices in Melbourne since the introduction of the prices peg compared to increases in other States. Honourable members heard a lot about the household basket proposed by the government when the legislation was debated twelve months ago. At that time, the government said it would keep the increases to less than 6 per cent. The Liberal Party wanted that to be part of the legislation, but it was not. The increase has been only 3.8 per cent. The honourable member for Bennettswood referred to extraneous matters such as payroll tax, but that increased by only 4 per cent.

The Retail Traders Association of Victoria worked in conjunction with the government in making sure that the prices peg campaign was effective and it was from the data supplied by that organisation that the 3.2 per cent increase was taken.

As I mentioned earlier, Victorian consumers collectively would have paid an extra \$140 million in the past year if the free market forces advocated by honourable members opposite operated. That would have been \$140 million out of the pockets of Victorians. The electors, the consumers, and the people who bring home their weekly pay packets are the ones who will judge the Opposition if the Bill is overturned. It is they who will pay more for groceries because of the attitude of South Yarra residents such as the honourable member for Bennettswood, who has plenty of money in his pockets to buy groceries but who does not care tuppence for the poor people who struggle to make ends meet and who have appreciated that the government has kept price increases at the lowest of the national averages over the past twelve months.

The low price increase has been a straight product of the implementation by the government of a campaign to peg prices. That campaign was supported by honourable members in the corner party who have since deserted the workers and country Victorians by now opposing the Bill. It is obviously amusing to honourable members opposite that workers have to pay more out of their wage packets for their groceries. The honourable member for Bennettswood seems to find the whole issue humorous. His address to the House was deplorable. It was obvious from what he said that he is prepared to ditch the consumers of this State.

The attitude of National Party members is even worse. They were more than happy to come in behind the government on a division in this House when the principal Act was debated in 1987. I do not know what has happened to National Party members since then but they seem to have lost their understanding of what ordinary Victorians have in their pay packets to spend on grocery items. Whatever the reason, the National Party has sold out Victorians in both the country and metropolitan Melbourne. I hope the National Party revises its position when the Bill is between here and another place.

Ordinary Victorians will pay more for groceries if the Bill is not supported. I trust the National Party members in the Upper House will apply more logic and commonsense than have their colleagues in this House and that they will support the government. I commend the Bill to the House.

Mr STOCKDALE (Brighton)—The most dignified thing to do would be not to acknowledge the contribution made by the honourable member for Monbulk. However, unfortunately for the House, late in his speech he actually came up with the nub of the issue, which, when one sweeps aside the highly selective reliance on statistics that the honourable member engaged in, really shoots the government in the foot or perhaps even in the head.

No-one argued in the debate on what is now the Grocery Prices Act that the test of the Act was whether price increases were kept below 6 per cent. Indeed, the argument advanced

at the time by me and by other honourable members was that one of the effects of the Act would be to authenticate, authorise, and rubber stamp increases that might not otherwise have taken place. I distinctly remember standing at this very spot and arguing that the prices of toilet tissues and various other items had been shown to fall in absolute terms in the previous twelve months.

Nothing that the honourable member for Monbulk, or, indeed, the Minister, has said establishes that the Grocery Prices Act has done anything other than to make prices higher than they otherwise would have been. The honourable member for Monbulk said that one should not worry about the survey conducted by members of the Liberal Party from Wodonga but that one should adopt Australian Bureau of Statistics figures. He used two of the ABS figures. He said the eight capitals' weighted average movement in the food group in the consumer price index over the year to the December quarter was 4 per cent; in fact, that is right. He said that the increase in Melbourne was 3·8 per cent; again, that is right. However, what he did not tell us about were the figures for the other States.

The most price regulated capital in Australia is Adelaide. Even the honourable member for Monbulk is not able to disagree with that, because he has lost interest in the subject and has left the Chamber. The most rigid intervention in the market by government price regulation comes from South Australia. The increase in that State in the twelve months to the December quarter was 4·7 per cent. Far from producing a lower rate of increase in prices than the average, the most interventionist State recorded a rate of increase substantially above the national average. In Western Australia, with another Labor government, the increase was 4·3 per cent—again above the national average. In Tasmania, a State with no price regulatory regime of this kind, the increase in the food group for which statistics are available was 6·8 per cent for the past twelve months. Those figures prove that there is no statistical or, indeed, any other correlation between the extent of intervention by government in the food price market and the level of the price increase during the past twelve months because the highest rate of increase is in the State with the lowest intervention and the next two highest rates are in Labor States, one of which has the highest rate of intervention in the market.

It is interesting to consider New South Wales, until recently another Labor State, where the increase has been 4 per cent—around the national average. That leaves only Queensland—where one might expect, because of the nature of its government, that there would be minimal intervention in the market and that this gimmicky price rigging arrangement, this political stunt, would not commend itself to the government—to have the highest increase of all. The factual situation is that the food group of the consumer price index in Queensland increased by only 2·6 per cent in the past twelve months. That is by far the lowest rate of increase in any State. The honourable member for Monbulk did not bother to quote that figure.

What we have learnt from all the figures selectively quoted by the honourable member for Monbulk is that in the past twelve months the highest food price increases have occurred in one capital city where there is little intervention and in another where the greatest degree of intervention in the market takes place. We can conclude only that the level of price increase in the past twelve months has nothing whatever to do with whether the government has conducted a prices pegging campaign.

If one considers that for a moment, it is obvious that that is the case, because market forces operate right across the economy. They operate on an intensive, competitive basis in all areas of activity. Whether the government pulls political stunts or not has precious little to do with what happens in the marketplace.

I cite two authorities for the proposition that this is an intensely competitive part of industry, where the pressure of the market is on the retailer to keep prices to the bare minimum. The first is a statement by Mr Quinn, the managing director of the biggest retailer, Coles Myer Ltd, that Australia has been through a period of the most intense competition between supermarket retailers in relation to food prices. No doubt that is as a direct result of the high increase in the rate of prices over the preceding year because of

the disastrous economic policies of the Federal Labor government. That is the expression of a person whose daily bread is earned in that marketplace. The intense competition is forcing retailers to pare their margins and keep prices down to the bare minimum, not because of political stunts on the part of the government but because of the behaviour of consumers.

The second authority I refer to is my own experience and the experience of every member of this House and every member of the Victorian community who shops in supermarkets. I am a consumer, as is my wife, who does the bulk of the supermarket shopping for our family. However, I do some of that shopping with her. Two things have been of such significance that they warrant mentioning.

The first is that we get an absolute mountain of junk mail every week from supermarkets which put their case that their prices are lower than those of their competitors. They do not tell us that they are selling goods at the prices recommended in the government's basket of goods; they tell us their goods are cheaper than the goods of their competitors. The supermarkets spend a fortune putting material into our letterboxes in an attempt to convince people that they would do better by shopping in their stores.

In particular, I direct the attention of honourable members to the specials that are run by supermarkets. The essence of their competition is that they engage in price cutting below the recommended retail price and below the government's stunt basket price to entice consumers into their shops.

The second aspect of my experience, which I am sure that you, Mr Acting Speaker, share, as a wise and intelligent gentleman——

The ACTING SPEAKER—You got that right!

Mr STOCKDALE—I thank you for that endorsement. The independence and integrity of the Chair is highly regarded and your endorsement is appreciated as testimony to our great Parliamentary system.

Even if this silly Minister for Property and Services does not know, we both know that when our wives go to the supermarkets they shop sensibly. They do not roam about with the prices peg in their hands and look for what the government says is the best buy; they go around their region and look at the shops and know which supermarket has the best prices. I can tell honourable members that in the past year in Brighton—the centre of the civilised world—Franklins Selfserve Pty Ltd moved in and set up a large, efficient and highly cost-competitive supermarket. The people of Brighton have flocked to that supermarket. They are ordinary, sensible workers and apparently the honourable member for Monbulk has never met them. The people of Brighton do not need this Minister to come along and tell them what is the proper price to pay for supermarket goods. They do not want an expensive government campaign which publishes advertisements day after day; they do not want regulations; what they need is to walk from one supermarket to another to find the best deal that is available to them.

The proof of that is in the supermarkets' advertising in an attempt to convince shoppers where they can obtain goods at the best prices. The basket of prices is a political stunt.

As it happens, the Prices Surveillance Authority has recently published some survey figures. They are entirely consistent with the figures compiled by the Australian Bureau of Statistics. I seek leave to incorporate in *Hansard* a table which shows percentage changes in prices of selected items for the year and the December quarter 1987.

Leave was granted, and the table was as follows:

PERCENTAGE CHANGES IN PRICES OF SELECTED ITEMS: DECEMBER QUARTER 1987

<i>Item</i>	<i>Change in Price for Quarter</i>	<i>(Annual Change for Year Ending Dec. Quarter)</i>	<i>Item</i>	<i>Change in Price for Quarter</i>	<i>(Annual Change for Year Ending Dec. Quarter)</i>
Group 1 (a)					
Carrots	+23.7	(+4.4)	Frozen Chicken	+2.4	(+6.0)
Apples	+18.2	(-20.7)	Toilet Soap	+2.4	(+4.2)
Tomatoes	+16.8	(-19.0)	Pet Food	+2.3	(+4.7)
Potatoes	+13.9	(-22.0)	Flour	+2.2	(+8.8)
Fresh Fish	+9.4	(+10.3)	Cigarettes	+2.1	(+9.1)
Canned Fish	+6.0	(+14.1)	Beer	+2.1	(+9.9)
Soups	+5.2	(+4.3)	Toothpaste	+2.0	(+6.6)
Laundry Detergents	+4.1	(+10.0)	Bacon and Ham	+1.9	(-1.2)
Kitchen Detergents	+3.9	(+7.5)	Jams, Honey and		
Cheese	+3.8	(+10.7)	Sandwich spreads	+1.8	(+8.6)
Chocolate Confectionery	+2.9	(+5.9)			
Group 2 (b)					
Biscuits	+1.7	(+6.3)	Household Paper Products		
Breakfast Cereals	+1.6	(+8.6)	(Toilet paper and Tissues)	+0.8	(+5.3)
Pork	+1.5	(+3.3)	Instant Coffee	+0.4	(-9.0)
Fruit Juice	+1.4	(+2.4)	Eggs	+0.1	(+2.0)
Milk	+1.1	(+4.1)	Beef and Veal	-0.1	(+4.2)
Processed Meat (other than Ham)	+1.1	(+5.6)	Ice Cream	-0.3	(+3.6)
Oranges	+1.0	(-1.9)	Sugar	-0.4	(+6.7)
Soft Drinks and Cordials	+1.0	(+6.5)	Tea	-0.6	(+1.5)
Frozen Vegetables	+0.9	(+5.0)	Onions	-1.5	(-6.0)
Bread	+0.8	(+4.4)	Canned Fruit	-1.9	(+3.5)
			Margarine	-3.5	(-1.3)
			Lamb and Mutton	-5.2	(+5.2)

(a) Quarterly price changes greater than the consumer price index.

(b) Quarterly price changes less than or equal to the consumer price index.

Source: Derived by the Prices Surveillance Authority from price indexes compiled by the Australian Bureau of Statistics.

Mr STOCKDALE—The table is in two parts. The top half of the table shows items—

Mr Jasper interjected.

Mr STOCKDALE—There is a strange ringing sound in the Chamber. Do you hear that, Mr Acting Speaker? Perhaps it is because of the strike.

The top half of the table lists those items which have increased more rapidly in the last quarter for 1987 than the consumer price index. The bottom half of the table lists those items which have increased in price less than the consumer price index.

What pattern can be drawn from this table relative to the items included in the basket the government has established and compared with those not included? The simple answer—and the one I am sure you, Mr Acting Speaker, expected—is, “none”, “nix”, “nil”, “zero”! There is no correlation between price increases in the last quarter for 1987 and what is in the basket and out of the basket. In both the top half and the bottom half of the table there are items which are in the basket and items which are not in the basket.

I refer to “trifling” items such as carrots, apples, tomatoes, potatoes, fresh fish and soups. None of those items is in the basket. No doubt you, Mr Acting Speaker, can get by without many of those things; they are doubtless irrelevant to your household. They obviously are irrelevant to the household of the Minister for Property and Services, who is the Minister responsible for prices! They are relevant in my household and I dare say that there would not be any household in Brighton which does not include in its budget many of those items. Yet all of those items are included in the top half of the table, indicating that their prices have moved more than the consumer price index in the last quarter for 1987. This is a political stunt.

What are the things in the basket? I refer to kitchen detergents. The Minister for Property and Services probably gets by with rinsing his utensils under the kitchen tap. I have news for him! That is an expensive way to wash his dishes because water costs a great deal in Victoria and it will cost a great deal more because the government has introduced a new system of water pricing which will increase the cost of water. It would be best if the Minister for Property and Services bought himself a bucket and filled it with water and used the same bucket of water in which to wash his dishes.

What happens if the Minister wants to use household detergents? The table shows that in Australia in 1987 the price of household detergents increased by 7·5 per cent. They are in the basket for Victoria and one would expect this to be one of the Minister’s great successes. What is the figure for Victoria? It is 7·7 per cent, so that the rate of increase in Victoria was higher than the national average. The national average includes Victoria, so the increase in Victoria is significantly higher than the increase in the other States.

What about flour? No doubt it is a trifling item in the Minister’s household, but it is of some significance in most households. The average increase in price for Australia was 8·8 per cent and for Victoria it was 10·1 per cent.

I refer to the price of toothpaste. Perhaps the Minister for Property and Services will use the same bucket of water to clean his teeth, but most Victorian families buy toothpaste. The price increase for toothpaste in Victoria in 1987 was 9 per cent, as against a national average increase of 6·6 per cent. The government’s political stunt did not help the people of Victoria in respect of that necessary item.

It is interesting to consider the price of ham and bacon. For the nation as a whole, the price of bacon and ham fell in the supermarkets by 1·2 per cent. A prices peg campaign was conducted in Victoria, to rubber-stamp out price increases; however, there was no fall but a rise of 1·2 per cent. There was no protection in the Minister’s political stunt.

I refer next to jams, honey and sandwich spreads. Obviously the Minister gets by without these things, but other Victorian households do not. The price increase for these items at the national level was 8·6 per cent, whereas the increase in Victoria for the year was 9·6 per cent. The same applies where the increase was below the increase in the consumer price index.

I invite honourable members to take the classic case that attracted so much attention last year in debate on a similar Bill, namely toilet paper. Last year the price of toilet paper fell. No doubt as part of the catch-up process the price increased during this year by 5·3 per cent nationally, but in Victoria, under the benevolent dictatorship of the Labor

arrogance, it increased by 8 per cent—nearly 3 percentage points higher than under the so-called prices peg stunt.

An honourable member—And that is in the basket!

Mr STOCKDALE—Yes, that is in the basket. The table from the Prices Surveillance Authority indicates that when the authority surveys the marketplace, examining the complete spread of household items, it finds there is no correlation between whether goods are in the basket and whether they are subject to price increases. In many cases the prices of items in the government's prices tag basket have actually risen more rapidly in Victoria than they have throughout Australia. Victoria has not gained the benefit that the Minister claims has been achieved by the prices peg campaign.

I take up what the honourable member for Monbulk said about the phoney Labor compassion for Victorian householders, of which they are becoming increasingly conscious. No doubt that explains the backlash against the Labor Party that occurred in the Kew by-election. One should bear in mind that it is not an isolated incident. Every by-election held for the Victorian Parliament in the current term of the government's office has been won by the Liberal Party. Not only has it won every seat contested since the government was last re-elected, but figures show that in each case the non-Labor parties would have held or won every Lower House seat covered by the Upper House seats that were the subject of those by-elections.

The Victorian community is not being conned by our little friend and his mates in Cabinet or by political stunts and expensive advertising at public expense in Victoria's newspapers. People know that this is the highest taxing government in Australia's history, and the highest taxing government in Australia.

What is the government's record in the past twelve months with its so-called compassion for Victorian householders? Firstly, Melbourne and Metropolitan Board of Works rates have increased by more than the 6 per cent over what the government said they would increase; the nominal increase in rates is 3·6 per cent, but that compounds with a new set of valuations. I sound a warning to the people of Victoria: this government continues its record as the most rapacious, dictatorial government in the Western World.

The total increase in rates will amount to more than 7·3 per cent in the coming year. Rate notices announcing increases above government projections are about to be issued to Victorians and that is not the end of the story. From now on even the ordinary householder will be faced with an excess water bill. It is clear that the total increase in the cost of water to Victorian households will be significantly higher than the 6 per cent increase that the government promised.

I turn to electricity and gas tariffs. Electricity charges have risen by 5·1 per cent, and gas charges by 4·8 per cent. Is that the result of increases in the cost of winning and supplying gas or electricity? Clearly it is not, as the Opposition has shown in figures recently released. It is a direct result of two things. The first is the taxation policies of the government—the 13·6 per cent increase this year in the taxes that the government imposes on the three statutory authorities.

Mr Jasper—Mr Acting Speaker, I direct to your attention the state of the House.

A quorum was formed.

Mr STOCKDALE—I thank the honourable member for Murray Valley because I agree with his perception that what I was about to say was important enough to guarantee that at least twenty honourable members should hear.

In the past year the government has increased taxes by 13·6 per cent on the three main statutory authorities—the State Electricity Commission, the Gas and Fuel Corporation and the Metropolitan Board of Works. As a result of the government's debt policies, Victorian energy costs are rising, whereas they are falling in much of the remainder of the Western World.

The ACTING SPEAKER (Mr Kirkwood)—Order! I caution the honourable member for Brighton; he is ranging widely. Although he is explaining a point that he probably considers relevant to grocery prices, if he returned to the Bill the House would be better informed.

Mr STOCKDALE—I am surprised that the Chair would adopt the same procedures as the honourable member for Murray Valley. What I am saying is directly relevant because it deals with the legitimacy and sincerity, or lack thereof, of the government's compassion for consumers. When it comes to government charges, the government does not have compassion for Victorian householders but rips into them as fast as it possibly can.

There has been a 13·6 per cent increase in taxes on Victorian consumers of gas, electricity and water; in addition, the government's debt policies have resulted in increased electricity prices whereas in many countries with which Victoria competes for international trade those charges are falling.

Then there are the Metropolitan Transit Authority charges, which represent a cost that directly impacts upon the workers of our society, the traditional supporters of the Labor Party—not the people driving motor cars but those dependent upon public transport. They have had to pay 8·3 per cent more in the past twelve months than they did in the previous twelve months in order to travel around our city, to go to hospitals, to visit relatives and even to get to work.

Mr Jasper—What about in country Victoria?

Mr STOCKDALE—Victorians are worse off in country Victoria. The government's phoney compassion is costing the Victorian consumer dearly. What about those who have the good fortune to drive around in motor cars? What has the government done for them in the past twelve months? What about third-party insurance?

The ACTING SPEAKER—Order! Will the honourable member for Brighton relate his comments to the Grocery Prices Act 1987!

Mr STOCKDALE—I am contrasting the competitive section of our private sector with the rip-off merchants in the government sector to illustrate that the government is not sincere. If you cannot understand that, Mr Acting Speaker, I can only apologise for my inability to put it clearly enough.

The reality is that the government has slugged motorists with an increase of 26 per cent in their third-party premiums in the last year. This shows that if one gives the government the power of monopoly it does not have the compassion for consumers about which the "Minister for prices" has been bleating here and elsewhere. Rather, the government rips them off.

The tax record of the government and its record on government charges shows that it is not sincere in attempting to support Victorian consumers. When the matter is directly under its own control the result is the reverse of its rhetoric. This is a cheap political stunt and the sooner it is brought to an end the better.

I congratulate the National Party for having examined the government's record over the past twelve months and for having concluded that the Bill is not in the interests of Victorian consumers. I congratulate the National Party also for joining the Liberal Party in bringing this horrific and irresponsible stunt to an end.

Mr JASPER (Murray Valley)—I support the comments made by the honourable member for Gippsland South. When the Bill was originally debated in the Legislative Assembly on 18 March 1987 the National Party supported it mainly on the basis that it contained a sunset clause that ensured the Bill would come back to Parliament for further debate. At that time Parliament could evaluate how the Bill had been received, whether it had been effective during the twelve months of its operation, and whether it was worthy of continued support.

The greatest problem with the Bill has been that it is selective in the number of items contained within the basket. Rises in prices of these articles in the basket of goods on which the government was basing its pricing structure were supposed to be contained to a maximum of 6 per cent. It is disappointing that a huge range of food items were not included in the basket over which some sort of price surveillance and price mechanism has been exercised. In the experience of the National Party competitive forces have been the best method of containing prices.

The National Party gave the government the opportunity of putting the Bill into place, of trying it out and of seeing how effective it would be. I was disappointed that the honourable member for Brighton, in his contribution to the debate, did not have the courtesy to provide the National Party with a copy of the table he produced which showed competitive prices for various articles. That table, which will be incorporated in *Hansard*, detailed a list of selective items for the December quarter ending 1987.

The SPEAKER—Order! I note that the honourable member's problem has now been rectified.

Mr JASPER—That is right. I am pleased that the honourable member for Brighton has just provided a copy of the document to the National Party.

The honourable member for Monbulk took the National Party to task over the fact that it supported the original Bill, with reservations, when it was debated in March 1987 and is now opposing the legislation. The honourable member for Monbulk clearly described the price rises in food items over the past twelve months and said that for the items in the basket of goods which had been contained to a 6 per cent rise there had been a lesser increase in prices over the past twelve months compared with the previous year of 1986.

He went on to say that the price rise problem in country Victoria should be examined. I suggest to the House that the honourable member for Monbulk has not really compared prices in country Victoria. He would need only to go out and talk to consumers, retailers and people involved in highly competitive industries to understand that the legislation has not been effective for country retailers and consumers.

The honourable member for Monbulk was at pains to indicate that the National Party had now got into bed with the Liberal Party on this Bill.

Mr Williams—It is a nice warm bed!

Mr Heffernan—You are very welcome!

Mr JASPER—If the National Party were willing to support this Bill it would be accused of jumping into bed with the socialists. The National Party has to decide whether to support or reject the proposed legislation, and it is a difficult situation. We are either jumping into bed with the socialists or we are in bed with the Liberal Party in opposition. It may be that this Bill will be typical of the approach the government will take on the firearms legislation. Some backbone has been put into the Liberal Party opposition on that issue and we hope that that continues.

If the Liberal Party in opposition continues to provide a clear indication to the National Party of where it is heading with certain proposed legislation, then, indeed, the National Party will be able to get into bed on more occasions with the Liberal Party and be able to cooperate for the betterment of the State of Victoria. Surely it is the betterment of Victoria we are concerned about.

Honourable members should be trying to improve affairs in the State of Victoria. They should be trying to improve the economy, the availability of jobs, and the availability of income. They should be making sure that people can live in Victoria knowing that they will be part of an expanding economy which will benefit not only consumers but also the wealth producers in the State, particularly those operating small business.

When I spoke on the Bill in March 1987 and put forward the views of the National Party I indicated that the National Party supported the Bill on the basis of the sunset clause. The honourable member for Gippsland South has since put forward the stance taken by the National Party based on its experience with the Bill over the past twelve months.

The food industry is highly competitive. Market forces will be the test for the price of food items. It has been indicated by other speakers and information has been provided to me within the electorate of Murray Valley that profit margins of the food industry are extremely small. In fact, in many instances retailers indicated that their margins are as low as 1 or 2 per cent compared with what they believe should be a reasonable profit margin of 4 per cent.

The other concern of the National Party is the selective listing of goods that have been included in the household basket. Because of the selective pricing structure, manufacturers have been able to contain the increases in prices of those items to less than 6 per cent, but we need to examine all the other items. Again, our inquiries indicate that prices of hundreds of other items have increased by more than 6 per cent over the past twelve months mainly due to increases by the manufacturers, so, although the government has been boasting about the fact that it has contained the increases in the prices of goods in the selective basket to 2.8 per cent, it really has not taken account of all items sold in supermarkets.

If that aspect has been taken into account, why does the government not extend the range of items in the prices peg basket? Why does it not double them?

Mr Cooper—Mr Speaker, I direct your attention to the state of the House.

A quorum was formed.

Mr JASPER—I thank the honourable member for Mornington for directing attention to the state of the House because it provided me with the opportunity of both quenching my thirst and taking up a couple of points with the Minister. The National Party supported the proposed legislation when it was introduced because it contained a sunset clause. The selective listing of goods contained in the household basket of 160 items has been of major concern.

Market forces have been the controlling factor in containing the increase in prices of supermarket goods. Housewives in the supermarkets know how competitive the pricing structure of goods is because they are able to compare the prices of goods in one supermarket with those in another. They have expressed their concern about the increases in prices of many of the goods that are used daily in households. If the Minister and the government were sincere and were prepared to consider a review of a larger range of items or all food items, the National Party may reconsider the legislation.

Although supermarket retailers say that their profit margins are slight, many housewives would say that the prices of most goods are increasing at an alarming rate. The National Party does not object to the intention of the government to try to contain the prices of certain consumer goods but the government should also consider the concerns expressed by retailers. The government should extend the range of items to include prices that are affected by wages, conditions and so on, and perhaps it should impose a twelve-month freeze on wages and prices.

The former Federal Liberal Prime Minister in a coalition government implemented a wages and prices freeze prior to a change of government in 1982. That was one of the positive aspects of the former Liberal government. When the Labor Party took office in Victoria in 1982 it was able to reap the benefit of the six months' freeze on wages and prices that was implemented by the previous Federal coalition government.

The difficulties of introducing a measure that contains grocery prices have been made clear to the National Party. When the measure became law, the government was

embarrassed by newspaper advertisements, which were supported by the Minister for Labour, because they listed incorrect prices that could not be met by country retailers. Retailers in country Victoria were embarrassed as a result because consumers would go to their stores seeking to purchase some of the 160 items in the government's prices peg basket at the prices announced by the Minister for Labour. The retailers could not supply the goods at those prices, which were based on prices of items sold in metropolitan supermarkets, because they did not take into account the pricing structure adopted in country areas.

Country retailers need to build into their pricing structure transport costs and other factors. The government should consider concessions for country retailers. A number of retailers who contacted the National Party were horrified that it had supported the prices peg program. It had done so not realising that the prices listed in the newspaper advertisements could not be applied to similar items sold in the country.

I discussed the matter with retailers in my electorate. It would do many honourable members the world of good to do the same. They should get out into the marketplace and speak not only with the consumers in metropolitan Melbourne but also with retailers. The honourable member for Brighton quoted examples given to him by some of the larger retailers. He mentioned Mr Quinn of the Coles Myer Ltd organisation. The honourable member should have canvassed the views of the small retailers who are battling for an existence. If the Minister got out into the marketplace he would become aware of the varying price structures for certain goods.

Items are priced differently for different reasons. Retailers offer special prices for items that they are promoting, and for items that must be sold quickly because of their expiry dates. It is difficult to establish the actual retail prices of many products. The Minister should not only monitor prices and speak with the consumers, but also speak with the retailers. I know that he does the shopping with his wife in the supermarket, but at the same time he should consult retailers.

Mr Spyker—I do.

Mr JASPER—Good! Perhaps the Minister should speak with retailers in the Murray Valley electorate. I invite the Minister to my electorate to meet with the retailers so that he can gain a proper perspective of the prices peg program.

Mr Pescott—He talks but he doesn't listen.

Mr JASPER—The honourable member for Bennettswood is probably right; the Minister speaks with those concerned but does not gain a proper perspective of the situation throughout Victoria. The Minister should understand what makes the economy tick. Small businesses are the lifeblood of the economy. More than 90 per cent of the businesses operating in the State are small businesses, but they are battling for their existence.

Honourable members may well talk to the Brian Quinns and to the Coles Myer Ltd organisation, but they represent big business. They would be better discussing the Bill and related matters with small retailers. If the Minister for Property and Services spoke to small businessmen he would have a better understanding of retail pricing.

After the legislation was debated last year, and after the National Party got into bed with the socialists to support it, I was disappointed by the criticism which was directed at the National Party. Some retailers said that the National Party did not understand much about the pricing structures of groceries and how those structures operate in supermarkets. I decided to investigate all aspects of how supermarkets operate and how they attempt to be competitive.

I discovered that supermarkets are competitive by operating on small profit margins, and that many variations are involved in the pricing of articles within supermarkets. That is not to say that there is not a role for the Minister in supermarket pricing policies. The Minister must ensure that supermarkets toe the line, provide proper service and sell their

goods at the best competitive prices. I suggest to the Minister that that will happen automatically in most cases because retailing and the food industry are both highly competitive.

The government attempted to put into place a prices peg measure last year. It said that it would monitor the pricing of goods within supermarkets. Unfortunately, that measure did not go far enough. It did not apply to country Victoria and did not consider the position of country retailers.

Petrol pricing is in a similar category. The government said it would monitor petrol pricing and that it would impose a ceiling on the price of fuel. However, that provision was applied only to metropolitan Melbourne. The government was not prepared to get out into country Victoria to discover what was happening there. Why should country Victoria pay 60 cents and more for a litre of fuel when the discounted price in metropolitan Melbourne is 47.5 cents a litre or less?

If the government were fair dinkum, it would talk to the former member for Morwell, Derek Amos, who fully understood this problem. When he was a member of the Opposition he said, "When in government, we will regulate the price of fuel so that it will be uniform for all Victorians". But what happened when the Labor Party took office? It implemented only half of the intended legislative action. The former Liberal Premier, the Honourable Lindsay Thompson, initiated the legislation and the Labor Party said that it would act on it when in government, but it has not done so.

If the government were fair dinkum about grocery prices, it would do the same thing it said it would for fuel: it would monitor prices right across Victoria. When considering the pricing of goods and groceries in country Victoria, that is a key element that must be pursued. Transport is a vital element in the cost structure of all goods and services provided in Victoria.

The SPEAKER—Order! I suggest that the honourable member return to the Bill, which is an amendment to the Grocery Prices Act.

Mr JASPER—Thank you, Mr Speaker, I am attempting to do that. In monitoring the prices of groceries, the government has not attempted to discover what happens in country Victoria to gain a true understanding of prices across the State. One of the key elements in the higher prices paid for groceries in country Victoria is transport.

The SPEAKER—Order! The honourable member has made that point and I ask him to return to the Bill.

Mr JASPER—Mr Speaker, I wanted to tie that in with one further point. Grocery retailers in the Murray Valley electorate told me that not only do they have varying pricing structures—whether it is a special that they have imposed because of excess stock or, for instance, a special promotion by a soup manufacturer because winter is coming on—but also they have a specific category for the pricing of goods which takes account of the retailer's turnover. Of course, the turnover takes into account the transport costs of goods to country Victoria.

Again, if the government were fair dinkum about this measure, it is imperative not only that it should consider the 170 goods in its household items basket but also that it should extend the range. The government should tell all Victorians that it will monitor prices of all goods sold in supermarkets, including supermarkets in country Victoria, and that it will monitor the costs of delivering those goods, which include the price of fuel. The government should include the price of fuel as an integral part of the whole pricing structure of grocery legislation. Of course, the government will not do that. It will simply monitor the price of fuel in metropolitan Melbourne. If fuel pricing practices in metropolitan Melbourne were applied to the country, uniform prices for fuel and all goods would be achieved.

The National Party has fully investigated the operation of the Grocery Prices Act and has concluded that it is correct to ensure that the Bill should include a sunset clause. More legislation should include sunset provisions.

Mr Speaker, as a long-serving member of this Parliament, you will understand better than me that more legislation should return to Parliament for debate after a specific time. Many costs and pricing structures that were formerly included in legislation have been taken out of legislation and are being covered by regulation-making powers. The National Party strongly supports this measure because it includes a sunset clause, and that is what should be included in other legislation. Many Acts should return to Parliament after a specific time so that they can be fully debated. The National Party supports the return of this measure to Parliament, but cannot support the measure because the Act it amends has not been effective across country Victoria. If the legislation is to be effective, its application must be broadened.

If the government decides that it will consider extending the measure so that it is more effective, the National Party will reconsider the Bill and investigate how it will affect country Victorians, because they are the people it represents.

Mr Leigh—What about free enterprise?

Mr JASPER—The National Party is concerned about competitive free enterprise. The honourable member for Malvern again demonstrates his ignorance. He should go out into country Victoria to obtain a true understanding of the position. The National Party has always discussed this issue with the Retail Traders Association of Victoria and that association has supported the government. The association assisted the government in monitoring the measure in the marketplace. The National Party was cognisant of the attitude taken by the association, and the association has now said it believes—and I hope the lead speaker for the Opposition takes note—the legislation is irrelevant. That is the view of the association after monitoring the legislation over the past twelve months.

Mr Leigh—What is the principle?

Mr JASPER—If the honourable member for Malvern had been in the Chamber earlier, he would have heard all my contribution and he would have learned something. I shall not repeat what I have said.

Mr Ken Macdonald of the Retail Traders Association of Victoria said that the legislation has become irrelevant, and, in his words, a yawn for retailers and consumers. Consumers have not benefited greatly from the legislation. It is a matter of carefully considering the measure in its entirety. The National Party believes competitive forces exist. If the legislation is to be effective, it must be extended across a wide range of goods that the government believes are important. If that is not done, the measure must be rejected. The National Party will oppose the Bill, as has the Liberal Party. Honourable members can understand why the opposition parties are opposing this measure.

Mr SHELL (Geelong)—I am pleased to contribute to the debate as my constituents were concerned about the constantly escalating price of groceries in the supermarkets and the constant variation in petrol pricing. It is important to explain why the Cain government took the step to control certain grocery item prices.

Mr Leigh—Mr Speaker, I direct your attention to the state of the House.

A quorum was formed.

Mr SHELL—Prior to the interruption I was referring to the reaction of my constituents to the escalation of grocery prices and the petrol prices variation. Grocery prices would escalate dramatically from one week to another. Prices could escalate by 30 per cent and the following week the price might drop by 20 per cent, an effective increase of 10 per cent. That was an indictment of the marketing by supermarkets in my electorate.

In Geelong West, Jewel Food Stores Pty Ltd was attracted to the area. It is competitive with other stores existing in the Geelong West region and, indeed, with those in the whole of Geelong. It does not provide some of the services that are provided by other supermarkets and, as a result, it is able to price groceries more cheaply. However, it was not until 1987 that the slowing down of the grocery price rise took place.

I agree with the National Party that the range of goods contained in the basket should be extended. It is essential that prices are kept down and although the Liberal Party and the National Party have suggested that wages should be pegged, over the past decade wages have not increased at the same rate as the consumer price index. Grocery prices should be kept down so that ordinary consumers can afford to purchase them. The National Party supported price regulation for eggs and milk to enable producers of those products to get a fair return for their investment and labour.

Honourable members know that almost every week supermarkets have specials on some items to attract consumers into their stores and, while they are there, it is hoped that they will purchase other products that are not on special. It is important that the government continues to address the grocery prices issue and also that it does something about the variation in petrol prices, because in Geelong petrol is 10 cents a litre higher in price than that in the metropolitan area.

The basket of 160 items should be extended to include other staple items including primary produce so that prices do not escalate beyond the purchasing power of the ordinary person in the street.

Mr LEA (Sandringham)—I declare that I and my wife are shoppers. Over the past twelve months we have visited supermarkets regularly and we have had ample time to assess the government's pricing policy.

The Grocery Prices Bill was introduced on Wednesday, 18 March 1987. The government guillotined the debate although the then Minister for Consumer Affairs said that this was the most significant Bill to come before the House. At 2.45 p.m. the debate was guillotined to be completed by 5.30 p.m. The government guillotined the debate on a Bill that the Minister said was a most important issue to give the daily newspapers the opportunity of reporting the story in order to encourage the Central Highlands Province electorate to vote for the government at the by-election which was to be held on the following Saturday.

Mr Jasper—Did it help?

Mr LEA—It did not help the government at all but on the basis of that background it was a politically motivated Bill.

Now, twelve months down the track, the situation is being reviewed in that context. I shall not deal with the statistics because the honourable member for Brighton has dealt with them well, but the background proves a point in the pegging of prices.

I remind the House of two points about the pegging of prices to 6 per cent. Firstly, it allowed supermarkets to increase grocery prices by 6 per cent when in fact the consumer price index was less than half that increase. The Grocery Prices (Amendment) Bill will encourage supermarkets to increase prices beyond the consumer price index and charge up to 6 per cent extra.

Secondly, I have spoken to many people in my community about the basket of goods and the perception of people around the Sandringham electorate—which has eight grocery stores—is that they are worse off.

Why do these people believe they are worse off twelve months down the track? Grocery stores with twenty or more employees must abide by the Act. It happens that seven of the eight grocery stores in my electorate have under twenty employees and, as a result, during the past twelve months they have not needed to abide by the Bill. It does not apply to them.

Within days of the Bill being proclaimed, I rang the proprietors of the grocery stores and I learned that two of them had mysteriously discovered that they had only nineteen employees, which averted the purpose of the Bill. The Bill does not apply to all grocery stores or supermarkets; it does not apply to many stores in the country.

The prices of some of the items in the basket had increased by far more than the 6 per cent maximum increase and some were well under the 6 per cent maximum allowed by the legislation. Some critical items which can be classified as essential items for the home owner but which are not included in the basket of items have increased enormously in price; dairy products are but one example.

One cannot measure in real terms the value of pegging prices to the consumer price index or a 6 per cent price increase unless one knows the real value of the wages of people. I am sure members of the government do not disagree that, in real terms, wage earners have less to spend at the supermarket than they had previously, and that is why they feel frustrated.

Many government taxes have increased, and I cite the increases in the tariffs of the State Electricity Commission, the Gas and Fuel Corporation and the Melbourne and Metropolitan Board of Works, the excess water bills, the public authorities dividend, taxes on petrol and so on. Increases in all those items have reduced the wage earner's take-home pay and mean he has less money for buying essential items such as food and clothing.

The community has not bought the government's package and will not be convinced by the government extending the application of the Act for a further twelve months.

Mr Jasper—It has become irrelevant.

Mr LEA—That is so. The community's feelings about the government is directly related to the amount of spending power people have. The Labor Party right around Australia is having great trouble convincing people that they have enough money in their pay packets to spend on the essential items on supermarket shelves. The tide is turning and the Labor economic machine, both Federal and State, is grinding to a halt. Victoria has the highest inflation rate and the highest amount of public debt, and the public are not confused about that.

The by-elections of recent months and the New South Wales State election on Saturday have resulted in either a significant increase in support for the conservative forces or, in New South Wales, a slashing win. What started out as a political ploy to serve the government's ends, as recorded in *Hansard* of 18 March 1987, has backfired on the government.

The Opposition argues that there is competition between the large supermarket groups and that market forces reduce prices and provide consumers with real savings. Of course, there are anomalies with small stores but these stores are not included in the provisions of the Bill. Why is that so? If the government is serious about the matter why does the Bill not include small stores and country chains in the pricing arrangement?

The community has less real income to spend on consumer items and, no matter what the government says about its pricing mechanism, when shoppers go to the supermarket each week and see the increase in prices of the various items on the shelves, they know they are not getting a good deal.

The Bill is a smokescreen and the public is aware of it. The community will voice their anger in the coming State election and the Federal by-elections. The fall of the New South Wales Labor government is the first domino to fall among the Labor governments around the country. The public is well aware of the intention of the government and is saying, as a mark of assessment, "You fail!"

Mrs GLEESON (Thomastown)—I support the Bill, which seeks a twelve-month extension to the provisions of the Grocery Prices Act 1987.

The Opposition does not fully understand what is happening in the community. I have spoken with shopkeepers and consumers, particularly around the north-eastern suburbs of Melbourne, and they are pleased with the introduction of the Grocery Prices Act, which complemented the wage restraint program of the unions, working in conjunction with the Federal government.

It is an illustration of what cooperation between the Federal and State governments can do through complementary legislation which has the overall effect of benefiting the consumer. The government, in seeking an extension of the provisions of the Act, is continuing its responsible attitude to Victorian families and is demonstrating in conjunction with the Federal government a cooperative spirit of working for the economic good of the nation.

Since the Act became law in 1987, a total of \$140 million has been saved by Victorians on grocery items. This restraint has had an effect on the inflation rate. In 1986 inflation was running at 10.2 per cent, but after nine months of pegging grocery prices to a maximum 6 per cent increase, inflation is running at 3.8 per cent. It is a demonstration that the legislation has worked and has had a positive effect on family savings.

The government, in amending the Grocery Prices Act, is concerned about the welfare of families. The Opposition does not appreciate that. The government is determined to maintain the prices campaign for the benefit of Victorians and would be disappointed if the Bill were obstructed. The prices unit would continue to operate to monitor grocery prices over the extended twelve-month period, which is vitally necessary.

All honourable members have heard complaints from their constituents about some of the rorts in supermarkets. A consumer told me last week that, when shopping in the New World supermarket in May Road, Lalor, one item was almost twice the price it had been the previous week. The consumer complained to the manager of the store, who said that it must have been a mistake and that he would correct it immediately. Three-quarters of an hour later the consumer had cause to go back to the supermarket and she found that the price has not been changed. That clearly demonstrates that there are retailers who are out for profit and who are not concerned about consumers.

The proposed legislation will give the government some control over these matters and will assist in the welfare of families in our community.

Mr Pescott—What about electricity and water rates?

Mrs GLEESON—The Bill is about grocery prices. The honourable member's interjection is another demonstration that the Opposition does not understand the Bill. That is unfortunate when the Opposition purports to be an alternative government. The Opposition, in threatening to wage a campaign against the provisions in the Bill, should be aware that, in the twelve months since the Act has been operating, it has resulted in an extra \$100 in the pocket of each Victorian householder, and the Opposition should not take that lightly. Overall, \$140 million will have been saved over twelve months.

These statistics on the benefits of the Bill have been gained under the very strict monitoring process that the government put in place, and any opposition in the face of those statistics would be grossly irresponsible. In the current climate, even the Opposition in this place should hesitate before moving against Victorian families.

Mr WILLIAMS (Doncaster)—The Bill sums up succinctly the fundamental differences between the Labor Party and the Liberal Party in this place. It is obvious that the Labor Party believes in the system that operates in countries behind the Iron Curtain, where a few basic necessities consumed by workers are very cheap—necessities such as milk, butter, sausage and bread, as well as household rents—but where practically everything else is beyond the means of the average worker.

That is not the sort of system I would like to see operating in my electorate. The people of Doncaster are not interested in the price pegging of some 170 items. The average

housewife in Doncaster may go to the supermarket where she may have a choice of several thousand products. She is not interested only in groceries but also in many other things.

It is all very well for the government to boast that grocery prices have increased by only 3·8 per cent, which is about the Australian average. However, it has not told the community that as a result of seasonal factors the price of fresh fruit and vegetables dropped by 8 per cent over the year, which decline has helped to bring down the cost of processed items containing fruit and vegetables. It has not told the community that the price of fish increased by 11 per cent. I enjoy eating fish two or three days a week. What will the government do about controlling the price of fish?

What will the government do about controlling the price of meals at takeaway stores, where all the young people go to eat, whether they be in Thomastown, Doncaster, Mentone or anywhere else? What will the government say about the 7 per cent increase in the cost of takeaway meals?

What will the Labor Party do about the 8 per cent increase in clothing prices over the past twelve months and the 10 per cent increase in privately owned dwelling rents? Above all, what will it do about the 15 per cent increase in housing rents which the government has imposed? What will it do about the 8 per cent increase in dry-cleaning and shoe repair prices and the 6 per cent increase in fuel and power prices, which result from the charges imposed by its own electricity and power supply authorities? Consumer credit charges have increased by 11 per cent in the past twelve months. What will the government do about that? Motor vehicle insurance has increased by 17 per cent; what will the government do about that?

The SPEAKER—Order! A passing reference is in order, but reference to a catalogue of other things outside the scope of the debate on the Bill is not in order.

Mr WILLIAMS—That is what the people in Doncaster are interested in. They are not interested in this gimmicky Bill that seeks to peg prices on 170 items, relatively few of which they would consume. If I know anything about the free market, I know that when there is socialist restriction one gets only what one pays for; one does not get quality but, rather, a reduction in quality. The Bill is a fraud on the workers.

When the electors wake up, I am sure they will demonstrate at the next State election that they are not impressed by this gimmicky nonsense. Any honourable member who knows anything about the price of fish will know that price increases are caused by increases in taxes and charges, excessive government expenditure and waste, depreciation in currency, which increases import prices, over-award and black market wages and other increases and rorts outside the wage-fixing system. That is what causes the huge price rises.

This gimmicky Bill will affect less than 5 per cent of household budgets. It is a sham against the workers to tell them that the Cain government is doing something about curtailing inflation in this State. The real enemy of the workers is not the price of groceries because most of them are sold by the big supermarkets on profit margins of only 1 per cent or 2 per cent after tax. Therefore, what is the good of imposing price controls on items such as those? As I said before, the result will be a reduction in quality, fewer specials and fewer bulk-buy items. That will be the result of the measure.

The biggest problem with price control in Victoria is that it takes no account of legitimate pressures on prices. It is easy to force a Victorian supermarket chain or a small country store, such as that to which the honourable member for Murray Valley referred, to maintain price increases at no more than 6 per cent over the next twelve months. However, the Bill does nothing to restrain the levels of government charges on industry, payroll tax and other taxes, including fuel and power charges. It does not take into account the fact that many of the products sold in the supermarkets and grocery stores have to be imported to Victoria either from interstate or overseas. The government has no control over that situation.

Most of the price increases in retail stores have nothing to do with their profit margins, which are already razor blade slim. For the benefit of the Minister for Property and Services, I point out that groceries now cost less in real terms than they did twenty years ago. The average worker must now work 6 minutes to earn enough money to buy a dozen eggs; twenty years ago, he would have had to work 26 minutes. The Minister ought to be proud, as a member of the Labor government, that these items cost much less than they did under Liberal governments twenty years ago.

The work time required to pay for 500 grams of butter has slipped from 22 minutes to only 9 minutes. It is no wonder that the primary producers are going crook. They are the real sufferers as a result of the price regulation imposed by statutory authorities under the legislation.

Mr Spyker—They should use margarine.

Mr WILLIAMS—I eat margarine; I do not mind control over margarine prices. Falls have also been recorded in the amount of time one would have to work to earn enough to buy rump steak, detergent, canned fruit, peas, cheese, milk, bread, flour, and sugar. Those products cost less in working time now than they did twenty years ago.

All this business about the worker being exploited and his family's standard of living being reduced because of supermarkets is a lot of tommyrot. Prices are extremely important in the free enterprise economy, where there is a desire for freedom of choice; prices represent the community signalling its preferences for the types of goods it wants. If these signals are muted or distorted by way of price control, goods are not produced in adequate quantities to meet the consumer demand.

If honourable members were to listen to the honourable member for Geelong, who believes price control should be extended to a whole range of other products, such as clothing and petrol, that is exactly what would occur. A system would operate such as that in the Soviet Union, Czechoslovakia and East Germany, and all the products would be forced off the supermarket shelves.

If incentives are cut the same result will occur in the long haul. Producers will produce only if there is an adequate profit margin. If prices are controlled, they will not produce. That is the weakness of communism and socialism. Workers will not produce because they will not get paid enough and they will be angry because their standards of living will be reduced. Price controls destroy the allocation of scarce economic resources in the manner that the majority of people in Western society want.

If the Labor Party, particularly at Federal level, continues with this sort of nonsense about doing away with the private enterprise system, there is no doubt in my mind that it will finish up in opposition. I guarantee that Labor Party members will get very little support from the Federal Treasurer and the Prime Minister of Australia on this measure; they are even more in favour of private enterprise and more capitalist than I am.

If the Labor Party extended this sort of price control to a wider range of commodities and services, there is no doubt in my mind that it will lead to industrial problems, because the method of control favours one industry at the expense of another, and it would so distort the allocation of resources that some people would receive over-award wages and others would be lucky if they were not paid under-award wages.

The best way and the only way to restrain prices is to foster competition. In any one week in the larger supermarkets housewives have an enormous choice of brands, sizes and variations of products, many of which are advertised on television. If this sort of nonsense continues with price control of many items normally sold in free competition, competitive advertising will be severely cut; and if advertising is severely cut, commercial television will be affected. If that happens, workers will rise in wrath. The Liberals and capitalists watch Australian Broadcasting Corporation television, not the workers. The workers watch private enterprise television.

An honourable member from the government side of the House referred to "specials". Specials are the delight of everybody in Australia, from millionaires and influential politicians down to humble people like myself, when we accompany our wives on visits to supermarkets looking for specials. That is as the system should be. People want the best value they can get for the lowest price. That is what the Liberal Party stands for, and if it improves its advertising at the next election, it will wipe the floor with the Labor Party.

As I have said before, the only effective way of achieving price restraint is through competition. The Cain government needs to come up with better than the cosmetic surgery offered in this Bill if it thinks it can woo the voters. Trying to curb prices by regulation is rather like trying to stop people sneezing by rationing tissues.

The SPEAKER—Order! Where did you get that from?

Mr WILLIAMS—I just dreamt it up. It is all very well for the Labor Party to pander to people who do not know much about basic prices and to fool them into believing the government has done something for the workers, but when the workers find out they have been betrayed, the wrath of the housewives will be on the heads of government members in marginal seats in the eastern suburbs.

One cannot fool the housewife. She knows when prices have gone up, as have the prices of thousands of items outside the 170-item basket. The Liberal Party will not get the blame; it will be the Labor Party that gets the blame. If the advertisers and consultants advising the Liberal Party are any good, the grocery price peg will be a major election issue. The Liberal Party will have people situated outside every supermarket in every key electorate throughout Victoria telling people how the Labor Party has put up prices! Will those people be angry? Absolutely!

The only real way to ensure free competition in this country is to use the Trades Practices Act. I know this is a responsibility of the Federal government, but the Opposition believes in a system in which State and Federal governments cooperate. Where there is a virtual monopoly situation, producers and suppliers must be prevented from controlling the market and taking advantage of the consumer in setting prices.

Honourable members may be staggered that up-to-date information I have suggests that, by 1990, Coles Myer Ltd will sell 25 cents worth of every \$1 of retail sales in this country. At present it sells about 20 cents worth in every \$1 of total retail sales. It is a wonderful organisation—I visit its stores nearly every weekend—but if that situation continues the point will be reached where the only people who can sell goods and services will be those working for the Coles Myer Ltd organisation.

Coles Myer Ltd is now among the ten top retail groups in the world. It is twice as large as its biggest competitor, and it sells more than the next ten competitors combined. It sells more than the total combined sales of more than 100 000 small shopkeepers in this country. That is an indication of how big the Coles Myer Ltd organisation is. That is what the Labor Party ought to be worrying about.

I take this opportunity, Mr Speaker, of giving you some investment advice. When you and I receive our lump sum superannuation payments next year, we should invest money in the Coles Myer organisation. I will be investing my money in Coles Myer Ltd because I do not think a Labor government will be game to take on that company, and to do so would certainly be against the principles of the Liberal Party.

The Labor government ought to be worrying about the exploitation of small businessmen, small suppliers and small competitors by the big groups that now control the production and distribution of groceries in this country. If those activities are not kept in check by the Trade Practices Tribunal, small retailers will be subject to unfair taxes because of the way in which land tax and other taxes are imposed on larger organisations and then divided pro rata among small shopkeepers in this country. Municipal rates and other taxes and charges are also of concern.

Not only are distributors finding themselves in a monopoly situation—a monopoly is also becoming apparent in some of the things dear to the heart of Australians. The Elders-IXL group and the Bond Castlemaine group shares 90 per cent of the beer market in this country.

Mr Spyker—John Elliot is your Federal president!

Mr WILLIAMS—I do not care. I have little time for the Federal President of the Liberal Party. It is all very well for him to talk about a consumption tax; why does he not set his own house in order by ensuring more competition in the industries in which he is involved?

One dozen food conglomerates produce 40 per cent of all packaged foodstuffs on the supermarket shelves. That is the real problem. I know the Minister for Property and Services is fair dinkum but if, by some mischance, he is a Minister in the next government, he and his colleagues in the socialist left and Federal Parliament should get stuck into those conglomerates; they should not worry about bandaid and trivial measures such as this Bill.

Five companies account for most of the shoes on the Australian market. Three major firms have a stranglehold on key sectors of the textile industry. Three quarters of all Australian newspapers are produced by the Murdoch organisation. I could go on and on telling the House about the monopolistic situations in this country, but I have an obligation to sit down. I am proud to oppose the Bill because I am for the workers and small business, not for the big capitalists who engage in monopolies.

Mr Richardson—Mr Speaker, I direct your attention to the state of the House.

A quorum was formed.

Mr RICHARDSON (Forest Hill)—I am delighted to see so many smiling faces on the government benches. The most pertinent thing that can be said about the Bill is that it has absolutely nothing to do with grocery prices and that it has everything to do with ideology and the socialist obsession to kick business whenever possible. That is precisely the motive that brought the original Bill into this place. It was not concerned with consumers or grocery prices; it was concerned with the fulfilling of the socialist objective of striking a blow at business wherever possible, particularly businesses concerned with the grocery trade and supermarkets.

It is instructive that the Minister responsible for prices, who was at that stage the Minister for Consumer Affairs, and is now the Minister for Property and Services, had a particular obsession about supermarkets. It was that Minister who attempted to have passed by Parliament draconian legislation that would cripple a great many supermarkets when he tried to ban the installation of electronic scanning devices. Through the resolve of the Liberal and National parties, the Minister's objective was not achieved.

It was this same Minister, when responsible for consumer affairs, who was also responsible for grocery prices and for the Act which is now being amended by the Bill. He is the same Minister who was so hopeless that the government did not trust him to introduce the original Bill into Parliament. The job was given to the Minister for Labour who seems to be whistled up whenever anything is considered a bit hard.

The Minister at the table is no longer the Minister for Consumer Affairs—he got the sack from that job, which is not surprising. His responsibility was steadily whittled away. He was responsible for the Residential Tenancies Act but, when the time came for the new Bill to be introduced, the Minister was not given the job; it was given to the Minister for Housing to introduce, even though it was still the responsibility of the then Minister for Consumer Affairs.

That Minister had responsibility for petrol prices, but that role was taken away from him because he was not capable of handling it. He was the Minister responsible for grocery

prices, but that responsibility was taken away from him when the original Bill was introduced because the government knew that he would make a mess of it.

Now the Minister has had the portfolio of consumer affairs taken away from him because he made a total mess of the whole thing. He is now responsible for prices. The Minister's field of operations has been steadily narrowing as the Peter principle has been applied to this Peter, the Minister for Property and Services, who is at the table. The government found that, as the Minister was demoted, he was able to cope less and less with the diminishing responsibilities which remained upon his desk.

However, this socialist left Minister, driven by the ideology of the socialist left and all of the implications that are contained within the membership of that extremist faction, now has the temerity to introduce the Bill before the House in which he proposes that the House endorse a continuation of an absurdity where a silly little basket of commodities will have price controls placed upon it.

In justification of the continuation of the selective price control, the Minister says there has been a recognisably small increase in prices in the total basket which proves that the legislation was a success. The reality is that it proves nothing of the kind. The prices of those 170-odd items have been kept within a margin which the government decreed to be acceptable, not by the existence of government controls, but by the exercise of competition within the free market—the type of free market that the Liberal Party supports and maintains is the only way in which the economy can operate effectively and fairly. The Minister can claim no credit for that.

A further reality is that the grocery trade is the most competitive retail trade of all. The margins upon which grocery retailers operate are minute. In many cases items have only a fraction of a cent as a margin. That is brought about by the fierce competition that exists within the retail trade.

The consumer, about whom the Minister constantly proclaims he is concerned, is well served by the supermarkets in particular in this State where competition is fierce. The consumers have a choice of a variety of items and prices and, because of the mobility of the consuming population of Victoria, they have a choice of supermarkets. Indeed, the consumers are very mobile. If the Minister knew anything about the retail trade, he would know that people do seek out the specials, that are advertised in newspapers, on television and on the radio and are prepared to drive from their homes to shopping centres some distance away. They work out the economic benefits of doing so. They make mature decisions on their own that it is worth going from point A to point B one week and from point A to point C the following week to gain price advantages at certain shopping centres or supermarkets. It has nothing to do with this silly price peg nonsense which has been introduced and which has run its course for twelve months.

The consumers make the decisions. One thing that the government and this Minister in particular have never been able to accept—and if they do, they have never been prepared to admit it—is that consumers are not stupid. In all his public pronouncements about consumerism the Minister always says something which suggests that consumers are stupid and unable to make decisions for themselves. That was his excuse for trying to introduce bans on electronic scanning equipment in supermarkets. The Minister thought consumers were so stupid that they had to be held by the hands and would not be able to survive if that equipment were introduced into the trade.

All the Minister's public statements in his role as the Minister for Consumer Affairs—which thankfully he no longer has—were based upon the premise that consumers are stupid. The reality is that consumers are not stupid; they are mature people who make financial decisions for themselves and act upon those decisions. It is because consumers have made their own decisions and exercise their freedom of choice as shoppers that prices in grocery stores, particularly supermarkets, have been kept down.

Honourable members accept that small convenience stores charge higher prices. I am talking about supermarkets. Pressure from consumers and from competition has kept

prices down, not the actions of a government that continues to demonstrate its arrogance, its compulsion to interfere, and its wish to dominate the lives of everyone in this society.

One should have thought that the lessons of the past week, particularly the lessons of the weekend, would have started to be learnt by the government. Instead, it introduces a Bill that proclaims loudly and clearly that everyone is stupid and the government knows it all—"We are the government, and you will do what you are told". The people of Victoria have had enough. Consumers are not stupid and they will not be dominated in this way. They will continue to make their choices.

The honourable member for Monbulk referred to a strange organisation known as the Knox Prices Action Group. Something should be put on the record about that group. The honourable member for Monbulk praised the Knox Prices Action Group for being instrumental in keeping prices down.

The Knox Prices Action Group is a Labor Party front. It was established by the then Labor candidate for Knox, one Steve Crabb, prior to the 1976 State election. The organisation consisted of a handful of people who met in his home. After the honourable member for Knox was elected to Parliament, the telephone number for the Knox Prices Action Group was listed as the number of the electorate office for the honourable member for Knox. When the honourable member for Knox became a Minister, the mantle passed to the honourable member for Monbulk.

The Knox Prices Action Group has had no effect on keeping grocery prices down. The Knox Prices Action Group, which is still so small that it meets in a telephone booth, has snooped around supermarkets in the Knox-Lilydale area. With their clipboards in hand, they have gone along shelves, shouting with glee when they find that a jar of coffee has increased in price by 3 cents, or that there is a 3 cents difference in the price of the coffee from one store to another. The word "survey" should be in inverted commas, because the surveys are certainly not conducted scientifically.

The Knox Prices Action Group was a Labor Party stunt established to assist the honourable member for Knox to win a seat in 1976. Of course, it succeeded; and the group has been kept on as a Labor Party front. The Knox Prices Action Group has no credibility whatsoever. The so-called head of this so-called community organisation is the honourable member for Monbulk, who has no credibility himself. It therefore follows that any organisation of which he is the head has no credibility.

It is all very well for the government to pat itself on the back and say, "Hurray, we have kept the prices of a small number of grocery items within acceptable levels". The government says nothing about the massive escalation of taxes and charges that has occurred during the government's time in office.

The government speaks with a forked tongue. On the one hand it praises itself for the "tiddling" action that it claims to have taken to control grocery prices, and on the other hand it tries to hide from the public gaze the fact that the prices for which it is responsible—prices for government services, taxes, and charges—have gone through the roof. Victoria is the most highly taxed State in the Commonwealth.

The proposition before the House is fraudulent. The Minister is a failed Minister who has been sacked from his previous Ministry and has been gradually stripped of responsibility. The Minister has been finally relegated to being the Minister responsible for prices, and the Minister for Property and Services. He retains responsibility for ethnic affairs, an area controlled by the socialist left. The Minister has been stripped of his responsibility for consumer affairs; he is left now with the responsibility for grocery prices. How successful he is! The government has little faith in him.

The government is proposing that this sham should continue for another twelve months under the direction of an incompetent Minister who has been discredited within his own party. The Liberal Party will not have a bar of it.

Mr SPYKER (Minister for Property and Services)—The Opposition has made a fatal mistake. I have been advised that it is a tradition of Parliament to extend the sunset provisions of legislation. This will be the first time that a sunset provision has come before Parliament for consideration and has been rejected. The opposition parties have rejected the Bill because their big business friends have got at them! That is because their big business friends are concerned about justifying price increases.

In 1986 a great deal of pressure was placed on the government to take action to peg prices. Hundreds of complaints were received regularly about dramatic increases in prices charged by supermarkets. In 1986, the increase in prices over the previous twelve months was 10·2 per cent. The success of the government's price pegging scheme has reduced that figure to 3·8 per cent in 1987. The inflation rate for the same year was 7·1 per cent; so the increase in prices was approximately half the rate of inflation.

The success of the scheme has been achieved with the cooperation of manufacturers and retailers. The government has saved Victorian consumers \$140 million. Obviously, the Opposition does not care about that! The government will begin a campaign so that every time there is an increase in grocery prices it will tell those who complain that the increase in prices has occurred because the Opposition rejected the Bill. Opposition members should be aware that the government will start a campaign to make sure the community is aware of that.

The government's price-pegging scheme has saved the average Victorian family \$100 a year. The government will be saying clearly that the Liberal Party, with the help of the National Party, is taking \$100 a year from the pockets of the average Victorian family. We will convey that message to all Victorians to ensure that they understand fully the situation.

The Opposition does not understand Victorian shoppers. Victorian shoppers have been very supportive of the price-pegging scheme. The scheme has raised price consciousness. It has led to the formation of consumer groups not only in the metropolitan area but also in country Victoria.

While there has been discussion about competition—and competition is taking place within the industry—a number of mergers have occurred. We are all aware of the Woolworths–Safeway merger and the Coles–Myer merger. In some cases there is only one supermarket in a large shopping centre. In some centres there may be two supermarkets but they belong to the one supermarket chain. That occurs in strip shopping centres, and there is no real competition.

It is important to recognise what the prices peg has achieved. It is not a perfect arrangement, but it ensures that there is price monitoring. The government has had discussions with manufacturers and retailers. While the manufacturers prefer that the government does not apply a pricing peg, they point out that they do not have a problem with it at the 6 per cent level. It is important that the 6 per cent level be maintained as an average because of price fluctuations. An example was the increase in the price of coffee due to crop failure in South America. That was taken into consideration in the basket. The basket has been an outstanding success, not only in prices within supermarkets at specific times, but also throughout the year in other areas. The rate of increase was beyond the government's expectations, being 3·2 per cent instead of 6 per cent. The increase in government charges in the basket was 2·8 per cent, which is a lot less than the inflation rate of 7·1 per cent. Not only has the government contained prices in supermarkets, but also government charges have been kept under the 6 per cent mark.

Although the Opposition and the government have called for workers to show wage restraint because of our economic difficulties as a nation, we also need to show price restraint. The government is aware of the difficulties and it is not a one-way street. If there is wage restraint there should be price restraint, and that means in the government sector and the private sector. The government has delivered its promise and the increase in its charges is under 3 per cent.

An increased share of the family's budget is spent in supermarkets because supermarkets heavily advertise one-stop shopping. There are also the new hypermarkets where one can buy a whole range of goods. It is important that the competitive nature and price restraint operate in those areas.

Honourable members have made comments about the falling standard of living. The government is aware of it and that is why the Grocery Prices (Amendment) Bill is crucial. The purpose of the Bill is to show that restraint will continue and that the focus is on keeping prices to a minimum.

While the Opposition has been bleating about the falling standard of living, is it suggesting that some workers should be given a massive increase in salary? Does that resolve the situation? No. Opposition members cannot come into this Chamber bleating about the dropping standard of living if they are not prepared to do anything about it.

A central wage fixing system ensures not only that the big and powerful succeed in wage justice, but also that the low-income earners receive justice so that their standard of living is protected. The Opposition has not listened to what the retailers and manufacturers have said, because they are happy with the proposed legislation. They did not think there was a need for it, but if there is some benefit, they will not oppose it. The Bill exposes retailers to a number of pressures, such as complaints. Complaints have dropped over a twelve-month period. That exposure has helped because it produces a price mechanism and a process of dealing with price increases, but the government must ensure that grocery prices are kept to a minimum.

I ask the Opposition to review its stand while the Bill is between here and another place. The National Party has taken a strange stand, but at least the Liberal Party has been consistent in its opposition. On 18 March 1987, when the Grocery Prices Bill was debated, the Leader of the National Party said:

The government will be put to the test with this measure. The National Party is saying, 'Go out and do what you are claiming you can do and we will see what happens!'

In 1986 food price increases were 10.2 per cent and in 1987, twelve months later, with the prices peg in operation the increase had dropped to 3.8 per cent. That is the proof and it has been carried out with the cooperation of the manufacturers and the retailers; there was also an increase in price consciousness by the consumer.

A question was asked about the monitoring of country stores. Of the 75 stores the government monitored, twenty are in country Victoria—the honourable member for Ballarat South would know that in his electorate price increases are the fifth lowest in Victoria.

I urge the Opposition to reconsider its belligerent and intransigent stand while the Bill is between here and another place. I assure the Opposition that the government is about to start a campaign. Every time the government receives a complaint about price increases, all Victorians will be told the reason for the increase is that the Opposition rejected the proposed legislation.

The SPEAKER—Order! The question is that the Bill be read a second time. The Ayes have it. The question is that leave of the House be granted to proceed to the third reading.

Mr Richardson—A division is required.

The SPEAKER—Order! The honourable member for Forest Hill should have called for a division when the question was put.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1

Mr PESCOTT (Bennettswood)—The purpose of the Bill is to extend the operation of the Grocery Prices Act 1987, and the Minister for Property and Services is trying to repeat

what he claims happened in the past year when \$140 million was saved on extra costs in groceries when purchased by Victorians. In fact, Victoria has had the highest grocery prices in this country. The extra cost of those high prices to the Victorian consumer has been way above the so-called \$140 million which the Minister claims has been saved.

The reason for extending the operation of the Grocery Prices Act is said to be an attempt to keep down the increases in food prices in Victoria. Right across Australia, irrespective of whether price pegging legislation is in force, increases in food prices have been pegged. They have been kept back approximately to the rate of the consumer price index.

The purpose of the Bill is to extend the operation of the Grocery Prices Act. However, Victoria does not need the legislation because prices have been pegged across Australia. States that have not had similar legislation have done equally as well as Victoria, whose consumers were handed a political trick before the by-election last year for Central Highlands Province.

Mr LEIGH (Malvern)—I did not intend to speak on this Bill, but upon listening to the Minister for Property and Services during the second-reading debate, I want to make a couple of points because I believe in the free enterprise system. The Minister argued that the Bill should not be opposed because a sunset clause has not been opposed before. Because of that, the Minister says this Bill should not be opposed. No-one should adopt that argument. Parties object to or pass proposed legislation based on whether it is right. There is always a first time for something to happen and it appears that this is it.

The prices peg system was introduced as part of the Central Highlands Province by-election campaign and the National Party supported it. For whatever reasons, it has now decided to agree with the Liberal Party, and I am delighted about that. The Liberal Party's stand on this issue is philosophical—it believes in free enterprise and competition.

The purpose of the Bill is the continuation of the prices peg scheme. If the Minister is serious about ensuring that people pay the lowest prices for groceries, he should consider the concerns of all honourable members about monopolies and the lack of competition in some areas of the grocery market. The government should encourage more competition by adopting different taxing methods. The government should not discourage people from participating in free enterprise. The Bill is about the destruction of the free enterprise market.

The CHAIRMAN (Mr Fogarty)—Order! No, the Bill is to extend the operation of the Grocery Prices Act.

Mr LEIGH—I do not accept that; it is about the destruction of free enterprise. I am opposed to the principle of the Bill. It will not save taxpayers, ratepayers or shoppers 1 cent in the long term. In areas where governments become involved, costs to consumers increase. The Minister should rethink his philosophy because he has not got it right on this one.

Mr RICHARDSON (Forest Hill)—Clause 1 states:

The purpose of this Act is to extend the operation of the Grocery Prices Act 1987.

The purpose of the Bill is nothing of the kind! The purpose of the Bill is purely political; it is ideological and is part of the ongoing anti-business activities of a socialist left Minister in a socialist government. It is concerned with striking yet another blow against that portion of the retail trade which this Minister seems to be paranoid about—supermarkets and anyone in a business involving groceries.

The principal Act was introduced to assist the government during the Central Highlands Province by-election campaign. The government was unsuccessful, but it is still pursuing the political objective which it couches in phrases such as:

The purpose of this Act is to extend the operation of the Grocery Prices Act 1987.

That is not the intention of the Bill. Its intention is to continue the steady march of this government towards the socialist objective, which is anti-democratic, anti-business and anti-consumer. The only thing consumers have going for them in this exercise is that a completely stupid Minister is leading the charge.

The debate was interrupted.

JOINT SITTING OF PARLIAMENT

La Trobe University Victorian Health Promotion Foundation

The DEPUTY SPEAKER (Mr Fogarty)—Order! The time has arrived for this House to meet with the Legislative Council in this 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 Council of the La Trobe University and three members to be elected to the Victorian Health Promotion Foundation.

The sitting was suspended at 5.58 p.m. until 8.3 p.m.

GROCERY PRICES (AMENDMENT) BILL

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

Discussion was resumed of clause 1.

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

The Bill was reported to the House without amendment.

Mr SPYKER (Minister for Property and Services)—I move:

That this Bill be now read a third time.

The House divided on the motion (the Hon. C. T. Edmunds in the chair).

Ayes	..	..	..	..	..	40
Noes	..	..	..	..	..	34
Majority for the motion						6

AYES

Mr Andrianopoulos
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Cunningham
Mr Ernst
Mr Fogarty
Mr Fordham
Mr Gavin
Mrs Gleeson
Mr Harrowfield
Mrs Hill
Mr Hill
Mr Hockley
Mr Jolly
Mr Kennedy
Mr Kirkwood
Mr McCutcheon
Mr McDonald
Mr Mathews
Mr Micallef
Mr Norris

NOES

Mr Austin
Mr Brown
Mr Coleman
Mr Cooper
Mr Crozier
Mr Delzoppo
Mr Evans
(Ballarat North)
Mr Evans
(Gippsland East)
Mr Gude
Mr Hann
Mr Hayward
Mr Jasper
Mr John
Mr Lea
Mr Leigh
Mr Lieberman
Mr McGrath
(Lowan)
Mr McGrath
(Warrnambool)
Mr Pescott

AYES

Mr Pope
Mr Remington
Mr Roper
Mr Rowe
Mr Sheehan
Mr Sidiropoulos
Mr Simmonds
Mr Simpson
Mr Spyker
Mr Stirling
Mr Tresize
Dr Vaughan
Mr Walsh
Mr Wilkes
Mrs Wilson

Tellers:

Mr Seitz
Mr Shell

NOES

Mr Plowman
Mr Ramsay
Mr Reynolds
Mr Richardson
Mr Ross-Edwards
Mr Smith
(*Glen Waverley*)
Mr Smith
(*Polwarth*)
Mr Stockdale
Mr Wallace
Mr Weideman
Dr Wells
Mr Whiting
Mr Williams

Tellers:

Mr Perrin
Mr Steggall

PAIRS

Mr Cain
Miss Callister
Mrs Hirsh
Mrs Ray
Mrs Setches

Mr Kennett
Mr Heffernan
Mr Tanner
Mr McNamara
Mr Maclellan

The Bill was read a third time.

JOINT SITTING OF PARLIAMENT

La Trobe University

Victorian Health Promotion Foundation

The SPEAKER—I have to report that, this day, this House met with the Legislative Council in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose one member of the Parliament of Victoria to be recommended for appointment to the Council of the La Trobe University and three members to be elected to the Victorian Health Promotion Foundation, and that Dr Ronald James Herbert Wells, MP, has been duly chosen to be recommended for appointment to the Council of the La Trobe University, and that the Honourable Michael John Arnold, MLC, William Desmond McGrath, Esquire, MP, and George Graeme Weideman, MP, have been duly elected to the Victorian Health Promotion Foundation.

DISALLOWANCE OF STATUTORY RULE

Freedom of Information (Exempt Offices) Regulations 1987

Public Service (Unauthorised Disclosure) Regulations 1987

The SPEAKER announced the receipt of a message from the Council intimating that they had agreed to the following resolution:

That Regulations 2 and 5 of the Freedom of Information (Exempt Offices) Regulations 1987 (S.R. 266/1987) and the Public Service (Unauthorised Disclosure) Regulations 1987 (S.R. 275/1987) be disallowed.

On the motion of Mr SPYKER (Minister for Property and Services), it was ordered that the resolution be taken into consideration next day.

LOCAL GOVERNMENT BILL (No. 2), LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL AND CONSTITUTION (LOCAL GOVERNMENT) BILL

The Order of the Day for the resumption of the debates on the motions for the second reading of these Bills was read.

The SPEAKER—Order! I am of the opinion that the second reading of the Constitution (Local Government) Bill requires to be passed by an absolute majority. Accordingly, I shall put the question on that Bill separately from the questions on the other two Bills at the conclusion of the second-reading debate.

The debates (adjourned from March 8) on the motions of Mr Simmonds (Minister for Local Government) for the second readings of these Bills were resumed.

Mr LEIGH (Malvern)—The Local Government Bill (No. 2) is the second local government Bill, or virtually the third, that the government has introduced. Due to the incompetence of the present Minister for Local Government, Bills have been introduced and withdrawn. No doubt, many trees have been chopped down to cover his incompetence and the production of this final Bill.

I am of the opinion that most people involved in local government try to do the right thing on behalf of the people whom they represent, whether they be councillors or officers who serve the councils. However, I have serious reservations about the Local Government Bill (No. 2). My party also has severe problems in accepting the Bill as presented by the government. It is clear that most councillors properly represent people in the manner that they should. However, there are some black marks on local government in the cities of Oakleigh, Richmond, Keilor and Melbourne, all of which come to mind as councils that have been controlled by the Australian Labor Party. Those people have used local government for themselves, for their own political party and political machine, not for the people. Activities in cities such as Richmond, and Oakleigh, particularly Oakleigh, would rival the activities in New South Wales at their peak.

I have spent four years investigating the City of Oakleigh. At the conclusion of those investigations the ALP lost control of that council to the independents. That was probably the best news in the City of Oakleigh for fifteen years. I must say it was achieved without the assistance of the Labor Party member for Oakleigh, the Minister for Community Services. The Minister was deeply involved in the running of the City of Oakleigh. The likes of Cr Perryman, who controlled that council, survived only because people such as the Minister for Community Services, the former Minister for Local Government and the current Minister for Local Government allowed them to survive.

The Oakleigh council did a number of things; it manipulated votes and misused the officers of the council. It has been proven by inspectors from the Local Government Department that the Town Clerk of the City of Oakleigh, Mr Barry Prebble, was used to assist the Australian Labor Party in the running of the council.

Clearly the Labor Party has no real interest in local government other than to enhance its political operations. The major linchpin of the Bills is to ensure that the Labor Party can again dominate local government in the State. The Australian Labor Party cannot be allowed to get away with a number of aspects in the Bills ranging from proportional representation, changing the rating system and launching into business ventures.

I do not believe the Bills can be supported in total, and it is for that reason that the Liberal Party proposes to move a number of amendments to reform local government. The Liberal Party believes that, as a political party, it has a responsibility to be constructive rather than simply to oppose the Bills. It is up to the Liberal Party—and, I hope, its National Party colleagues—to make these Bills into better legislation.

One of the aspects that astounds me is that for the third time the Minister for Local Government has introduced a clause which seeks to allow people who are not Australian

citizens to stand for elected office in this country. I understand that, at the local government level, people who are not Australian citizens but are ratepayers are allowed to vote in council elections. However, I cannot under any circumstances accept that people who run for any office in this country do not necessarily have to be Australians.

During the Committee stage I hope the Minister will inform honourable members of the other countries that allow such a practice. We know they do not allow it in Russia, China and a whole range of other countries in which close colleagues of the Minister for Local Government reside. Why is the Minister seeking to do so in Victoria? The answer is that the Minister and some of his cronies from the socialist left want to further their own positions in local government. That is what it is all about.

Members like the honourable member for Richmond want the measure introduced to destroy the value of Australian citizenship. I am not prepared to allow those members to get away with it. Taxpayers' money is involved in the running of local government today. Building permits, planning permits and the day-to-day running of the community are decided by councillors. Why should people who have not made a commitment to this country be able to make decisions that affect Australians? They should not be allowed to do so.

For people to put such propositions means they are not acting like real Australians. They are trying to cheapen once more the value of Australian citizenship. The government attempts to do this at every opportunity, including the removal of the Crown seal from passports at the Federal level through to its proposals on the Crown lands Bill and the citizenship issue. The socialist government—its members are socialists—wants to change the face of our country.

My community is not prepared to put up with that. At the time the government last made such a proposal, eight councils of the then 211 councils said they agreed with the Minister's crazy proposition. Therefore, local government did not agree with the Minister. Why does he continue with the proposal?

Mr Sidiropoulos interjected.

Mr LEIGH—At the time eight councils out of 211 agreed with the proposition. If the honourable member for Richmond is interested in democracy he might take note of what other people say. Does he do so? No, he has his own point of view. He and the socialist left Minister are not interested in what the community wants.

My council does not support this proposition—and I do not know any councils that do. The Minister for Local Government asks which council is mine. When one considers that I represent the electorate of Malvern, one does not have to be very clever to figure out which council I represent. I would hope that most Ministers in this government would be intelligent enough to at least work that out.

I go so far as suggesting that the proposal is the thin end of the wedge and it will not be long before this government will allow non-Australians to stand for State Parliament and perhaps even Federal Parliament. It is interesting to compare that situation with the situation in the United States of America. In the United States of America, if one aspires to be President, one must have been born in the United States of America.

I think everybody accepts the right of citizens of any country, whatever it might be, to be involved in their own country. In making those statements I do not attack any other nationalities. The honourable member for Richmond interjects and says that I am a racist, and I challenge him on that point. It is not true. All I am relating is what happens in every other country of which I am aware. Will the honourable member for Richmond advise whether Australians residing in Greece are allowed to vote in that country? The answer is, "No". I am merely proposing that the exact thing that occurs in other countries should occur here. That is not being racist.

Just because one has a view that is contrary to the views held by honourable members opposite, they say one is a racist. I am sick of tags like that being attached to people. It is they who are the racists and yet they accuse others of racism. I invite the honourable member for Richmond to make a contribution to the debate. I should be delighted if he could be persuaded to do so. However, like most honourable members opposite he is cringing over powerlines, the New South Wales State election and a range of other issues. Honourable members opposite do not want to speak on the Bills and I can understand that.

My next concern with the Bills is the proposed introduction of proportional representation and its effects on local government. Will it assist local government? The answer is, "No". However, it will assist the Australian Labor Party. If proportional representation is linked with three-year local government elections, it will lead to an increasing involvement by the Australian Labor Party in local government.

The community I represent is basically opposed to politicians and political parties becoming involved in local government. In many councils in which the Labor Party has been involved, the councils have wound up being sacked. I refer to the City of Richmond and the City of Keilor, and honourable members are aware that the City of Melbourne is controlled by the Labor Party. The government has been too frightened to hand planning powers back to that council because it knows what it will do with them.

Clearly proportional representation will not enhance the interests of local government. Is the Melbourne City Council efficient? Obviously the government does not think so. The Minister for Planning and Environment is in conflict with the Lord Mayor of Melbourne, who is a member of his own party. However, they are members of different factions which means they are bigger enemies with each other than with the Liberal Party. The Minister for Planning and Environment and the Minister for Labour do not talk. Wherever political parties have become involved in local government, disaster has ensued.

The majority of people want local municipalities to keep the streets clean, collect the rubbish and deliver meals-on-wheels. They want those services to be delivered, and they want them to be delivered efficiently and at a reasonable cost.

The Bill contains the government's secret agenda. A former Prime Minister of Australia, the Right Honourable Gough Whitlam, said in 1972 that Australia should have two levels of government—a Federal government and a number of regional governments. The Bill is part of the plan to give local government the ability to increase taxation and to become involved in business ventures, as well as a range of other activities.

Local government needs to examine its rate base. Municipalities have problems with their rate bases, particularly when both the Commonwealth and State governments intend to force local government to provide more services without giving it the necessary financial backing. The present Prime Minister is more interested in playing golf around Australia and gambling at casinos with his own version of the rules than funding local government.

Local government has a problem with levels of rate collection and it should not be allowed to become involved in business ventures. I ask honourable members to imagine what would happen if a local council approached both the Minister for Local Government and the Treasurer with a business proposition. No matter how crazy the business proposition may be the council would be allowed to go ahead with it. The Bill provides no opportunity for ratepayers to stop such business ventures.

A problem arises when local councils become involved in the building area because local councils issue building permits. The Bill will give local councils the inside running on any developments they may wish to proceed with. Local councils will not make the final decision about the developments they want to proceed with; but they will have the inside running to have the proposal approved, without local ratepayers having an involvement in that decision.

Honourable members have seen what happens when local councils become involved in the building area. The Chia South Yarra Project has been a disaster. The Prahran council is not to blame for that. The council has been overruled on a number of matters affecting that project—I was the local member when the council was overruled—yet it was the government that enacted legislation to give such councils the opportunity of becoming involved in building ventures.

The Minister for Local Government is interjecting, but it does not alter the fact that the government overruled the City of Prahran on a number of occasions. The Minister can believe the Government Media Unit if he wants to; but the council was overruled.

If local councils are given the right to participate in building ventures they will have the inside running to gain approval for them. What will happen if the venture fails? Will the Minister take responsibility? Like Pontius Pilate, the Minister will wash his hands of the matter—"Not me! The ratepayers will have to fix it up". Honourable members should consider the example of the City of Sale. Who will fix the problem?

Mr Simmonds—The City of Sale!

Mr LEIGH—The City of Sale! The people of Sale did not have the opportunity of saying that the building venture was not a good idea. The councillors who were involved in the decision have long gone as councillors. The city is left with the building project—a shopping centre—that is unable to make money. The ratepayers of the City of Sale will have to pay for it.

Mr Simpson interjected.

Mr LEIGH—If the honourable member for Niddrie will return to his place I shall explain to him what the Opposition is proposing.

If local councils want to become involved in business ventures the Liberal Party proposes to allow them to participate if the ratepayers agree to it; but ratepayers will have the right to objection. They will have the power to force a poll to stop such a venture before it goes ahead.

The government claims to represent the interests of ratepayers, yet it is frightened of giving them the opportunity of having a say on such matters. The Liberal Party's proposal will allow local ratepayers to have a say. If a business venture is a good idea, it will succeed.

Both the present Minister for Local Government and the former Minister for Local Government did nothing to fix up the problems the government created in the City of Oakleigh.

Honourable members should realise that a good deal of work is required to convince 10 per cent of the community to sign a petition to force a poll. In the City of Malvern it took many months to gain sufficient signatures to conduct a poll to find out whether local ratepayers wanted site value or net annual value to be used. The local council went one way, the citizens went the other way. The vote was 14 000 to 4000 against the proposal and those councillors who supported the council's proposition were removed from office. That is democracy!

I find it difficult to understand the concept of democracy of the bunch of socialists on the other side of the Chamber. If they do have a concept of democracy, it is somewhat estranged from the Australian system of Parliamentary democracy.

I wish to raise differential rates. The Local Government Bill (No. 2) gives local councils open slather to introduce a rating system imposing in some wards up to four times the lowest rate. I ask this question: what government or what group of bureaucrats has introduced a form of taxation that has resulted in either the same rate of tax or a reduced rate of tax? I am not aware of any such tax—and I say that about all political parties.

Through my local paper this week I emphasised the fact that, as an example, a local council could decide, under criteria contained in the Bill, to charge ratepayers in apparently

affluent areas up to four times the lowest rate. What sort of nutty system is that? The Bill allows local councils to decide the criteria upon which they will base their rates.

I shall read to honourable members a quote from the *Regional Progress* of 23 March:

The city manager of Caulfield, Mr Doug Aylen, called Mr Leigh's interpretation of the Act "an exaggeration".

He did not say I was wrong; he said I was exaggerating. The article further states:

"Politically, the council couldn't pick out individual houses in that way or you'd hear about it in the ballot box. We would probably rate on a ward basis, though it wouldn't necessarily mean an increase in revenue," he said.

That is the key. He said that it would not necessarily mean an increase in revenue.

When the city manager says it, you can bet your life the council wants it and the management wants it; but why would they want it? It is because they think it will advance their rate base. We have the extraordinary proposal that if there are four different wards there could be four different ratings, one in each of the wards.

Why is the Minister for Local Government prepared to abdicate his responsibility under the Local Government Act? He now has about 75 public servants working for him, through the Local Government Commission, and under the government they have ripped virtually everything out of the Local Government Department other than the Minister and his Ministerial minds.

I can understand that, but I cannot accept what is going on when they give councils the ability to do as they see fit. It is clear that valuations will increase for many people in the City of Malvern in my electorate, particularly the elderly who now live in expensive properties because of increased valuations but who receive only low incomes, either through superannuation or a pension of some description. Under the government, they are taxed to death, and the government must do something for them.

I accept that, but with this Bill that will not happen. The Minister will decide on different classes of people. What Mr Aylen goes on to say in the article is exactly what happens with land tax. The government said its changes to land tax would benefit the majority of the community but they did no more than to reduce the overall base. What the government did was to take a larger amount from a small number of people. It is not a caring government, and it does not care about what happens to people.

When I wrote to the Treasurer on land tax issues, he replied by saying, "It is tough. I cannot help them, they live in expensive houses, so they should sell them and move." I have that correspondence on file.

Mr Simpson—Can I see a copy of the letter?

Mr LEIGH—The honourable member for Niddrie can see a copy of that letter. That is what the Treasurer has said many times over the years when the Opposition has raised this matter in the Chamber or in correspondence.

People who have lived in their houses for a long time have memories in those houses and they want to stay there until they die. It is their choice, not the government's. Under the government's proposals, they are being taxed out of their homes.

Differential rating will not assist those people. Can one imagine what the City of Collingwood, which we all know is controlled by the Labor Party, will do to small businesses in the community? The small business people in general do not live in Collingwood, they only operate their businesses from that area, but the government will tax them out of existence in that council area. It is not the right or responsibility of the government to do that.

Although I have covered only a small number of matters, and the shadow Minister has covered a wider range of issues, clearly there are implications in the second and third Bills that go with the Local Government Bill (No. 2).

Some people have said that they cannot fight differential rating because it will help others. I accept that it might, but I believe at least 20 per cent of the councils that operate in the metropolitan area will abuse it to such a degree that it will destroy a lot of the good small business people and others who pay rates in these communities.

It is the responsibility of the Minister for Local Government, no matter how much he wants to run away from it, to do something for those people. He should earn his salary. We know he does not, but it is time that he did. When he retires from this place, so be it, but before he does, he has a responsibility to amend the Local Government Act to bring it into the twentieth century. There needs to be change, but what the Minister is doing is advancing the Labor Party.

What the Liberal Party said at the outset, before the proposed legislation was introduced, was that the Liberal Party would do everything it could to assist in the passing of the proposed legislation if the government omitted the provisions concerning Australian citizens and a number of other matters. But what does the Minister do? He has to bury them in the Bill three or four times!

What the Minister has done is wrong. The proposed legislation will hurt the community I represent. If this is a government that claims to represent the people, let it represent the people; let the people have a say, through the referendum proposals, in making some of the decisions referred to in the Bill. The government should not be frightened because if the government believes in the principles of democracy it should allow the people the right to stand up and have a say.

The Opposition has acted responsibly and positively on the proposed legislation. The Bills will be dealt with in another place in the manner we have been talking about.

Mr W. D. McGRATH (Lowan)—We have had a series of rewrites of the Local Government Act over the past twelve months. What we have now is the Local Government Bill (No. 2) and some consequential amendments. The old Local Government Act will be retained in part to allow for restructuring of the external and internal boundaries of various municipalities in Victoria.

The National Party has been concerned about government policy on the restructuring of municipalities in Victoria. It must have been disappointing, particularly to the left wing of the Labor Party, to see the Premier back away from the restructuring proposals after the Opposition and the Municipal Association of Victoria and its member councils waged a campaign to put pressure on the government, but all the Premier thought about was his own survival and that of his Labor Party. For the sake of that survival it was necessary to back away from his proposals to bring about amalgamation.

However, the Premier was not honest with everybody in what he was saying. He said he was prepared to drop the amalgamation program but he has gone about it in a completely different way. Over the past two or three months the smaller country rural municipalities have been facing the decision of taking over a neighbouring municipality, or becoming part of a neighbouring municipality, to avoid financial strangulation.

An honourable member interjected.

Mr W. D. McGRATH—The Minister for Local Government visited the Shire of Warracknabeal, which has taken the initiative to do something for its municipality. The only good thing about the visit by the Minister was that he saw fit to provide a grant of approximately \$30 000 for a new filtration system for the Warracknabeal swimming pool.

I express the appreciation of the Shire of Warracknabeal. It was pleasing that the Minister saw fit to provide that grant.

The Shire of Warracknabeal has suggested proposals to annexe part of the Shire of Wimmera, which would give it a bigger base on which to set rates and to avoid the financial strangulation that is being forced upon many smaller municipalities.

The honourable member for Malvern explained the difficulties and problems of the municipalities in the metropolitan area because of their mismanagement, such as the City of Melbourne, the City of Oakleigh, the City of Richmond, the City of Sunshine and the City of Kew. Yet in the municipalities in the north-west region there has never been a threat to the councils because of their mismanagement.

The Shire of Sale is in financial trouble but it acted at the direction of the government in undertaking that exercise.

Mr Simmonds interjected.

Mr W. D. McGRATH—The project was suggested to the shire by the government. It did not come off, and now it must bail itself out.

It is rare for country municipalities to have financial mismanagement problems. All those types of problems relating to local government seem to occur in the metropolitan area because of the political involvement in that area.

Local government has the specific role to represent the ratepayers they serve. If it were left to its own devices without political interference all would be well. It is only because of political interference that there are upsets which result in financial mismanagement until finally a stage is reached where an administrator must be brought in to rectify the problems.

The North Western Municipalities Association is made up of approximately 22 different councils from Swan Hill in the north, west across to Mildura and down as far as Stawell and Kowree in the south. A number of shires are members, such as Donald, Birchip, Dunmunkle, Kaniva, Dimboola, Warracknabeal, Wimmera and Arapiles.

I shall quote from a letter from the Shire of Kowree, which has as its population centre the town of Edenhope. The shire, when referring to clause 28 regarding the qualifications of councillors, states:

Council agrees with the MAV that only persons who are Australian citizens should be eligible to stand as councillors. However, council seeks clarification of this clause to ensure that non-resident owners are eligible too, providing they are Australian citizens.

The National Party takes a strong view on persons who nominate for local government elections: it believes they must be Australian citizens. There should be a parallel between the Federal government, the State government and local government; they are the three tiers of government.

Mr Simmonds—Should they have the same role?

Mr W. D. McGRATH—They should have the same basic qualifications for election of members.

Mr Simmonds interjected.

The DEPUTY SPEAKER (Mr Fogarty)—Order! The Minister for Local Government should not exhaust his right of reply at this stage.

Mr W. D. McGRATH—The three levels of government should have people standing for elections who have equal qualifications; that is, they should be Australian citizens.

The next point made by the Shire of Kowree relates to clause 42, on voting and the counting of votes. The letter states:

Council fully supports the MAV and Shire of Ballarat stance——

I hope that the honourable member for Ballarat South is listening to this and that he will back up the shire. The letter continues:

... that councils should retain the right to choose the method of counting votes which council considers to be most appropriate and efficient for the municipality. Proportional voting for multiple vacancies tends to provide the opportunity for a select vocal minority group to finish up being represented by cornering a strong No. 1 vote from within the group but no support from the public in general.

The National Party takes the same position in relation to proportional representation. It is strong on that point and there is no room for negotiation. The National Party does not believe proportional representation has a place within local government.

The honourable member for Swan Hill in his contribution to the debate made that point strongly. The National Party will take the matter, as they say, right to the wire on clause 42.

The letter from the Shire of Kowree comments on clause 46 regarding the oath of allegiance:

Council does not support the fact that the Bill gives a councillor the choice whether to take the oath of allegiance or not. As Australia is still a part of the Commonwealth and not a republic there is still a link with the monarch of the day. This being the case there is in council's opinion a strong case for anyone taking public office to swear allegiance.

The National Party totally supports the view of the shire in this matter. That is a common attitude in municipalities that make up the North Western Municipalities Association.

One of the greatest problems facing local government today relates to road grants. If honourable members analyse the role of rural shires they will note that the shires spend enormous amounts of their rate revenue on local roads.

In recent times the shires have not received the same support, particularly from the Federal government's provision of funds necessary to maintain a strong road infrastructure to service the State and to provide the opportunity to various populations and ratepayers of moving about on maintained local roads.

It could be said that the national highways, city freeways, and other main roads have been receiving adequate funds in the past few years. That is certainly not the case with local roads.

One of the other concerns is about Commonwealth government road funding strategy. The Shire of Kaniva, in the north-west of my electorate, makes these comments in a letter to me of 10 March 1988:

re: Commonwealth Road Funding Strategy

With reference to the above, I would advise that the Council of the Shire of Kaniva is totally opposed to the absorption of Commonwealth road funding allocations into general revenue grants.

Rather than making specific grants available for local roads, the Commonwealth is considering making a block grant. That would mean the grant would be sent to the State for disbursement and, if the State government followed its normal procedure, most of the money in that grant would be spent on metropolitan main roads rather than specifically for local roads. Once again local government would miss out badly on the money it needs to top up its own rate revenue to enable it to make substantial improvements to the road network for which it is responsible. In fact, local government is responsible for a large percentage of the road network within the State. The Victoria Grants Commission allocation comes within the ambit of the Local Government Bill (No. 2).

Mr SIMMONDS (Minister for Local Government)—On a point of order, Mr Acting Speaker, I have listened attentively to the contribution of the honourable member for Lowan. The Federal road fund allocation is not covered in the Bills. The grant money allocation distributed by the Victoria Grants Commission is dependent upon Federal legislation and Federal funding. It is not covered by these Bills.

I can understand honourable members wishing to make passing reference to Federal funding when debating the Bills but to dwell on it to any extent is stretching the rules beyond a reasonable degree.

Mr A. T. EVANS (Ballarat North)—On the point of order, Mr Acting Speaker, the Bills relate to the raising of revenue by new means to replace the shortages in the grants from

the State and Federal governments. The honourable member for Lowan is on the ball, because he realises that the Bills relate to revenue right across the board.

Mr STEGGALL (Swan Hill)—On the point of order, this subject is covered in the clauses relating to borrowing powers and rating powers. The actions that are being taken now by the State and Federal governments will place an enormous burden on the loan borrowing capacity of local government and this subject is covered in clause 139 of the Local Government Bill (No. 2).

The ACTING SPEAKER (Mr Kirkwood)—Order! I have listened with interest to the point of order raised by the Minister and to the comments of those honourable members who have spoken against the point of order. The three Bills are wide-ranging and do, in fact, cover funding of government roads. In that case, there is no point of order.

Mr W. D. McGRATH (Lowan)—The provision for general purpose funding that will distribute finance from the Victoria Grants Commission will have the effect over the next four years of reducing the present base allocation to 50 councils in the State by between 40 and 90 per cent. That is a tragedy for many municipalities.

When the Premier visited Horsham and spoke to the North-Western Municipalities Association about two months ago, he said that the association was arguing about the umpire deciding what the grants allocation should be. What happened was that the government had already spoken to the umpire and set the rules before anybody had given consideration to the proposal.

Rural municipalities around Victoria will be anxious to rid the State of a Labor government as soon as they can so that the conservative side of politics can renegotiate grants from the commission that will assist councils to provide the services so necessary for the ratepayers and, as the honourable member for Swan Hill has interjected, to bring back some natural justice into the system.

I shall refer now to some comments made by other speakers in this Parliament on these Bills. The honourable member for Ringwood spoke about clauses 95 and 96 of the Local Government Bill (No. 2) relating to equal opportunity and affirmative action. The policy of the government is really rolled up in the Bill. She made the point that 210 councils employ 42 000 people within the State. She is then reported in *Hansard* as stating:

Another principle enunciated in clause 95 is that all council staff should receive fair and equitable treatment in all aspects of personnel management without regard to political affiliation, race, colour, religion, national origin, sex, marital status or physical disability. The Bill also provides that equal pay should be provided for work of equal value and that council staff should be used efficiently and effectively.

That is a good principle. I wonder why it is so necessary to have all the gobbledegook about equal opportunity in clauses 95 and 96 of the Bill?

The National Party has no argument with equal opportunity. In fact, the Premier replied to a question of mine in the House last September. I asked the Premier why it was that the Equal Opportunity Unit of the Ministry of Education was staffed 100 per cent by women. The reply from the Premier, as reported in *Hansard*, was:

Equal opportunity is about ensuring that people have an equal opportunity of competing on merit, regardless of sex. If women have been seen, on the basis of merit, to be the best people to fill those positions, that is fine. That is what it is all about.

The National Party agrees with that. However, it does not seem necessary to include that in the Bill. If women are regarded as being the most capable and best qualified to fill certain positions, there should be no question about it. The National Party supports that principle. It is not needed to be included in the Bills.

Mr Shell—Why not?

Mr W. D. McGRATH—If proper principles are adopted a female will get the job. If a female is the best qualified person there is no argument. There is no reason for that provision in the Bill.

Over the past twelve months to two years local government has been under tremendous pressure to maintain its local roads. The government has allowed the railway system to decline markedly over the past five years and there have been significant increases in freight rates. This has caused a movement of freight from the railway network onto the road transport system. It has been a bonanza for the road transport system for the past three or four years.

One should have thought that a Labor government would support the unions involved in the State railway system, but it has not done so and has let the railway system decline.

In encouraging the decline of the rail system the government has increased freight rates to such an extent that there is no real competition in the transport system throughout the State. Railway tracks have deteriorated; the tonnages carried on the State railway system have declined and that has adversely affected the road network because of the increased tonnages that have been carried on rural roads.

I remind honourable members that local municipalities are responsible for the local road system. When rural municipalities ask for Federal or State government funding they are told "No deal, you are not big enough; you are of no consequence and do not have a significant population or economic base". Governments do not care if the rural road system declines or if rural industries suffer accordingly.

Mr B. J. Evans interjected.

Mr W. D. McGRATH—The honourable member for Gippsland East knows rural Victoria very well, because he has represented Gippsland East for approximately 26 years. The honourable member interjects that the government wants country people to become peasants. There is no doubt about that. Country people provide an enormous economic base for Victoria. On Tuesday, Carol Austin, an economist, spoke at the Victorian Farmers Federation grain conference and said that Australia will become reliant on primary industry and the mining industry.

The Federal and State governments have placed considerable emphasis on the manufacturing sector, but it has not worked. The manufacturing sector has not been competitive with overseas markets. Australia will become reliant on rural and mining commodities, as illustrated by the recent increase in wool prices. Local government in rural communities has a proper role to play in servicing the ratepayers of Victoria.

The National Party is particularly concerned about the objects, functions, powers and purposes of the Local Government Bill (No. 2). They are difficult to decipher.

Clause 7 (b) provides that councils will have the following objective:

To coordinate with other public bodies to ensure the services and facilities are provided and resources are used effectively and efficiently.

What does that mean? The State government is not allowing councils to provide resources to be used effectively and efficiently. This is reflected in grants from the Victoria Grants Commission and allocations from the Federal government, particularly for road funding. The government has been warned in the past few days and, if it wants respect from the third tier of government, it must pick up its game and perform because it is not performing at the moment.

Mr ANDRIANOPOULOS (St Albans)—I am pleased to join in the debate following the comments from the honourable members for Malvern and Lowan. Throughout the debate the Opposition has been rhetorical in its personal gripes about various councils, and the message is clear that those Opposition members do not trust local government.

Mr Leigh interjected.

Mr ANDRIANOPOULOS—I shall inform the honourable member in a moment why the Opposition does not trust local government. Honourable members on the other side also made it plain that they do not believe local government is a legitimate form of

government. The government believes local government should have greater autonomy, increased accountability and more public involvement.

Mr LEIGH (Malvern)—On a point of order, Mr Acting Speaker, it was the Labor Party that voted against local government, not the Opposition.

The ACTING SPEAKER (Mr Kirkwood)—Order! That is not a point of order.

Mr ANDRIANOPOULOS (St Albans)—To achieve the government's aims of greater autonomy, increased accountability and more public involvement for local government, an historic process has occurred with the government working closely with local government in drafting the three Bills now before the House.

Government speakers have demonstrated adequately the lengths to which the government has gone to achieve agreement with local government.

In listening to the debate I wonder whether members of the Opposition have actually taken the trouble to study the Bills.

Honourable members interjecting.

Mr Norris—They can't take it.

Mr ANDRIANOPOULOS—They certainly cannot. Only time will tell whether the people of St Albans are proud of me.

The Local Government Bill (No. 2) sets out the powers and functions of local government. The Bill attempts a democratic spread of representation. Opposition members have referred to proportional representation, but not one of them has argued constructively why the current system has any advantages over proportional representation. As a matter of fact, the current system allows candidates for election to local government to be elected with little support. When I stood for council I received only 600 votes out of a possible 8000 votes. Because of the current system, I was elected—much to my surprise.

Mr Leigh—Mr Acting Speaker, I direct your attention to the state of the House.

A quorum was formed.

Mr ANDRIANOPOULOS—I was describing how I was elected with only 600 votes out of a possible 8000 votes in a particular year. That demonstrated to me the inadequacies of the current system where the so-called winner takes all, because I was elected on the coat-tails, if you like, of another candidate.

Honourable members interjecting.

Mr ANDRIANOPOULOS—That should not be the case and will not be the case if proportional representation is applied in local government elections. It might be of interest to honourable members that in the following year, when I contested again, I received a majority in my own right and was re-elected.

Clause 35 of the Local Government Bill (No. 2) gives local government the option of holding triennial elections. What is wrong with that? If honourable members believe local government is a legitimate form of government, then it should have the right to govern for a three-year term. If a particular council is not doing a good job, its residents can throw it out.

Honourable members will agree that there are far too many elections in Australia because of our forms of government. The people of Australia seem to be voting in an election year after year and the majority of members of the community would welcome the opportunity of replacing annual elections at local government level with an election every three years.

Clause 89, which established for the first time the general principle that meetings of a council must be open to the public, is another positive feature of the Bill.

Honourable members interjecting.

The DEPUTY SPEAKER (Mr Fogarty)—Order! I am quite sure the honourable member for St Albans does not require the assistance of members of the government, the Opposition, or the National Party.

Mr ANDRIANOPOULOS—Honourable members hear too often of a council locking its doors to its own ratepayers. That should not be allowed. The Bill contains certain exceptions and I support the inclusion of those exceptions which relate to personnel matters, contractual matters and the like. The council should go behind closed doors to deliberate on such matters. Clause 89 requires the council to record that decision in the minutes of the meeting and advise ratepayers why it has gone behind closed doors. That provision opens local government to its electorate.

Clause 86 allows for community involvement in committees of councils, which is another positive aspect of the Bill. Special committees with unique powers can be established by a council to assist in running a particular municipality. Members of the National Party may argue that it is not relevant to a majority of municipalities; it may not be relevant to a majority of country municipalities, which run on small budgets and have an agenda concerned mainly with the repairing of gutters or roads.

Honourable members interjecting.

Mr ANDRIANOPOULOS—Municipalities in the Melbourne metropolitan area are multimillion dollar enterprises and, on some occasions, require expertise in certain fields. That will be afforded the councils through the special committees the Bill allows for in clause 86.

Clause 182 allows citizens to make submissions on important council decisions. This is another important feature of the Bill. Councils are required under clause 119 to advertise in their local newspapers when passing local laws. Establishing loan project budgets and changing of the valuation system are allowed for under the Bill.

Clause 126 relates to the somewhat contentious requirement for an annual report. Unlike the National Party, the government considers that a positive feature of the Bill as it allows the ratepayers of the municipality to have access to annual reports and to make an assessment on what progress is being made in the municipality.

Clause 222 is also of interest to ratepayers. It allows the public the right to examine documents of the council, such as minutes of meetings, accounts, and similar documents. In the past ratepayers have had difficulty in obtaining documents in which they have been interested. Certainly local government does not have the same freedom of information regulations imposed on it as do State and Federal governments.

The Liberal Party has been vocal in its criticism of the government and has accused it of being out of touch with local government. I shall take some time to enlighten members of the Liberal Party by quoting the President of the Municipal Association of Victoria, who might be a constituent of the honourable member for Swan Hill.

Mr Leigh—Mr Deputy Speaker, I direct your attention to the state of the House.

A quorum was formed.

Mr ANDRIANOPOULOS—Before the interruption I was referring to the Municipal Association of Victoria.

Mr A. T. EVANS (Ballarat North)—On a point of order, Mr Deputy Speaker, there have been many interruptions to the proceedings of the House tonight. Is there anything that you can do to ensure that Labor Party members remain in the House and listen to their own member?

The DEPUTY SPEAKER (Mr Fogarty)—Order! There is no point of order.

Mr ANDRIANOPOULOS (St Albans)—The reason could be that the government members know what I am about to say. It is directed more to the opposition parties.

The DEPUTY SPEAKER—Order! The honourable member for St Albans should ignore the interjection; it was out of order.

Mr ANDRIANOPOULOS—I was about to refer to Councillor Ross Boucher, President of the Municipal Association of Victoria.

Mr W. D. McGrath—He is a good man.

Mr ANDRIANOPOULOS—Yes, he is a good man; he is the salt of local government, having represented the Shire of Karkaroc for the past 26 years. He has been a member of the executive of the Municipal Association of Victoria for fifteen years. That association is the umbrella body for local government.

The DEPUTY SPEAKER—Order! I take it that the honourable member is speaking to the Bills?

Mr ANDRIANOPOULOS—I am speaking to the Bills because much of the debate has concerned the thrust of local government, and which party local government would have in government to assist it by passing proposed legislation such as that contained in the Bills.

Mr STOCKDALE (Brighton)—On a point of order, Mr Deputy Speaker; the honourable member for St Albans is referring to amalgamations but that has nothing to do with the matters now before the House. I ask you to bring him back to the Bills.

Mr SIMMONDS (Minister for Local Government)—On the point of order, Mr Deputy Speaker, the honourable member for St Albans is referring to a statement made by the President of the Municipal Association of Victoria. To my knowledge, the president of that association recently described the Liberal Party in Victoria as a bunch of troglodytes, when commenting on the Bills. The honourable member for St Albans may enlighten members of the House as to the viewpoint of the Municipal Association of Victoria.

The DEPUTY SPEAKER—Order! There is no point of order. The honourable member for St Albans knows the limitations of the Bills; he knows how far he can go and, in particular, how far he cannot go.

Mr ANDRIANOPOULOS (St Albans)—The Opposition is very touchy because it knows that the President of the Municipal Association of Victoria has dubbed them as troglodytes. I have not heard such a word for a long time. For the information of the honourable member for Malvern, it is a Greek word.

The DEPUTY SPEAKER—Order! The honourable member for Malvern is out of order, out of his place and has completed his contribution.

Mr ANDRIANOPOULOS—The word “troglodyte” means a caveman or cave-dweller. However, the *Macquarie Dictionary* defines it as “a person living in seclusion”, or being out of touch. Councillor Boucher used the word in that context when describing the position of Liberal Party members on these local government Bills. I am sure the message from Councillor Boucher will not be lost in local government circles in Victoria. The Liberal Party and the National Party will live to regret the day they opposed the Bills.

Honourable members interjecting.

Mr ANDRIANOPOULOS—The passage of the Bills is essential for local government. The measures provide autonomy, and I look forward to the day they are enacted as law.

Mr A. T. EVANS (Ballarat North)—The House is dealing with a form of government that causes serious discussion. It is a form of government that boasts it is closest to the people, and that is the context in which the debate must be maintained. Honourable

members must realise that local government plays an important role in the lives of Victorians.

However, tonight it has been evident that local government is under extreme challenge. It is timely to remind the House that governments, whether they be Federal, State or local, were created to serve the people and not, as is the trend under the Cain government—a trend that would be accelerated if the Bills were passed—for the people to serve the government.

Another unfortunate trend in the local government area is for some councillors and administrators to support policies more akin to those of collectors and spenders of large amounts of revenue than to those of the people they represent, namely, the already heavily financially burdened ratepayers. Many councillors have been asking for a number of years for a simpler and perhaps easier to read Local Government Act. However, with these measures they have got more than they bargained for because the three Bills together would be as thick as the Local Government Act.

Mr Leigh—As thick as the Minister!

Mr A. T. EVANS—The Bills give more responsibility to councils, but they impose a financial responsibility. In answer to the honourable member for St Albans, who is interjecting, the Minister has taken powers for himself, and in spite of claims to the contrary, the Bills do not give more powers to the councils.

All the councils are receiving are more financial responsibilities, those that have traditionally belonged to the State and Federal governments. Contained in Schedule 1 of the Local Government Bill (No. 2), are listed the new responsibilities, and include health and education. They are vital functions being freely handed over to local government, with no limitations applying. An education service similar to those applying in many overseas countries would be passed to local municipalities. The same provision would apply to health services.

Child-care and development services, youth services and services for the aged, disabled and disadvantaged are included in the Bills. Migrant services, cemeteries, historical buildings and transport provisions are also included. What will this mean? In the outer suburbs, or in Ballarat, with an urban bus service that is normally subsidised by the government, those services will be pushed on to local government. Who is to pay for them? The poor, unfortunate ratepayer will bear the cost!

The earlier disastrous Local Government (Amendment) Bill, which the government was forced to withdraw, included housing as a new financial responsibility for councils; that would have meant that the responsibilities of the Ministry of Housing would have been passed to local government.

I should imagine that some of the concerned people in the field of community services decided that that was going a bit too far. They were not thinking of the ratepayers when they forced the government to withdraw this provision but the people needing housing, and this is an area in which the government is failing badly.

Under the Bill, municipalities will be encouraged to undertake enterprises. Ratepayers will be subsidising businesses being conducted by councils in direct competition with private enterprise. These are the ratepayers who provide the revenue for the council to operate.

At this stage it is timely that I turn to the matter of the differential rates. The government sets down firmly in the Bill the fact that councils can introduce a differential rate on four different levels. The municipalities have the right to choose any category they wish and when representatives of the Local Government Department spoke with members of the Liberal Party's local government committee, they were asked a question on this point and they did not hesitate to say that if one piece of farmland was more valuable than another piece of farmland, it would come in at a special rating level.

There is no doubt that this differential rating is being introduced by the Minister so that he can fund those new council functions that I have already listed. It will not only fund those functions; it will take over where the Federal and State governments are missing out on road funding.

If the Bill is allowed to pass, all road funding will be withdrawn by the State and Federal governments and the funding of roads will be placed back on the ratepayers. When one examines this differential rating, one finds that it is really a property or wealth tax. It is the baby of the socialist left faction of the Cain government. It has been proven to be a policy of the whole Cain government. It has been proven to be a policy of the whole Cain government that nobody should own land and that all land should be the property of the State. With this wealth tax, the Minister for Local Government is proceeding to implement his factionist policy and it is endorsed by the whole of the Labor Party.

I shall now reply to some of the issues raised by the honourable member for St Albans, who tried to suggest that the Liberal Party was depriving local government of its powers and that local government would not trust the Liberal Party. On that point, it is pertinent to examine the annual reporting that the Minister is demanding from local government.

The Minister wants to know everything local government is doing; and he has set out in clause 126 of the Local Government Bill (No. 2) what information he is requiring. He says, "The report of the operations of the council during the financial year shall contain all of this information . . .". The local council will practically have to employ extra staff to cope with it yet the Minister calls this trusting local government.

The honourable member for St Albans was talking about added responsibility but, particularly in the part of the Bill dealing with regulations, the Minister is transferring vital powers from local government to himself. It is the greatest con trick that has ever been put over local government.

During the lead-up to the introduction of the Bill, the government held so-called seminars led by a Labor member of Parliament the honourable member for Monbulk. They meant nothing. It was just part of the great confidence trick on local government. It cannot be denied. The government is taking away power from local government in practically every area. In addition, the government is taking away the traditional grants to which local government is entitled, and it is passing financial responsibility of roads over to the local ratepayers who will have imposed on them a wealth tax. This course of action will bring everyone down to the lowest common denominator.

What is the big problem with local government at present, apart from the obvious interjection by an honourable member of "The Minister!"? The greatest problem is the internal boundaries. Practically every municipality says it will be financially well-managed and represented and the different groups are quite satisfied with their representation and yet the Minister is saying, "If you do not do what I want, I will see that you do it". He is standing over every municipality in Victoria and taking away their freedom to manage their own affairs.

It has been proved on a point of order that I can refer to amalgamations. Nearly every council and councillor in Victoria said that they did not want amalgamations of municipalities but the Minister tried to push his way right through them. The Premier became worried so he went out of the country to find out what was going on elsewhere and, when he returned, he withdrew the concept of forced amalgamation. The Minister for Local Government would not even allow the people to have a referendum.

Since the Cain government came to office, it has tried to govern by deception by using regulations to supersede the power of Parliament. The government has open-ended regulation-making powers and there has been an avalanche of more regulations being passed—and I am sure the honourable member for Murray Valley could vouch for this—so much so that an enormous amount of work is falling on the Subordinate Legislation Sub-Committee of the Legal and Constitutional Committee.

The committee cannot handle the workload, which is now being handled by staff members, and even Labor members of the Legal and Constitutional Committee are horrified that these regulations are being poured out by Ministers such as the Minister for Local Government without Parliament having the time to properly police them.

The government and the Minister are showing total disregard and contempt for the people of the State and for those people who are administering local government. If the legislation regarding the differential rates provision is passed, it will be the second-greatest win that the socialist left-dominated government has had since it came to office. One might ask what was the greatest win? The No. 1 win was the Conservation, Forests and Lands Bill.

On 10 March 1983 in the *Stock and Land*, the Minister for Conservation, Forests and Lands is reported as saying:

The way to look after flora and fauna is to have cooperative management and you don't get that with compulsory acquisition . . .

The Minister went on:

. . . she already had the most draconian power of all—compulsory land acquisition.

The DEPUTY SPEAKER (Mr Fogarty)—Order! The House is debating three Bills. Does the matter to which the honourable member for Ballarat North is referring relate to any of the Bills?

Mr A. T. EVANS—Yes, Mr Deputy Speaker, it relates to the compulsory acquisition of freehold titles of land whether by financial means or by the use of draconian powers. In conclusion, I direct attention to the reply to a question asked of the Minister for Local Government on 9 March:

Last night in the House he . . .

The Minister is referring to the shadow Minister for Local Government—

. . . spoke against new provisions in the Local Government Act that would enable councils to strike a different rate to cope with a situation where elderly ratepayers who have an appreciation in the capital values of their properties are faced with a greater rate than they can afford. One of the measures in the proposed legislation is for councils to recognise categories of ratepayers who have special needs.

The Minister admitted to Parliament that the proposed legislation is, among other things, to provide social welfare benefits which are normally the responsibility of the central government. However, over the past six years the government has been shifting this responsibility on to municipalities; therefore ratepayers will have to pick up the tab. The Minister now intends to accelerate that trend.

I ask honourable members to reject those particular amendments because they are not in the interests of the State. The proposed legislation will punish the enterprising person. For example, if a farmer wants to increase his farm production—Heaven knows we will need a lot more of that if we are to pay off the huge overseas debt the Federal government has accumulated—he will be penalised for making a national contribution. He will be taxed for his enterprise. The result will be that his farm production will have to be decreased because of the huge rate bills he will incur.

The same will apply to a manufacturer who wishes to build up the export side of his business and create more job opportunities. What will he do? On receipt of a huge rate bill he will say, "What is the good of this? I shall go to New South Wales". He will be better off under a New South Wales right wing government than under a socialist left government in Victoria.

The person who takes pride in and improves his or her house, which is his or her greatest asset in life, will be placed in a higher rating category while the person down the street who lets his house fall to bits will not have to pay the higher rates. This attitude of the government is disgusting but it is expected because of its political philosophies.

Mr JASPER (Murray Valley)—I support the comments made by the lead speaker for the National Party, the honourable member for Swan Hill. The National Party supports the revision of the Local Government Act and the proposed changes. Major amendments will need to be made to the Act. The National Party will support some of the amendments proposed by the Liberal Party because they will make the proposed legislation more effective.

The National Party has supported strongly the three tier system of government that operates throughout Australia. The Bills represent the third lot of amendments to the Local Government Act brought before Parliament. It is a matter of third time lucky in trying to get the proposed legislation right. As the Local Government Act stands at present it is a tried and true Act; even though it was subject to attack from many honourable members from all sides of the House, it has worked effectively. The Local Government Bill (No. 2) could lead local government into dangerous territory and may leave too much to interpretation by regulation.

The government talks about the autonomy of local government and the need for it to control its own destiny. Will this occur? Should local government head in that direction? Should it be given so much autonomy and not receive the support from government that it should have and find government assistance only when local government finds itself in trouble? This has been evidenced by the problems experienced in some municipalities in metropolitan Melbourne and highlighted in earlier debates by the problems in the Richmond and Oakleigh city councils.

The terminology of the proposed legislation appears too loose and needs tightening. The government is insisting on the use of plain English to make Acts simpler to follow. The National Party supports that. The proposed legislation is an example of the government relying too much on regulation. The guidelines for reliance on regulations and regulation-making powers have been set down.

As Chairman of the Regulation Review Committee, a subcommittee of the Legal and Constitutional Committee, I am aware of the actions taken by the government in eroding the power of Parliament and placing power in the hands of the executive government. This track needs to be changed. Control should be given back to Parliament, where it should be. Honourable members have been elected to represent the people and they should be able to debate this and other measures. Honourable members must ensure that the rights of people are protected and that the government does not accumulate too much power through regulations rather than the measures passed by Parliament.

Where are the regulations? I am informed that they have not been sighted. Many municipalities have said that they need to examine the regulations. There are many municipalities in country areas; there are ten in the Murray Valley electorate. I work closely with those municipalities. I discuss with them their problems and try to represent their points of view in Parliament.

Regulations are government by stealth. That is how it appears to the National Party. The government is not allowing Parliament to scrutinise those regulations as it should and that is a step in the wrong direction. The regulations should be brought before Parliament while the Bill to which they are attached is being debated so that honourable members can assess them and be assured that they will be appropriate for local government.

The will of Parliament should be paramount in all legislation. The government should not be allowed to use Parliament as a means to an end by removing its powers and putting them in the hands of executive government.

I am concerned about various aspects of the Bills being debated this evening, and I shall highlight some of those concerns for the benefit of the House. The National Party hopes, together with the Liberal Party, to force the government to make appropriate changes to proposed legislation so that it will be more effective.

Clauses, 63 and 64 of the Local Government Bill (No. 2) refer to the declaration of office and oath of allegiance. If people wish to become councillors in a shire or municipality they should be required to take an oath of allegiance and not simply a declaration of office. The taking of an oath of allegiance should not be prescribed as voluntary. I have received correspondence on this issue from municipalities in the Murray Valley electorate. The Secretary of the Shire of Chiltern, Mr Terry Smith, states:

Council believes that the oath of allegiance should still be retained and that making it optional serves little purpose. The real facts are that Australia is still a monarchy, and the Queen is the Head of State, with the Governor General acting on her behalf. The factual situation cannot be changed simply by pretending it does not exist and allowing the oath of allegiance to be optional.

That appears to be the fact. This government is pretending that the monarchy, the Queen as Head of State and the Governor General acting on her behalf do not exist in Australia. The government wants the oath of allegiance to be optional. The National Party will not support that proposal; the oath of allegiance should be mandatory. If people wish to come to Australia and be treated fairly by the Australian system of government, and if they want to become councillors, they should adopt the recognised procedure.

I have had many representations made to me by municipalities in the electorate that I represent who believe if a person is prepared to stand for council, he or she should be a naturalised Australian. The qualification of councillors is an important issue. If a person wants to migrate to Australia and is accepted, no matter from which country he or she comes, that person must be prepared to fit into the Australian lifestyle. If that person wants to be a councillor and represent a municipality, or wants to stand for election to State or Federal Parliament, he or she must be a naturalised citizen of Australia. Surely that is only a minimum requirement. No other country in the world allows what is proposed in this Bill to occur.

Mr Delzoppo—It is universal.

Mr JASPER—It is universal. In many European countries one has to be naturalised for a number of years before one is allowed to take a position of responsibility within a council or Parliamentary system.

Another controversial issue involves equal opportunity aspects of the proposed legislation. I remind the House that last year the Premier was asked a question by the National Party about the equal opportunity committee within the Ministry of Education. In response to that question, the Premier said that it should be equal opportunity on merit. The National Party agrees that it should be equal opportunity on merit; that should be a minimum requirement.

I refer to the letter of the Shire of Chiltern, which states:

The move to equal opportunity is quickly becoming regarded in the community as employment discrimination based on sex. The principles espoused in clause 95 (1) (a) of the Bill, as outlined above, are not being complied with and in the Public Service many positions are now being filled solely on the basis of the applicant being a female, while better qualified and experienced staff are being ignored. This should not be allowed to happen in local government. The majority of councils in Victoria are small and rely heavily on attracting well qualified staff. They only wish to rely on clause 95 (1) (a) . . .

It may be pertinent to refer to that clause because the Shire of Chiltern and representations that I have received from its secretary have expressed concern about this provision. Clause 95 (1) of the Local Government Bill (No. 2) states:

The following principles are to be observed with respect to Council staff:

(a) Recruitment to Council staff should be from individuals selected solely on the basis of relative ability, knowledge and skills in fair and open competition which assures that all receive equal opportunity;

That is adequate to cover equal opportunity for both sexes and within local government. Mr Smith continues:

What they do not want is an imposed system which can deny them that choice.

He is talking about local government:

That this can happen is shown in Schedule 6, with the reference to quantitative indicators by which the equal employment opportunity program is to be measured.

It is interesting that any municipality which employs 40 or more staff is subject to Schedule 6. Schedule 6 details strongly how the equal opportunity regulations should be put into place for employment within municipalities. The National Party supports equal opportunity in employment within the municipal area on merit. I repeat "on merit" because those words were used by the Premier in the last sessional period. The National Party is happy to stand by those words. Schedule 6 should be deleted; only clause 95 (1) (a) is necessary.

Another area of concern that has been brought to my attention is the operation of the proportional voting system. I have received representations from a range of municipalities which have indicated clearly that the mandatory proportional representation voting system, where there are no wards, should not be supported. The National Party will oppose proportional representation when that provision is put to a vote in the Committee stage.

The Secretary of the Shire of Tungamah, Mr McCarthy, which council is in the Murray Valley electorate, in a letter states:

Council understands that you would have recently received a letter from the Shire of Ballarat, expressing concern with the dangers inherent in the proportional representation voting system and strongly supporting the retention of choice of voting systems. My council supports the views of the Shire of Ballarat as it considers this system to be unwieldy and unwarranted and it wishes to continue to operate under the present voting system. Your consideration of these views will be appreciated when this proposed legislation is debated.

Most honourable members will have received this letter from the Shire of Ballarat indicating its opposition to the proposal that proportional representation should be mandatory.

I led a deputation from the Shire of Cobram to the Minister for Local Government regarding the annexation of part of the shire. The Minister listened to the representations of the municipality and discussed internal boundary changes to the shire. The Minister suggested that the shire consider proportional representation and abolishing wards. The shire secretary indicated that the matter had not been discussed but, being a gentleman, he said the shire would consider it. However, what did the Minister do the next day in this Chamber? In response to an interjection from me, he indicated that the Shire of Cobram supported proportional representation and that I was not prepared to speak about it.

I want it on the record that the Minister is totally wrong. I led a deputation to him in good faith after which he made assertions in Parliament. I was not going to debate the matter with the Minister during the deputation as that would have been ignorance on my part. It was certainly ignorant of the Minister to refer to the matter in Parliament the following day.

The National Party supports annual elections where one-third of councillors, if necessary, face the electors each year. In that case, there is not a complete spill of council members by all councillors facing the electors in one hit every three years. The National Party has always supported annual elections. It believes a maximum of one-third of councillors should change at one time and believes the triennial system of elections is not appropriate.

A concern that has been brought to my attention is the new system of general revenue grants. No doubt exists that this is one of the areas of great concern for municipalities in country Victoria. It is one of the best tricks that has been perpetrated on the people of Victoria and, indeed, Australia. The Federal and State governments are moving to a new system of general revenue grants which will use population as its main criterion, and which will actively work against the interests of country municipalities. I shall highlight some of the municipalities in the electorate I represent and the projected decrease in general revenue grants that they face. The figures will indicate clearly that the system will operate against country municipalities.

Mr SIMMONDS (Minister for Local Government)—On a point of order, Mr Acting Speaker, the honourable member for Murray Valley is about to indicate the change in the

funding arrangements of the Victoria Grants Commission and the allocations in Victoria. The change is a result of Federal legislation that was endorsed by all political parties and which came about as a result of complementary State legislation supported in this Chamber by all parties.

The principles associated with that distribution have been made known to local government in Victoria in a manner which has not been followed in other States. Despite all the information and the relevance of it to local government, the Local Government Bill (No. 2) does not have anything to do with the allocations of the Victoria Grants Commission. The Victorian Parliament has no power to change that.

Mr DELZOPPO (Narracan)—On the point of order, Mr Acting Speaker, the Local Government Bill (No. 2) deals generally with local government funding. It has been upheld in previous rulings during the debate that because the Bill deals with funding, and the fact that local government will be starved for funds and must make up the leeway somehow, there is ample scope within the purpose of the Bill for the honourable member for Murray Valley to continue on the tack he is taking.

The ACTING SPEAKER (Mr Kirkwood)—Order! I understand what the Minister has said, and it concerns me if he is right, and I do not challenge him or believe otherwise. If the information has been made known only to the Victorian government, I ask the honourable member for Murray Valley to treat with trepidation the information he may have in his hands. I do not uphold the point of order.

Mr JASPER (Murray Valley)—When representatives of the Local Government Department have travelled around the State, it has been made clear to municipalities what the decrease in their general revenue grants will be, and that is a vital part of the Local Government Bill (No. 2). It should be put in perspective that huge decreases in allocations to municipalities in country Victoria will have a devastating effect. The Minister does not want to understand that or be sympathetic to what is occurring in country Victoria.

The current general revenue grant of the Shire of Benalla is \$224 000. Under the new system, it is projected that in four years its grant will be decreased to \$56 000, which is a decrease of 78 per cent in general revenue. The Shire of Wangaratta—which the government wants to eliminate—currently receives a general revenue grant of \$137 000. It is projected that that will decrease in four years to \$36 000, which is a decrease of 76 per cent.

The Shire of Rutherglen currently receives \$210 000 from general revenue grants. It is projected that that will decrease in four years to \$91 000, which is a decrease of 59 per cent. Of the ten municipalities in the electorate of Murray Valley, seven of them will face major decreases in general revenue grant allocations. The only municipalities that will receive an increase will be those in the larger centres. That will have a devastating effect on country municipalities.

That issue leads me to the municipal restructuring that is occurring and the comments made by the Premier almost eighteen months ago when he said, after all the opposition to municipal restructuring, that the government would not proceed with forced amalgamations. He added that the government would deal with it in another way, and it is doing that quite blatantly.

The government is reducing general revenue grants, and that will force municipalities to consider amalgamation. The savings have not been detailed and amalgamations could create large conglomerates that will receive a high revenue but which will not be able to handle the increased areas and populations they will have to serve.

The government has not addressed the major problem of municipal restructuring, nor has it provided sufficient information. It has produced reports showing changes in boundaries. The reports have shown what the revenue of various municipalities will be, what they may spend in particular areas and what revenue they will receive from other areas, but they have not detailed what the savings will be.

The government has not detailed the financial advantages of municipal restructuring. I suggest that that is the key element in any restructuring in north-eastern Victoria and, in fact, right across the State.

If the government wants to conduct an investigation, as it has done on two occasions in north-eastern Victoria now, it should address that issue. The government is now telling the Shire of Myrtleford that it will consider what the financial advantages are. If the government intends to go through with municipal restructuring, will it just draw lines on a map? The government should analyse the situation so that it can say, "The government believes the advantages to people in north-eastern Victoria of municipal restructuring and reducing the number of municipalities from, say, thirteen to nineteen, are the following", and should detail those advantages.

I mentioned that the Premier said the government would look to municipal restructuring in another way, and I referred to general revenue grants. I now refer to the reduction in road funding which is having a devastating effect in country areas. The government is reducing road funding on the basis of one vote, one value. What is value? How does the government determine value? It does not consider the difficulties of people living in country areas. The Minister for Local Government has no responsibility or concern for country people.

The Minister and other members of the government should venture beyond the tram tracks and visit country Victoria. I know the Minister has visited country Victoria in the past, but I do not believe he takes much notice of matters there or is concerned about the problems that exist. As the honourable member for Malvern says, by interjection, the Minister has a totally arrogant attitude. The Minister needs to direct his attention to what is occurring right across Victoria to ensure that there is one vote, one value. However, he should consider what the value is.

As I see it, country people are facing great difficulty with the actions intended to be taken by the government through the Bills now before the House. The Liberal Party and the National Party will need to be very careful in analysing the measures to ensure that they do not accept what is contained in them, or even what they cannot see; they will need to consider the implications of the Bills and what will be contained in the regulations, which honourable members have not yet seen.

How far does the government want to go? It talks about autonomy. Does it want to dictate to local government and say, "The government will determine what it will provide to you by way of funding. It will determine what you should get and, from there, you will be forced to make changes"? The government has, in effect, said to the Oxley Shire Council that it does not provide the services that other municipalities provide. The council does not have to supply all those services; a lot of the work is done by volunteers. Of course, some municipal councils have never heard of volunteers.

Local government has had a good record, particularly in country areas. I do not want local government to be downgraded or devastated as a result of the arrogant, head in the sand attitude of the Minister for Local Government, who is rushing headlong into changes that may not be in the best interests of local government in the long run.

The National Party wants local government to be a vital part of the three-tier system of government in Victoria to ensure that value is put in its place—that is, value for all people and the provision of equivalent services and funding so that those services can be delivered throughout Victoria for the good of the economy and all Victorians.

Mrs GLEESON (Thomastown)—I support the Local Government Bill (No.2) now before the House. I have a very close working relationship with the Whittlesea Shire Council, and that fact has moved me to express my support for the Bill tonight.

The shire council is very democratic and responsive to community needs. I work well with all of its twelve councillors across the political spectrum. I have found the council officers to be most helpful in all instances when I have approached them. The fact that

they care for their community both as paid officials and as elected representatives is outstanding and should be commended. I know they are looking forward to the Bill being passed, because it will enable them to address even more conscientiously the needs of the local community with a greater input of interests across the entire spectrum.

I shall speak on four issues related to the Bill. Firstly, the Bill will allow community interests to be fed in through subcommittees and their representatives in the formation of policy and the provision of services to the community, and will enable them to work with the elected representatives and paid local government officers. Secondly, I believe equal opportunity is important and I shall address that in broad terms.

Thirdly, it is most important—and I am pleased that it has been recognised at last and sought to be put into legislation—to provide for entrepreneurial pursuits by local government, because I know how that would affect a municipality such as Whittlesea.

Mr Leigh—Mr Deputy Speaker, I direct your attention to the state of the House.

A quorum was formed.

Mrs GLEESON—I thank the honourable member for Malvern for being so interested in my speech that he thought I should share it with more honourable members.

As I was saying before the interruption, the Whittlesea Shire Council holds forward-looking views, and it is pleasing to note its approach to local issues given the rapid growth on the northern urban fringe of Melbourne. Members on the Opposition benches have demonstrated a lack of knowledge about the Local Government Bill (No. 2). The honourable member for Narracan seems to have found tremendous difficulty in debating the measure. He appeared to be unfamiliar with certain clauses and the intent of their implementation. Perhaps this display of ignorance results from the fact that the honourable member for Narracan is new to his shadow portfolio. I sympathise with him in having to cope with a Bill of this dimension after only a short time in that position. Incidentally, I congratulate him on having attained that position. I wish him well.

The honourable members for Narracan and Murray Valley talked about measures that are imposed on local government. It is very strange that they should take that approach because the National Party and the Liberal Party stated a firm and clear position to the Morwell Shire Council when that council sought to have unsubdivided boundaries and adopt the system of proportional representation.

The Morwell council made that request, and the opposition parties opposed it. It is quite draconian sometimes to think that a government can impose orders on another tier of government, yet that is what occurred in that instance, when the two opposition parties refused the requests of the Morwell council, which was seeking only a democratic approach to the election of councillors in the Morwell region.

The next issue I should like to address is equal opportunity as encompassed in clause 95. The honourable member for Murray Valley spoke extensively about clause 95. In some respects his remarks were commendable but I found his interpretation that equal opportunity is restricted to opening up positions for women rather narrow. The State government wants more women to work in local government, as it wants more women represented in elected local government positions. Few of the 42 000 jobs in local government are held by women.

The positions currently held by women in local government are mostly administrative and clerical and, in many instances, the work is part time or casual. The government is seeking to encourage careers for women in local government, as it is promoting opportunities for people who are considered to need equal opportunities, such as people from the many migrant groups, young people and disabled people. People in those groups should be given the opportunity of developing career paths within local government. I support clause 95 (1), which provides:

The following principles are to be observed with respect to the employment of council staff:

(a) Recruitment to council staff should be from individuals selected solely on the basis of relative ability, knowledge and skills in fair and open competition which assures that all receive equal opportunity.

The provision applies to people right across the spectrum. The available data indicate that employees of local government are predominantly male and are in a slightly higher age group than employees across the general employment sector. The government would like to broaden the employment opportunities of women, ethnic people, our youth, and disabled people, so that they can pursue a career path in local government.

The other issue I should like to address is the election of councils. The Bill allows migrants to this country who have not taken out Australian citizenship to stand for local government elections. I applaud that provision because in my electorate I represent people from 34 different nationalities, and many of those nationalities have produced great leaders in our community. One must work with those people to realise the wrench in their lives that the process of taking out Australian citizenship would be. However, they wish to contribute to the affairs of their local neighbourhood. I am not talking about the broad country acres in rural Victoria held by the rural aristocracy but municipalities in Melbourne where people in smaller geographic areas seek to represent people in those areas at the local government level. I find it hypocritical for the Opposition to claim that nationality should be an impediment to people representing other people in their areas, when what it has actually done and seeks to do today is to allow representation by property rights——

Mr Leigh—Mr Speaker, I direct your attention to the state of the House.

A quorum was formed.

Mrs GLEESON—The honourable member for Malvern has continued to make his contribution from the sidelines, rather than entering the proper arena——

Mr Leigh—I have already spoken!

Mrs GLEESON—I am talking about the honourable member's failure to make a relevant contribution towards effective and efficient local government. Contributions by Opposition members have not sought effective and efficient local government. I am saddened that the Opposition will oppose the provision allowing the election of councillors of different nationalities.

Before I was interrupted by the call for a quorum, I was saying that the Opposition has sought to perpetuate the idea that property rights, as opposed to the interests of people, should be the basis of a person's right to stand for local government elections.

It is relevant to discuss the differential rating system that will be allowed. The Liberal Party's attitude to local government has clearly indicated that it wants to deny local government the independence to strike those differential rates. The honourable member for Narracan has stated in his contributions to this debate:

I would be afraid to give power to use differential rates to certain councils in Victoria.

The honourable member for Narracan is saying that he does not trust local government. I find it disturbing that the Opposition spokesman says that he does not trust local government. Local government is an important tier of government, the third tier of government, and I know that other government members have close working relationships with local councils and seek to make that third tier of government an efficient and effective force for the people of Victoria. It is extraordinary that the Opposition adopts that approach.

The Opposition is obviously anti local government, as it has demonstrated by voting against the request by the Morwell City Council for proportional representation. The community interest provisions of the Local Government Bill (No. 2) provide that the democratically elected representatives of the community can work with people who have not sought election to council but who, nevertheless, want to make a contribution to their local community. The Bill seeks to broaden the provision for councillors to allow greater representation, enabling people who either choose not to or who are unable to come forward for election, to make their contributions to local government at the grassroots

level in a subcommittee form to help develop policies and programs that are relevant and important to the local area.

The provision will assist in bringing minority groups to the fore in order to meet their needs and eliminates the risks of a general overview by a narrower representation. The Opposition proposes narrowness of representation; the narrow selection field of Opposition members in this House has caused them to fail to take notice of the views of a number of groups who need to have their needs addressed and represented in this Parliament.

That is what the Labor government has proven it can do. That proof is no better demonstrated than in the Bills being addressed tonight in that they open democracy to all the people. They also allow local government the independence to seek to carve its own path and have increased resources to deliver services and conduct business enterprises in conjunction with the local community, other municipalities, government, and business. It is a broad sphere and a new concept.

I know that the Shire of Whittlesea, with which I am proud to be associated, is looking forward to the implementation of that clause. I know that it has at least two programs ready to go. They will provide not only a wider economic base for the municipality, but also in doing so will create more recreational facilities. That council is addressing the needs of ratepayers and, at the same time, obtaining more money to broaden its programs. It has recognised that it is a broad approach and it can link in the concept with other areas, for example, recreation. The shire is not timid and nervous as members of the Opposition appear to be with respect to some of the rural municipalities.

In conclusion, the Shire of Whittlesea, like many shires in the outer urban area, is seeking to grasp the broader initiatives that this Bill will enable them to take. They are seeking to link into this State government's economic strategy, which has proven to be very successful. They are only too happy to broaden community input through a subcommittee system to meet community needs for programs and services.

I commend the Bill to the House and congratulate the Minister for introducing it. The Local Government Bill (No. 2) can only allow for an improvement in local government which will make it an effective and efficient force in Victoria.

Mr I. W. SMITH (Polwarth)—Firstly, I declare that I am a ratepayer in the Shire of Hampden and a ratepayer in the City of Prahran. This is the third measure attempted by the government to "improve" local government. An amazing array of government measures have absorbed and wasted the very expensive time of council officers and the time of councillors since the government has been in office, especially during the past three years.

These Bills are supposed to give local government autonomy. For all the written words contained in the three Bills, more restriction than autonomy will be placed on local government. It is an anachronism for the Minister to claim that the proposed legislation provides local government with autonomy. It provides it with very little additional autonomy.

No sooner has local government recovered from the massive onslaught of the Local Government Commission, which was the government's knee-jerk approach to try to weave its web of political control over local councils, than honourable members see the introduction of these measures which amount to very little more than a giant step forward in socialising local government by stealth. I shall demonstrate that in a moment.

Country municipalities, as several honourable members have said, are under rapidly increasing pressure because of the diminishing road funding and the new Victoria Grants Commission formula which contains many anomalies. I mentioned that I am a ratepayer in the City of Prahran, which has an income of approximately \$100 000 from parking fines. That money is not entered on the credit side of the Victoria Grants Commission formula. I cannot for a minute imagine how the Shire of Hampden—the other municipality in which I am a ratepayer—has any chance of balancing that opportunity for collecting parking fines and raising an amount that is proportionate to the sum of \$100 000 raised

by the City of Prahran; yet, the City of Prahran suffers no disability under the formula because of the large amount of revenue it raises in that way.

One real problem that is not addressed in the proposed legislation is how equity can be balanced between ratepayers and the municipalities. In fact, the inequity is exaggerated by many of the measures in the Bills. Because of the lack of road funding and the Victoria Grants Commission formula, some rural municipalities are forced to do a number of things; they are forced to increase their rates, retrench staff, sell equipment and enter into traditional private enterprise areas.

One of the real problems that is brewing in country areas is the challenge that municipalities are presenting unfairly to private enterprise. A private enterprise which may own the same equipment as a municipality faces more costly means of raising finance than do municipalities. Private enterprise also has to pay sales tax on equipment and fuel tax on fuel for its plant. The equipment usually involves some sorts of overheads.

To try to make up sufficient resources for road funding and obtain sufficient Victoria Grants Commission funds to make up the gaps caused by the socialist government, many municipalities are being forced into the area of private enterprise and, although if one were to examine the situation quickly it might seem all right, when viewed down the track, one will find that small, competitive, private enterprise elements within rural municipalities will wither. Their competitive strength will be reduced and ultimately municipalities will own all the heavy equipment and only they will have the capacity to contract with this equipment in country areas. I do not think that is what the government intended—at least I hope that is not what the government intended when it introduced the measures.

Mr Gude—Don't be too sure about that!

Mr I. W. SMITH—I know the political leanings of the Minister for Local Government and I am sure he would wish all the means of ownership, communication and exchange to be in the hands of the State. I am sure there are other honourable members opposite who understand the interest in maintaining strong small businesses and other private enterprise interests in our community, even if that understanding was heightened only after last Saturday.

The government will force municipalities to compete unfairly with private enterprise because municipalities' means of obtaining finance are cheaper and their fuel and sales taxes are less. Unless we are careful, it will be a new growth area for country municipalities. Some enterprises conducted by municipalities could be of enormous benefit to local communities. However, the pressure and the trend will be to overstep that reasonable and beneficial mark to the great detriment of small business.

The ten municipalities I represent in the electorate of Polwarth have had enough of this government. They are trying to recover from the jack boot onslaught of the Local Government Commission; now they are faced with the new provisions in the Local Government Bill (No. 2). They object very strongly to that.

If it is good enough for a person to represent ratepayers on a local council; it is good enough for him or her to be a part of the Australian team. If such people do not become part of the Australian team by becoming naturalised citizens, they should have no right to represent naturalised Australians in local government. Councillors are no longer elected by ratepayers only because of the introduction of universal adult franchise. If individuals want to represent naturalised Australians, they should become naturalised Australians themselves. The honourable member for Narracan will move an amendment to that effect.

The councils that I represent are keen to retain the annual election provision. Those councils claim that new councillors have a lot to learn when they are elected to a local council. Many council elections are decided on single issues, which may mean that three councillors are elected at an annual election. If an election is held on a triennial basis, as the Bill proposes, an entire council could be turfed out; and the councillors who replace them will be on a steep learning curve. Inevitably, the administration will be running the

council until the councillors find their feet. If the council assumes it can run itself at that stage, it may make errors of judgment for which a high price will be paid.

One of the sinister aspects of the Bill is the provision for differential rating. Last week the Minister for Local Government gave honourable members an insight into the dark reasons behind the government's support for differential rating: to exploit the asset rich within a municipality, whether those assets are in industry or in land. The government wants to exploit them to provide more funds for its welfare services.

Honourable members opposite do not understand the adverse effects that rating inequities have on the national economy. I shall explain my own case. From my farming property I contribute more than \$3000 a year in rates to the Shire of Hampden. I produce a modest professional-type income from that farm. A similar professional-type income earner in the town of Terang, which is in the same municipality, would pay between \$400 and \$800 a year. I am talking about people who would be paying for a home and a surgery, or an office, in which to pursue their profession, and who would be earning a similar income to mine. They are able to pass on rate increases through the ability of such professions as the medical profession, the accounting profession, and the legal profession to set fees in line with government legislation. It is a closed shop arrangement which the Parliament condones. Such people are therefore able to pass on costs.

Farmers such as I operate on the world market and are unable to pass on those costs. The most insidious factor is that increases in rates aggravate the inequities suffered by the rural community and effectively price farmers out of the export market. That is the reverse of what the government should be attempting to achieve.

I do not suggest that professional people in the town of Terang should subsidise anyone who is a farmer. The difference between rates of \$800 for professional people in the town and rates of \$3000 for someone such as I with the same earning capacity is iniquitous.

The Shire of Hampden is not at fault. The fault lies in the system of taxing by rates. It is high time the government considered a form of augmentation to ensure that those sorts of expanding inequities are properly redressed. That would ensure that export-orientated industries are not continuously priced out of the export market. If the inequities that already exist are compounded by the proposed capacity for differential rating, the problem would be aggravated four times over—and that is what the Local Government Bill (No. 2) allows for.

The Opposition believes it is a totally unacceptable proposition. If differential rating is to be introduced, a lead time must be involved. Often industries are attracted to a certain municipality because of the system of rating that operates there. Those industries should not be put in a situation where, if new councillors are elected, they face a fourfold differential disadvantage in that municipality. Such a harsh shock should not occur within a short period.

Notification that such a system is to be implemented should be given over many years. The speed with which the system is implemented must be controlled to enable those industries to take appropriate measures either to shift from the municipality or to insulate themselves against the charges imposed. That could be done through negotiations with the council.

Local government in Victoria is a great credit to the people who manage it. The government is attacking the system of local government as though there were massive problems in that area. Massive problems exist in municipalities controlled by Labor Party councils. If the government is sincere in its efforts to improve local government, it should begin in its own backyard. The government should restructure the Labor Party controlled councils; in that way the government would demonstrate that it understands the problems of local government. Once the government has demonstrated its capacity to do so, let it try to teach other municipalities to improve the way their councils are run.

The government's jack boot approach is to be replaced by an approach by stealth. Many provisions in the Bill are deleterious to the productive sectors and they will disadvantage those people whom the government claims to champion. The government should put the Labor Party controlled councils in order before it attempts to dictate to other councils.

The SPEAKER—Order! The time appointed under Sessional Orders for me to interrupt the business of the House has now arrived.

On the motion of Mr FORDHAM (Minister for Industry, Technology and Resources), the sitting was continued.

Mr SIMMONDS (Minister for Local Government)—The debate on the Bills has attracted interest not only within the Parliament, but also outside of it.

I thank the honourable member for Narracan for his marathon effort in putting the Liberal Party's case, and also the honourable member for Swan Hill who made a contribution on behalf of the National Party. They were joined by others who made contributions in some areas that were not particularly relevant in some cases but dealt with issues of local government.

I refresh the memories of those who attended the State reception at Parliament House, attended by delegates to the two-day local government conference on March 16 and 17 at Ringwood. The 300 people present could attest to the significance of the comments by Ross Boucher, President of the Municipal Association of Victoria, when he described the actions of the Minister for Local Government as promoting a new Local Government Act which gives councils more autonomy, flexibility and choice.

The honourable member for Swan Hill was there and he could advise the House that Mr Boucher had obviously been made aware of the contribution by the Opposition. Mr Boucher told delegates of his surprise to find that the Opposition wants to keep local government shackled to the State's apron-strings. The President of the Municipal Association of Victoria felt obliged to say—"The Opposition does not seem to have the trust in local government that you do, Mr Minister, and that is a shame". I think it is a shame also.

It is a shame that viewpoints that are consciously held by many members of the Opposition have been suppressed, while other members of the Liberal Party, for whatever reason, are prepared, in the pursuit of a political objective, to deny local government the great benefits these Bills can bring to their communities. Like Ross Boucher, I am concerned that in the coming weeks the view expressed by the honourable member for Ivanhoe should not prevail. I sympathise with the honourable member for Narracan in having to cope with a situation created by the obvious disrespect the honourable member for Ivanhoe has for local government, but the problem does not stop there.

I turn now to the contributions to the debate. The honourable member for Narracan spent a great deal of time and effort on matters not related to the Bills. He spent a long time debating the Altona City Council, the only municipal council in the metropolitan area that is devoid of female representation, devoid of any ethnic representation and a council where 2 per cent of the primary vote ensures a piggyback ride into council and, under the old boys' network a councillor can stay there for ever. It is not good enough, and the situation is being addressed. However, the proposed legislation is not required or involved in the process.

Similarly, the honourable member referred to the internal ward or riding boundaries being changed to implement the principle of one vote, one value. To date, a total of 138 resubdivision proposals have been processed for implementation in the 1988 council elections. For the first time in Victoria, in this bicentennial year, local government will have its councils elected on the democratic principle of one vote, one value. This is an important reform, but it is not dependent on the passage of these Bills. In fact, the debate so far has been mainly on matters that are not substantially associated with the proposed legislation.

The honourable member for Narracan also dealt at great length, without any real knowledge and, in fact, with a great deal of misinformation, with the Victoria Grants Commission allocation. The Victoria Grants Commission operates in accordance with principles set out in Federal legislation—passed with the support of all parties in the Federal Parliament and the Parliament of Victoria following the Self inquiry that lasted for two years. The grants allocated in Victoria have conformed to that legislation.

An honourable member interjected.

Mr SIMMONDS—The answer to the interjection of how one deals with a situation of winners and losers is being addressed not only by the government but also by the Municipal Association of Victoria. Finance to local government is a relevant matter, but not an issue in the Local Government Bill (No. 2).

The key to the Local Government Bill (No. 2) is in clauses 2 to 8, which define the objects and functions of local government. The remainder of the Bill contains mechanisms to ensure that these objects are achieved. The application of the plain English approach to legislation has also given rise to comments by those who prefer the mystique favoured by some members of the legal fraternity.

The attitude of the Opposition contributors reminds me of that of a punch-drunk boxer looking for a fight but unable to focus on the target. Consequently, most fell back on their distrust of local government and opted for a rigid desire to prescribe conditions which, of course, they were unable to define or even agree on among themselves. They paid lip-service to flexibility and choice, but when it came to specifics, like differential rating, they simply said that councils cannot be trusted with this power.

This view was shared by the honourable member for Narracan and the honourable member for Ivanhoe, and it is probably the only issue on which they agree. We all expected the honourable member for Doncaster to put up the Henry George League approach and we understand his concern for wealthy property owners and his approach to the flat rate tax issue. The honourable member for Monbulk more than adequately dealt with this issue, so I shall not dwell on it.

On the issue of representation, the honourable member for Narracan not only endorsed but also claimed credit for the Liberal Party for the present situation where a property owner is entitled to vote in council elections when he or she is not a naturalised Australian citizen. The Local Government Bill (No. 2) simply states that those who are on the roll and can vote, and thereby determine who is elected to council, can also nominate so that the electorate can choose. The alternative is to have two classes of persons——

Mr BROWN (Gippsland West)—On a point of order, Mr Speaker; it is clear and evident to all honourable members in the Chamber that the Minister for Local Government has for some minutes been reading his contribution. As you would be well aware, Mr Speaker, that is out of order and I ask you to stop him from reading his speech verbatim.

Mr FORDHAM (Minister for Industry, Technology and Resources)—On the same point of order, Mr Speaker, you would be well aware of many precedents accepted by both yourself and your predecessors establishing that it is appropriate for Ministers and honourable members to be using notes in making a contribution and, as one who has been listening intently and seriously to this debate over the last few moments, it is evident that the Minister is from time to time referring to notes, but that is in order and appropriate, given the fact that what the Minister is doing is responding to contributions from other honourable members, as is the responsibility of a Minister in closing a second-reading debate. Clearly the Minister is referring to notes that were taken at the time points were made by previous speakers.

Mr CROZIER (Portland)—On the same point of order, Mr Speaker, the House cannot reasonably accept that explanation from the Minister for Industry, Technology and Resources. The reading of speeches, apart from second-reading speeches, is repugnant to debate and, as the honourable member for Gippsland West has pointed out, the Minister

for Local Government has for some minutes been reading from notes, and by no stretch of the imagination can his performance be regarded as simply referring to notes—they are copious notes.

Mr SIMMONDS (Minister for Local Government)—On the same point of order, Mr Speaker, I am quoting from notes compiled while I was sitting in my chair for some considerable time listening to the number of speakers who have contributed to the debate. The notes are my notes and I stand by their content. It is important that the content of the debate be dealt with in reply, and I am doing that in this particular instance.

The SPEAKER—Order! I well recall my predecessor, Speaker Plowman, ruling on the same matter raised by the Opposition at that time and he did not uphold the point of order. I do not intend to uphold the point of order. There are three Bills being debated. It has been a complicated debate with many matters being raised by the various members. The Minister for Local Government is referring to what are commonly called in this Chamber “copious notes”, and he is in order.

Mr SIMMONDS—Thank you, Mr Speaker, for your ruling. I shall summarise the contributions of the remaining speakers. The honourable member for Swan Hill said that he would use the Committee stage to move extensive amendments. He said that he would indulge in a substantive quiz show. I look forward to his contribution during the Committee stage and I hope the 35 seminars that were conducted throughout the State to discuss the Bills attracted his attention. I am aware that the honourable member called a meeting of his own and the handful of people who attended it more or less told him to pass the proposed legislation.

The honourable member for Gippsland West mentioned the affairs of the City of Sale. That matter is more related to the administration of the previous Liberal government than to this government. That would be recalled by many of his colleagues.

The honourable member for Ringwood gave a more comprehensive analysis of the issues relating to equal opportunity. Her contribution was first class. During the Committee stage I hope the important and significant points made by the honourable member for Keilor will be noted. The honourable member gave one of the most comprehensive contributions to the debate on the Bills. I hope the Bills will be dealt with in a more realistic atmosphere during the Committee stage.

The SPEAKER—Order! I will put the question on each Bill separately. The question is:

That the Local Government Bill (No. 2) be now read a second time.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1

Progress was reported.

The SPEAKER—Order! The question is:

That the Local Government (Consequential Provisions) Bill be now read a second time.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1

Progress was reported.

The SPEAKER—Order! With respect to the Constitution (Local Government) Bill, I have already indicated that I am of the opinion that the second reading of this Bill requires to be passed by an absolute majority. The question is:

That the Constitution (Local Government) Bill be now read a second time.

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.

The Bill was read a second time and committed.

Clause 1

Progress was reported.

BUILDING CONTROL (GENERAL AMENDMENT) BILL

This Bill was returned from the Council with a message relating to amendments.

It was ordered that the message be taken into consideration next day.

ADJOURNMENT

Mornington and Geelong police stations—Dental services in north-eastern Victoria—News documentary shown on Qantas flights—Land tax assessments—Wimmera sports assembly—Industrial waste treatment plant at Mount Kororoit—Office of Comptroller of Stamps—Chadstone High School

Mr FORDHAM (Minister for Industry, Technology and Resources)—I move:

That the House do now adjourn.

Mr COOPER (Mornington)—I direct to the attention of the Minister for Police and Emergency Services and, in his absence, to the Minister for Housing and Construction a matter concerning the Mornington and Geelong police stations. Last year there was a considerable amount of controversy surrounding the condition of the Mornington police station, which was condemned by the occupational health and safety officer of the Police Association of Victoria. It was proposed that the station be closed because it was regarded as unsatisfactory premises for the police. The government reacted reasonably quickly by doing a number of things.

Firstly, the government moved in and made some minor repairs to the station, which is an old house, and slapped a coat of paint on it. Secondly, the then Minister for Police and Emergency Services—the current Minister for Community Services—promised that a new station would be built by the government commencing in 1988. There is considerable concern in the Mornington community about whether the government proposes to keep that promise.

I raise this matter tonight to ascertain whether the government intends to keep its promise and when it will commence construction of a new police station in Mornington. The people of Mornington are expecting that it will be built this year. Perhaps that will not eventuate because the previous Minister made a promise in February 1985 that a new \$2.3 million police station would be constructed. That promise was not kept. The people of Mornington want to ensure that this time the Minister's promise will be kept by the current Minister. The people of Mornington, the Shire of Mornington, the Police Association and I want an assurance from the government that this police station will be built as promised.

In addition, I direct to the attention of the Minister the state of the Geelong police station. I visited that police station a couple of months ago. It is a disgrace and something needs to be done about it quickly. I am aware that that opinion is shared by the previous Minister for Police and Emergency Services because he also visited the police station and said it would be very high on the priorities of his government.

As I am advised by the Police Association, a promise was also made that, commencing in 1988, the Geelong police station would be built on a new site within the City of Geelong. Again, the people of Geelong, the Police Association and the City of Geelong are anxious to see that that promise is kept. Tonight I seek from the Minister for Housing and

Construction, on behalf of the Minister for Police and Emergency Services and the government, his assurance that the firm assurances, promises and pledges given to the people of Geelong and of Mornington about the construction of new police stations will be kept by the government. I shall be listening with some interest to the response of the Minister this evening.

Mr JASPER (Murray Valley)—I raise a matter for the attention of the Minister for Planning and Environment, who is the representative in this House of the Minister for Health, but in his absence I direct it to the attention of the Minister for Housing and Construction. The matter relates to the dental health services provided for pensioners in north-eastern Victoria.

Honourable members will be aware that some years ago the government introduced a pensioner dental service which was generally established at base hospitals in strategic locations around Victoria. A service was established at the Wangaratta District Base Hospital and that dentist serves north-eastern Victoria by providing dental services, including new dentures, to pensioners.

The difficulty is that the service being provided at the Wangaratta District Base Hospital by the dentist cannot keep up with the demand being placed upon him by pensioners from north-eastern Victoria. It is not only because of the distance that has to be travelled but also because of the large number of people requiring dental services in that area. In an effort to overcome the problems faced by pensioners, the government decided that it would allow private dentists to offer dental assistance to pensioners when they require full dentures. On payment of \$30 by a pensioner, selected dentists can provide full sets of dentures to pensioners from north-eastern Victoria.

The difficulty is that few dentists are prepared to enter into this scheme. Worse still is the fact that only limited funding has been provided for the service in Victoria. A Ministerial review of dental services was undertaken by Health Department Victoria and a report was presented in December 1986 and made available in 1987. The report identified the need for extended dental services for pensioners throughout Victoria. The situation has become desperate in many areas, and especially in north-eastern Victoria.

The annual allocation of dentures to north-eastern Victoria is only 80 and that allocation must cover all pensioners. The service has been and is being run through the Royal Dental Hospital of Melbourne. Health Department Victoria allocates funds to the hospital which then distributes services throughout the State.

I reiterate that a dentist is based at the Wangaratta District Base Hospital to provide services to pensioners in north-eastern Victoria. A selected range of private dentists in north-eastern Victoria assists that dentist but only on the basis of being paid \$30 for full dentures and being able to claim \$300 from the Royal Dental Hospital of Melbourne which, in turn, claims from Health Department Victoria. Not many dentists are interested in this procedure because the Commonwealth Department of Veterans' Affairs pays between \$600 and \$700 for dentures provided by private dentists. One can understand why they are not interested in looking after pensioners through the private patient system.

Perhaps we should consider "putting the bite on White", as someone told me recently, in an attempt to ensure that something is done to provide additional funds for dental services to pensioners. I ask the Minister for Housing and Construction to pass on this information to the Minister for Health, particularly in the analysis and run up to the Budget.

Additional funds are necessary so that pensioners can be provided with appropriate dental services, not only for full dentures but also for other dental work that is required. It is important that they do not have to wait months to obtain that service. Pensioners should be able to obtain a full range of services not only from the dentist based at the Wangaratta District Base Hospital in north-eastern Victoria, but also through private dentists who are prepared to operate this service throughout the State.

Mrs WILSON (Dandenong North)—I raise for the attention of the Minister for Tourism a matter which has caused great concern to one of my constituents, Mrs Miller, of Dandenong North. The matter relates to a news documentary which was shown on a Qantas flight on which she was a passenger from Los Angeles to Sydney. She was returning to Australia after having spent some months in the United States of America. Like any other traveller returning home, she welcomed the opportunity of viewing a documentary depicting news of her homeland.

The documentary was a State-by-State account of events that occurred in Australia in 1987. But rather than concentrating on the finer aspects of what happened in Australia and Victoria in that year, the documentary portrayed the darker side of the picture.

Mrs Miller told me that Victoria was particularly harshly treated. The segment dealt with the Hoddle Street and Queen Street massacres. It also dealt with drunken, loutish behaviour at football and cricket matches and showed the brawl that occurred when the two Victorian teams played football in Great Britain. I understand the film was shown on other Qantas routes at the same time.

At the time when Mrs Miller spoke to me about this matter I read an article in the *Sydney Morning Herald* of Friday, 29 January written by the well-known actress Kate Fitzpatrick, in which she referred to this documentary. She said it was:

Remarkable, frank, State-by-State filmed reports of ugly brawls, mini-riots, national falling down, drunkenness and, in the face of incredible provocation, rather restrained police retaliation. It was a kind of X-rated "What's on in Australia". I was appalled and could only imagine the terrible misgivings being experienced by the first-time visitors on board.

I understand the flight was full to capacity, comprising visitors from Japan and America, many of whom were no doubt paying their first visits to Australia.

Although the documentary was factual in its content, it gave an erroneous impression of Australia to those people travelling on board that flight. It portrayed Victoria as being a violent society. I believe no-one in this Chamber would agree with that assessment.

Most visitors feel welcome in Victoria. We go out of our way to make visitors welcome. This is a safe place to visit and it is unfair that Qantas, our national carrier, has conveyed an impression such as this to tourists upon whom Australia and Qantas depend. Qantas should be doing a little better than that for all States of Australia.

I request the Minister to write to Qantas expressing his concern about this matter and when next he meets with his Federal and State colleagues to discuss tourism in Australia that he suggest that promotions on incoming flights should portray better aspects of Australian life.

Mr RAMSAY (Balwyn)—I ask that the Treasurer examine the absurd manner in which the Land Tax Office has been handling inaccurate assessments of land tax. Two years ago, a constituent of my electorate received a land tax bill of \$2800. There was a minor error in the land tax that had been assessed.

With the best will in the world, the person recalculated the land tax and found that he had been overcharged the sum of \$5.87. He wrote an explanation on the assessment and wrote out a cheque for the balance made out to the Land Tax Office with a request that an adjustment be made and a receipt issued.

The receipt was issued but four months later my constituent received a letter from the Land Tax Office solicitor demanding the payment of \$5.87 and threatening that if that balance was not paid within 28 days legal action would be taken for its recovery. The solicitor threatened that interest would be charged and any legal costs incurred would result in a larger bill for my constituent.

The House will recognise quickly the absurdity of such an action given that the person concerned had made a full disclosure to the Land Tax Office. I should have expected more sensible treatment.

The following year the constituent received another inaccurate land tax assessment for a similarly insignificant amount. Instead of calculating the correct assessment he simply returned it to the Land Tax Office requesting that the assessment be adjusted.

On this occasion the office wrote a polite letter suggesting that the tax would not be payable until the assessment had been re-examined. Some months later my constituent received the assessment for \$2800, which he paid. Honourable members will see the absurdity of the situation of the taxpayer being treated in a rude and summary manner in one case and in the other case when he requested a reassessment it was not provided until six months later. This is indicative of lack of efficiency, courtesy and plain commonsense at the Land Tax Office.

Mr W. D. McGRATH (Lowan)—I direct to the attention of the Minister for Sport and Recreation the review of the sports assemblies which is being undertaken by a consultant on behalf of his department. Will the Minister advise the House of the recommendations of that consultant and of what action the department will be taking regarding sports assemblies?

In the Wimmera there is a successful sports assembly which has as its president Ian Gawith; its executive officer is Mandy Stirrit. Some Wimmera sports stars who have received awards are Kevin Magee, the international motor cycle rider; Kerri Tepper, who is to be the only female table tennis competitor at the Seoul Olympic Games; and Vaughan Rintoule, who represented Australia at the amputee games last year, is from Nhill. The achievements of these sportsmen and women will indicate to honourable members the expertise that has been promoted through the Wimmera sports assembly.

The assembly has been able to attract sponsorship from Caltex Oil (Australia) Pty Ltd and Irwin Petroleum. At a dinner held recently the sports foundation distributed \$250 to five young athletes which will enable those young people to visit Melbourne on a number of occasions to participate in events and to receive expert coaching. The annual dinner of the Wimmera sports assembly was attended by approximately 200 people. Herb Elliot was the guest speaker for the night.

The government should encourage assemblies to develop policies within their regions. In the interests of sport in Victoria, what consideration is the Minister giving to the report by the consultant reviewing sports assemblies?

Mr REYNOLDS (Gisborne)—I direct to the attention of the Minister for Water Resources the concern about the government's proposal to establish an industrial waste treatment plant at Mount Kororoit in the Shire of Melton. I realise the decision was not made by the current Minister. It was made by the former Minister, now the Attorney-General, and, therefore, the current Minister must wear the situation.

The district is particularly upset about the decision because it believes it was made with little consultation—in fact, with no consultation. It is proposed that the plant will be placed in the centre of valuable farming land, which forms part of one of the green wedges around Melbourne, and which until now has been preserved by governments of all political persuasions. The objections to the decision by local people and others who have disagreed with it have been lodged with the Ministry for Planning and Environment.

Among the objections is that an environment effects assessment was not done before the decision was made. I have a letter from Mr Robin Dunstone, the Assistant Regional Manager, Western Region, Ministry for Planning and Environment, to the honourable member for Keilor, which states:

Mr Prowd will also be given an opportunity to put his view to any independent panel which may be appointed by the Minister to make recommendations about the proposal.

I realise that is not the decision of the Minister for Water Resources, but I ask that he ensure firstly, that a panel is appointed and, secondly, that it comprises fully qualified, capable and truly independent people. I ask the Minister to give that assurance to the House and to the people of the electorate.

Above all, I ask for an assurance that, if the panel decides that the site is inappropriate, the Minister will abide by the umpire's decision. I know of the Minister's affiliation with certain sporting bodies and when the umpire puts up his finger and blows his whistle one must abide by that decision. I hope the Minister applies that criterion to this position. If a truly independent panel decides that the site is unsuitable, I want the assurance that the project will not proceed.

Mr E. R. SMITH (Glen Waverley)—I direct to the attention of the Treasurer a conflict between a constituent of Glen Waverley, Mr John Kovacs, of 11 Italle Court, Wheelers Hill, and the Comptroller of Stamps. The conflict involves the stamp duty on rental income of a video shop in Burwood Highway, Wantirna South, which Mr Kovacs owned from March 1983 to April 1987.

During June and July 1985 Mr Kovacs was overseas and left his daughter in charge of the shop. During that time she received a visit from a representative of the Comptroller of Stamps who asked her to provide him with financial details of the operation of the business. On information provided by his daughter, Mr Kovacs was billed \$3800 more than the normal charge.

On his return from overseas, Mr Kovacs informed the office of the Comptroller of Stamps that the information provided by his daughter was incorrect and he asked for the case to be re-examined. Naturally, the office of the Comptroller of Stamps asked Mr Kovacs to prove the information provided by his daughter was incorrect. Mr Kovacs's accountant, Mr Sima, of 143 Pakenham Road, Blackburn and his solicitor, Mr Graham Murphy, of Power and Co., 452 Burwood Highway, Wantirna, believe they have proved that.

I use the names of those professional people to give credence to this matter. As professionals, those people would not want me to name them in Parliament if they were not providing correct information. Mr Kovacs has provided all the financial documentation, such as deposit books and cheque stubs, but the office of the Comptroller of Stamps will not accept the documentation.

One officer, whom I shall not name, visited Mr Kovacs in October 1985 but refused to give any idea why he would not accept Mr Kovacs's explanation. When he was asked to discuss the matter over a cup of tea he refused, saying that the tea was probably poisoned. I find that as outrageous as I am sure the Treasurer does.

In January the office of the Comptroller of Stamps issued a summons seeking the payment of the money it says Mr Kovacs owes. The solicitor, Mr Murphy, to whom I have spoken in the past week, is responding. Mr Kovacs alleges that correspondence he has sent to the Comptroller of Stamps has gone unanswered. That is a sorry state of affairs. I have spoken with Mr Murphy and the accountant, Mr Sima, and they are adamant that the assessment made by the Comptroller of Stamps is incorrect. It is their belief that the office of the Comptroller of Stamps will not listen to rational argument.

I have a series of figures in support of the case I am putting and I implore the Treasurer to intervene in this matter to allow the professionals involved to talk rationally with representatives of the Comptroller of Stamps.

Mr LEIGH (Malvern)—I ask the Minister for Housing and Construction, who is at the table, to direct to the attention of the Minister for Education in another place concerns about the future of Chadstone High School. The Minister may be aware that the Premier has offered the school to the Army as part of the replacement land for the National Tennis Centre.

Schools in the Henty region are being amalgamated, and Chadstone High School is the most valuable property in the region. Clearly, because it is a most valuable property, the government intends to sell it and not use it as a school. The school used to accommodate more than 1000 pupils but it no longer has that number. Something must be done. The school the government intends to use as a result of the amalgamation is nowhere near the

standard of Chadstone High School, which is located next to an arterial road and near to public transport. A strong argument can be put for the use of that school.

The government has indicated it proposes to close the school at the end of the year. If the government is serious about ensuring that children in Victoria receive proper education, the school should be used. It is time the government finally told those involved with the school what will happen to it. Is the government preparing to sell it to the private sector, give it to the Army or bulldoze it? I do not know. The Treasurer is selling the State's assets as fast as he can.

Chadstone High School should be the school used after the amalgamation. The school council has tried to reach agreement with the Minister for Education. Last year \$200 000 was spent on upgrading the school, but the government is now proposing to close it. I have attended a brief meeting with the former Minister for Education, the present Minister Assisting the Minister for Education, but he was not prepared to talk about the matter. The Minister for Community Services is one of the local members involved in the issue and he and the Minister for Education have a responsibility to the community to inform it of what the government will do with the school.

Mr JOLLY (Treasurer)—The honourable member for Balwyn raised a matter concerning the State Taxation Office and the way it handles incorrect land tax assessments. The honourable member did not provide specific details about the taxpayer concerned or the date of the assessment. So that I can have the matter investigated I request the honourable member to provide me with the details. I am particularly concerned about the date of operation because the honourable member referred to two cases. On receipt of information from the honourable member for Balwyn, I will have the matter examined.

The honourable member for Glen Waverley raised the matter of the behaviour of an individual at the Stamp Duties Office over the assessment of stamp duty for a constituent named Mr Kovacs. Apparently Mr Kovacs requested his daughter to supply information to the Comptroller of Stamps and that information proved to be incorrect. I shall have the matter investigated.

Two aspects appear to require investigation: why the Kovacs organisation provided the incorrect information in the first place—and I hope there was nothing significant about that—and the manner in which the matter was handled by the Comptroller of Stamps. As the honourable member has provided me with details of that matter, I shall have it investigated.

Mr WALSH (Minister for Housing and Construction)—The honourable member for Mornington raised the matter of the construction of new police stations at Mornington and Geelong. I shall pass that matter on to the attention of the Minister for Police and Emergency Services and ask him to reply.

The honourable member for Murray Valley raised for the attention of the Minister for Health the issue of dental services for the whole of Victoria, especially for the north and east of the State. I shall pass that matter on to the Minister for Health and ask him to reply.

I do not know for whose attention the honourable member for Malvern raised a matter. He said it was for the attention of the Minister at the table.

Mr Leigh—The Minister for Education!

Mr WALSH—That was not spelt out clearly by the honourable member. I presume students still attend the Chadstone High School and that consultation about amalgamation is taking place. The honourable member may not be aware, but that matter would be in the hands of the Minister for Education. I shall pass that information on to the Minister.

Mr WILKES (Minister for Tourism)—The honourable member for Dandenong North raised the matter of a news review shown on a Qantas flight from Los Angeles to Australia. Qantas runs a program entitled *A Week In Review* on all its flights from the United States

of America to Australia. It features news of the week for the week previous to its being shown.

The material for that program is compiled by Channel GTV9 and apparently sold to Qantas. Qantas has no editorial control over the preparation of the material for that review, neither does it wish to have such editorial control.

Qantas also runs a news telex service for first and business class passengers. Once again, it has no control over material contained in that news telex service. Qantas does not run any tourist material on its in-flight service.

I shall take up the matter with the Federal Minister for Tourism and Territories, Senator Richardson. However, I stress that it is not within the power of this government to tell Qantas what it should or should not run. I am amazed that it would run the sort of material mentioned in a news service but it just happens that on that specific news service it did advert to the matters raised by the honourable member for Dandenong North. I shall take up the matter with the Federal Minister.

The honourable member for Gisborne raised the issue of the proposed industrial waste plant for Mount Kororoit. The government purchased some 62 hectares of land in Mount Kororoit for a proposed waste treatment plant. Four sites were selected by the Board of Works from which the government chose the Mount Kororoit site. It was proposed to rezone 32 hectares of the site and use 6 hectares for the plant. Before that occurs and before an industrial waste site can be developed, a planning process has to be followed for the rezoning of those 32 hectares.

Upwards of 3000 objections have been received to the proposed site. Those objections are to be handled by the Minister for Planning and Environment and he will set up an independent panel to consider the matter. I assure the honourable member for Gisborne that the process will be completely independent of government and the Minister for Planning and Environment will acknowledge the recommendations of the panel in respect of the 3000 objections to that site. If it is recommended by the panel that the Mount Kororoit site is unsuitable, the government will acknowledge that.

Mr TREZISE (Minister for Sport and Recreation)—The honourable member for Lowan raised the issue of regional sports assemblies and their value and future in different areas of Victoria—in particular, I suppose, in country areas.

Sports assemblies were commenced approximately five or six years ago and some have been extremely successful. The honourable member mentioned that Ararat and Horsham have successful sports assemblies. I think Bendigo has another successful operation. In contrast, some local communities query the value of the government allocation to the sports assembly in their area. Because of that, the department carried out a review of the situation after the assemblies had been operating for five years.

That review has been brought forward to the State Sports Council for its comments and will be considered in the next few months when the department decides how to allocate its limited resources for sport around the State.

I have no doubt that where these operations are successful, as they are in Ararat, Bendigo and Horsham, they will be continued. Other areas will depend on the evidence presented. There is tremendous potential for sports assemblies, whether they be tennis clubs, cricket clubs or whatever, because they can provide a united voice to councils about ground charges, insurance, coaching, legal problems or whatever.

In some areas the sports assemblies have shown that they are extremely successful. In other areas where their success has been queried, a decision on their future will be made in conjunction with the State Sports Council at the conclusion of the review. I assure the honourable member for Lowan that where sports assemblies are successful, they will continue.

The motion was agreed to.

The House adjourned at 11.58 p.m.

JOINT SITTING OF THE LEGISLATIVE COUNCIL AND THE LEGISLATIVE ASSEMBLY

Wednesday, 23 March 1988

La Trobe University Victorian Health Promotion Foundation

A joint sitting of the Legislative Council and the Legislative Assembly was held this day in the Legislative Assembly Chamber to choose one member of the Parliament of Victoria to be recommended for appointment to the Council of La Trobe University, and three members to be elected to the Victorian Health Promotion Foundation.

Honourable members of both Houses assembled at 6.1 p.m.

The Clerk—Before proceeding with the business of this joint sitting it will be necessary to appoint a President of the joint sitting.

Mr FORDHAM (Minister for Industry, Technology and Resources)—I move:

That the Honourable Cyril Thomas Edmunds, Speaker of the Legislative Assembly, be appointed President of this joint sitting.

Mr BROWN (Gippsland West)—I second the motion.

The motion was agreed to.

The PRESIDENT (the Hon. C. T. Edmunds)—I thank the joint sitting for the honour and privilege of chairing this meeting.

I direct the attention of honourable members to the extracts from the La Trobe University Act 1964 and the Tobacco Act 1987, which have been circulated. It will be noted that the Acts require that the joint sitting be conducted in accordance with rules adopted for the purpose by members present at the sitting. The first procedure, therefore, will be the adoption of rules.

Mr FORDHAM (Minister for Industry, Technology and Resources)—Mr President, I desire to submit rules of procedure, which are in the hands of honourable members, and I accordingly move:

That these rules be the rules of procedure for this joint sitting.

Mr BROWN (Gippsland West)—I second the motion.

The motion was agreed to.

The PRESIDENT—The rules having been adopted, I am now prepared to receive proposals from honourable members with regard to the member to be recommended for appointment to the Council of the La Trobe University.

Mr FORDHAM (Minister for Industry, Technology and Resources)—I propose:

That Dr Ronald James Herbert Wells, MP, be recommended for appointment to the Council of La Trobe University.

He is willing to be recommended for appointment if chosen.

Mr BROWN (Gippsland West)—I second the proposal.

The PRESIDENT—Order! Are there any further proposals? As there are no further proposals, I therefore declare that Dr Ronald James Herbert Wells has been chosen to be recommended for appointment to the Council of the La Trobe University.

I am now pleased to receive proposals from honourable members with regard to three members to be elected to the Victorian Health Promotion Foundation.

Mr FORDHAM (Minister for Industry, Technology and Resources)—I propose:

That the the Honourable Michael John Arnold, MLC, William Desmond McGrath, Esquire, MP, and George Graeme Weideman, Esquire, MP, be elected to the Victorian Health Promotion Foundation.

They are willing to serve the foundation if elected.

Mr BROWN (Gippsland West)—I second the proposal.

The PRESIDENT—Are there any further proposals? As there are only three members proposed, I declare that the Honourable Michael John Arnold, MLC, William Desmond McGrath, Esquire, MP, and George Graeme Weideman, Esquire, MP, have been elected to the Victorian Health Promotion Foundation.

I thank honourable members for their decorum and I declare the joint sitting closed.

The proceedings terminated at 6.5 p.m.

Thursday, 24 March 1988

The **SPEAKER** (the Hon. C. T. Edmunds) took the chair at 10.34 a.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

STATE TRAINING BOARD

Mr BROWN (Gippsland West)—I direct the attention of the Minister Assisting the Minister for Education with responsibility for Post-Secondary Education to the failure of the government to appoint the members of the State Training Board. Is the reason for the government's lack of action that it intends to do another "jobs for the boys" operation and appoint the former adviser to the Premier, Mr Terry Moran, as the chief executive officer of the board at a salary of \$80 000 per annum, plus car, and does not wish the board to have any input into that appointment?

Mr CATHIE (Minister Assisting the Minister for Education)—It has taken the Liberal Party nearly seven years to express any interest in vocational education and in technical and further education. Indeed, the community is still waiting to hear whether the Liberal Party has any policies for one of the most vital areas of education.

The government has made a number of clear decisions regarding the State Training Board. It wants vocational education and training to be driven by industry. It therefore proposes to establish a new body that will bring together all the training programs within the Department of Labour, including the Industrial Training Commission of Victoria and the apprenticeship programs, and combine them with technical and further education. It will then create a new division within the Ministry of Education for further education. I am hopeful that next week I shall be able to announce the membership of that board.

ECHUCA ROAD BRIDGE

Mr HANN (Rodney)—I direct my question to the Minister for Planning and Environment and refer him to the proposed new road bridge in Echuca. In view of the fact that the major reason why the proposal for a new road bridge over the River Murray at Echuca was abandoned related to the opposition from the New South Wales Minister for Environment, and as that Minister has lost his seat in the recent State elections and there is now likely to be a significant change in the attitude of the new government of New South Wales, is the Minister prepared to review the siting of this road bridge?

Mr ROPER (Minister for Planning and Environment)—I cannot speak on behalf of whoever will control the River Murray on behalf of New South Wales after the Greiner government chooses its Ministry today. However, I am aware of the issue raised by the honourable member for Rodney and the need for great care but significant action so far as the Echuca bridges are concerned.

The bridge being constructed for railway purposes is well under way, after approximately twenty years of procrastination. I know that the honourable member for Berwick is well aware of that. That bridge is sited up river, as a result of discussions with both the New South Wales and Federal governments.

I shall raise the matter with my colleague, the Minister for Transport, and we will discuss the appropriate site, just as occurred in coming to a satisfactory conclusion on the rail bridge, which will ensure the continuance of Echuca as a major rail destination.

WORKCARE

Mr ROWE (Essendon)—Will the Treasurer explain to the House what would be the impact on employer contributions to WorkCare if the recommendations of the WorkCare Committee were not implemented?

Mr JOLLY (Treasurer)—I thank the honourable member for his question and I take the opportunity of congratulating him and the members of the committee who made the majority report on their thorough research into the issue. It is in stark contrast to the paper-thin minority report supported by the Opposition. It is a wonder that the Opposition can support such a minority report.

That minority report has the mindless meanderings of the honourable member for Brighton written all over it. I am surprised that the honourable member for Hawthorn supported it. I was even more surprised that one of the National Party members, the honourable member for Benalla, did not attend even one of the public hearings of the WorkCare Committee. In fact, he is not even here today. I do not know how he justifies earning his money, because he does not put much effort into his serious duties.

What are the implications of the implementation of the recommendations of the WorkCare Committee? The recoveries could amount to as much as \$900 million, yet the honourable member for Benalla did not attend even one public hearing. In the twisted logic of the honourable member for Brighton, he says that one must prove that nothing exists.

The Liberal Party adopted the view that, if there was no agreement between the Insurance Council of Australia Ltd and the government, the government's policy should go ahead. However, when the Insurance Council of Australia Ltd could not prove that an agreement existed, the honourable member for Brighton did another little flip and said, "You have to prove nothing exists". That is the basis of his argument. How stupid can one get!

One of the implications of not implementing the recommendations of the report of the WorkCare Committee would be to condemn future employers to paying costs that should rightly be borne by insurers who operated under the old workers compensation system. There is no doubt or argument that those insurers should meet their financial responsibilities for pre-WorkCare injuries. That is all that the WorkCare Committee recommends: that old insurers must meet their true financial responsibilities.

However, the Liberal Party says that is not fair or logical; it says that, because those old insurers operate outside Victoria, there should be a transfer of future liabilities from future employers in this State to insurers whose operations are based mainly in New South Wales. That argument flies in the face of economic logic as well.

It is an absolute disgrace that the Liberal Party is acting as a puppet of the Insurance Council of Australia Ltd. The Liberal Party is in the pockets of the council. That is another example of the Liberal Party's policy vacuum causing it to fold to a pressure group. The Liberal Party has no policy, so it listens to the Insurance Council of Australia Ltd and adopts its policies.

The other implication is that the Liberal Party would not only foist future liabilities on future employers but would also—and this is now Liberal Party policy—increase WorkCare premiums. That is what the Opposition is on about. That is another area in which it has weakened. It has been lobbied by the Insurance Council of Australia Ltd. It is in the pockets of that council. It has no policies and it has weakened. The Liberal Party's position is absolutely wimpish and a disgrace.

Mr KENNETT (Leader of the Opposition)—On a point of order, Mr Speaker, several times during his reply to the question, the Treasurer implied that the Liberal Party was in the pockets of the Insurance Council of Australia Ltd. That is not only blatantly incorrect but also offensive, and I ask him to withdraw the imputation.

The SPEAKER—Order! The Leader of the Opposition has found offensive, which it is, the imputation that the Liberal Party is in the pockets of the Insurance Council of Australia Ltd and asks for a withdrawal. I invite the Treasurer to withdraw the imputation.

Mr JOLLY (Treasurer)—Like the Opposition, I cannot prove that nothing exists; because I cannot prove it categorically I am willing to withdraw it on this occasion.

OLDERFLEET BUILDING

Mr PERRIN (Bulleen)—Will the Minister for Planning and Environment inform the House whether his predecessor, the Minister for Transport, made extensive alterations to his Ministerial suite in the Olderfleet building and whether, since the Minister has been the Minister for Planning and Environment, he has made alterations to bring the building back to what it was originally? What was the total cost of both sets of alterations to the Ministerial suite?

Mr ROPER (Minister for Planning and Environment)—As honourable members are aware, there has been considerable delay in completing the fitting out of the Olderfleet building which is continuing. A number of areas are still not finished and action is being taken by the Department of Housing and Construction to finish them with all speed.

“SAY NO TO DRINK-DRIVING” CAMPAIGN

Mr W. D. McGRATH (Lowan)—I direct a question to the Premier. In view of the government's action in extending drinking hours in the State of Victoria and increasing the number of retail liquor outlets, how can the government justify providing more than \$300 000 to Victorian Football League clubs to promote the, “Say no to drink-driving campaign”?

Mr CAIN (Premier)—I should have thought the drink-driving program would be applauded by all sections of the House. Can I say, in parenthesis, that I believe the program which has been carried out on the “Quit” anti-smoking basis with another football club has been highly successful. The honourable member for Gisborne supports it—and not just because he supports the football club.

Leaving aside which football club it is, all members of the House would want to support the government's program to discourage people from smoking and to promote healthy lifestyle habits so far as smoking and drinking are concerned. There would be general support across the community for the proposition that the promotional dollar be used in a way that ensures that it attracts maximum attention.

The honourable member for Lowan was a footballer of some note at one time. He would be the first to say that the attraction of the successful footballer and his club has some appeal for those who are most vulnerable and are being exploited by the tobacco and liquor industries so far as those habits are concerned. The responsible elements in those industries recognise that they have a community duty and have been prepared to contribute to promotional campaigns which attempt to gain recognition in the community for the need for moderation and restraint in smoking and drinking.

The Liquor Control Bill (No. 2), passed by this House in the last sessional period, carries with it the obverse of what is done, in an effort to make drinking more sensible, and it carries a positive campaign to ensure that people do not drink to excess. The government is doing that in a more effective way than it has ever been done before. The promotion of a “Say no to drink-driving” campaign is compatible and, consistent with and supportive of the Liquor Control Act.

The new Act takes a new approach. It does not imply that liquor is there to be exploited by the large and small commercial interests but that liquor provides a reasonable and proper social outlet for people. At the same time there is a firm and clear duty and responsibility upon everyone associated with the liquor industry. The promotion of

moderation in drinking through two or three or whatever number of football clubs is to be applauded and should be supported by all Victorians.

PUBLIC SECTOR PROMOTION

Mr HOCKLEY (Bentleigh)—Will the Premier inform the House what action the government is taking to ensure that public sector employees are recruited and promoted on the basis of merit?

Mr CAIN (Premier)—The idea of applying merit principles across the entire public sector is not new to the government; it has pursued that notion enthusiastically and vigorously. The Victorian Public Service Act was amended in 1984 to include the eight principles of personnel management. That was a first for any government in Australia. The principles clearly state that all recruitment and promotion should be on the basis of merit and that all employees should be treated fairly and equitably.

The government has been keen to extend the merit principle further into the public sector generally. It knows full well the importance of the notion of merit and believes people should be fairly considered for jobs in open competition, and that only those who can actually do the job in question should be considered. Honourable members opposite should know that the government is endeavouring to extend the principles through the introduction of new legislation; that is contained in a Bill currently before the House.

Mr Kennett interjected.

Mr CAIN—The Leader of the Opposition should read it, and he will see it! That very notion is there to be entrenched in legislation and is awaiting the Opposition's support.

To read the Opposition's education policy, one would think it had come up with the idea itself. The policy took so long in coming but it is now known why the Opposition takes so long to produce its policies. It is frightened to issue them because the Liberal Party has to wait for Mr Elliott to say they are all right! The Liberal Party's policies have to get a gold Foster's stamp from him before they are acceptable! It cannot make its own policies, it has to wait for Mr Elliott to say whether they are right! No wonder the Opposition is frightened!

Honourable members interjecting.

Mr CAIN—Honourable members opposite who carefully read that Bill should recognise that the government's program is such that it introduces the merit principle into schools as well as to public authorities. Apparently honourable members opposite do not realise that. I know the Liberal Party is very selective in its application of the merit principle; it does not choose Leaders on the basis of merit. Liberal Party members talk about literacy and numeracy. There have been three challenges for the leadership of the party and on every occasion they could not count correctly! The education policy of the Liberal Party refers to discipline, but there is little discipline on that side of the House—three challenges! If honourable members opposite are concerned about the merit principle, there will be ample opportunity for them to support the Bill.

OLDERFLEET BUILDING

Mr LEIGH (Malvern)—I ask the Minister for Planning and Environment whether the Victorian government has already incurred a bill of \$6.4 million for alterations required by the Ministry for Planning and Environment as a tenant of the Oldfleet building, in addition to the annual rental of more than \$2 million. What is the expected total cost to the Ministry and when will the building renovations be completed?

Mr ROPER (Minister for Planning and Environment)—As to the final part of the question, I hope the renovations will be completed very speedily because the time being taken to complete the building alterations is of concern. That was of concern to my

predecessor and is of concern to the government. The functions of a department cannot be adequately performed while there are substantial changes occurring within a building. I certainly hope the work will be finished shortly.

I shall ascertain for the honourable member the cost of the building renovations and of the rental. I know that owners of buildings are always looking for additional rentals. Indeed, officers of that company were in the building yesterday, examining the progress of the renovations. It was made fully clear that the government believed the building should be completed so that officers could get on with their work. As I said, that will take place as soon as possible.

PEGGING OF PRICES

Mrs GLEESON (Thomastown)—I direct a question to the Minister for Property and Services in his capacity as the Minister responsible for prices. Will the Minister advise the House what further steps the government proposes to take to ensure that the success of the prices peg campaign conducted during the past twelve months is maintained?

Mr SPYKER (Minister for Property and Services)—The Opposition stands condemned in the eyes of the Victorian public for rejecting extension of the sunset clause in the Grocery Prices (Amendment) Bill. It is the first occasion on which Parliament has refused to extend——

The SPEAKER—Order! I advise the Minister that he is now reflecting on a decision of Parliament and what occurred during debate on a Bill. If the Minister is seeking to redebate the Bill, he is out of order.

Mr WILLIAMS (Doncaster)—On a point of order, Mr Speaker, is the Minister not anticipating debate in another place?

The SPEAKER—Order! It is the usual practice for this House not to recognise the other place.

Mr SPYKER (Minister for Property and Services)—I assure the House that the government will continue the prices peg campaign and will do everything in its power to ensure that grocery price increases are kept to a minimum.

The prices peg campaign has been extraordinarily successful. In 1986 a 10·2 per cent grocery price increase took place. Victoria and Melbourne had the highest prices in Australia. During the period in which the legislation operated, that figure was reduced to 3·2 per cent at a time when the Australian inflation rate was 7·1 per cent. Therefore, a 7 per cent reduction in the rate of increase of grocery prices occurred in Victoria. That means that Victorian consumers saved \$140 million. It represents a saving of \$100 for each family in Victoria.

The government will be seeking the support of manufacturers and retailers to retain the prices peg mechanism. If that is not possible I intend to tell the public, which sends hundreds of letters to me and makes many telephone calls about the subject, loudly and clearly that grocery price increases in future will be the fault of the Liberal and National parties for rejecting the proposed legislation.

The Opposition will be responsible for taking \$100 a year out of the average family's pocket. The Opposition speaks about its concern for low and middle income earners. The National Party previously supported the government's legislation. Its Leader said at the time that it was needed.

Mr KENNETT (Leader of the Opposition)—On a point of order, the Minister is reflecting on yesterday's debate on the Bill. The debate took place for some 2 hours and, surely, the time for questions without notice is not the time to debate the proposed legislation.

The SPEAKER—Order! The Minister is reiterating the facts. I uphold the point of order and ask the Minister to cease engaging in what appears to be another debate on the Bill.

Mr SPYKER (Minister for Property and Services)—The National Party originally supported the government's legislation and it is disappointing to see what happened. The prices peg campaign will continue. It has been extremely successful not only in the metropolitan area, but also in country areas. Significant reductions in grocery prices have occurred.

The National Party argued that that was not the case. I assure the House that the government monitors a number of stores in country Victoria and this process has shown that, in the case of Ballarat, prices were the fifth lowest in the State. I ask consumer groups around the State to continue to support the government's policy and the government will let the public know who is responsible for price increases.

Mr WILLIAMS (Doncaster)—On a point of order, Mr Speaker, I direct your attention to Standing Order No. 95 which states, in part:

No Member shall allude to any debate in the other House of Parliament or to any measure pending therein.

I therefore submit that the entire answer of the Minister is out of order.

The SPEAKER—Order! I uphold the point of order.

REDUCTION IN TRANSPORT EXPENDITURE

Mr JOHN (Bendigo East)—I direct my question to the Minister for Community Services, who is the representative in this place of the Minister for Transport. I refer to the Treasurer's advice in the Budget speech that allocations for the Metropolitan Transit Authority and the State Transport Authority imply a reduction in expenditure that is equivalent to a drop in staffing levels of approximately 1400 people, despite the fact that he said alternative means of achieving the expenditure level would be considered.

Will the Minister explain what measures have been taken to reduce the level of expenditure and what has been the reduction in staffing levels in the Metropolitan Transit Authority and the State Transport Authority?

Mr MATHEWS (Minister for Community Services)—The government welcomes the interest of the honourable member in the expenditure containment measures which are being taken in the transport area. It is well known that the present Minister for Transport, like his predecessor who is now the Minister for Planning and Environment, has been vigorous in his determination to contain costs for this crucial aspect of public activity. I shall refer the query to the Minister for Transport so that the honourable member can be given full details of the economies.

THOMSON DAM IRRIGATION CHARGES

Mr WALLACE (Gippsland South)—I refer to the Minister for Water Resources the concern expressed by irrigators during the Minister's visit last week about the \$100 a megalitre being charged for water from the Thomson dam. In view of the fact that the cost is now \$170 a megalitre, what does the Minister intend to do to protect the interests of the irrigators in the Macalister district?

Mr WILKES (Minister for Water Resources)—The decision to charge \$100 a megalitre to irrigators for water in the Macalister district resulted from a standard charge by the Melbourne and Metropolitan Board of Works to the Rural Water Commission and the additional charge of \$70 a megalitre was agreed to by the advisory board, which met with the irrigators last week.

Agreement was reached that if they wanted additional water from the system, which will close down on 16 May this year, they could have it at that price. Not every irrigator

will require additional water, but those whose crops depend on additional watering will be prepared to pay the additional cost. The price of the water for the irrigators is based on what it costs the Board of Works and the Rural Water Commission to take water from the Thomson River.

PETITIONS

The Clerk—I have received the following petitions for presentation to Parliament:

Firearms

TO THE HONOURABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY IN PARLIAMENT ASSEMBLED:

We, the undersigned members of the Anglican Church of Australia in the Diocese of Melbourne, in support of representations made to the Premier by the Archbishop, the Most Reverend Doctor David Penman, in the matter of gun control legislation proposed by the government of the State of Victoria, do petition as follows:

1. that Parliament proceed with due haste to enact such legislation as will reduce the number of guns in the households of this State to the greatest practicable degree;
2. that this legislation restrict the ownership of firearms to those who have a legitimate purpose for their use, who would in each case be trained and hold a licence; and
3. that the legislation place a ban on semiautomatic weapons and military-style weapons as being dangerous and out of proportion to their legitimate use.

And your petitioners humbly pray.

By **Mrs Hill** (479 signatures)

Citizens' rights

TO THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY OF VICTORIA IN PARLIAMENT ASSEMBLED:

This petition of the undersigned citizens of Victoria respectfully shows our concern that the government has announced its intention to deny our civil rights to own personal property (to wit certain firearms owned for legitimate private purposes), to dispose of such personal property in a free and open market, and to refrain from involuntary association and accordingly we respectfully request the Parliament to oppose legislation which would effectively permit the State to abrogate the natural rights of individual citizens by intruding in private premises to confiscate personal property which is now legal, or to enforce such dispossession by other punitive methods such as fines, arrest, or excessive taxation or to impose on the citizens a burden of involuntary membership of an organisation as a prerequisite to exercising a right and in support of our concerns and petition we show that such abrogation of civil rights is demonstrably ineffective and counterproductive in ensuring the public safety of our community or other valid social purpose.

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

By **Mr Cooper** (3838 signatures)

"Nelson" figurehead

TO THE HONOURABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY IN PARLIAMENT ASSEMBLED:

The humble petition of the undersigned citizens of the State of Victoria sheweth:

that the figurehead of Her Majesty's Victorian Warship *Nelson*, the first ship of the Victorian Colonial Navy, being the last remaining relic of this historic vessel, should not be allowed to be taken from Victoria for permanent display in Sydney.

Your petitioners therefore pray that the government use all its powers and influence to ensure that this unique relic of Victorian history be retained in Victoria for posterity.

By **Mr Cooper** (211 signatures)

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

WORKCARE COMMITTEE

Transitional arrangements for pre-WorkCare liabilities

Mr ROWE (Essendon) presented the first report from the WorkCare Committee upon the Inquiry into the Transitional Arrangements regarding pre-WorkCare liabilities together with extracts from the proceedings, 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:

Freedom of Information Act 1982—Report by the Attorney-General on the operation of the Act for the year 1986–87.

Legal Profession Practice Act 1958—Report of the Lay Observer for the year 1986—

Barristers' Disciplinary Tribunal

Solicitors' Disciplinary Tribunal

State Classification of Publications Board—Report for the year 1986–87—Ordered to be printed.

GRIEVANCES

The SPEAKER—Order! The question is:

That grievances be noted.

Mr BROWN (Gippsland West)—I bring to the attention of the House a matter of serious public concern involving alleged illegal practices by certain Road Construction Authority employees and contractors, which have been carried out over a lengthy period.

The alleged illegal activities involve a small number of officers employed by the Road Construction Authority, who are alleged to have entered into what I would describe as a cosy arrangement with some selected and longstanding contractors.

If a full and proper inquiry is established as a result of what I shall bring to the attention of the House, the Opposition knows of people who will cooperate fully with such an inquiry. The Opposition has also been informed that there are people other than those the Opposition has invited to give evidence who will provide evidence to such an inquiry. I make it clear that what the Opposition is seeking is not an internal inquiry—no appointee of the government or of any government authority to carry out the inquiry—but a police inquiry.

The Road Construction Authority over many years has purchased numerous properties for such works as road widening and for other purposes throughout the Melbourne metropolitan area in particular. Substantial improvements had been made to many of the properties in question which were purchased, and in many instances the improvements on the properties were demolished, although in many other cases buildings were not demolished. Where that has transpired, it has usually been as a result of change in government policy, such as proposed freeway works not proceeding.

Mr Lindsay Henry is a property inspector with the Road Construction Authority who is in charge of both major and minor works on RCA properties. Mr Henry has a son, Christopher Henry, who is a plumber and who works as a subcontractor for a Mr Graeme Hull. It has been alleged by a person who has a close and intimate knowledge of the workings of these people that many of the contracts let to the plumbing firm in question were fraudulent either in part or in full.

It is alleged that Mr Henry, Jr, receives most of his work directly from his father, but that an intermediary, namely, Graeme Hull, is used. Up until recent months, Mr Henry, Jr, lived under the same roof as his father.

It is alleged that the paperwork is processed by Mr Hull and he is paid 20 per cent of the money received for his trouble. Most of the work that has been carried out has not been put to competitive tender but has simply been handed out to Mr Henry, Jr, often on a works order basis, but always through the intermediary, Mr Hull. Using that method, so long as the issuing inspector of works signs the documentation, any price the tradesman wishes to charge is paid by the RCA and, effectively, therefore, by the taxpayers of Victoria.

In short, Mr Henry, Sr, gives work to his son through an intermediary and the taxpayer foots the bill for an inflated account. It is further alleged that many of the accounts rendered were for works that were not carried out. In other words, the allegation is not just of overcharging for work done, but also of charging for work that, in many instances, has never been carried out. Such activity would constitute fraud.

It is also alleged that false accounts have been rendered for works never done but supposedly for unblocking sewer drains, replacing tap washers, replacing ball valves in toilets and repairing header tanks on hot water services as well as for numerous other works.

It is alleged that quotations of between \$5000 and \$7000 were received, with the lowest price being from the plumbing firm in question, to reroof a house with corrugated iron in Bayfield Road, Bayswater North, on the basis that the existing asbestos roof was leaking and had to be replaced. An inspector not related to the proposed works inspected the premises and found that the house in question had an iron roof that was in good condition and did not need replacement. If the works proposed to be carried out were extensive in nature, it is alleged that the plumbing firm in question, to cover the inspector involved, namely, Mr Henry, Sr, submitted a loaded quotation using company contacts—namely, a Mr Callaghan and a Mr Fraser—giving bogus higher quotes. It is alleged that the same Mr Callaghan and Mr Fraser were regularly used for such cover quotes.

Another contractor, whom it is alleged has been involved in similar schemes, is Mr Ian Vinan, who trades as Scoresby Fencing. His loaded quotes have regularly been covered by a Mr Brian Hill. It is alleged that quotes were called four weeks after a \$900 account from that firm for the demolition of a bungalow by that firm.

I can claim that since inquiries by the Opposition commenced into these allegations some four months ago, accounts for emergency works in this area of the RCA's operations have dropped from \$12 000 a month to \$3000 a month.

It is alleged that another RCA employee, Mr Ray Smith, who recently retired, had extensive renovation work carried out to the rear of his house. It is alleged that much of the work carried out at Mr Smith's house was done by regular RCA contractors and that the work in some cases was invoiced to other RCA jobs, jobs for which the taxpayers of Victoria footed the bill.

It is alleged that a daughter of Mr Smith occupied an RCA flat for which Mr Smith was the responsible inspector. He had RCA contractors renovate the flat prior to his daughter's taking up occupancy. It is further alleged that, although excellent second-hand carpet was available from the RCA store to recarpet the unit, Mr Smith was nevertheless responsible for brand new carpet being laid in the unit, which his daughter then occupied.

In the case of another of Mr Smith's daughters, it is alleged that an RCA contractor, at taxpayer's expense, removed old carpet from the unit she occupied, and a check of that unit has established that the RCA does not and never did own that property.

The Opposition has received allegations that no full lists of chattels were ever prepared for dozens of properties that the RCA purchased and demolished. In many instances, no

list of chattels was prepared at all. Some of the demolished properties involve present works being carried out, namely, the South-Eastern-Mulgrave freeway link.

It is further alleged that some chattels that were not illegally removed directly from the sites in question were transferred to an RCA store in Ringwood. Thefts from that RCA store have taken place on a regular and organised basis. In the case of two air-conditioners, one has ended up in the contractor's private residence and another in his holiday home. The RCA store in question is in Whitehorse Road, Ringwood.

It is patently obvious from what I have said that the allegations are serious. The Opposition has made extensive inquiries into the allegations that were directed to its attention, and the people the Opposition has interviewed are undoubtedly in a position to know the truth of the matters.

There is no alternative but for the government to move forthwith to have the police inquire fully into these allegations, and the Opposition is in a position to provide the names of the people who are prepared to cooperate fully with a police inquiry.

I make it crystal clear that the people who have approached the Opposition would have no confidence at all, nor would they be prepared to cooperate with an inquiry involving people other than the Victoria Police. They would not be prepared to be involved in an internal investigation because of obvious concerns about mateship where individuals would be interviewing persons with whom they have been involved in a working relationship over many years.

The Opposition is asking for the immediate establishment of a police inquiry into the allegations. Other than the people interviewed by the Opposition, numerous people are prepared to cooperate with the police in an inquiry to clean up this matter.

The number of officers of the Road Construction Authority that are alleged to have carried out illegal and fraudulent practices over recent years is small. I do not want to give honourable members the impression that aspersions should be cast at employees of the Road Construction Authority in general. Unquestionably, of the hundreds of employees, nearly all are excellent, honest and honourable public servants who do their jobs well.

Undoubtedly on the evidence put before the Opposition, some people have carried out practices of wrongdoing over a long period. They should be identified and dismissed from the employ of the RCA. Charges should be laid against them in a court of law. The Opposition requests that a police inquiry be established forthwith. If that is not carried out as a matter of extreme urgency, the government will have to answer questions relative to a cover-up.

Mr WALLACE (Gippsland South)—I wish to raise two matters of concern. The first concerns the drought conditions affecting the Gippsland South electorate in the shires of Rosedale and Alberton. From early in December the shire councils have made numerous applications on behalf of the people in the drought affected area to the Minister for Agriculture and Rural Affairs. They request that the area be declared a drought area. I ask the Minister, who has to make the final decision, to take the matter beyond his department, which makes fresh reports to him each week.

I have endeavoured to lead deputations to the Minister for Agriculture and Rural Affairs to explain the concerns expressed by the farming community in those areas, of which he is not aware, but he continually refuses to meet the deputations. Something should be done about this request as a matter of urgency. I ask the Minister at the table, the Attorney-General, to take up the matter with the Minister in another place to make him aware of the conditions in the two shires.

On 1 April the Glenmaggie weir will have insufficient water for irrigation. If the surrounding areas are not supplied with irrigation water within two weeks, they will become extremely dry and the stock will have no paddock feed. If the area is declared a drought area, the government will incur considerable expense. For that reason I invited

the Minister for Water Supply to the Gippsland area with a view to considering releasing water from the Thomson dam to the Cowwar weir. We have requested that some of the water stored there be delivered to the Nambrok-Denison area.

The Melbourne and Metropolitan Board of Works has an enormous quantity of water stored at the Thomson dam but it has priced the water at \$100 a megalitre. After the price of \$100 had been set for the provision and delivery of the water, it was discovered that a recommendation had been made to increase the price to \$170 a megalitre. The Minister stated today that the price had been increased due to distribution costs. The belief is that 30 per cent of the water diverted from the Thomson dam to the irrigation areas will be lost due to evaporation and therefore the farmers will have to foot the bill to compensate for that loss.

I ask the government to consider urgently the problem afflicting the two shires because, if nothing is done, the quality of the milk produced in that area for distribution in the metropolitan area will be considerably affected. Unless the area receives a good rainfall in the not too distant future, milk supplies to the metropolitan area will be reduced. The South Gippsland area is one of the main dairying areas in Victoria and it is from there that most of the milk is supplied during winter. Many of the cows are on the verge of calving and this also will affect milk supplies. I appeal to the Minister at the table to discuss the matter with his colleague in another place.

The second matter is the Mullungdung Forest which is just out of Yarram on the South Gippsland Highway. The area has been set aside for timber harvesting and for the provision of scantlings for houses and post cuttings. Over the past three months, postcutters in that area have had difficulty finding suitable timber for posts. During that time the regional office of the Department of Conservation, Forests and Lands at Yarram has acknowledged the problems faced by postcutters but, because of government policy, it is impossible for the regional officers to allow postcutters to use a better quality timber.

There are four classes of timber—A-class, B-class, C-class, and D-class. In the past, postcutters have been able to use C-class timber from which to cut posts but, unfortunately, the new policy of the department has forced them to use D-class timber, which is suitable only for pulp. Last week one of the postcutters had to fell eighteen trees to cut 100 posts. Most of the trees were unsatisfactory for posts. I request the Attorney-General, who is at the table, to take up the matter with the Minister for Conservation, Forests and Lands in another place. The locals have addressed the matter as best they can but believe government policy is preventing the postcutters from obtaining suitable timber.

If the timber is not made available, there will be insufficient posts for fences. If the fences are left unrepaired, stock may wander onto the roads and this could be dangerous. Currently postcutters have orders for more than 6000 posts, which they will be unable to cut if the timber that they use is not upgraded.

If the Minister would take up the matter with the Minister for Conservation, Forests and Lands, the postcutters and farmers would appreciate it. The alternative is for better class timber to be made available for postcutting. At present the D-class timber used for post cutting is of poor quality. It is important that a better class of timber be made available. I am certain the problem can be overcome with a bit of commonsense and understanding by all parties.

Departmental officers in the region are working within policy, and that is the problem at present. They are doing the best they can under difficult conditions because of the way the policy has been established. If the government would examine its policy and apply some commonsense, I am certain significant gains could be made.

Mrs GLEESON (Thomastown)—Today I grieve about community violence, and I draw on material that I have read and information conveyed to me by my constituents and residents of the northern suburbs of Melbourne.

I am certain that no honourable member opposes government action on introducing measures to control violence in the community. There has been an upsurge in community violence all over the world. The trend is for weapons to be used irresponsibly. Consequently, ordinary citizens feel threatened when other people use weapons for violent purposes.

Some 75 per cent of the Australian community neither has, nor wants to have, access to weapons that can be used in crimes of violence. Honourable members must recognise that three-quarters of the Australian and Victorian population hold that view.

The government sought to tighten gun laws in Victoria by amending the Firearms Act with the sole object of controlling community violence. It is also important to consider other areas where the government has sought to curb violence in the community and to alleviate some of the fears held by ordinary citizens.

Honourable members should not underestimate the government's efforts in supporting the introduction of resources and facilities for the Victoria Police Force. The government has always enjoyed a good relationship with the Police Force, and the programs it has introduced clearly demonstrates why that is so. When the Labor Party came to office in 1982 there were 8200 policemen in the Victorian Police Force. In June 1988 the government will be funding 9258 policemen. That is a significant increase of more than 1000 police officers. The government has been able to do this by placing public servants into administrative positions formerly occupied by police officers so that those officers can go out into the community and assist in curbing violence.

It is important also to examine the upgrading of police facilities over the past few years, and that is important in the northern suburbs of Melbourne. The 1988-89 Budget will provide funds for a new district headquarters to be commenced in the growth area of Thomastown and Whittlesea and an additional 30 police officers will be provided. On a Statewide basis, all Victorians can look forward to an increase in police facilities.

In 1982 some 122 police stations did not have the assistance of either a police reservist or a public servant to assist with administration. That is deplorable. Community violence has not emerged overnight and I believe its beginnings can be traced back to the 27 years of neglect prior to the Labor Party coming to office in 1982. The government has been involved in a good deal of work and has allocated significant funds for the police to put in a sustained effort in curbing community violence. In its first Budget the government appointed an additional 143 public servants to release policemen from non-operational duties, and that resulted in an immediate injection of police into the community.

Government support must be seen through programs such as Neighbourhood Watch and the Community Policing Squad. I know that Q District, which takes in the northern suburbs, has a very effective Community Policing Squad.

Mr LEIGH (Malvern)—Mr Acting Speaker, I raise two points of order. My first point of order is to direct to your attention the fact that the honourable member for Thomastown is reading her speech.

The ACTING SPEAKER (Mr Kirkwood)—Order! The honourable member can raise only one point of order at a time.

Mr LEIGH—Mr Acting Speaker, I shall come to the next one in a moment. The point of order I raise is that the honourable member appears to be reading her speech. I ask you to rule that she make her notes available to the House.

Mrs GLEESON (Thomastown)—On the point of order, Mr Acting Speaker, the honourable member for Malvern accused me of reading my speech, and he asked me to table my notes. I am doing neither. The honourable member should make up his mind about what he wants before he raises a point of order.

Mr Leigh—It is a prepared speech.

The ACTING SPEAKER—Order! I take it that the honourable member for Thomastown was referring to copious notes. There is no point of order.

Mrs GLEESON—Mr Acting Speaker, I was not reading from copious notes.

The ACTING SPEAKER—Order! The Chair has made a ruling.

Mr Leigh—Mr Acting Speaker, I direct your attention to the state of the House.

A quorum was formed.

Mrs GLEESON—It is sad that when the important issue of the rise in community violence is being addressed and the government's initiatives in dealing with that issue are being described the honourable member for Malvern should continually seek to interrupt.

Mr LEIGH (Malvern)—On a point of order, the honourable member for Thomastown has attacked me merely because I sought to remind the House of its Standing Orders.

The ACTING SPEAKER—Order! The honourable member for Mitcham is out of his place and is being disorderly. The honourable member for Thomastown has not laid any charge or claim against the honourable member for Malvern or any other member of the House and, until she makes such a charge, there is no point of order.

Mrs GLEESON (Thomastown)—It is difficult to make a contribution to this debate, as honourable members have only 20 minutes in which to make speeches on important issues such as community violence, when the Opposition continually seeks to interrupt. I have had two points of order called and a call for one quorum. It is a disgrace that honourable members cannot address important community issues without disruption by the hoodlums on the other side of the House.

Mr LEIGH (Malvern)—On a point of order, clearly the honourable member for Thomastown is attacking me for nothing other than directing to your attention, Mr Acting Speaker, the fact that there are not twenty members in the House; I believe the honourable member is wrong when she makes her complaint.

The ACTING SPEAKER—Order! There is no point of order.

Mrs GLEESON (Thomastown)—I was referring to the important issue of the government's support for a community policing program, which is an attempt to stem the rising trend towards community violence that exists throughout the Western World. It may be an effort for some honourable members to sit through important speeches such as this.

The first forensic science laboratory in the southern hemisphere has been established in the northern suburb of Macleod. That is another first for Victoria and I am proud of that fact as I know other government members are proud. I note that now the Opposition backbenchers are deserting the House! They cannot take a little truth or learn a lesson about what it takes to have good government.

The government has supported many new initiatives which include the development of police community skills through ongoing training programs which will allow the police to continue to meet the needs of the community and to allay the fears of members of the community who are frightened about the upsurge in violence. The community is grateful that the government is doing something about the situation.

The government has encouraged the Neighbourhood Watch program. I attend the Neighbourhood Watch meetings in my area. This program provides for genuinely concerned community people to come together to protect their families and property. They are supportive of the government's programs. In the northern suburbs they are aware of what the government is doing and of its future plans with the proposed police divisional headquarters in the Shire of Whittlesea.

Ethnic advisory units have been established to advise the police on the needs of ethnic people and Aborigines. That is important because these people are usually classified as disadvantaged because they are not necessarily able to articulate their needs when dealing with the police.

A tragic case involving domestic violence occurred when a woman lived in absolute fear for eighteen years because her husband had dug what he termed a grave under the floorboards of their house and every time he wanted her to bow to his wishes he threatened to put her in that grave. He would belt her up and then throw her in the 6 × 3-foot hole. On three occasions the woman was admitted to psychiatric care. Those admissions to psychiatric care jeopardised her ability to move out. She was subjected to a fear that controlled her mind; her husband freely committed her to psychiatric institutional care.

It is because of that sort of situation that I am disturbed by the behaviour of the Opposition when I am endeavouring to address the needs of people who are not necessarily able to look after themselves. I am pleased to report there was a happy outcome to that woman's situation as she managed to gain a command of the English language and she was assisted to leave that marriage.

Although I would not wish generally for marriages to end in divorce—I am a strong supporter of the institution of marriage—unfortunately that was a case where it was necessary. The woman is now just finishing a university degree. Every honourable member should applaud her ability to get herself on her feet after the diabolical start to her life in this country. That was made possible by the government making the resources available for community programs.

The government is also pouring money into psychiatric units. This demonstrates the care the government has taken to assist victims of crime. That woman was a victim. Even though her husband was not charged. He may be able to be charged at some time in the future. However, I believe she is more interested in the forward thrust of her life.

A ridiculous situation was suggested by the National Party, that guns be put in the hands of each school child so that each might be trained at school in their use. In my electorate I know many families who would object to guns being put into the hands of their school children even if only to teach them to shoot responsibly.

There are other pursuits for children. The majority—75 per cent—of the community does not own a gun and does not want to own a gun. Why should the National Party suggest that a gun be put in the hands of every child so that each may be taught how to use them? It has been demonstrated that that is not what the community wants.

Over the past six years the government has provided Victorians with an increasingly effective and efficient Police Force, which has made Victoria a safer place in which to live. The government is sometimes stymied in its efforts by the Opposition. It will be a sad day when Parliament defeats the positive initiatives taken by the government to remove guns from the community.

If there are guns in the community it should be known where they are and for what purpose people are using them. In New South Wales there was the situation of the retiring Chief Commissioner of Police and there are also the revelations of the Fitzgerald inquiry in Queensland. Their policing and law and order policies are an indictment of the National Party and its conservative allies who do not have a record of which to be proud. They continue to be a disgrace.

It is saying something about the attitude of conservative parties towards law enforcement when street marches by genuinely concerned citizens are banned in Queensland while that government leaves apparently untouched corruption and bribery of officials. That is the sort of contradiction the conservative parties in this country want to perpetrate. Despite that, they claim to be concerned about community violence and ask how the community can be made safer.

It will be difficult to make the community a safer place, but the Victorian government is taking steps in that direction. Honourable members have just witnessed the farcical turnaround by the New South Wales and Queensland governments on a national approach to the control of guns in the community. That is parallel to the backflip by the Leader of the Opposition who, in December, was in favour of tighter gun laws but in February was against them.

One case of domestic violence involving the use of or threat of use of a gun occurs every day in Victoria. The Opposition wants that to continue.

Mr HAYWARD (Pahran)—I wish to grieve about the administration of housing in Victoria, and “grieve” is the appropriate word. The problem within the housing area has many manifestations but, to a large degree, the best illustration of the problem is the dispute lasting approximately a week within the Ministry of Housing and Construction. The crux of the dispute was that workers in the regional and area offices of the Ministry imposed work bans because of the frustrations they felt in being unable to properly carry out their responsibilities. Many complicated aspects were involved in the dispute. Fortunately, it was resolved yesterday afternoon; at least there was an interim resolution of the dispute. A committee has been established to examine the problems. However, they still exist and they are deep-seated.

The centre of the problem is that the housing regions were never properly staffed. The top-heavy centralised bureaucracy was not prepared to give up the central office staff positions to the regions. It was a case of the Public Service serving itself rather than the public. That has resulted in discrepancies between the government’s stated objectives and standards and their achievement. That brings with it great potential for the waste of public money, increased damage and vandalism to Ministry of Housing and Construction properties and, importantly, the inability of the officers in the regions to serve those in need.

It is absolutely critical that I illustrate these problems and discrepancies not only for the people in need who are not being served but also for those dedicated workers in the regional and area offices of the Ministry who are experiencing the exasperation and frustration of not being able to perform their jobs properly. To do that, I shall refer to a Ministry of Housing and Construction document—of which I have copies—which outlines the functions involved, the standards set by the government and whether those standards are being achieved.

The document outlines a number of areas, the first being the management of rent arrears. It is clear from the document that in at least eleven regions the proper standards and requirements set out in the manual are not being carried out with respect to the collection and following up of rent arrears. The document indicates that the impact of that is a growth in rent arrears due to the inability of the regions to take appropriate action.

That is backed up by the minutes of the executive committee meeting of the Ministry of Housing and Construction held on 16 February this year. That committee is the top-level management committee within the Ministry. The minutes note that there has been no turnaround in the adverse trend in rent arrears, in other words, the trend is continuing and becoming worse. At 30 June last year the rent owed to the Ministry was approximately \$11.5 million. That has increased by \$500 000 to approximately \$12 million. That is only one aspect of the matter.

The second item in the document refers to rent collection. The standard set by the government is for the daily processing of payments. Sadly, in four regions, the number of collection days has decreased. In eight regions, rent is collected only two or three times a week. That has led to considerable client dissatisfaction and has had an impact upon the arrears problem which I have already outlined.

I shall now refer to the placement of applicants in Ministry accommodation. That can best be illustrated by stating that approximately 32 000 applicants are on the waiting list

of the Ministry for Housing and Construction for public sector accommodation. That has more than doubled from approximately 14 000 when the Labor Party first took office. It is critical that applicants should be properly interviewed and placed as quickly as possible in the available housing.

The government's document sets a standard that interviews should be conducted within three weeks. The Ministry's report states that seven regions are not doing that and, in fact, are not interviewing applicants. They are using a questionnaire and not seeing the applicants. In five regions, the government's standard of interviews taking place within three weeks is not being met and the interviews are conducted only within eight weeks. That is tragic for those people who desperately need accommodation. As indicated by the document, that creates potential allocation difficulties as vacant stock is not being used. It results in client dissatisfaction.

More importantly, the government's requirements for priority interviews for people who are especially disadvantaged and have urgent need for assistance are not being followed. The government's standard requires priority interviews to be conducted at a weekly panel meeting. Sadly, that is not occurring. In three regions they are conducted only once a fortnight. In another three regions, the time span is even longer, and one region does not get around to seeing the people in desperate need; it conducts telephone interviews instead. The document indicates that a crisis situation has developed among priority cases and some of the people involved are in tragic situations.

The document also refers to the vacating and allocating of premises. The government's standard is that premises should be inspected within 48 hours of being vacated. However, the report states that twelve regions are not able to do that. A further four regions take more than a week to inspect premises and to allocate them to people in need.

As the report states, there is a potential mismatch of available housing to needs, and a danger of vandalism in the houses that are left vacant for long periods because proper procedures are not carried out. There are the problems of squatting, of inadequate maintenance, and many other matters.

The government's own document states that the government is not meeting its own standards. Item No. 11 relates to property inspections. These are to be carried out prior to work commencing for assessment purposes, during the process of the work, and, finally, on completion of work to allow accounts to be processed for payment.

The government's requirement is that 75 per cent of all properties should be inspected prior to work commencing. It would be more desirable if that figure were 100 per cent. However, on the government's standard of 75 per cent, the actual performance is that in five regions there are only random inspections; in two regions 5 per cent are inspected; in three regions the rate of inspection is 10 per cent; and in another three regions the rate is 20 per cent.

At the completion of the work, the government's standard is that 100 per cent of properties should be inspected. The government's own report of the true situation is: one region has only random inspections; another region has 20 per cent rate of inspection; and two regions have inspection rates of 50 per cent. The government estimates that this provides the potential for fraud, overcharging and shoddy work at an enormous cost to the Ministry and, inevitably, a waste of public money. That is the government's own assessment of the situation.

Another aspect from which the situation should be viewed is that of the tradespeople and suppliers involved in the carrying out of this work, who cannot be paid until these inspections are carried out. The result is that many tradespeople wait for months for payment.

It is useful to be specific, so I shall cite an example. In the City of Wodonga, five tradespeople have been owed more than \$100 000 by the Ministry of Housing and Construction for longer than three months. That amount might not sound much to the

government, but it is a lot to the small business people involved. In each of the five cases, they have suffered financial hardship because of these outstanding accounts. These cases can be documented, if necessary. These tradespeople have been forced to seek either new bank overdrafts or increase their existing bank overdraft levels. That involves them in considerable increased interest charges. For instance, one of them has had to pay an additional \$700 in interest charges because of this situation.

This unfortunate situation is occurring because Ministry people in the field do not have the time or the resources to go out and make the required property inspections to allow these accounts to be paid.

Item No. 12 relates to regular maintenance programs on all properties within the Ministry of Housing and Construction. The standard set by the Ministry is that 15 per cent of all properties should receive programmed maintenance work each year. Unfortunately, in seven regions limited maintenance work is carried out and in eleven regions virtually no regular maintenance work is carried out. The result is a further deterioration in stock and property value.

I referred earlier to vacant units, which come under item No. 13 of the government's standards. Again the government has a requirement to care for the public as distinct from itself. The main function of the Ministry of Housing and Construction is to help people whose family structure is placed at risk because they do not have adequate shelter. The Ministry stated in a letter dated 8 March 1988 that 588 Ministry properties were vacant, many for longer than six weeks. The Ministry standard is that vacant units should be filled within four weeks. The Ministry acknowledges that that criterion is not being met in a large number of regions and that that involves loss of rental revenue and an increased risk of maintenance problems caused by vandals or squatters.

I have referred so far to the administrative and financial aspects of the problem. What is more important is the fact that 32 000 families are on the waiting list for premises simply because the Ministry is not carrying out the work set by its own standards. These are not standards that anybody else has tried to impose on the Ministry or on the government—as shadow Minister, I am not attempting to impose those standards—it has set its own basic operating standards but it is not complying with them. The result is that people who desperately need accommodation cannot obtain it.

I have a large quantity of anecdotal material about properties that have been left vacant for long periods. Once again it is useful to be specific. In Luckie Street, Nunawading, four two-bedroom units were acquired by the Ministry in the middle of last year. They were renovated completely at considerable cost and have been ready for occupancy for at least six weeks, if not longer. Because the Ministry is not adequately resourced these units have not been inspected and passed as ready for occupancy and remain vacant. Meanwhile people are without adequate accommodation.

Item 14 relates to maintenance inquiries. That is important to Parliament because of the Residential Tenancies Act that was recently passed. That Act requires a 100 per cent response to maintenance inquiries. The actual situation is that, instead of a 100 per cent response, in five regions there is a 70 to 80 per cent response; in another region a 50 per cent response; and in another region an even smaller response. In effect, the Ministry is breaching its legal responsibility under the Act.

There is much more in this document that is a damaging indictment of the performance of the government in the housing area. For instance, it sets out other regional activities to be reduced, such as insurance assessments, assistance at site meetings for estate improvement works, supervision of cleaners and gardeners, staff development, and community consultation. It is a tragic situation.

The reason I am taking this stand is because I am familiar with the operation of the Ministry in the electorate I represent and in other areas. I know the Ministry people in those areas and see many of them on a day-to-day basis. They are dedicated, hardworking

people who are anxious to carry out their work on behalf of those in the community who desperately need their assistance.

The people employed in the Ministry of Housing and Construction are unable to carry out their jobs effectively because they do not have the resources to meet the standards and requirements of the manual. I repeat, the standards and requirements set out in the manual are standards that the government has imposed on itself.

It is a desperate situation, and it is critical that the Minister for Housing and Construction examines the overall administration of the Ministry. The Ministry has been established to serve the interests of people in need and not those of the government. The bureaucratic, top-heavy administration of the Ministry is not achieving that purpose, and it is imperative to get resources out into the community to help the people in need on a face-to-face basis. The government has adopted a centralised approach and is losing contact with the people it is supposed to help.

The philosophy that a Ministry can carry out its function on a theoretical, ideological basis is wrong, and that philosophy is detrimental to the people that the Ministry should serve. As is indicated by the manual, the problems within the Ministry will affect the State's finances. There is enormous potential for massive waste of public money through the general maladministration of the Ministry.

It is an indictment of the Minister and the government that a permanent head of the Ministry has not yet been appointed. The Ministry has been without leadership, and the situation must be rectified immediately.

Mr W. D. McGRATH (Lowan)—The matter about which I grieve relates to the question that I put to the Premier during question time today regarding the sponsorship by the Road Traffic Authority of the Richmond and Footscray Victorian Football League clubs.

It was reported in yesterday's *Sun* that those two football clubs would receive \$150 000 each from the Road Traffic Authority to promote the .05 drink-driving campaign. Members of those clubs will have a .05 logo on their guernseys and will endorse the "Say no to drink-driving" campaign.

I do not criticise the government for using its finances for this type of sponsorship, but that money should not come from the funds allocated to the Road Traffic Authority.

Less than twelve months ago the government introduced legislation that would increase the sale of alcohol by extending the drinking hours in hotels and other licensed premises. That sponsorship money should have come from the increase in licence fees that resulted from that legislation.

The Road Traffic Authority has an obligation to construct the appropriate signs and allocate money for research and promotion to improve the various programs throughout the State. The authority should not be obligated, at the direction of the Minister for Transport and the government, to make money available from its budget to Victorian Football League clubs.

I do not object to the government attempting to get its message across in the best possible way. I appreciate that the VFL competition has a high public profile, and no doubt television will zero in on the players of the clubs involved, but I do not know whether they can pick up the .05 logo. I know that the government hopes that the "Say no to drink-driving" campaign will be as successful as the Quit campaign that has been promoted by the Fitzroy Football Club.

Mr Tony Capes, the President of the Footscray Football Club, says that the concept is good and should bring about an awareness in the community of the dangers of drinking and driving. He is supported by Mr Kevin Bartlett, the coach of the Richmond Football Club, who says that he believes it is a worthwhile campaign that should affect everyone from "kids to grannies". Mr Michael Malthouse, the coach of the Footscray Football Club, says that he enjoys a Bundy and coke after the match, but drinks at home and does not

drink if he is intending to drive a motor car; he endorses the fact that drinking and driving do not mix. All honourable members agree with that.

No honourable member can support a driver who is charged with exceeding the .05 blood alcohol limit. Statutory obligations have been laid down by Parliament. The regulations resulted from the recommendations of the Road Safety Committee, an initiative of the Liberal Party when it was in government, and that legislation was the forerunner of subsequent drink-driving legislation throughout the world. It has been effective in making people aware of the dangers of drinking and driving. People suffer severe penalties when they are convicted of driving with a blood alcohol reading above .05. Drivers who flout that legislation are irresponsible.

I repeat: why is the government taking this money from the budget of the Road Traffic Authority? The authority is desperately in need of funds to promote its programs. Honourable members often see the necessity for additional safety signs or the repositioning of signs. That is the role of the authority, not the sponsorship of the VFL football clubs. If the government wants to use its funds to increase awareness of the dangers of exceeding the .05 limit, it should do so from the licensing fees that it receives from the liquor industry.

The government should be cautious in continuing with these programs because it is totally inappropriate that the Road Traffic Authority should make its funds available for a sponsorship program such as this when it desperately needs its resources for the various programs that it conducts. The research that it does allows the Road Construction Authority to construct better roads and pavements and thus reduce the number of road accidents.

The other matter that I raise refers to the regulations under the Road Safety Act, as they relate to the towing of farm machinery on country roads.

The new regulations came into effect on 1 March 1988 and they divide Victoria into three separate zones, and limitations are imposed on the size of machinery that may be towed behind vehicles throughout Victoria. Permit fees are charged on a sliding scale according to the dimension of the machinery. Authorities such as the Road Traffic Authority can charge up to \$50 an hour to undertake a survey.

I criticise the extent of the permit fees right across the board. One dealer in the Wimmera explained to me that in some cases it costs him up to \$1000 to transport overdimensional farm machinery through some parts of the State. That is too much.

I also seek clarification on the suggestion that such machinery may be moved only by agricultural tractors. Honourable members should bear in mind that, although owners of agricultural tractors pay third-party insurance and fees for numberplates, no actual registration fee applies.

There seems to be some confusion in the community about the matter. It has been said that a direction has been given pursuant to a regulation that only agricultural tractors can be used to tow farm machinery, not vehicles that are covered by the normal registration requirements.

Many farmers in my area, including me, sometimes tow a large auger, a large bin, or even a bale elevator or a bale from their farms to other properties 5 or 10 miles down the road, and they may need to use public main roads or highways rather than just the normal back roads that they use from time to time.

I ask the Minister for Police and Emergency Services or the Minister for Transport to investigate the matter and advise the National Party of the situation. National Party members represent country areas. I know that the honourable member for Benalla and the honourable member for North Western Province in another place, Mr Dunn, have been asked about the new regulations that came into effect on 1 March. There is a need for proper and sound advice so that honourable members are able to relay the right advice to their constituents.

The National Party believes regulations are necessary to ensure the safe transportation of farm implements. Farmers are certainly not the only users of the road network; many other people use the road system. Therefore, everyone should receive equal and fair rights in the use of those roads. I seek some clarification on that point.

I reiterate my criticism of the government for using funds collected by the Road Traffic Authority for sponsorship of the "Say no to drink-driving" campaign conducted by Victorian Football League clubs. If the government intends to sponsor football clubs that operate such programs, the funds should come from the fees collected from the liquor industry.

Mr REMINGTON (Melbourne)—The matter I raise in this grievance debate relates to the current general community concern about violence. There is no doubt that the number of recent multiple murders throughout Australia has concentrated public attention and concern on the increase in violence generally throughout our society.

Violence can manifest itself in a number of forms. Physical force can be used, and I suppose that is the normal way in which violence is viewed in the community. However, equally destructive and, in many cases, equally damaging, is the psychological violence that people can use against each other. I suppose the consequences of physical violence are ultimately expressed in homicide, but not all physical violence results in death. People inflict serious injuries upon one another.

An analysis of the problem of violence clearly indicates that violence is mostly male oriented; and it follows from that that women are among the principal victims of violence. In considering the issue of homicide one is reminded of what has been expressed in this place, and what cannot, under any circumstances, be underemphasised: that is, that 80 per cent of homicides occur within the family, and women are the principal victims.

Mr W. D. McGrath interjected.

Mr REMINGTON—I hear a National Party member making a supercilious interjection. Of course, I am reminded of the disgusting position that the National Party took recently during a debate in this place, when it clearly expressed the view that every citizen in country Victoria had the right to own a gun and certainly to use it.

I was somewhat disgusted at the Leader of the National Party who said that if his wife, daughter or son wanted to purchase and own a weapon he or she ought to be permitted to do so.

Mr W. D. McGrath interjected.

The ACTING SPEAKER (Mr Kirkwood)—Order!

Mr REMINGTON—The honourable member is very sensitive. I can hear the ugly voice of the gun lobby.

Mr W. D. McGrath interjected.

The ACTING SPEAKER—Order! The honourable member for Lowan had the protection of the Chair when he made his contribution to the debate, and I know his better self would want the same protection to be provided to the honourable member for Melbourne.

Mr REMINGTON—Thank you, Mr Acting Speaker. The honourable member for Lowan, by interjection, introduced the subject with a rather boasting sneer upon his face. He seemed to imply, with that boasting, braggarting and almost violent interjection—if I may use that phrase—his pride that the gun lobby could claim success in having an impact on the New South Wales State election.

Mr Gude interjected.

Mr REMINGTON—There were many elements to be considered in the New South Wales election. The fact that the National Party feels happy that the gun lobby made a major contribution to the defeat of the Labor government in New South Wales is certainly of concern to me; and it should be of concern to the State that a member of the National Party would boast that it was the ugly face of the gun lobby that achieved success in the defeat of the New South Wales Labor government. There are many reasons why that government was defeated.

Mr W. D. McGrath interjected.

Mr REMINGTON—I am disgusted to think that the violent, loudmouthed interjector, the honourable member for Lowan, perceives that the critical elements in the defeat of the New South Wales Labor government were the activities of the gun lobby in that State.

Mr Mathews interjected.

Mr REMINGTON—I am well aware of the support by the honourable member for Benalla for the creation of young Rambos; he wanted all the girls and boys in secondary schools to be trained in the use of firearms.

The matters with which I am dealing are essentially the effects of both physical and psychological violence. I do not claim for one moment that the lack of control of ownership and the misuse of guns are the only reasons for violence in society. It would be ridiculous to suggest that.

There are a number of underlying psychological reasons, which would certainly be beyond the violent intellect of the honourable member for Lowan. In addressing the causes of community violence, one must consider the fact that we live in an extremely stressed society.

Mr Leigh—Mr Acting Speaker, I direct your attention to the state of the House. The honourable member for Melbourne deserves the attention of more of his colleagues.

A quorum was formed.

Mr REMINGTON—Before the calling of the quorum I was dealing with the underlying causes of the increase in violence and, in particular, in homicide in Australia—and at a closer level, in Victoria. I was saying that although guns play a large part in homicides, other important factors are involved, particularly the stress in society.

The firearm is the vehicle for carrying out the ultimate expression of stress. However, people in the work force with whom I have spoken—whether they are on the factory floor or in the salaried professional area—have consistently complained of the pressures and stresses placed upon them.

Homicide is a crime which is socially, historically, and culturally determined and does not belong to any particular stratum of society. Homicides are committed by people in all strata, from those in relatively low financial positions to those in relatively high financial positions. Homicide is a crime committed for a variety of reasons and stress is one of its principal causes.

I commend the government for instituting an inquiry into violence through the Social Development Committee, chaired by the Honourable J. L. Dixon. When the debate on guns has concluded, the government will consider the findings of the inquiry into community violence by that committee. I am pleased to note that the conduct of that committee is on a non-party political basis, unlike the gun debate.

Mr Leigh—Mr Speaker, I direct your attention to the state of the House.

A quorum was formed.

Mr REMINGTON—I am glad that the honourable member for Malvern directed your attention, Mr Speaker, to the state of the House because I was dealing with stress and it is

obvious that the mischievous calling of a quorum, although it is a Parliamentary responsibility, nonetheless was done in a manifestly stressful manner.

When one looks at the people who suffer from stress and carry out such mischievous performances, one naturally asks, "What causes stress?" In my notes I have listed various causes. One is a level of under-performance, indicating that people who are under-performers are more likely to suffer from stress. Others are people who have a low self-esteem.

Mr Shell—That is the honourable member for Malvern!

Mr REMINGTON—I did not intend to bring politics into my contribution to the debate! Another cause of stress relates to people with diminishing skills and, when a person jumps up halfway through an excellent speech and calls for a quorum, it is a reflection of stress. Therefore, more than other honourable members, the honourable member for Malvern must be interested in the inquiry into community violence. I hope he will make a contribution to it.

What sort of society do honourable members want to live in? We want to live in a society relatively free from the fear of violence. I am concerned that Victoria is heading down the American path where violence and homicide is ever increasing. In 1960 in the United States of America there were 8464 homicides per 100 000 population. That figure had almost trebled by 1983, when there were 20 191 homicides in America per 100 000 population.

An honourable member—Why is that so?

Mr REMINGTON—I think it comes back to the fact that America is a violent society and it is a society where people think they have the right to use a gun and, unfortunately, to use it on another person.

I have a copy of a bulletin, *Trends and issues*, compiled by the Australian Institute of Criminology. It contains reference to statistics on violence in Australia. The bulletin refers also to Canadian legislation introduced in 1978 when Canadians were confronted with the same situation Australians are trying to grapple with now. The Canadians considered the question of violence and homicide and the following observation was made:

Canada introduced comprehensive gun control reforms providing for new national licensing and screening procedures; registration of firearms; prohibition orders on certain types of gun ownership and possession; increased penalties for firearm offences; the promotion of safe firearm handling and storage measures; and the regulation of firearm businesses.

Some years later they examined the results of the legislation introduced in 1978; those results provide an absolute endorsement for the action taken by the Cain government in trying to reduce the number of firearms and the number of homicides and incidents of violence in Victoria. Because of its 1978 legislation there had been a dramatic fall in all levels of crime incidence in Canada, including a dramatic decrease in incidents of violence. The number of violent crimes committed using firearms declined dramatically in the period following implementation of that legislation.

Mr W. D. McGrath interjected.

Mr REMINGTON—The honourable member for Lowan is interjecting—his party forms the ugly gun lobby! National Party members do not want to know how successful the Canadian legislation has been. They are not concerned with family issues, or they would be studying this bulletin and, instead of opposing the government's Bill on gun control, they would support it; instead, its members stand up wearing the symbol of the fish!

According to the bulletin, the finding in Canada was:

Where firearms were used in violent crimes there was an increasing trend for the firearm to be a hand gun.

The government has covered that instance in earlier legislation in Victoria. The Canadian experience, according to the bulletin, was:

There was a displacement of firearms by other weapons in robberies.

That happened in the United Kingdom, where bandits were inclined to hold up banks with spray cans because of the consequences to be suffered for the use of firearms. The article further stated:

Accidents with firearms showed a downward trend. Suicides with firearms declined.

The Cain government has set upon a path to decrease community violence in Victoria by means of the Bill. The proposed legislation ought to transcend politics in Parliament. Every honourable member wants to see a decrease in firearms in the community but the opposition parties, in their opposition to the Bill, have taken a political decision to oppose attempts by the Cain government to achieve that aim. It is perhaps the worst type of political stand—one of opportunism—that I have seen in my ten years in Parliament.

Mr GUDE (Hawthorn)—The matter I wish to raise in the grievance debate is for the attention of the Minister for Industry, Technology and Resources, and relates specifically to contractual concerns surrounding the Portland smelter site.

From its inception the Portland project has been surrounded by difficulties and problems, particularly since the commencement of work on the site. If one examines the industrial relations problems that have occurred at that site one can see the background to the entire process.

One interesting feature of the industrial relations process was that at least it gave Victorians the opportunity of seeing at first hand the way in which the government has become infamous for its backdowns with its trade union affiliates.

I refer particularly to one of the disputes, relating to the Electrical Trades Union of Australia, which had applied bans for three months, only to ultimately receive a \$10.60 weekly special allowance. That deal was done in secret and is consistent with the performance of the government in industrial relations matters. It does shonky deals in the dark and then seeks to have them ratified by an industrial tribunal or, in the case of the National Tennis Centre site, to flout the Australian Conciliation and Arbitration Commission and to ignore the State Industrial Commission of Victoria.

I refer to an article in the *Age* on 5 February 1985 which reported on the dispute:

The increase was a significant victory for the Electrical Trades Union of Australia which had been fighting for the rise since early October.

The Electrical Trades Union of Australia knows that pressure can be valuable, because at the time of that dispute there was an election in train. Honourable members should recall that only a matter of days ago, prior to the Kew by-election, the same union applied pressure on the same government; it was a different issue but it had the same result—a cave-in, and a cover-up!

The House found out about that because the Minister for Labour had indulged himself in excess of his authority, so far as the Treasurer was concerned, by agreeing to a deal and a commitment with the unions in respect of superannuation. The Minister for Labour found himself being publicly chastised by his colleague.

That is a growing symptom of the condition of the government, with Ministers bickering, and not only in private, as has been observed on other matters. Further evidence of that is seen on the guns and powerlines issues, and now there is bickering in public with respect to important industrial relations matters. It is no example to be set for the community.

The Portland project provides an opportunity, when properly reviewed, of observing some of the double standards of the government. I refer to contract No. 16984-346 for the air gravity conveyors and fluoride recovery system at Portland. I could refer to other examples, but that happens to be convenient.

Originally the contract was set at approximately \$8 million but was ultimately cancelled and another contractor completed the job on a cost-plus basis. That raises the question of why the original contract was let on a fixed price basis, and how it was that it could eventually go to a cost-plus basis.

On a number of occasions the House has heard denials of a financial blowout on the project. The government denied, but I refute it, that the project blew out by approximately \$200 million. A reason for that occurrence was that the government moved away from fixed price contracts to cost-plus arrangements; on that occasion, the cost-plus arrangement blew out to more than \$31 million. The government chooses to ignore the difference between the original \$8 million and the \$31 million. That is a matter of its convenience, but it is not one of truth and honesty.

That raises a number of interesting issues: what was the original contract sum for the project? Was it \$8 million; was it \$6 million or was it \$8.5 million? The Opposition wants to know the size of that contract. How much was paid to the original contractor who was eventually kicked off the site? Why did he not finish the work? It could have been because of the experimentation at Portland on occupational health and safety grounds; that is a matter I shall not deal with today, but I promise I shall raise it on another occasion.

Why did the contractor not finish the work? What was the cost of finishing the work, and what are the reasons for the differences? The answers need to be publicly disclosed.

When I commenced, I referred to the issue of double standards. Earlier today the House heard the Treasurer, in response to a Dorothy Dix question from one of his colleagues with respect to WorkCare, indicate that the government was not prepared to take insurance companies to the Supreme Court of Victoria to claim the moneys that it now says are owed to it, as could have been done during the past two and a half years. It has not done so because it is weak and wimpish!

The government is not prepared to do that, but the double standard occurs when the government has the whip hand. When it is the litigant, it is not prepared to allow contractors to settle their dispute.

At present three contractors have listings with the State Supreme Court for moneys the government owes them, which I understand amounts to more than \$45 million. These moneys are owed for work completed some time ago and the government is not prepared to settle and allow the matter to go before the courts of this land.

That is an absolute disgrace and it is a clear indication of the double standards of the government and the Treasurer in financial matters. When it is in the government's favour it will force the contractors and the little people of this world through the State Supreme Court. It will not settle deals but, when it comes to the government wanting to collect money, it says: "We do not want to know anything about the legal system. We will change the rules and we will apply them retrospectively". So it changes the rules and applies them retrospectively.

Honourable members have to put up with the jack booted Gestapo attitude of the Treasurer of the State who effectively said, this morning: "If you do not succumb, we will change the Act again. We do not care about the laws of the land or about the rules; we will tear them up". It is a double standard of the worst order.

While I am dealing with WorkCare, I shall also examine statements made in a report tabled in the House today. The Opposition chose not to take up the point when that report came into the House because it knew I would have the opportunity, in the grievance debate, of speaking about the report.

The report tabled this morning concerned an inquiry into one element of WorkCare, which related to the transitional arrangements between the insurers under the old workers compensation system and the present scheme. At the front of that report was a chairman's

foreword, which ran to approximately eleven pages of diatribe and nonsense designed specifically to push the point of the government members on that committee.

I remind the House and those people who may be interested in the debate that the government has a majority on that committee and the chairman was not slow to use his casting and deliberative vote on any occasion to ensure that the report represented the views of the government, irrespective of the evidence presented to that committee of inquiry.

Standing Order No. 216 (a) states:

The chairman shall read to the Committee, convened for the purpose of considering such report, the whole of his draft report, which shall be printed and circulated amongst the members of the Committee.

Standing Order No. 216 (b) states:

At some subsequent meeting of the Committee the draft report shall be considered paragraph by paragraph, the Chairman putting the question to the Committee at the end of each paragraph . . .

And the quote continues. The committee never saw the chairman's report, let alone had the opportunity of giving it paragraph-by-paragraph consideration!

It is quite clear that the chairman of this joint House committee—a committee set up by both Houses of Parliament—has chosen deliberately and calculatingly to flout the rules of Parliament for his own personal grandiosity. Perhaps he was after some gain for his party or perhaps he was acting as a puppet of the Treasurer.

It is clear that government members of the committee put all of their time into producing a report that would be consistent with the proposed legislation introduced and rejected by the House late last year. It is quite clear that members of the government chose to ignore the evidence because there was no evidence. Not one shred of evidence was put before the committee which would lead anybody away from the original concept of the proposed legislation.

Honourable members have seen the government use its temporary majority. If ever the people of Victoria wanted to see an example of what they would be facing if the government had control of both Houses of Parliament, they need look no further than the WorkCare legislation which was passed at the time of the Nunawading Province by-election and re-election.

The legislation was slammed through and the Parliamentary committee was charged with the responsibility of determining whether or not there was an agreement between the government—and in particular the Department of Management and Budget—and the insurers of the previous workers compensation scheme.

All of the minutes that came from the insurance industry delegate concerning the meetings that they had held included continuing references to "gradual process", which is what the argument is all about—is it all injury or is it gradual process injury?

The documents that were printed and produced by the government including its own transitional agreement in its WorkCare booklet included the gradual process limitation; and the Act includes a heading, "Gradual process". If it were the fact that the government wanted to embrace all injuries, why refer to gradual process? Why then go to the extent of seeming to qualify that further and give, as an example in its own publication, the case of loss of hearing?

Of course, one can relate to that being a gradual process injury because one does lose hearing over a period, particularly if one is working in a heavy engineering factory where the noise is constant and incessant. The hearing can deteriorate.

The government's own legislation has a heading, "Gradual process". Section 129 of the Act refers specifically to that. But the government, having got into a situation where it is losing \$18 million a week on WorkCare and where it has lost more than \$3 billion on WorkCare now seeks to get its hands on some of the money.

The chairman, in his special little addendum to the report which was not approved by the committee, referred to an amount of \$900 million, which was supposed to have been referred to by the General Manager of the Accident Compensation Commission, Mr Markley.

That was the most disgraceful misuse of any figure one has seen. Mr Markley indicated that he did not know how much the figure was. In other words, he did the usual union trick and made an ambit claim of what may or may not have been the reality and, consequently, no-one knows how much it is.

Now, because of the chairman's indiscriminate remarks, the Treasurer is claiming throughout the State of Victoria that the insurance industry owes the government \$900 million; With respect to double standards on this issue of litigation, I have already explained in comments I made earlier how the government wasted \$200 million on the Portland project.

The government has lost its way. It is arrogant and high-handed in its entire approach to this whole issue. The reality is that the problems and the reports of WorkCare are still continuing and little or no attention is being given to that fact.

I shall quote one of those examples from the Langwarrin Primary School. I could go on forever, but I shall quote just the one. The bursar of the school, a Mrs Margaret Stark, has been employed at the school for a period of ten years. She went on workers compensation on 5 August 1985 on the grounds of stress. It appears that she has been fairly stressed for a long while, and we heard from the honourable member for Melbourne earlier about the problems of stress.

But it does not end there. The cleaner of the school, Mr Donald Stark, who has been employed for at least ten years, is also on WorkCare, and has been on workers compensation benefits since June 1986 because he has an allergy to dust. That could be true, but the problem is that, although these matters have been directed to the attention of the Accident Compensation Commission, and although the Treasurer has been saying his investigatory group will stop all of these fraudulent practices, they are still going on.

The two people in this case happen to be husband and wife and they live in Frankston. Mr Stark has a backyard printing operation and he also has a lawn mowing round. He is fit enough to do these things but he is also smart enough to be able to rip off the system.

The sitting was suspended at 1 p.m. until 2.5 p.m.

Mr GUDE—Before the suspension of the sitting I was completing my remarks about the double standards of the government, particularly as they related to WorkCare and the contractual arrangements at the Portland Smelter.

I shall talk about a matter that is presently affecting the people of Victoria. It relates to the threatened petrol dispute in the State. A number of unionists have gone on strike; that action will affect the availability of petrol supplies. It is no wonder that Victorians experience such strikes because unionists have learned that the government backs down under pressure. The government has made private deals with unions in the public sector concerning the 4 per cent wage increase.

Honourable members need look no further than the successful blackmailing tactics that have been employed by unions in the construction industry to see how the government operates. The shoddy deals done in the building of the National Tennis Centre show the way things happen in Victoria.

One has only to look at the way in which the government has backed down to unions since 1982 to see how the private sector is being held to ransom. The transport strike in 1987 cost city retailers \$200 million. The government has also backed down on the use of two-way radios in trains.

I have the latest figures on the number of days lost due to industrial action in Australia. Those figures show that, for the twelve months ending October 1987, Victoria recorded the highest number of days lost due to industrial action since the year ended November 1982. In the year October 1986 to October 1987, 417 900 working days were lost due to industrial action. The number of days lost due to industrial action in the year ended October 1986 was 285 500. Those figures represent a 46 per cent increase in the amount of production time lost because of industrial action.

The only State with a worse record during that period was the then Labor State of New South Wales. When one considers the situation in the coal industry in that State, that may account for the difference. In Queensland, only 91 working days per 1000 were lost because of industrial action compared with 258 working days lost per 1000 in Victoria. In South Australia the figure was 96 working days lost per 1000.

The government has ignored the principles of wage fixation set down by both the Australian Conciliation and Arbitration Commission and the State Industrial Commission by making sweetheart deals with unions. That is one of the reasons why unions continually go on the rampage and hold the community to ransom.

The unions have discovered that the government yields to their pressure. The community—particularly those people who are employed in the private sector—ultimately pay the price of such action. The unsuspecting public of Victoria is inconvenienced when stoppages occur that affect the supplies of petrol.

Finally, because of the government's weakness, the people of Victoria are forced to bear the highest rate of taxes and charges of any State.

Mr B. J. EVANS (Gippsland East)—I want to speak about the ill-fated dam project on the Mitchell River. I am pleased that the Minister for Water Resources is in the House to listen to my comments.

The proposal for a water storage on the Mitchell River is more than 100 years old. Approximately 100 years ago a local trust was authorised to construct a dam on the Mitchell River to divert water from the river to irrigate the Mitchell River flats and the neighbouring high country.

Although a masonry wall was constructed across the river at that time, the project failed because of a lack of finance. It was found that local people, on their own, were unable to finance a project of that magnitude. The situation was not peculiar to that part of the State.

In 1895 a Royal Commission was established to examine the failure of a number of such projects throughout the State. The findings of the Royal Commission led to the setting up of the State Rivers and Water Supply Commission. Over a period of more than 50 years the commission became recognised as one of the leading bodies in the world responsible for the construction of water storages. The commission left a legacy of water storages and irrigation schemes that has substantially improved the standard of living of all Victorians.

The idea of a water storage for the Mitchell River lapsed and no active steps were taken. In the mid-1960s, the project was revived. Specialisation in vegetable growing occurred. The Lindenow Flats area is a very rich alluvial flatland built by nature and is a perfect area for market gardening. The alluvial soil has underlying aquifers. They are the relics of old riverbeds that have been covered over a period of years and act as natural drainage for the river flats. It is like growing a pot-plant; one puts the rubble in the bottom of the pot first to provide the drainage, and then fills the pot with soil.

The Mitchell River flats have been built by nature and lend themselves ideally to irrigation because of their natural drainage. They do not waterlog and the fertility of the soil is high. Because of the climatic condition a wide range of vegetables can be grown. The only limiting factor is the availability of water. Unfortunately, nature does not provide a consistent rainfall. The area receives a little over 22 inches a year, which is not sufficient

to ensure adequate flows in the Mitchell River during the year when that water is needed for the growing of vegetables.

Over recent times, valuable vegetable crops have been at risk because of the restrictions placed on irrigation from the Mitchell River. That river is the largest river in the State without water storage. It has an annual flow in excess of 600 000 megalitres a year.

In 1965 a road was constructed into a site for the building of a dam. In 1982, the first thing the government did when it came into office, much to the disappointment of the people in the area, was to scrap the Mitchell River project, which was already under way. Eighteen months ago, Cabinet Ministers visited Bairnsdale and several Ministers spoke with a number of vegetable growers. As a result of those discussions, the government agreed to carry out a study into the feasibility of a storage area on the riverflats.

As a result, in 1987, a report entitled "Mitchell River Investigations, Future Supply Options" was produced. The covering letter states:

At this stage, the government has not considered the options raised in the paper. It clearly has no plans to develop the water resources of the Mitchell River in the foreseeable future.

That is a clear statement, but it is inconsistent with the carrying out of a future study of water supply options.

The Mitchell River has been the subject of more inquiries into storage sites and more economic cost-benefit studies than any other area. It was the first project to be the subject of an environment impact study. There has been a lot of talk about it, but no action has taken place.

The General Manager of the Rural Water Commission, Mr Michael Blamey, visited Bairnsdale to discuss the future needs for water in the area, and made the following statement:

... a recently published report on the Mitchell River and options for storage should not be regarded as suggesting on a firm basis that a dam would only be built if it were financed by the farmers.

That is a consistent statement, but paragraph 28 of the report states:

From the viewpoint of minimising financial risk to the government a full capital contribution from irrigators would be required prior to the completion of the project.

Those two statements are in direct conflict. Were the authors of the summary report being honest when they said that, "a full capital contribution from irrigators would be required prior to the completion of the project", or is Mr Blamey correct when he says that the "options for storage should not be regarded as suggesting on a firm basis that a dam would only be built if it were financed by the farmers." That is the way I read the report.

Mr Wilkes—What he meant was that, even if they paid for it, they would not necessarily get a dam.

Mr B. J. EVANS—That is an interesting interjection from the Minister for Water Resources: "even if they paid for it, they would not necessarily get a dam".

Mr Wilkes—There are priorities.

Mr B. J. EVANS—I appreciate that, but that is another matter. The report clearly states that the government has no intention in the foreseeable future of constructing a dam on the Mitchell River. Why mislead the people in the area by conducting an investigation and asking for submissions if the government has no intention of building a storage? The people of the area have had their hopes built up, but what the Minister for Water Resources has just said is that if they do not pay for it they will not get it.

Honourable members interjecting.

Mr B. J. EVANS—I should be happy for the Minister to clarify the matter. The Minister is suggesting that what Mr Blamey says is that even if they pay for it, they will not necessarily get it. He said:

... options for storage should not be regarded as suggesting on a firm basis that a dam would only be built if it were financed by the farmers.

Would the Minister clarify the matter?

Mr Wilkes—I certainly shall. I shall write you a letter.

Mr B. J. EVANS—I should be delighted if the letter states that the current government will under no circumstances consider the construction of a storage area on the Mitchell River during its current term in office or any future term.

I do not want to see good, honest, hardworking people being led up the garden path by the government suggesting that everyone should continue talking about it, because while everyone is talking about it the government is keeping up their hopes that some day something might happen.

I suggest that it is firm government policy that it will not build a dam on the Mitchell River unless that water is required for use in the metropolitan area or some other part of Victoria. The government will never build a dam on the Mitchell River for the benefit of the people in that region. It will do the same thing as it did with the Thomson River dam, a dam that serves not only the metropolitan area but also other areas. The people on the Mitchell River are entitled to benefit from the water resources of that area.

Mr Simpson—How many farms are affected?

Mr B. J. EVANS—The honourable member for Niddrie, who is interjecting as usual from out of his place, asked how many farms are affected. Surely the question is whether the dam should or should not be built.

Mr Simpson—How many farms?

Mr B. J. EVANS—I have not counted the farms; some of them might have been merged. The obvious inference from the interjections of the honourable member for Niddrie and the Minister for Water Resources is that if not many farms are affected, the dam does not deserve any consideration. That is exactly what they are suggesting. The Minister said that if only a few farms were involved, the construction of a dam does not matter. The farmers have no claims because they do not have the numbers. That is all the honourable members understand.

I am pleased that the electors in New South Wales have woken up to that attitude. Perhaps the Victorian Minister for Water Resources could learn from some of the comments of his colleagues in New South Wales who attributed much of the defeat of the New South Wales Labor government to its attitude towards woodchipping. While the Victorian government continues to flaunt its numbers in the metropolitan area, the country people do not matter. The day of reckoning will come for this government in exactly the same way as it came to the New South Wales government.

Mr NORRIS (Dandenong)—I address my remarks to the important but difficult topic of video violence, which is currently receiving a lot of attention throughout the community. That is appropriate. I shall refer also to screen, cinema, and television violence.

This topic is difficult because any subject that involves some form of censorship is anathema in a democratic society. In a democracy it is my right, as a citizen, to view anything I choose in the privacy of my home among people with like interests. That is the argument of civil libertarians and, at times, the argument is difficult to counter. The rights of individuals are the cornerstone of any democratic society.

Mr Leigh—Mr Speaker, I direct your attention to the state of the House.

A quorum was formed.

Mr NORRIS—Before I was rudely interrupted I was reminding honourable members that a difficult facet of any democracy is that of censorship. In days gone by no honourable member has worked harder than I have to eradicate censorship.

In the 1960s when the great censorship debate was raging I was a member of Actors Equity of Australia and I led a march to Parliament House. Honourable members may recall a play, *Norm and Ahmed*, by Alex Buzo. That play became the centre of the argument on censorship in theatrical circles. The play was banned because the final line contained a phrase like “Wog bastards”. If that expression were used today, no-one would bat an eyelid.

Actors Equity of Australia was active in trying to free society of censorship and trying to drag this State screaming into the twentieth century. Those were the days when furore surrounded the comments by Sir Arthur Rylah about his daughter reading *Lady Chatterley's Lover*, *The Group*—

Mr Wilkes—And *Portnoy's Complaint*.

Mr NORRIS—Yes, some people possibly believe they have Portnoy's complaint today! Actors Equity of Australia tried to loosen up society in the innocent days of the 1960s. Twenty years down the track the heavy hand of censorship has been released not only in Victoria but also throughout the country. We feel freed, released and able to pursue our own wants and desires. I do not mind admitting that since the 1960s I have possibly done a complete turnaround on my attitude to this topic. In many areas those freedoms have been perverted, abused, and corrupted.

All honourable members may learn a lesson from that. Legislators must be aware of the fine line between cultural freedom and the rights of individuals in a free and democratic society. Many honourable members are aware of my attitude to censorship, pornography, and film and video violence because I have made many speeches in this place on that subject and occasionally I have been ridiculed by members of the Opposition. I confess that I have changed my attitude since the 1960s.

Possibly I have learnt a lesson; we might have proceeded too quickly and might have made mistakes. *Norm and Ahmed* was banned because of a phrase that we may consider today to be innocuous. Today in our living rooms we watch certain acts shown on our television screens that would have beggared description twenty years ago.

The difference in our society is evidenced where money is involved. If one creates an industry that markets violence and pornography, one must continually titillate the market to keep it afresh, interested and anxious to buy or hire one's products. This poses a great dilemma because the guidelines in society have not been drawn distinctly. Different guidelines could be drawn up; for example, my morals might not be the same as those of the honourable member for Hawthorn. It is difficult because individual choice is involved.

A line must be drawn for people who wish to purvey and view violence, excessive sexual violence, torture, mayhem, and blood and gore, which unfortunately, are available today. We, as legislators, must say, “Enough and no more! These are the guidelines of our society and, if we have offended some civil libertarians, too bad!” I am conscious of the fact that today we are ready for those guidelines.

The Social Development Committee has established an inquiry into community violence. That is marvellous because this problem should be addressed on a bipartisan basis. Believe it or not, the market for this sort of material is astronomic. In the United States of America 30 per cent of all videos sold or hired are pornographic or depict explicit sexual violence. When millions of dollars are there to be grabbed in the marketplace and one is aiming at the young or often the sick, anxious or frustrated misfits, one is aiming at a delicate and vulnerable market. Some 30 per cent of all videos sold and hired in the United States of America fall into that category: they are either pornographic or excessively violent. When the first sexual barriers were breached, we became blasé about it. Then the really excessive

violent videos moved in. In 99 per cent of cases the sexual violence is perpetrated on women.

Several years ago this House debated X-rated videos. At that time many video outlets had certain X-rated videos in a closed-off section of their premises. Many people, including members of Parliament, thought that some of those videos went too far.

In 1984, from memory, the Film (Classification) Act was passed, and it put all the, shall I say, nasties, on hold. At that time I read an article in the *National Times* about Janet Strickland, the then Commonwealth Chief Censor, and her guidelines for film censorship. I was amazed. The original guidelines of the Film Censorship Board were so liberal as to be almost ridiculous. They allowed bestiality, coprophilia, necrophilia, and all sorts of "philiias". They were practices that the ordinary person in the suburbs would not believe.

That is one of the difficulties with censorship. Censors often become so immune to the films they are viewing—it is their job, they watch it every day—that after a while they do not mean anything at all. Some time ago Neville Wran, in racy New South Wales, said, "Some of this stuff being peddled in our video shops is beyond the pale". A compilation tape was put together by the board. I asked to see the tape in Victoria. I wrote to Janet Strickland, the Commonwealth Chief Censor, and she said, "No, that would be difficult; you will have to go through your Attorney-General". I asked the then Attorney-General, the Honourable Jim Kennan, now the Minister for Transport, to view the tape and he arranged for me to see it.

Mr Speaker, I have been around for quite a while, but I was absolutely staggered by this compilation tape that had been put together to show the various films viewed by the board. The tape contained excerpts of films that had been passed, stalled or banned. I viewed that tape together with another Parliamentarian, who shall be nameless, who is a civil libertarian; his angle was that it is a person's right to view whatever he wants in the privacy of his own home. After watching the tape, this civil libertarian said, "I have changed my mind".

When it reaches the stage of having child pornography, bestiality and sexual violence of a nature that almost buggars description being perpetrated on women in 99 per cent of cases, no-one has the right in a civilised society, as ours is, to view material that, in my opinion, encourages law-abiding citizens to enjoy crime.

That is where the arguments of civil libertarians fall down. Guidelines must be drawn. It is too bad if it offends civil libertarians because there is a dark side to human nature.

Mr Leigh—Mr Speaker, I direct your attention to the state of the House.

Mr NORRIS—I thought you might be interested in this.

Mr Leigh—I am.

Mr NORRIS—Fine, I will give you a copy of my speech!

A quorum was formed.

Mr NORRIS—As I was saying, there is a dark side to human nature.

Dr Coghill—Over there!

Mr NORRIS—Yes, indeed. The Greeks were very much aware of this and *Oedipus Rex* is a good example. What more horrific tale can there be than a man murdering his father and marrying his mother, and then, on discovering the truth, gouging out his eyes. That is an awful scenario. But because the Greeks did so much off stage, it stimulated discussion and debate within society.

I also refer to the Hollywood era, the heyday, where so much was suggested. The great old cowboy, gangster and romantic films contained much suggestion and, in my opinion,

they were much better for it. More demands were made of the audience. Today nothing is suggested in many of these films and videos; it is all out front, explicit and gory.

Besides videos, another significant problem in our society is our news coverage. It does not matter whether they—the broadcasters—be self-regulating or if guidelines are laid down for them. Something must be done. People now sit down for dinner and watch the television news portraying bodies, pools of blood, relatives sobbing, and bent and twisted cars as a result of accidents. On examining the various broadcasts, one comes to the conclusion that each channel is trying to outdo the others with how many bodies and terrible accidents it can portray. I believe governments can influence local television channels by imposing guidelines or requesting the imposition of self-regulation. Strict instructions should be given to allow television channels to get back to basics.

At present a Federal all-party Joint Select Committee on Video Material is sitting. The gestation period for an elephant is two years but it has taken this committee three years to bring down a report. It is hoped that within one month a report will be made on pornography and violence on videos. I repeat, this is an all-party Parliamentary committee. The timing of the delivery of that report is right. My constituents have informed me that there are now petitions on the counters of video shops asking whether people are in favour of shops having explicit videos for hire or sale. Pressure will be applied to members of Parliament by video outlet operators because that section of the market is lucrative. Video shops want the adult X-rated videos back in the corners of their premises. I believe honourable members have the public on their side. I hope this all-party joint Select Committee will make strong recommendations on pornography and violence.

Mr B. J. Evans—You have our support.

Mr NORRIS—Let us hope that will give honourable members a direction in which to go. I congratulate our Attorney-General and Commonwealth and State Attorneys-General for bringing down guidelines on such material only last week. In answer to a question without notice yesterday, the Attorney-General named several videos that he is considering banning.

My main argument today is that I have changed tack from the 1960s to the late 1980s. I believe some form of censorship is necessary, whether it be a self-regulation or government imposed censorship because there is too much money to be made from these videos. The Australian film industry can hold up its head because most of this film is imported from overseas.

I congratulate the government and the Federal all-party Parliamentary committee that is inquiring into video violence; I look forward to its recommendations.

Victoria can take pride in the fact that it was the vanguard State, because back in 1984 it initiated the Bill that dealt with film nasties that were then available in the X-rated section of video shops.

I congratulate the Attorney-General for his handling of the matter and I look forward to the presentation of the report by the Federal committee. We should act in a bipartisan way to deal with this issue.

Mr DICKINSON (South Barwon)—I grieve about an urgent and pressing problem in the community, for which the Cancer After Care Group, which is situated in the Geelong area, offers support.

Thousands of people are cancer sufferers, which has tragic results for their families while they are suffering and then finally if they are taken by the disease. In Melbourne there is the excellently staffed Peter MacCallum Hospital but there is also a need for a decentralisation of those facilities because many people have to travel long distances to undergo treatment at that hospital.

I make a plea on behalf of those suffering from cancer who live in Geelong, its surrounding areas and the Western District region who must travel long distances by train and car for treatment at the Peter MacCallum Hospital.

It is frightening for people to have to board a train travelling to Melbourne or to travel by ambulance and who then must undergo long sessions of treatment, wait to be picked up again by car or ambulance and return to their homes. The necessity for long travel has a sickening and deleterious effect on them. They can become bilious, which can be traumatic when travelling.

In Geelong in 1975 an active community group, the Cancer After Care Group, Geelong, Incorporated, was formed by cancer sufferers and their relatives. The inaugural group had 24 members. Today, the membership is 380. Its logo is a circle for unity, in which there are figures of people standing, representing self-support, with hands on either side for helping each other, and with the motto "We Care".

It is indicative of the community support that has been given to the group that State members of Parliament not only have spoken in this House about the group, but also have met with deputations and made representations to the Minister. The group is supported also by the Geelong Hospital Committee of Management, the Colac Community Hospital Committee of Management, all municipal councils in the Barwon region, the Geelong Local Government Committee, the Geelong Trades Hall Council and various other organisations in the community.

A film screening and fashion parade was to be held at Geelong this week to raise funds for the group. The group has raised \$500 000 and those funds have been invested. The objects of the group are to provide a meeting place and give moral support to cancer sufferers and their families; and to assist with transportation of persons attending any hospital or the oncology clinic at the Geelong Hospital.

The groups wants facilities to be built in Geelong to service not only the people of Geelong but also the people of the Western District. The group has as its object to raise, obtain and receive funds for the provision of facilities, equipment and staff for the treatment of cancer patients.

The Geelong Hospital is a first-rate hospital; we are proud of its facilities. In 1979 the group was successful in its instigation of the oncology clinic at the Geelong Hospital. It provided funding towards its running costs over the first three years of \$21 000 and it has provided equipment to the value of \$25 000. For the first time in Geelong the voices of cancer patients were heard and considered.

As I indicated earlier, the funds raised and presently invested amount to \$500 000. That is an indication of the community's appreciation of the work done by the group. But unless initiatives are taken immediately to provide facilities for treatment in Geelong these people may wane in their support for the group. Positive action in the community gets people off their backsides and puts them behind a worthwhile project.

The Geelong Hospital Committee of Management supported the group's submission for the establishment of an Associated Radiotherapy Centre at the hospital to be appropriately integrated with the oncology services; this was an important achievement. The Cancer After Care Group support auxiliary was established in 1984. It operates opportunity shops in Ryrie Street, Geelong, and also in Norlane. These shops have contributed \$75 000 to the group since 1984.

The group has also submitted recommendations to the Lovell committee of inquiry. It is outrageous that the Minister for Health has not replied to a letter written to him by the secretary of the group, Mrs Lawrie. On 5 February, she wrote:

As there has still been no definite statement made concerning plans for a radiotherapy centre in Geelong, the Cancer After Care Group is concerned that the Geelong issue, under the Lovell report, may have been forgotten, particularly as we understand that the Langlands report only refers to the metropolitan area.

The group respectfully requests that you confirm the present situation on the Geelong issue as we are constantly receiving inquiries from our members and also the members of the public as to when the government is going to make a public statement, particularly as they are aware of the existence of the Langlands committee.

The incidence of cancer appears to be increasing in the Barwon region, especially in the Bellarine Peninsula, and the trauma of patients having to find their own way to Melbourne daily for radiotherapy treatment (sometimes six days a week for 4 to 6 weeks) continues to be of great concern to the group.

The urgency of the situation should not be underestimated. There is justification for the immediate establishment of the radiotherapy centre at Geelong to serve the Barwon and western regions of Victoria to provide cancer sufferers with modern radiotherapy services.

The other matter I shall address concerns the two sporting venues in the Geelong region. This is a longstanding issue, which deserves to be reiterated at this time, and it concerns the water sports area of Belmont common. There have been two Geelong members of Parliament who have had the opportunity of taking Commonwealth Parliamentary Association trips and have visited the Nottingham Sports Centre in England which provides rowing, canoeing, windsurfing, camping and other recreational activities that could be applicable to the Belmont common area of Geelong.

The Head of the River races will be held this week in Geelong. The facilities for that program have been downgraded because of the construction of the new Latrobe Bridge, which will be an eyesore for all time. If an impact study had been undertaken on the best position for the bridge and the upgrading of facilities a more feasible plan could have been put in place.

On previous occasions I have spoken with the Minister for Sport and Recreation and have visited the site with journalists from the *Geelong Advertiser*. I understand the Minister is requesting that a video film be sent from the United Kingdom that will depict the facilities at Nottingham.

People in Geelong are shattered at the waste of money involved in the so-called rowing centre at Carrum. A facility could have been built in Geelong at half the cost and would have already been in place. Many water sports groups, windsurfers, water-skiers and those involved in rowing clubs, some of which have been established in Geelong for 100 years, need the facility put in place urgently. The cities of Geelong and South Barwon need the support of the government. It should give priority to a feasibility study on the establishment of the Belmont common water sports centre.

The government talks about tourism and what it can do for the region. Torquay is the surf capital of Australia and has attracted many people to the region through carnivals such as the Bells Beach surf carnival. I call on the government for urgent action to be taken on the water sports centre.

I shall now refer to the state of the Airey's Inlet oval. It is a tragedy that, following the Ash Wednesday fires, so little action has been taken to establish a sporting facility to service the community of Airey's Inlet. Minister after Minister visited the area and paid lip service to the problem but took no action. The then Minister for Police and Emergency Services visited the area just after the Ash Wednesday fires in which 750 homes were burnt. At that time a buffer zone could have been established in a swamp to cater for the needs of the cricket players of the town. However, that was not done. The Minister for Local Government is not interested in the matter.

Since the Ash Wednesday fires, the Minister for Conservation, Forests and Lands and the Minister for Education have replied to representations from the opposition spokesman on conservation by saying that it is a matter for the Shire of Barrabool. Government funds are being spent in that area and I want to ensure that we get value for money.

The trade unions involved are so disgusted that they have boycotted the construction of an oval to be placed beside a school. They are annoyed because the area is not of sufficient size for an oval large enough to service the town. Before the government throws away taxpayer's money on a small cricket oval that will service only a school, I urge it to

reconsider. Many years ago the people of Airey's Inlet saved a lot of money for the construction of that oval beside the school, but the government wants to put aside that community effort and fly in the face of community concerns.

The government can show it means business by helping the Shire of Barrabool to have the union bans lifted and by taking a sane and sensible approach. A central oval is needed to service the people of Moggs Creek and the other coastal holiday-makers. Many members of this House have holidayed in the area and they know it has no facility for the cricketers of Airey's Inlet. The area attracts thousands of people each year and the facility is needed. The government will not help matters by its Ministers trying to pass the buck and not taking an interest in this affair.

The former Minister for Conservation, Forests and Lands, the present President of the Legislative Council, the Honourable Rod Mackenzie, came up with a solution in conjunction with the Geelong Regional Commission to place an oval on the Mellor Swamp, but only last week the Minister for Planning and Environment, said that no such action would be taken. The local people should decide and the government should give them the support they need.

Mr J. F. McGRATH (Warrnambool)—I wish to grieve about illegal abalone fishing in one of the three fishing zones in Victoria. However, before I do, I wish to comment on some of the contributions about community violence that have been made during the grievance debate. The honourable member for Thomastown spoke about the effectiveness of the Neighbourhood Watch scheme and the need to have such programs so that the community can do something towards controlling violence.

The honourable member for Melbourne, in his normal vociferous dissertation, told the House that members of the opposition parties were out of touch with reality and that if we were concerned about community violence we would support the government's proposed gun laws. The honourable member for Melbourne should talk to the former Premier of New South Wales or read the statements attributed to Senator Richardson about what he believed was the reason for the downfall of the New South Wales Labor government. He said it was because of its stand on firearms control as opposed to the practical and workable stand taken by the Greiner Liberal Party.

As they espoused the need for community awareness and community contribution in relation to community violence the honourable members for Thomastown and Melbourne did not mention media and video violence. That issue has been raised time and again in this House and in correspondence to the Premier asking for the government to take action. It was with much relief that I heard the contribution of the honourable member for Dandenong. His attitude towards censorship and media and video violence has turned 360 degrees, and I welcome that. If someone within the government ranks understands the difficulties in the changing attitudes brought about by the type of material that is available, we will start to get to the nub of the problem that resulted in legislation passed through this House in recent days and the dilemma we all face with respect to community violence generally.

I was relieved to hear the honourable member for Dandenong put forward his changed views on censorship and the direction in which he believes the State should be heading. He said it is time we started to disregard the civil libertarian attitude towards many of these issues. Members of the National Party say, "Hear, hear" because it is high time we started to think about the broad community instead of the vociferous minority who thrust their attitudes on the majority.

There is no better demonstration of that than the greenies and the Laurie Levys of this world who seek to create violence rather than seek legislative change in a lawful manner. Those people would probably oppose what the honourable member for Dandenong said, but they are prepared to take the law into their own hands, place themselves in the path of shooters and have the media running after them to blow up the story that they have been badly done by.

It is high time a hard line was taken on video and media violence. How sick can a community get when one reads in the media about a psychiatrist defending a man charged with sexual offences against a minor being prepared to argue the case that the deviant—and he can be described only in that way—made a home video of his sexual exploits with the child to understand the behaviour of a child under stress. How sick is the community becoming when people who call themselves professionals, such as this psychiatrist—

The ACTING SPEAKER (Mr Stirling)—Order! Can the honourable member inform me whether the case to which he is referring has been cleared in the court?

Mr J. F. McGRATH—I understand that it has, Mr Acting Speaker. However, I shall make no further comment about the matter.

The issue I raise relates to abalone poaching, which was the subject of the Fisheries (Abalone) Bill before the House last year. Abalone fishing is a fragile industry that requires long-term planning. For that reason, the fourteen western region divers involved in the industry asked the government to provide legislation to control the future well-being and management of the industry. Parliament wisely supported that measure, which introduced quotas and provided for the control of the catching, processing and sale of abalone.

In 1984, abalone had a retail value of \$3.20 a kilogram but the market value had risen by 1987 to \$14 a kilogram. The increase in value of that commodity made it susceptible to illegal poaching and a large contingent of Vietnamese people are involved in that operation. In fact, it was because of that operation that the Bill was introduced.

The Vietnamese have built up an enormous trade through the restaurants of Melbourne and supply the market with undersized abalone. The problem is exacerbated by the lack of proper surveillance by the Department of Conservation, Forests and Lands of waters subjected to illegal poaching. Those who are caught and are brought before the courts are ignoring fines imposed upon them.

Authorised abalone divers are not making wild accusations about the Vietnamese. I have in my possession a letter from Dr Garth Newman, Director of Fisheries of the Department of Conservation, Forests and Lands, to the abalone divers in western Victoria dated 9 March 1988, which states:

The observations of large quantities of undersized abalone shells in shallow waters have been confirmed by departmental officers. Whilst I can understand your frustration at an apparent lack of action by the department . . .

The director is admitting in his own words to a lack of action by the department.

It has been estimated that 100 divers of Asian background are involved in the illegal poaching trade. One of these Vietnamese divers was apprehended and had in his possession a doctor's certificate which entitled him to health benefits, which he has been collecting for the past fourteen months. I presume that those health benefits were WorkCare benefits. In other words, he was unable to take up his normal occupation because of ill health and he had a doctor's certificate signed by an Asian doctor to confirm that he was unfit for work.

Anyone who knows anything about abalone diving will appreciate that it involves enormous physical exertion. It requires extreme fitness and resilience and a good understanding of the sea and the difficulties that may be encountered in the sea. It would appear that this Asian diver was able to dive for abalone and carry large quantities of abalone and gear, such as weights, bottles and so on, for long distances from the sea to where his car was parked. In the words of the abalone divers, this man was fit enough to work but was still able to sponge on the taxpayer.

Another illegal diver apprehended had two Victorian driver's licences in his possession. He was obviously endeavouring to deceive the legal system. Another had documents in his name but bearing four different addresses. We are not dealing here with a one-off, small group of people seeking to take a small amount of abalone for their own use or for a bit of

pocket money; this is a well-organised group of people making enormous inroads into abalone stock and creating tremendous difficulties for the future of the industry.

One can understand the large investment made by legal operators in the purchase of their boats and licences and one can only speculate that they must wonder at times whether they should take the law into their own hands. I hope that does not happen.

One authorised diver had a recent experience with four Vietnamese divers, the outcome of which could have been tragic. He approached the four divers who made out that they could not speak English. While he was attempting to demonstrate that he wanted to see what they had in their bags, a scuffle took place and the illegal divers produced a machete, a long jack handle and a pinch-bar obviously used in the collection of abalone.

He was a fit, experienced man of the sea. In fact, he had swum a kilometre from his boat to find out what these people were doing. He was able to sidestep the group, get one in a headlock and throw him into the sea. He gave him a couple of dips under the water to let him know that he was not about to take any nonsense and when this fellow escaped from the water, he went over the hill and was last seen heading for his car. We can smile about the incident today, but had the diver not been able to look after himself, he may have ended up with a machete or a pinch-bar behind one of his ears and we would not have been talking about him today in the present tense.

That is an illustration of what is becoming a common occurrence along the shores of western Victoria where this well-organised group of Vietnamese is poaching abalone. Because of the department's collection of exorbitant fees for licences, it has an obligation to the holders of those licences to provide sufficient surveillance. The first matter to be addressed is the payment of fines. If illegal operators are brought to court and given fines, those fines must be enforced.

It is obvious that the system for the protection of abalone has broken down. The authorities are catching only the odd offenders and when they are caught the penalties are not a disincentive to committing the offences.

I am not sure that I would advocate the extreme action that some fishermen have advocated.

Mr Simmonds—Don't they report it to the police?

Mr J. F. McGRATH—Yes, it has been reported to the police several times, but the difficulty is the number of police who are on duty at the appropriate location. Police have to go from a central spot to Port Fairy and then move 10 or 15 kilometres out from the coast. The example that I gave and other incidents have been reported to the police in the interests of law and order.

The reality is that the Police Force does not have sufficient numbers to handle its duties in a responsible manner. The primary responsibility for policing these offences rests with the Department of Conservation, Forests and Lands. As indicated, during the debate on the Fisheries (Abalone) Bill last year, it is the responsibility of departmental officers to police the regulations and they should do something about it.

Abalone fishermen in western Victoria are concerned about the welfare of their industry. It is a sensitive issue and the government should introduce the appropriate management controls so that the long-term interests of the industry can be protected.

I direct the attention of the government to the specific case that I have cited, which reflects the wider problems in the industry. The government has a responsibility to do something before a person is killed. If the situation in which that diver found himself had occurred to someone less experienced, it could have ended in death.

The government should put in place positive policies that will be a disincentive for people to take abalone illegally. They are interfering with the ability of fishermen to earn their income. The fishermen have demonstrated great responsibility so far, but they may

feel pushed to take the law into their own hands and that would be a sad day for all concerned.

I call on the Minister for Local Government to take up the matter with Cabinet, because the fishermen in that district are concerned. Dr Garth Newman, the Director of Fisheries, has indicated that there are staffing difficulties in the Department of Conservation, Forests and Lands. The government should enforce the regulations set out in the Fisheries (Abalone) Act, which was designed to allow better management practices in the abalone industry in Victoria.

Mrs RAY (Box Hill)—The House has spent many hours debating proposed legislation that has the prime object of a reduction of violence in the community. Scientific literature has set out an analysis of people who are seen to be the perpetrators of violence.

Many examples have been quoted in the House of incidents of domestic violence. Dr Suzanne Hatty, the senior research fellow, School of Social Work, University of New South Wales, has, in a recent paper, drawn a profile of the male who is prone to be violent in domestic settings. This profile does not apply to the person who is likely to express violence in an armed robbery. The profile has been established from research on males prone to be violent in the family home. Dr Hatty sets out seven psychological characteristics, which are as follows: low self-esteem; inability to express emotions; deficiency in interpersonal skills; depression, including suicidal tendencies; external locus of control—I take that to mean that they have minimum self-control; the minimisation of denial of responsibility for their actions; and a contempt for women.

People are not born like that, whether male or female. Those characteristics are the result of upbringing or socialisation. Socialisation takes place through the home and school. At home children are influenced by the attitudes of their parents and siblings and the values of their families and friends.

Low self-esteem, which is one of the characteristics commented on by Dr Hatty, is the outcome of people experiencing feelings of worthlessness, of not being valued and of having feelings of failure. It is a characteristic of people who feel inadequate or unable to achieve things and is often found in women. Even in non-violent situations women are remarkably prone to low levels of self-esteem. Children who do not succeed at school are also found to suffer from low self-esteem.

Modern primary schools are now taking positive steps to minimise or prevent the incidence of low self-esteem. Many modern classroom programs encourage proper behaviour, emphasising the team approach, so that the people who are not high achievers have a sense of achievement attributed from the team effort.

Since the abolition of corporal punishment in 1983 schools have been forced to address new ways of dealing with disruptive behaviour. I am pleased to see the Opposition policy on education that was announced yesterday. It indicated that the government's policy on corporal punishment would be followed. However, I am alarmed at the suggestion that schools will be allowed to expel students whom the school has some difficulty in handling. Where will those children who are expelled go?

One of the ways in which schools that I visited, during the review of school discipline in 1984, are handling the problem is to have what is called "time out", which is the notion of a teacher sitting alone with a child in the classroom with no communication and the child completing set work. Nothing is more punishing for a child than to be removed from interaction with his or her peers, and it is a punishment that does no physical violence to the child but certainly teaches the child the consequences of his or her behaviour. Acceptable punishment is negotiated, and there are sanctions if those agreements are breached.

Parenting techniques can back up the kind of practice that is being introduced successfully in the classrooms.

Mr LEIGH (Malvern)—On a point of order, Mr Acting Speaker, the honourable member for Box Hill appears to be making a second-reading speech and I ask you to rule whether that is allowable.

The ACTING SPEAKER (Mr Kirkwood)—Order! There is no point of order. The grievance debate is a wide-ranging debate. The honourable member for Box Hill is in order to continue her speech.

Mrs RAY (Box Hill)—Thank you, Mr Acting Speaker. These days young parents are being encouraged to attempt to negotiate with their children on the limits of acceptable behaviour and to set in train punishments that will be enforced if the child breaches those agreed positions.

The ACTING SPEAKER (Mr Kirkwood)—Order! I ask the House to come to order and allow the honourable member for Box Hill to be heard.

Mrs RAY—One hears much rationalisation from adults about the fact that a good slap never hurt them when they were young. It seems to me they are overlooking the fact that the quick slap to the child is more an expression of the frustration of the adult than of enlightened behaviour that helps the child either to set behaviour limits or to develop ways of resolving differences without resorting to violence.

It seems to me that people are trained with a degree of commitment in the art of industrial negotiation that is not matched in their training for parenting. I suggest that we are more successful in avoiding open violence in industrial negotiation and industrial life generally than we are in our homes and families.

Unfortunately, no matter how good the practice and teachings of the school are, if they come into conflict with what is observed and taught in the home, the home will always win. For that reason, if a child is in a situation of domestic violence there has to be early intervention so that that bad model in the home stops.

I am certainly not suggesting that the child ought to be removed from that environment, but based on my observations of good models in other States, I believe I am in a position to suggest that where a crisis care unit is able to back up police intervention in domestic disputes, there is a good chance that the whole family will be able to remain a unit instead of being broken and, in fact, that it will be restored to some sort of harmonious functioning.

Canada probably has the best examples of the joint team effort between the police and conciliators or counsellors. It is essential that police who intervene in a dispute be followed up by people whose job it is not to arrest but simply to try to pick up the pieces. The exercise of duties by the police in Canada is quite clear: it is their duty to arrest, not to conciliate.

Mr Leigh—Mr Acting Speaker, I direct your attention to the state of the House.

A quorum was formed.

Mrs RAY—The kind of role modelling by adults who use violence in resolving conflicts leads to a belief in children that this is the only way that conflicts can be settled. Unfortunately, the violence that some children encounter in real life in their own homes is conveyed also through the media. Martin Peake of the Peace Resources Unit says that, based on the average television viewing time for children in Victoria, the average child will see approximately 14 000 murders on television between the ages of five and fifteen years.

Perhaps, as the honourable member for Dandenong outlined, we must stop and think about our attitude to what is good for us all to be exposed to. Perhaps honourable members should take note of the remarks of the honourable member for Dandenong. Despite the fact that there should be consideration of the rights of people not to have what they read or see on screen decided upon by other people, every person ought to take a long, hard

look at whether what he or she watches does a great deal in terms of a positive role modelling either for him or her or for his or her children.

Mr Ramsay—What is the government doing?

Mrs RAY—I am not suggesting there should be censorship, but there is certainly a need for a balance between violent role models and non-violent alternatives.

The interjections of honourable members opposite seem to question what the government ought to be doing about it. One of the few places connected with Parliament where I enjoy making a contribution is in meetings of the Social Development Committee, which is an all-party forum. It is committed to a conciliatory way of solving problems rather than being a hostile and adversarial forum for scoring political points.

The Social Development Committee can currently claim considerable credit for the Bill now before the Upper House which deals with medical treatment and to which this morning's *Age* directed attention in terms of its ability to address a problem that the United States of America remains unable to address.

The current terms of reference of the Social Development Committee are to examine strategies that can be employed by the community to reduce the level of violent behaviour—

Mr MACLELLAN (Berwick)—I raise a point of order, Mr Acting Speaker. I find it difficult to hear the remarks of the honourable member for Box Hill while the government Whip is on this side of the House having an argument with the Opposition Whip. I ask you, Sir, to ask the Whips to continue their argument outside the House so that those of us who wish to hear the remarks of the honourable member for Box Hill can do so.

The ACTING SPEAKER (Mr Kirkwood)—Order! I do not believe that constitutes a point of order, but it is a point well taken. If it is a fact that the two party Whips are at loggerheads, with the accord of the House, I suggest that they do leave the Chamber and continue their discussion outside.

Mrs RAY (Box Hill)—In regard to the first point in the terms of reference, the committee is requested to develop strategies relevant to the activities of community support groups, voluntary crisis intervention and counselling services and strategies that have as a particular focus the situation of children and young people and the problem of family violence.

The other terms of reference relate to an examination of the portrayal of violent behaviour in the mass media and the composition, function and objectives for the proposed community council against violence.

I am pleased to be able to report that the committee is nearing the stage of tabling its first report. It has received a wide range of expert papers, which will be made public within a month. They deal with the following aspects of violence: family disruption, violence associated with sport, education and violence, anger management and aggression control, violence and crisis intervention, alcohol, drugs and violence and, finally, the social structural context.

Unless we socialise boys particularly in different ways, there will always be a problem with a close link between masculinity and violence. The trouble is that from war toys and guns to media and cultural material boys are told, "These are heroes"—and the heroes are men like Ned Kelly. Boys grow up with powerful visions of violence as an assertion of their strength, power and manliness, no matter what other aspirations they have for themselves.

Unless attitudes towards women are changed, particularly the acceptability of violence to women, which is reflected in many facets of the media and in the criminal justice system, which tends not to take these matters seriously in that it does not press charges, there will be no significant decrease in violence. Doctor Suzanne Hatty has spoken of the effects of violence on people's lives.

I look forward to a useful report from the Social Development Committee and to making some contribution to the debate on that report. I believe the report will deal with some of the root causes of violence in our society and I hope this will help us all to come to terms with those causes and to prevent future tragedies.

Mr PESCOTT (Bennettswood)—I grieve about the behaviour of the Chairman of the Alpine Resorts Commission, Mr David McInnes. His behaviour reflects badly on the management of the commission by the government and particularly by the Deputy Premier. He had a disastrous time while he was in charge of the tourism portfolio and at that time the Alpine Resorts Commission was part of that portfolio. The Deputy Premier allowed the former Chairman of the Victorian Tourism Commission, Mr Don Dunstan, to take the rap for various decisions that he approved and he later sacked the Chief Executive Officer of the Alpine Resorts Commission. That sacking, after eighteen month's employment, cost Victorian taxpayers \$200 000 for what was a short appointment.

The Alpine Resorts Commission has been plagued by losses since it began and has had great difficulty in performing the task it was given by the government. It is time to show the Minister for Tourism that it is quite clear he has no idea what is happening in the Alpine Resorts Commission and what the chairman of the commission has been up to.

The story begins in March 1984, when Mr David McInnes was appointed Chairman of the Alpine Resorts Commission. I have documents which were obtained under the Freedom of Information Act from the Auditor-General's office. These documents show there was considerable debate in that office about the method of payment to Mr McInnes when he began his work. Mr McInnes requested and for a while received payments to a company registered in his name rather than to himself. The Auditor-General found that payments made to that company were most unsatisfactory and that the Alpine Resorts Commission had exceeded its powers by paying the chairman's salary to a company in which Mr McInnes had a financial interest.

Comments were made in the Auditor-General's office about the decision of the commission to overrule a request from Mr McInnes that tax be deducted from the gross payments to that company, because officers in the Auditor-General's office were concerned that the request from Mr McInnes was in breach of the law relating to income tax assessment.

Mr Maclellan—Putting it frankly, it was a tax rort!

Mr PESCOTT—As the honourable member for Berwick has said, it was clearly an attempt to get around the income tax law.

In February 1985 the Auditor-General corrected the problem. It was not just a question of how payment was made, but it was also a question of exactly how much was being paid, because Mr McInnes was the part-time Chairman of the Victorian Alpine Resorts Commission, he was being paid \$27 000 a year, and he lives in Sydney! He came down to Victoria every so often to perform his tasks as chairman of a Victorian statutory authority and for that he received \$27 000.

Mr Maclellan—Barrie Unsworth will be down soon!

Mr PESCOTT—As the documents reveal, Mr McInnes's remuneration was increased to around \$30 000 a year. The Deputy Premier finally woke up to a little of what was happening and Mr McInnes's fee was reduced to \$10 000 a year, indicating that it was too high earlier.

All of that is by way of background. The issue I wish to raise is a serious case of jobs for the boys, a serious case of a conflict of interest of a man who breached the trust put in him by the government and who brought into question his ability to hold the position he still holds.

I refer to files of the Victorian Tourism Commission relating to a company called VicTour Properties Pty Ltd. That company was considering the refurbishment of the

Mount Buffalo Chalet. The files contain a letter from a company called Interskill Advanced Design Concepts, which is based in Sydney. Its principal was Mr David McInnes.

In late 1985 Mr McInnes wrote a letter addressed to Mr Harrison, then Chairman of VicTour Properties Pty Ltd. The letter refers to recent discussions on the refurbishment of the Mount Buffalo Chalet and explains how the work should be accomplished. Mr Harrison was a fellow member of the board of the Alpine Resorts Commission, so he knew Mr McInnes.

Part of the refurbishment of the chalet was subsequently completed by the company owned by Mr David McInnes—and Mr McInnes did some of the work. It is quite clear from the files that the job, which totalled more than \$11 000 in the second account, did not go to tender.

There is no evidence on the file that the Victorian Tourism Commission considered anyone else for the job. Here was a man who knew that the work was available, who spoke to his fellow commissioner, and then got the job. The public of Victoria has no knowledge of whether Mr McInnes and his company were the best alternative for that job.

It is quite clear that Mr McInnes and his company did not complete the job. It is doubtful whether the board of VicTour Properties Pty Ltd approved the work and I wonder whether the Deputy Premier knew that someone in whom he had trust as Chairman of the Alpine Resorts Commission was doing additional work for a paid fee through a company which he owned.

This morning the Premier told Parliament that people should be fairly considered for jobs and should be appointed on relative merit. How did the government know that this man and this company were better than any others for that job? They did not know because the refurbishment job at the Mount Buffalo Chalet never went to tender!

I have a note on Alpine Resorts Commission letterhead which is addressed to the Managing Director of VicTour Properties Pty Ltd and refers to the account sent to that company for the work done on the Mount Buffalo Chalet refurbishment job. It shows clearly that Mr David McInnes could not distinguish between his public responsibilities and the private work of the company in which he was involved. The letter is dated 20 January 1986 and states:

Interskill Pty Ltd account: Further to our conversation re the above I wish to advise that the amount is for \$11 339.62 (comprising \$10 700 professional fees and \$639.62 disbursements). Ken Harrison has the formal account. Could you please TT the amount on Monday a.m. to Nexus America (Aust.) Pty Ltd.

Another question must be asked: who is Nexus America (Aust.) Pty Ltd? Was that company employed by the government? Presumably it had something to do with Mr McInnes; he has written the letter on Alpine Resorts Commission letterhead. Mr McInnes, who lived in Sydney, holds the position of chairman of that statutory authority, at a salary of \$27 000 a year, for part-time work; he is using that letterhead only because he has that position with the government and is seeking payment from a sister tourism company in Victoria for work procured without going to tender.

The other interesting fact after his intervention is in a letter addressed to the Auditor-General from the Alpine Resorts Commission, dated 19 September 1985. That letter states:

The Alpine Resorts Commission has encountered a major difficulty in obtaining approvals for payments in excess of \$3000 from the State Tender Board. In the past fortnight the board, on the basis of its inability to approve retrospective payments, has rejected a number of requisitions submitted to it by the commission.

That is a four or five-page letter and discloses that the Alpine Resorts Commission, of which Mr David McInnes is the chairman, owed sums of money such as \$82 000, \$6000, \$10 000, \$51 000 and \$16 000 to contractors who had done work for the commission. Those people were owed money by the Alpine Resorts Commission, but most were engaged without tendering for the work. That problem was occurring within the commission chaired by Mr David McInnes.

He was pressing another government sister tourism authority to pay up, given the fact that he had contracted out the work without going to tender. The government should seriously examine this case and should discover whether or not there are facts on file in the records of VicTour Properties Pty Ltd to demonstrate that I am wrong. According to the files I have seen I am sure that I am not wrong. Unless there are good answers from Mr David McInnes, the trust that has been placed in him by the government should be questioned, and withdrawn.

Mr HILL (Warrandyte)—I raise a concern in relation to victims of violence. Recently I was shocked, as no doubt were all members of the House, when I saw an article in a newspaper detailing the results of a survey of the attitudes of Australians to wife-bashing. The survey disclosed that one in five Australians believed the bashing of wives is acceptable in some cases. That is extraordinary!

An honourable member—Do you believe that?

Mr HILL—Whether or not it is entirely correct, it certainly indicates that there is a large proportion of people in the community who consider that some form of assault, whether it be violent physical assault or some other form, is justified in certain circumstances.

The community has become more aware that there is much hidden violence in our society, particularly in the family. It is a problem that the community and the governments of all States must address. The Victorian government is somewhat ahead of other States in addressing that problem. Recent examples refer to particular crimes of violence.

Mr Leigh—Mr Deputy Speaker, it is a sad reflection on the government that there are more members on the Opposition side than on the government side to hear the honourable member. I direct your attention to the state of the House.

A quorum was formed.

Mr HILL—It is a problem in our community and to some extent it is a hidden problem, although the community has recently become more aware of the problem. It is known, and has been repeated a number of times in the recent debate about firearms, that more than one-third of murders in Victoria originate from domestic disputes. More than 50 per cent of all police calls to homes stem from family violence. The police receive more than 30 000 telephone calls a year to deal with violence in the home.

Family violence is a difficult and complex problem, and one for which there is no simple solution by means of a single piece of legislation. Legislation alone cannot eradicate the problem, nor can it provide the support, the protection and the education required to respond to the problem.

By and large, the victims are women and children who lack the facilities, the resources and the power to act on their own behalf. Therefore, it is necessary for the government—as it is doing—to take a wide approach on the matter.

Before I proceed to discuss that approach, I briefly summarise the objects and features of the Crimes (Family Violence) Act, and indicate how it can be at least part of a useful defence against violence within families.

The major object of the Act is to provide for intervention orders by way of civil liberty rather than a criminal charge through an injunction. That prevention order is designed to protect Victoria against violence in the home, but it is not, as such, a criminal charge.

It has certainly been my experience that often when a complaint is made about domestic violence or “a domestic” as it is often called, the police are unwilling to attempt any action simply because of problems of proof. Invariably, the victim of the assault is the only witness to the assault and if the victim happens to be the wife of the assailant, all sorts of difficulties ensue in attempting to prove the offence.

However, the Act means that, where there is, on the balance of probabilities, evidence that a person may cause some harm to another person in the home, the court may grant an intervention order for a period of up to twelve months and the magistrate may make other orders to the effect that the defendant cannot approach the victim and also, if considered appropriate, prohibit and restrict access to the home by the defendant. Once that civil order has been made it becomes a criminal offence for the person against whom the order is made to breach the order.

Mr MACLELLAN (Berwick)—On a point of order, Mr Speaker, the honourable member should identify the document from which he is reading. He has not yet identified it and that information would be useful for the House.

Mr HILL—I am not reading from a document, I am using a document on which I have made certain notes.

The SPEAKER—Order! The honourable member is in order to refer to notes.

Mr HILL—If it is an urgent matter and it is necessary for an order to be made in a short period, the Act allows the magistrate to make an *ex parte* order, which can be made in the absence of the defendant. It would be an interim order and the defendant would have the opportunity of answering or rebutting the claims at a later date. Of course, once again, the people who will have to take these matters to the courts are the police.

I understand the police have welcomed the powers given through the Act and, although recently it has been indicated that the police have not been able to act as quickly as it is hoped to bring an application to the court pursuant to the Act, I understand that training courses are being made available which will certainly improve the capacity of the police to respond fairly quickly to a complaint.

As I said before, such a legal or court procedure will not, by itself, solve the problems of violence in the home. It is necessary to look at many other aspects, not just to apprehend the offender and not just to prevent someone in danger of being assaulted but also to prevent the whole situation from occurring in the first place.

The first important step is, as I said, the need to train police in these procedures. The difficulty in gaining convictions after assault in domestic disputes has led to the attitude that the police are not able to do much about the matter. It is necessary—and it is occurring—that both the police and the public be educated in the procedures that are now available. It will then be necessary to report and search further on how the Act has worked.

Probably one of the most important aspects that needs to be addressed is the need for community education in this matter. There has been widespread ignorance in the community surrounding domestic violence. The results of the recently published survey in the newspaper, even if only half accurate, certainly were a shock and demonstrate the total lack of community awareness of this issue.

It is necessary, therefore, to change community attitudes to the problem of domestic violence. It is a slow process; it will take some time but the government is committed to raising public awareness of this problem and it is necessary to have professional education. That does not mean just a general education of the community but an education for those involved in the area such as lawyers, doctors and other service providers. It has also been my experience that there appears to be some tendency by some of the service providers and other members of the community to blame the victim for his or her plight and it would appear a lack of knowledge exists about what sort of community resources might be available.

It is for this reason that the government has proposed to establish a professional education task force to address the problem of professional education. I mentioned before that, inevitably, the victims of domestic violence are women and children and they often lack the knowledge, skills, power, resources and facilities to do anything about their situation.

It is therefore necessary for the community to provide an advocacy facility—someone who can advocate on their behalf—and there needs to be an advocacy agency service so that victims can receive the adequate support, advice, direction and protection to which they are entitled.

A number of voluntary organisations in the welfare and legal fields are willing to take part in such an advocacy service, which would be worthwhile. One of the factors which makes it even more difficult for the victim to take any action against domestic violence is that often the victim is economically dependent on the offender.

It is necessary to provide a system of welfare benefits for those victims so that in the short term they are in financial positions to become independent of the offenders. I have known of women who have been subjected to domestic violence for many years. They have been unable to make a move because of their economic dependency and their lack of an ability to raise income—as well as their lack of knowledge about the welfare services that are available to them. It is a question of income security. That issue is being addressed at both the Commonwealth and State levels.

The problem of housing must be taken into account when attempting to solve the problem of domestic violence. Honourable members must ask where the victim is to go if she wants to get away from the offender, particularly if she has children. The government has announced that the Ministry of Housing and Construction's allocation policy will recognise that family violence is one of the criteria to be used in determining priority for housing. I commend the government for taking that action; it is an important policy decision.

The victims of domestic violence need education and training to gain employment and to become economically independent.

If time had permitted, I wanted to broaden the debate by arguing that victims of crime other than those who are victims of domestic violence need both compensation and support services. A report by the Legal and Constitutional Committee on support services for victims of crime was tabled recently in the Parliament. I am pleased to hear that the government intends to implement most of the recommendations of the report relating to compensation. The present level of compensation has been recognised as being too low.

It is not only a question of money being paid for compensation, but also of providing support services for victims of crime. If honourable members take the time to read the report of the Legal and Constitutional Committee they will discover that there are many aspects to be considered in the provision of support services, similar to the ones I have mentioned in relation to the victims of domestic violence. There are many ways and means by which money can be raised for the victims of violent crime.

Mr RAMSAY (Balwyn)—I bring to the attention of honourable members my concern at the abject failure of the government to implement the Prostitution Regulation Act 1986. The Act was passed by both Houses of Parliament in the latter part of 1986 and was assented to on 23 December of that year. Twelve months later the Act has been only partially proclaimed. In particular, the section of the Act that provides for a licensing system for brothels has been ignored. I suggest that section has been deliberately ignored. As a result, brothels—and prostitution in general—have gained a false level of respectability. The inability of the government to control what is happening is dismal.

The government has ignored the sovereignty of the will of the people as expressed by the Parliament. The government agreed to the legislation in toto; but now the government chooses to ignore sections of it. The government is ignoring those sections in the Act that would strengthen the power of neighbourhoods and local communities to exercise their judgment on the desirability of having brothels established in their areas.

The government has failed to require an almost countless number of small brothels to obtain licensing permits. In particular, the government has allowed prostitution to gain a

degree of respectability previously unknown in Victoria. The consequences for the health and welfare of our community are serious indeed.

Communities are having brothels established in their midst against their will. Property values are being dislocated because the vice kings are prepared to pay exorbitant prices for a piece of land that is the subject of a permit to establish a brothel. The values of neighbouring land, particularly those residences immediately nearby, are being diminished.

Brothels and brothel activities are achieving a high level of prominence at a time when community awareness of the link between the spread of sexually transmitted diseases and prostitution is increasing.

The credentials of those who operate brothels are inadequately examined at the time permits are issued. Immediate action should be taken to reverse that trend. The first thing the government should do is to be honest with the Parliament and proclaim the remaining sections of the Prostitution Regulation Act 1986.

I am concerned particularly about the inability of the authorities to check the credentials of applicants. When I say "authorities" I mean not only those local councils who are the responsible authorities in the first place, but also both the police and the relevant appeals tribunal. If the question of a permit being issued comes to appeal, neither the police nor the Administrative Appeals Tribunal has the ability to check properly the credentials of applicants. There is no guarantee that the vice kings are being kept out of the brothel industry in Victoria.

While the Act remains only partly proclaimed that situation will continue, because the authorities are forced to rely on the Town and Country Planning Act 1961, particularly sections 27A and 49C, which prohibit a permit being granted in the name of certain classes of people, such as those who have criminal records or persons who are involved in brothel activity at some other location.

In a case before the Administrative Appeals Tribunal last December, a decision by the City of Camberwell not to issue a licence for a brothel was appealed against by the applicant. The judgment that was handed down by the tribunal highlighted the problem. In the course of that hearing, questions were raised about the bona fides of the applicant. It was implied that some person or persons other than the applicant was involved in the application, contrary to sections 27A and 49C of the Town and Country Planning Act. The tribunal correctly called for a police report, which was made. I shall abbreviate my reading from it because of the lack of time available. The judgment reads, in part:

None of the persons or companies mentioned in your request is known to be involved in the ownership of any brothel.

It continues:

Anthony John Ward may be identical with a person of that name, born 12 April 1946, recorded in the criminal records. However, Ward does not have any matter or record which would debar him (within the meaning of section 27A of the Town and Country Planning Act) from obtaining a brothel permit.

The above information is supplied as a result of a search of the records of the Information Bureau and the licensing, gaming and vice squad.

One might think Anthony John Ward was given a clean bill of health by that particular police inquiry. He was at the inquiry and was called by the barrister representing the residents opposing the brothel application, but the tribunal failed to allow that person to appear as a witness for technical legal reasons.

The tribunal concluded:

There is nothing in the material before the tribunal which enables us to conclude that a permit should not issue . . .

However, we are not so naive as to believe that these statutory hurdles cannot readily be overcome by the making of oral and informal agreements. Under current legislation, this tribunal cannot properly exercise control over these matters, even if it was considered appropriate for it to assume this role.

If the legislature is serious in wanting to control the ownership of brothels, it should provide a workable mechanism of doing so. A planning permit which attaches to land, rather than to an individual, is not the most appropriate means.

That is what the government is allowing to happen; its own appeals tribunal is saying that the legislation is inadequate at the moment. Why is it inadequate? The reason is the government refuses to proclaim the provisions that would give the government the strength to control this undesirable activity that is blossoming throughout Victoria.

I call on the government to do something about it sooner rather than later.

The question was agreed to.

FLORA AND FAUNA GUARANTEE BILL

Mr CATHIE (Minister for the Arts)—I move:

That the following Order of the Day, Government Business, be read and discharged:

Flora and Fauna Guarantee Bill—Second reading—Resumption of debate.

and that the Bill be withdrawn.

The motion was agreed to, and the Bill was withdrawn.

PIPELINES (AMENDMENT) BILL

Mr FORDHAM (Minister for Industry, Technology and Resources) I move:

That this Bill be now read a second time.

The Pipelines Act 1967 was substantially amended twice previously, in 1983 and 1984. Neither of these amendments has yet been proclaimed. It is intended that they be proclaimed simultaneously with these amendments.

The delay in proclamation was considered desirable pending finalisation of a pipeline strategy and the development of model regulations by a national committee. Regulations to be made will be similar to the model regulations.

It is unfortunate that this has taken so long. However, the benefits that will flow on from the work undertaken in the meantime far outweigh any minor inconveniences caused by the delay. The Bill will link the two previous amendments and address other deficiencies in the Act brought to light during the intervening period.

Among other things, the Bill provides for a clear basis for making regulations, and allows Australian standards and codes of practice to be adopted in part or whole. Previously, there was little flexibility when standards mentioned in regulations underwent updating or change. The Bill will allow greater clarity of intent.

The provisions for the cancellation, variation and renewal of pipelines permits and licences have also been reviewed in the light of recommended changes to the operating regulations. It is appropriate that these sections be reviewed at this time as renewals of licences and permits—issued since 1967—will commence later this year.

The opportunity has been taken to review and amend any Parts of the Act that do not plainly set out necessary procedure and powers to do certain things. This is especially so in the areas of applications to vary existing permits, licences, renewals, and—most importantly—the removal of disused pipelines. Honourable members will appreciate the value of clarity in this legislation. Wherever possible the requirements placed upon owners and operators of pipelines have been set out in some detail. The efficient and safe operation of these important works must be ensured.

Turning to the Bill itself; primarily it is comprised of machinery clauses to link the previous amendments together and new provisions to assist with the renewal and amendment of licences and permits.

Clause 7 clarifies the process by which permits are renewed. The power of the Minister to amend, or add, a condition is clearly set out. Clause 9 mirrors these provisions for reissued licences. Clause 11 includes proposed new sections 29 and 29A to provide power for the Minister to recommend the cancellation of a licence. Honourable members will note that this power is exercised only after the Minister considers that a licensee has not complied with a condition of the licence. This non-compliance could have potentially very serious effects because of the hazardous properties of the materials transported. The ultimate power for the Minister to cancel a licence is therefore considered necessary.

Clauses 12 and 14 provide a power to prescribe a pipeline operation fee and to better provide for regulation-making powers. The currently prescribed pipeline operating fee is charged at a rate for each kilometre of pipeline operated. This amendment clarifies the powers contained in the Act and permits the continuation of this style of charging. I have previously mentioned the other main effect of clause 14, which includes a power to adopt standards and items of Commonwealth legislation by reference. This reduces the length and complexity of the regulations.

Clause 15 corrects a minor error introduced by the Conservation, Forests and Lands Act in 1987, and is proposed to be deemed retrospective from 1 July 1987.

I commend the Bill to the House.

On the motion of Mr MACLELLAN (Berwick), the debate was adjourned.

It was ordered that the debate be adjourned until Thursday, April 7.

FLORA AND FAUNA GUARANTEE BILL (No. 2)

Mr CATHIE (Minister for the Arts)—I move:

That this Bill be now read a second time.

THE PURPOSE OF THE LEGISLATION

This Bill provides for the enactment of a landmark piece of conservation legislation—for a flora and fauna guarantee. Two lifetimes are all it has taken to change the face of Victoria. In that short interlude a land of forests and woodlands, wetlands, heaths, and grasslands, teeming with wildlife, has been transformed.

What seemed to be a boundless expanse was opened up to yield its riches. But we did not always treat the land well. We have discovered that there are limits to how hard it can be pressed, and the signs of stress are now clearly evident: through the erosion of soils, the spread of salinity, and pest plants and animals, and through the steady decline of our wild animals and our native vegetation.

However, a quiet change is spreading across Victoria. On farms and in the forests, in rural towns and in the metropolis, more and more people are joining in the task of restoring the land. Where once farmers were clearers of trees, now they are planters. Where once nature was seen as the enemy, we are now working together to restore wetlands, to re-establish habitats for native species.

This change of heart has come none too soon, however, because our native species are in peril. In fact, they face the greatest threat to their survival that has occurred in the whole history of evolution. Our records show that at least 20 species of mammals, 2 species of birds, and 35 species of vascular plants have vanished from Victoria in the space of 150 years.

Furthermore, at least 700 native species are threatened right now. This means that about one in five of all the native vertebrate animals and vascular plants still living in Victoria is facing the prospect of extinction. This is not a situation we can be proud of, and it is certainly not a situation that any section of the community believes should be allowed to continue.

In recognition of this the government has prepared legislation for a native flora and fauna guarantee. The Bill will provide the basic legal powers, and the modern, efficient and effective management systems which are needed for the protection of the State's native species. It provides a framework for public participation, and for updating the provisions of the Wild Flowers and Native Plants Protection Act 1958 and for their consolidation into the new legislative structure.

The conservation of our native species is something that must involve a cooperative effort by both the government and the community. The task is simply too great to be shouldered by either alone.

Key elements of an effective flora and fauna protection program must be high quality management of public lands and waters by government agencies, and cooperative programs with the community involving education, extension, encouragement, incentives and assistance. The proposed legislation provides a vital underpinning to this total program.

THE MANDATE

The flora and fauna guarantee is one of the Victorian government's most important conservation initiatives. The government made a commitment to establish the guarantee in the 1982 election platform and this was reiterated in the 1985 election platform. Flora and fauna conservation is one of the eight main themes of the State conservation strategy. The guarantee is also referred to in both the timber industry strategy and the economic strategy, so there could not be a clearer mandate for a policy.

The flora and fauna guarantee legislation continues Victoria's long tradition of leading Australia in the environmental field. When it is passed, it will join the many important Acts passed in the 1970s such as the environment protection, land conservation, wildlife, national parks, environment effects and reference areas Acts.

THE NEED FOR THE LEGISLATION

The government has undertaken a thorough review of the flora and fauna conservation legislation of this State and compared it with the other States, the Commonwealth and overseas legislation. Serious deficiencies have been identified in the legislation which must be rectified if we are to meet contemporary requirements.

In large measure our existing legislation still reflects the legislation adopted early this century. The purpose of this legislation was to protect introduced and native game species, to allocate game resources to users, and to prevent the depletion of native animals and plants as a result of hunting, trapping or collecting.

Since the emphasis was thus on the management of recreational and aesthetic resources rather than on ecological conservation, there was little emphasis on habitat protection, the protection of flora and fauna as elements of intact ecosystems, or on the management of the threats that give rise to extinction. The Bill is designed to fill these critical gaps.

DEVELOPMENT OF THE LEGISLATION

The importance of this measure is reflected in the extensive consultation process which the government has undertaken. The original idea for the guarantee was proposed by the conservation movement in the late 1970s and was adopted by the first Minister for Conservation in the Cain government, the Honourable Evan Walker, MLC. Detailed work on the guarantee proposal began in 1984. In May 1986 the government released a discussion paper; 6000 copies were distributed widely throughout the State. The Department of Conservation, Forests and Lands held regional and Melbourne-based consultation meetings. This prompted more than 270 submissions, with a clear majority of both city and country submissions supporting the adoption of the guarantee. Many useful criticisms were made and many of these were incorporated in the draft legislative proposals.

In July 1987, the government released 3000 copies of the draft legislative proposals and held Victoria-wide briefing meetings. In response to comments the government again made many amendments to the proposals.

On 16 September last year, the government introduced a Bill for a flora and fauna guarantee Act with the intention of achieving its passage in that Parliamentary sitting. However, in response to a request from Heather Mitchell, the President of the Victorian Farmers Federation, the government allowed the Bill to lie over from the 1987 spring sittings to the 1988 autumn sittings. It was the view of the federation that country people were not yet sufficiently familiar with the proposed legislation.

The government also took up the proposal of the then Liberal shadow Minister for Conservation, Forests and Lands, the honourable member for Evelyn, and conducted a series of seminars on the Bill in the country. These seminars were held in February this year in Bendigo, Nhill, Wangaratta, Hamilton, Geelong, and Sale. The seminars attracted a total of 550 people. Misunderstandings about the Bill were cleared up and as a response to views expressed at the seminars, the government undertook to make additional changes to the proposed legislation.

OBJECTIVES OF THE LEGISLATION

The Bill spells out for the first time in legislation a clear commitment to the achievement of the conservation of our native species. It clarifies that all native species, other than those expressly excluded, are to be the subject of planned conservation effort.

The Bill brings a modern management approach to the conservation endeavour. It establishes the machinery for strategic problem solving and builds in an action orientation. Provision is made for public involvement and accountability and for the monitoring of the success of the program.

The Bill is more than just proposed endangered species legislation. It places great importance on preventive action so that species which currently appear to be secure do not become endangered in the future. This is done by recognising the importance of managing species as parts of interacting communities, and by providing for the identification of potential sources of threat to flora and fauna which need to be managed or ameliorated.

It emphasises the vital importance of a cooperative, non-regulatory approach to flora and fauna conservation. It clarifies that all government agencies can participate in the conservation effort.

The Bill establishes a safety net of legal powers to ensure that species do not succumb to extinction because the government lacks the authority to act. These powers are needed as a last resort. The Bill also clearly sets out the rights of those people who may be affected by its controls.

CONTENTS OF THE BILL

The Bill establishes clear objectives, including the aim to guarantee that all Victoria's taxa of native flora and fauna, other than those expressly excluded, can survive, flourish and maintain their potential for evolutionary development in the wild. A taxon is a taxonomic group, such as a species.

The proposed legislation will formally establish a scientific advisory committee. The committee's basic task is to advise the Minister on the purely technical question of whether a species or a community of flora and fauna is threatened and whether a particular process is really a threat. A secondary task is to provide management advice to the Minister and director-general, which would be considered along with advice from many other sources.

A formal process, involving public participation, is set out for determining the listing or delisting of taxa, communities and potentially threatening processes. There is also a

requirement that as soon as possible after listing an action a statement be prepared outlining action to be taken to protect the taxon or community or to manage the potentially threatening process, as the case may be.

Provision is made for the preparation of a flora and fauna guarantee strategy which will give an overview of the whole program including resources available, the program for implementing the Bill's objectives, and the means of minimising the social and economic impact of that program.

The proposed legislation establishes a procedure for preparing flora and fauna management plans, involving public consultation. The director-general is also empowered to determine the critical habitats of taxa and communities.

The key new power which would be established is that of the interim conservation order. It is designed to give immediate and comprehensive protection so that there is a breathing space during which a program for long-term protection can be worked out for a particular critical habitat. These orders will be used only as a last resort where there is no other viable alternative available to protect the taxon or community. The Minister will make the last resort decision after consultation with the chairpersons of the Land Protection Council and the Conservation Advisory Committee.

An interim conservation order could be applied at short notice, if necessary without prior notification. However, during the first 90 days of its operation there is an obligation on the director-general to consult with those affected by the order and other interested parties with the intention of finetuning the order so that it is not unnecessarily restrictive and can as far as possible meet the needs of all interested parties. If necessary the order may be extended for up to an additional two years in the case of listed items.

Where a compelling case exists, the order could be applied for a short time to taxa or communities which are undergoing assessment for listing. Where an interim conservation order is being used to protect a nominated item the determination of the listing must be completed within 90 days.

Interim conservation orders may override existing use rights where the exercise of those rights would jeopardise a listed taxon or community. However, compensation would have to be paid. Long-term protection of habitat at the end of the operation of the order will be provided so far as possible through voluntary agreements with the land manager or other relevant parties. Where such cooperative arrangements were not possible, statutory protection could be applied under the provisions of other relevant Acts, in particular the Planning and Environment Act 1987.

The powers to protect flora from being taken, traded, kept, moved or processed are broadened from those provided in the Wild Flowers and Native Plants Protection Act 1958. However, the very wide exemptions of private land-holders, and those with the land-holder's permission, from controls over taking where protected flora is not offered for the purposes of sale, have been carried over. The handling of protected animals would continue under the Wildlife Act 1975.

The Bill provides that:

(a) possession of protected flora is evidence and, in the absence of evidence to the contrary, is proof of possession of protected flora in contravention of the legislation;

(b) a certificate of an authorised officer is evidence, and, in the absence of evidence to the contrary, proof that a plant is a protected plant of the kind stated in the certificate; and

(c) in proceedings under this Act, a certificate of the director-general indicating whether an interim conservation order was in force in respect of a particular area of land is evidence, and in the absence of evidence to the contrary, is proof of the facts stated in the certificate.

BENEFITS OF THE LEGISLATION

The government firmly believes that the Bill, when enacted and implemented, will result in many more species being saved from extinction than would otherwise have been the case, and that this would be done in the most economically and socially acceptable way that can be devised.

In conjunction with non-legislative action programs and powers already available under other Acts, the guarantee proposal represents the most effective nature conservation program of its type in Australia.

RESPONSE TO CONCERNS

To meet their legitimate concerns, care has been taken to ensure that the powers of the Bill will apply fairly to land-holders and other users of the environment.

The government decided several years ago that the Bill would not provide for general vegetation clearance controls. To reinforce this decision, the interim conservation order on private land is limited to the protection of the critical habitat of threatened species or other taxa, and cannot be applied for the protection of the critical habitat of threatened communities.

The order is also subject to rigorous consultation requirements, to appeals against its terms and conditions, to compensation for non-speculative losses and costs arising from the application of the order and to appeal against the determination of compensation.

Land-holder rights in relation to the interim conservation order are exactly the same for owners of land as they are for lease or licence holders. These rights cover consultation, appeals on the terms and application of orders, compensation, and appeals on compensation.

It should be noted that clause 43 (10) in this second Flora and Fauna Guarantee Bill provides for appeals against the determination of compensation to be taken to the Land Valuation Board of Review by way of a cross reference to the Land Acquisition and Compensation Act 1986.

The Bill establishes that the Conservation Advisory Committee and the Land Protection Council have the right to advise the Minister on any matters arising from the administration of the Bill. This includes giving advice on the criteria for listing, the Scientific Advisory Committee's recommendations, the preparation of management plans and the making and application of interim conservation orders. Where these committees provide comment to the Minister on the listing recommendations of the Scientific Advisory Committee, the advice must be made available to the public.

In addition, the Conservation Advisory Committee and the Land Protection Council and its associated Land Protection Regional Advisory Committees may advise the director-general on any matters arising under the proposed guarantee legislation for which the director-general has responsibility. This includes giving advice on interim conservation orders and management plans.

Other bodies such as the Victorian Farmers Federation, the Timber Industry Council, the Victorian Sawmillers Association, the Victorian Chamber of Mines, the Conservation Council of Victoria, the Victorian National Parks Association, field naturalists' clubs and farm tree groups will be consulted from time to time as is appropriate to the issue under consideration.

When making a draft flora and fauna management plan the director-general must consult with any land-holders whose interests, in the director-general's opinion, may be directly and materially affected by such a management plan. A notice must also be given to affected land-holders when a draft management plan has been completed.

Land management cooperative agreements and codes of practice made under the Conservation Forests and Lands Act 1987 would be able to be used for the purposes of the proposed flora and fauna guarantee legislation.

Where the proposed legislation calls for notices to be published in a newspaper and it is specified that the newspaper should be one circulating in the area relevant to the notice, it is the government's intention to use very localised newspapers in most circumstances. Local newspapers seem to have a higher readership rate per area covered than regional papers.

Listing of taxa and communities does not determine specific areas of land or elements of waters which are to be the subject of conservation concern. This must be done separately. The listing process under the proposed legislation is therefore not comparable with National Estate listing under Federal law.

No regulatory controls of any sort nor any requirements to take regulatory action arise from the action of listing a potentially threatening process under this Act.

There is a provision for a critical habitat to be kept confidential so that a land-holder's or other manager's property is not subject to unwelcome or damaging visitor pressure. Also there is nothing, in any way, in the Bill which gives or extends rights of private citizens to enter a person's property.

The controls contained in the Bill are designed to be flexible and targeted so that the maximum conservation effect can be achieved with the minimum level of impact on land-holder and other interests.

The Bill provides for the issue of permits for the control of protected plants, including those which are members of listed taxa or communities. Such permits can be issued only if the controlling action does not threaten the conservation status of these plants as a taxon and does not threaten the conservation status of the community of which they are a member.

Propagation of rare and threatened plants will generally be encouraged. Consequently, it is expected that for most plant species, a licence will not be required to authorise the keeping, trading in, moving or processing of propagated plants.

CONCLUSION

There is no doubt that this measure represents a marked improvement on what has gone before. If the 700 or so native species that are currently facing the prospect of extinction in Victoria are not to suffer the same fate as the 57 species which have already been lost, it is essential that the Bill is passed with its full complement of provisions.

I commend the Bill to the House.

On the motion of Mr COLEMAN (Syndal), the debate was adjourned.

It was ordered that the debate be adjourned until Thursday, April 14.

CRIMINAL INJURIES COMPENSATION (AMENDMENT) BILL

Mr McCUTCHEON (Attorney-General)—I move:

That this Bill be now read a second time.

BACKGROUND

The Bill makes a number of significant improvements to the State's criminal injury compensation scheme. The Bill reflects the government's commitment, in line with its social justice policy, to ensuring that appropriate support and assistance should be available to the innocent victims of crime and violence. The changes proposed in the Bill are based primarily on recommendations made by the Parliamentary Legal and Constitutional Committee in its major report on support services for victims of crimes, tabled last November. The Bill also contains amendments based on recommendations of the Crimes Compensation Tribunal drawn from its experience.

The Bill contains the second major increase in the level of tribunal awards made by the government since it took office in 1982. In 1982 the maximum amount recoverable by a victim of crime in this State was about \$10 000. Following a major review of the Act undertaken by a working party headed by Alan McDonald, QC, the maximum level of compensation was doubled to about \$21 000 and the pecuniary loss element of compensation was indexed. The effect of indexation of the pecuniary loss element has been to raise the maximum amount payable to about \$27 500. The government now proposes that the maximum level of payment be increased to \$50 000. Regulations will soon be made to that effect. This very substantial increase in the maximum level of payments—from about \$10 000 to \$50 000, a 400 per cent increase in the space of five years, is a practical illustration of this government's commitment to ensuring adequate compensation for victims of crime.

As honourable members will appreciate, the criminal injuries compensation scheme is funded entirely from the consolidated revenue. In the financial year 1986–87, the Crimes Compensation Tribunal made 2695 awards totalling \$6·8 million.

CURRENT SCHEME

As the scheme now stands, compensation is available to victims of crime and, in cases in which the victim has died, to his or her dependants, for: pain and suffering—maximum level \$7500; expenses, such as medical, dental, funeral costs, resulting from the crime—maximum level \$3000; and pecuniary loss through incapacity for work—maximum level indexed \$17 000.

LEGAL AND CONSTITUTIONAL COMMITTEE REPORT

As I have noted, in November 1987, the Parliamentary Legal and Constitutional Committee reported on support services for victims of crime. Chapter 2 of the report is devoted to crimes compensation.

The committee's proposals largely reflect those made by a New South Wales task force which reviewed criminal injuries compensation in New South Wales in 1986. That task force found that Victoria had the best scheme in Australia, and recommended that, with some modifications, it be used as the model for new legislation in New South Wales.

The Legal and Constitutional Committee's main recommendations relate to the determination and levels of compensation for criminal injury. In particular the committee found that current limits on compensation payments are too low. The key elements of the Bill substantially adopt the unanimous recommendations of the committee.

As honourable members will be well aware, the constraints on government spending are as tight as they have ever been. At the same time many worthy programs compete for those scarce resources. As I have noted, the government's social justice strategy accords a high priority, in the allocation of those resources, to protecting and enhancing the opportunities for and the quality of life of those most needing it. Consistent with that strategy and with the recommendations of the committee the government has agreed to raise substantially the available levels of compensation. The increases in each category of compensation will be as follows:

1. Compensation for pain and suffering

The maximum award payable for pain and suffering will be increased by 167 per cent, from \$7500 to \$20 000. This generous increase will significantly benefit most victims, since payouts for pain and suffering represent over 90 per cent of total compensation awarded by the tribunal.

2. Expenses

The Act currently contains three limits on the payment of expenses incurred as a result of the crime: only expenses incurred in the first year after the crime are able to be

compensated; an award can be made for only 80 per cent of those expenses; and a limit of \$3000 applies.

It should be noted that payments are made only for expenses actually and reasonably incurred and which arise from the crime.

The Legal and Constitutional Committee felt that the current limits were unduly restrictive. It called for the removal of the monetary limit and of the 80 per cent rule and it proposed that the one-year limit on expenses be extended to two years.

The current limits do cause hardship in some cases: for example a rape victim may need more than one year of costly psychological counselling. The government has accepted the committee's criticism. In fact the government has decided to go further than the committee's recommendation and not restrict the payment of expenses to a two-year limitation, but to provide compensation for all expenses, subject to approval by the tribunal and to the overall limit on awards of \$50 000.

3. Pecuniary loss

At present, maximum awards for pecuniary loss are set by reference to benefits available under the Workers Compensation Act 1958. Thus, the maximum benefit available to a person with dependants, who is totally incapacitated, is \$326 per week for twelve months. Benefit levels are to be raised to accord with WorkCare payments. The current maximum is \$457 per week.

Compensation for pecuniary loss will normally be payable for a maximum period of one year, but the present law which restricts claims under this heading to a maximum of one year is modified. In future an applicant may at the end of one year seek an extension of the order to cover a second year's pecuniary loss.

Only a very small number of victims require compensation for more than one year, but the government recognises that extension of the present time limit will greatly benefit those victims who have suffered very serious injury and who are not adequately compensated by other schemes.

These changes will be made by the Bill and by regulations to complement it.

MONITORING OF SYSTEM

The new system of criminal injuries compensation will be reviewed after two years operation. The purpose of the review will be to ensure that equitable compensation is paid to genuine victims of crime. In order to assist the review process, the government will monitor the value and nature of compensation payments.

OTHER AMENDMENTS

The Bill also affects other worthy changes to the Act that have been proposed either by the committee or by the tribunal:

1. Removal of discrimination against victims of family violence

Section 20 (2) (D) of the Act discriminates against victims of domestic violence by prohibiting recovery unless the criminal act was reported to the police. In many instances, victims have a good reason for being unwilling to report an assault to police, often preferring to seek assistance from health professionals and counsellors.

A similar provision in Australian Capital Territory law was criticised by the Australian Law Reform Commission which noted:

If it is necessary to guard against fraudulent or collusive claims on the compensation fund, then this should be provided in a general provision, rather than in a provision which singles out victims of domestic violence. Fraud and collusion can after all occur in other contexts.

In line with this philosophy and consistent with other government measures against family violence, the Bill repeals section 20 (2) (D) and inserts a general provision preventing awards in cases of fraud or collusion between the victim and the offender.

2. Maintenance awards in sexual offences cases

The Bill empowers the tribunal to award maintenance in the very rare case in which a child is born as a result of a rape or incest offence.

3. Procedural reforms

In future, awards will be payable by way of periodic instalments in appropriate cases. Further, the tribunal will be empowered to hold directions hearing to resolve issues at an early stage.

SUPPORT SERVICES FOR VICTIMS OF CRIME

I should add that, in consultation with interested organisations, the government is currently examining the other recommendations made by the committee in relation to support services for victims of crime. It will respond to them formally in the near future.

CONCLUSION

It goes without saying that nothing can adequately compensate some victims for the physical, emotional and psychological trauma they suffer as a result of crime. Nonetheless, the government accepts fully its responsibility to assist victims who have been severely injured to re-establish themselves in the community. The Bill will provide a more humane and generous regime of compensation to this worthy end.

I commend the Bill to the House.

On the motion of Mr JOHN (Bendigo East), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 12.

HEALTH SERVICES BILL

Mr ROPER (Minister for Planning and Environment)—I move:

That this Bill be now read a second time.

The Bill represents a further stage in the reform of the government's health legislation. Its aim is to modernise the law as it applies to the regulation of health care agencies in Victoria. Among other things, the Bill replaces the Hospitals and Charities Act 1958, and a significant part of the Health Act 1958. It also repeals or amends various other Acts such as the Cancer Act 1958, and brings together in the one statute a great deal of the law relating to the provision of health services in this State.

Much of our health legislation developed in response to needs identified more than 70 years ago. It no longer provides an adequate, and in some cases, even comprehensible, legislative framework for the provision of health care in a modern society. The Bill sets out to provide Victorians with a solid foundation of health legislation upon which further reforms can be based.

The Bill primarily reflects the recommendations contained in discussion paper No. 8 published by the Health Legislation Review Unit entitled "Regulation of Health Care Agencies and Charities".

It incorporates proposals in a number of other reports whose recommendations impact upon health care and whose adoption has been delayed pending the development of the new legislation. These include the reports of the Ministerial Review on Community Health, the Ministerial Review of Special Accommodation Houses, the Task Force on Quality Assurance and the Day Procedure Centre Task Force.

The Bill also takes account of the recommendations of several Parliamentary committees, including those expressed in the report of the Social Development Committee into Certificate of Need and the Report of the Economic and Budget Review Committee into the Audit of Public Hospitals. The Bill, therefore, serves as a vehicle for the implementation of some of the most significant policy initiatives of this government.

The underlying theme of the proposed legislation is accountability to government. In turn, the responsibility of government will be to ensure quality, equity and efficiency in the delivery of health services.

The proposed legislation reflects the government's consistent view that the quality, equity and efficiency of health services is best promoted through a mixture of public and private services provided by agencies independent of government but accountable to it.

Greater accountability does not necessarily mean greater day-to-day control. Indeed, it may mean less day-to-day control and a different, more considered approach to the goals we are seeking to achieve. This is how I describe the intended effect of the proposed legislation in relation to health care agencies, like public hospitals, which receive significant State financial support.

By requiring registered funded agencies to enter into health service agreements, the government is indicating its commitment to ensuring accountability through specifying, in consultation with the agencies, clear goals and throughput targets. Nevertheless, where health services are provided to the more vulnerable of our community—the frail aged and people with disabilities—greater accountability necessarily means that the government must ensure that it has adequate powers to enforce compliance with standards, to curb abuse and thereby to enhance the lives of these people. The government has not shirked this responsibility.

It is appropriate that I now provide specific details on how different types of health care agencies will be affected by the proposed legislation.

PUBLICLY FUNDED HOSPITALS

The Bill removes overly restrictive, and much criticised, capital expenditure and other financial controls to which publicly funded hospitals are now subject. In lieu, it will enable flexible controls to be introduced according to the budget and the past record of the hospital. At the same time, the Bill establishes greater financial accountability to government and Parliament by providing for the audit of the accounts of publicly funded hospitals by the Auditor-General. The government thereby wholly endorses the principal recommendation of the Economic and Budget Review Committee in its recent report on the audit of public hospitals.

The Bill also facilitates the process of rationalisation of hospital services by linking the exercise of closure and amalgamation powers to proven benefit to the health system and by enabling hospitals to amalgamate with unincorporated bodies and bodies incorporated under other Acts.

I note that this government has been highly successful in using its rationalisation powers to redirect hospital services to those previously underserved, for instance, people in the south-eastern suburbs of Melbourne.

PRIVATE HOSPITALS AND DAY PROCEDURE CENTRES

A key feature of the Bill is the potential savings to developers and proprietors by enabling them to obtain a formal approval in principle before undertaking the building or purchase of a private hospital or day procedure centre.

The Bill reduces bureaucratic requirements. Proprietors, for example, will be required to register biennially rather than at annual intervals. Moreover, Health Department Victoria will be required to process applications in relation to such facilities within 60 days unless further information is required.

The Bill also enables the government's health planning guidelines to be given formal status. This will resolve the problems caused in the past when Health Department Victoria has used informal guidelines of uncertain legal status to guide its health planning decisions.

In summary, the Bill seeks to strike a fair balance between the right of proprietors and developers to conduct their business dealings freely and the right of the community to ensure that necessary clinical services which are of high quality are available throughout the State and are provided in an atmosphere of maximum safety.

COMMUNITY HEALTH CENTRES

Under the Bill, the archaic contributor system for the election of committees will be replaced by a Senate-type system of election by people living in the area served by each community health centre. This fulfils the commitment of the government to a new, more community-oriented system for community health centres.

It also reinforces the government's commitment to the concept of integrated health and its recognition of the importance of providing a local base for many Health Department Victoria funded services, such as drugs and alcohol programs, district nursing, school nurses, dialysis services, mental health services and dental services.

NURSING HOMES, HOSTELS AND SUPPORTED RESIDENTIAL SERVICES—SPECIAL ACCOMMODATION HOUSES

A principal focus in the Bill is the strengthening of the capacity of the government to curb abuses of older and disabled people living in nursing homes, hostels and supported residential services, or special accommodation houses as they have been called to date. Among the proposed new powers will be the ability to appoint a temporary administrator to operate a facility which cannot guarantee the quality of its service. This power would have been particularly valuable in resolving the recent crisis involving the threatened closure of seven Victorian nursing homes.

The Bill also introduces a system of on-the-spot fines for breaches of the regulations, and vests in the Minister power to suspend admissions in appropriate circumstances.

The Bill extends the community visitor scheme, established under the Mental Health Act, and the Intellectually Disabled Persons Services Act, to include nursing homes, hostels and supported residential services.

In addition to the matters I have already mentioned, three other features of the Bill should be directed to the attention of the House. Under the legislation, Health Department Victoria will be able to prevent the establishment or expansion of a nursing home, hostel or supported residential service in an area if it would result in an oversupply of services in that area. This is an important power if the government is to ensure the equitable distribution of, and access to, services to older and disabled people.

The second is its recognition of the importance of quality assurance programs—that is programs, like peer review, designed to ensure the ongoing quality of health services. With this in mind, the proposed legislation sets out to encourage the establishment of quality assurance bodies by health care agencies and provides for the protection of information given to approved bodies. This capacity is essential if comprehensive quality arrangements are to be established to ensure that the quality of health services provided to the community is of the highest possible standard.

Finally, I direct attention to some significant technical amendments to the Mental Health Act 1966. These provisions, which deal with a range of issues, are designed to ensure that the original intent of Parliament is honoured and that psychiatric patients receive both high quality services and respect for their civil liberties.

At this stage, it is appropriate that I acknowledge the contribution of the Health Legislation Review Unit, under the guidance of its Director, Mr Alan Rassaby, and the

unit's external advisory committee under the chairmanship of Professor Terry Carney, in the development of the proposed legislation.

Nearly 5000 copies of the discussion paper I mentioned earlier were circulated by the unit, and a number of seminars held. In addition, extensive consultations have taken place with major interest groups including the Victorian Hospitals Association and the Private Hospitals Association.

Copies of the draft legislation were released earlier this year. In all, the government received more than 170 submissions. The present Bill has been considerably refined in the context of views subsequently expressed by the public.

The Bill is the culmination of a great deal of work by the unit as well as a substantial input from within the community. Not only will it replace the present outmoded law with a document which takes account of today's needs, but also the Bill will provide an effective policy framework for the balanced regulation of health care agencies as we move towards the 21st century.

I commend the Bill to the House.

On the motion of Mr WEIDEMAN (Frankston South), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, April 12.

ADJOURNMENT

Plumbing apprentices in Latrobe Valley—Pensioner rate rebates—School bus services in Thomastown electorate—Pedestrian overpasses in CBD—Castlemaine and Maldon Railway Preservation Society—Statutory declarations regarding Oakleigh City Council—Railway residence at Mangalore—Allegations against City of Doncaster and Templestowe councillor—Pre-apprenticeship hairdressing course

Mr FORDHAM (Minister for Industry, Technology and Resources)—I move:

That the House do now adjourn.

Mr DELZOPPO (Narracan)—In the absence of the Minister responsible for post-secondary education, I raise with the Premier the concerns of a number of plumbing apprentices in the Latrobe Valley who are trying to finish their plumbing courses and need to complete one further subject before receiving their triple certificates.

The courses cannot be provided in the Latrobe Valley and the nearest TAFE college, where these courses are held, is in Dandenong. A course is conducted between 5.30 p.m. and 7.30 p.m. but it is impossible for apprentices in the Latrobe Valley to get to Dandenong to attend at that time.

It is imperative that the apprentices be allowed to finish their courses. In answer to a question today, the Minister responsible for post-secondary education made a boast of what the government was doing for apprentices. Yet the situation here is that a number of young people have been effectively shut out from completing their courses.

I have been told that the reason for the courses not being provided in the Latrobe Valley is the lack of funds. Even more disturbing is the fact that next year the problem will escalate and apprentices in carpentry, painting and decorating, and the construction industry will face the same situation.

I ask the Premier to investigate the matter and ensure that young people who have had the ability to stick to a course, have taken low wages as apprentices and are looking forward to being fully qualified tradesmen are not discouraged to the extent where they cannot fulfil that goal. It is incumbent on Parliament, the government and the Minister to ensure that courses are provided to allow these apprentice plumbers to fulfil their target of completing their studies within a suitable time.

Mr JASPER (Murray Valley)—I raise a matter for the attention of the Treasurer but, in his absence, I direct it to the Premier. I refer to representations I made to the Treasurer after I had been approached by a large number of pensioners in my electorate about rebates on general and water and sewerage rates.

This matter may have been raised in Parliament by one of the Opposition members a few weeks ago but I consider it worth while again directing it to the attention of the Premier. I know that the Premier will be quick to say that the Opposition and the National Party are always asking the government to spend more money, but perhaps the government should be revising some of its priorities and curtailing some of its expenditure so that it can show compassion to pensioners, as I know it has done in the past. The pensioners of this country have worked hard to develop this nation to what it is today.

No increase in rebates for pensioners' general and water and sewerage rates has been made since the government came into office. The current rebate allowable to pensioners is 50 per cent of municipal rates, with a ceiling of \$135 a year, and water and sewerage rates with a ceiling of \$67.50 a year. I wrote to the Treasurer about this issue and on 12 January I received a response from the Premier as the then Acting Treasurer, confirming the rebates that I have just mentioned. He mentioned that the government had granted other methods of providing assistance to pensioners, such as concessions on stamp duty, winter energy bills, and excess water charges. He also mentioned further assistance that had been provided by the Commonwealth.

The Premier, writing as the Acting Treasurer, went on to state:

If, despite this extended range of concessional benefits, your pensioner constituents in higher rated areas still face difficulties in meeting their rate commitments, you might suggest that they approach their local council and/or local water and sewerage authorities requesting exemption from or deferral of all or some part of their rate bills.

It is incumbent on the government to review the rebate that is allowed to pensioners on their municipal and water and sewerage rates.

This is put into better perspective by a letter written by the Town Clerk of the City of Wangaratta, Mr J. W. Elward, who indicated that the council's first claim for reimbursement for 1987-88 was for 1313 properties, of which fewer than 89 attracted the full 50 per cent rebate on the municipal rate. I repeat those figures because they are important—1313 properties of which fewer than 89 attracted the full 50 per cent rebate. Those 89 people receiving the full rebate are not receiving the degree of assistance initially intended because the government has not increased the pensioner rebate for municipal and water and sewerage rates since 1982.

Despite the added assistance that has been provided, the government should provide further assistance to pensioners in the coming Budget, recognising that over the years a 50 per cent rebate was provided, but that the maximum rebate now available is less than the 50 per cent originally intended.

Mrs GLEESON (Thomastown)—I direct a matter to the attention of the representative in this place of the Minister for Transport. It relates to the inadequacy of school buses in the Thomastown electorate. My complaint concerns two school buses that take students from Mill Park to the southern sector of the northern suburbs and students travelling from the Greenbrook estate in Epping to the Lalor Technical School.

I do not wish to name the bus companies tonight, but I want the Minister for Transport to address this problem urgently, as it has continued for some time, despite my representations on behalf of the constituents concerned. The Mill Park bus service has two buses taking secondary students to the Macleod High School and the Reservoir High School. The first bus is at 7.50 a.m. and is not overcrowded, but it does a round route through the large Mill Park estate and the children have a considerable distance to walk.

I was assured that the matter would be addressed and I believe it has been to some extent, but there are still some problems with that early bus route. The 8.30 a.m. bus takes

students from Mill Park who attend the Greenwood High School in Bundoora. That bus service is often late and overcrowded, to the extent that at one stage last year one child suffered a broken leg as a result of an accident.

On Monday mornings, my electorate officer and I receive continuous complaints about the school bus service. Recently my electorate officer checked the situation and found that at 8.45 a.m., 15 minutes after the bus was supposed to leave to get the children to school by 8.50 a.m. at Bundoora, it had still not turned up. More than 90 students use that bus; so a considerable number of students who attend that school would have been late.

I refer also to the bus taking students from the Greenbrook estate in Epping to the Lalor Technical School, which is a popular school in my electorate. There is a railway line from Lalor to Epping but the Epping railway station is some distance from the Greenbrook estate. Therefore, a school bus was provided. However, overcrowding on the bus, particularly on the home journey when it stops at the Thomastown and Merrilands high schools, has meant that sometimes the children are not even able to get on the bus and must walk the 4 kilometres home.

I have taken up this matter with the Ministry on two occasions, but I am still receiving complaints that there has been no significant improvement in the service. Indeed, if the bus always arrives as late as it did on Monday morning, it seems that the service has deteriorated.

I urge the Minister to investigate the matter urgently so that students are able to travel to the schools of their choice and receive their education.

Mr HEFFERNAN (Ivanhoe)—I direct to the attention of the Premier the important matter of the future of the central business district. An article in today's *Sun* suggested that the Minister for Planning and Environment seems likely to reverse a view indicated by his predecessor by allowing the construction of a pedestrian bridge from the Victoria project to Myer Melbourne.

The Premier should be aware that the adoption of such a proposal would have enormous repercussions. It would be a first step towards changing the character of Melbourne's great streets. It would be a reversal of the policy of refusing approval for the construction of overpasses or bridges over Melbourne's streets. For example, the Royal Melbourne Institute of Technology was recently refused permission for a bridge over Swanston Street; David Jones was refused a bridge over Bourke Street; and some time ago the State Bank was refused a bridge over Elizabeth Street.

The pedestrian bridge proposal now in question would selectively advantage major department stores to the detriment of everyone else, particularly the small traders at ground level whose customers would then pass above them. If such a pedestrian bridge were constructed, the customers would be diverted away from the front doors of the ground level shops. This would be grossly unfair, particularly in view of the difficulties that small traders are already suffering.

The National Trust of Australia (Victoria) and other groups concerned with the preservation of the character of Melbourne are making it increasingly clear that they will oppose any move to construct pedestrian overpasses and that they will insist that any serious suggestion in that regard should be tested in an independent public forum. That is extremely important.

I am sure everyone concerned with environmental questions would agree that a major change such as that now being contemplated by the new Minister for Planning and Environment should never be accepted on the basis of one man's whim alone. It ought to be subject to proper and independent testing.

I ask the Premier for an assurance that: firstly, no decision will be made without testing public opinion and enabling the interests involved to have an effective input before even a preliminary decision is made; and, secondly, there will be an opportunity for any

decision, whatever it may be, to be tested in the normal way, according to proper planning principles, and before an independent tribunal. The implications are too serious for any other course.

The proposal represents a major change of direction in planning for the central business district. I suggest to the Premier that it may be that things are changing in this area, but if that is the case there is plenty of time at this stage to follow the proper planning process. The completion of the Victoria project is still a long way away. Therefore, it is not as though the important stage is being reached where a decision must be made overnight.

I ask the Premier to examine the situation closely and, if possible, to exercise his power to ensure that the proper planning process is adhered to, because the adoption of the proposal will mean a major change in direction for Melbourne.

Mr KENNEDY (Bendigo West)—I direct a matter to the attention of the Minister representing the Minister for Transport. A particular problem has arisen in my electorate in connection with proposals of the hard-working committee of the Castlemaine and Maldon Railway Preservation Society.

Honourable members interjecting.

Mr KENNEDY—I am surprised that there should be ridicule from the Opposition, especially from the honourable member for Gippsland West, who is the shadow Minister for Transport. The ridicule makes it clear that the Liberal Party regards the whole matter as a joke! The Liberal Party has a hostile attitude to the matter.

I have received representations from the Castlemaine and Maldon Railway Preservation Society. As I say, it is a dedicated, hard-working community group which has notched up considerable achievements in restoring the track out of Maldon. The aim of the group is to develop a railway line between Maldon and Castlemaine.

The group has restored some magnificent rolling stock. Much of the work has been done with the assistance of V/Line, which has shown an admirable attitude towards the project. The group is facing problems relating to modernisation, which include a change from mechanical signalling to electronic signalling. The problem is a hindrance to the proposals of the society, both in terms of ultimately taking the train into Castlemaine and making use of the railway yards and railway line.

As I say, I have received representations from this organisation and I went to Castlemaine recently to hold discussions with two representatives. The group is keen to achieve its long-term plans for the project.

I indicated to the two representatives that I was happy to make representations to the Minister for Transport on this matter. I appreciate the strong support given in the past by the former Minister for Transport and the willingness of the Minister to listen to the problem. I now ask the current Minister to have discussions with the Minister for Tourism because it may be that the problem can be resolved through a joint approach.

I reiterate that it is essentially a problem relating to modernisation of the railway yards and railway system in Castlemaine. The development of this section of railway line arises as a result of the commitment of the Victorian government to developing and redeveloping the transport system in Victoria, but it does pose a problem for the Castlemaine and Maldon Railway Preservation Society. I am pleased to note the positive attitude shown by the regional management of V/Line. The matter has been discussed but the society may have to raise a significant amount of capital, possibly up to \$100 000, to meet the costs of modernising the signalling system to take the train into Castlemaine and to make use of the yards.

I ask the Minister for Transport to consider the situation sympathetically and to do all he can to help. I ask him, if necessary, to have discussions with the Minister for Tourism. The Victorian Tourism Commission recognises that the project is important for tourist

development in the central Victorian area of Castlemaine and Maldon. It is necessary that assistance be provided so that the society achieves its long-term aims.

Mr LEIGH (Malvern)—I direct a matter to the attention of the Premier, and I ask him to discuss it with the Attorney-General because it is a serious matter concerning Australian Labor Party councillors, in particular a number of them in the City of Oakleigh.

In October 1986 I raised a series of allegations through statutory declarations signed by Australian Labor Party branch members against their own party colleagues in the House. Subsequently, the honourable member for Niddrie asked the then Minister for Police and Emergency Services to investigate those declarations.

On 5 December 1986 I asked the Minister a question in relation to the statutory declarations, and inquired what he intended to do. His answer was:

If there are charges to be levelled against people, the proper place for complaints to be made is with the police.

On 10 December 1986 I wrote to the then Chief Commissioner of Police, Mr Miller. Mr Miller supplied me with a series of one-line statements, saying that the police were continuing to look into the matter. According to my sources in the Australian Labor Party, it appears that Mr Batchelor, the "Nunagate" man, has lost the original statutory declarations. Mr Batchelor accepted that my copies were exact replicas of the original documents he had lost.

I did what I was expected to do as a member of Parliament in raising these serious allegations concerning John Perryman, the leader of the centre unity people, and involving intimidation, vandalism, abusive telephone calls, electoral malpractices and a whole range of other matters. Mr Batchelor appears to be stalling.

The SPEAKER—Order! The honourable member directed the matter with which he is concerned to the Premier for transmission to the Attorney-General. He now seems to be accusing a Mr Batchelor of certain deeds and I see no relevance whatsoever in that to the responsibilities of the Attorney-General.

Mr LEIGH—Apparently the police on a number of occasions have attempted to obtain this information from Mr Batchelor.

Mr Norris—Get out of the gutter! You're a hypocrite and a disgrace to Parliament!

Mr LEIGH—Mr Batchelor has stalled by saying that the documents are lost. I suppose one could say that I am impugning Mr Batchelor's reputation, but I think the Nunawading affair has taken precedence. Mr Batchelor has a responsibility as the Victorian Secretary of the Australian Labor Party to ensure that the Premier stands for a clean government.

I ask the Premier to do something about this matter. If he wants to run to the people at the next election, it is up to him to clean up his party and to clean up the City of Oakleigh. It is up to him because he is the Leader of the government.

The SPEAKER—Order! The honourable member for Dandenong used the expression "hypocrite"; it is unparliamentary and I ask him to withdraw.

Mr NORRIS (Dandenong)—I withdraw, Mr Speaker.

Mr McNAMARA (Benalla)—I direct a matter to the attention of the Premier and ask him to refer it to the Minister for Transport in another place. It concerns the occupier of a railway residence at Mangalore, Mr J. Larkin. Mr Larkin was employed for some 21 years by what was then the Victorian Railways. He is now retired and lives with his family in a railway house at 14 Grant Street, Mangalore, north of Seymour. He received a letter from V/Line dated 10 March 1988.

Part of the letter stated that the authority's residence No. 675 was unfit for habitation due to damage caused by white ants, and could be structurally unsound. It was therefore proposed to arrange for the residence to be demolished and, accordingly, Mr Larkin was given 30 days' notice from the date of the letter to vacate the premises.

Mr Larkin said that he was happy with the standard of accommodation in the railway house. In fact, he has spent quite an amount of money renovating the house over the many years he has occupied it. He has no alternative but virtually to move out onto the street, and I ask the Premier to speak with the Minister for Transport and ensure that we do not make Mr Larkin another one of the homeless people in this State. Some sympathetic consideration should be given to Mr Larkin.

Mr HILL (Warrandyte)—I direct to the attention of the Minister for Local Government a matter relating to a complaint that has been made publicly about Councillor Burlock of the Doncaster and Templestowe City Council. For the sake of the good name of the councillor, I am concerned that this complaint be dealt with as soon as possible.

The complaint alleges that Councillor Burlock voted on a motion to allow the council to sell off a laneway to adjoining landowners. At the time of the motion a company controlled by Councillor Burlock had contracted to purchase one of the properties that bordered on the lane.

This is a serious charge and it ought to be dealt with quickly, both for the sake of the council and for the sake of Councillor Burlock. I ask the Minister to advise the House whether his department has made any investigations into this complaint and, if so, what are the results of those investigations?

Mr WEIDEMAN (Frankston South)—I direct an important matter to the attention of the Minister Assisting the Minister for Education with responsibility for Post-Secondary Education. Despite the fact that he is always complaining that no-one ever asks him anything, he is not here; so I shall refer the matter to the Premier.

Earlier this year the Flagstaff College of Technical and Further Education placed an advertisement in the newspaper asking young would-be hairdressing apprentices to apply for a pre-apprenticeship hairdressing course. An information session was held on Thursday, 21 January at 11 a.m. and applications closed on 1 February at 4 p.m. A selection test for numeracy and literacy was held on Thursday, 4 February at 10 a.m.

A local constituent, Vanessa Dupuy, of 376 Dandenong Road, Seaford, was one of those who applied for the course as she wanted to enter the profession of hairdressing. She received a letter to say that her interview was at 11.20 a.m. on Monday, 15 February. She attended, identified herself, and passed the set examination. She received a letter on 18 February congratulating her. The letter stated in part:

We wish to inform you that you have been successful in gaining a position in the pre-apprenticeship course. If, for any reason, you decide not to accept this offer, please contact me—

And the letter continues. Then comes the hard part. The applicant had to enclose a cheque for \$35 and it appears that after the college was telephoned, the applicant was informed that the course was to be cancelled. The college wrote to Miss Dupuy, claiming that the Hair and Beauty Industry Association and the Australian Hairdressers, Wigmakers and Hair Workers Employees Federation had not been able to agree on the wages to be paid to the graduates of the pre-apprenticeship course.

The letter states that, “consequently, the training authorities have not been able to grant permission to conduct this course for the college. To do so would be an infringement to the Apprenticeship Act”.

The letter goes on to apologise for the situation. The parents of the 30 successful applicants had obtained uniforms for their daughters, they had travelled to town for the test and the applicants, having been successful, waited until March to begin the course. After going through the application process, the course was cancelled and they have been left high and dry.

The applicants are not able to go back to school because school commenced in February. The applicants could not obtain apprenticeships and the idea of doing the course was to

work under apprenticeship conditions so that they could apply for jobs as hairdressers with a year's experience.

I cannot imagine how wages ever became involved in the issue, as the applicants were not to receive any wages. It seems that they all would have been happy to work for apprenticeship wages once they had completed the pre-apprenticeship course, which does not identify any wage.

I see the situation as a con. Many young people in the community want jobs and these young people went through the process of applying for this pre-apprenticeship course. From more than 300 applicants they chose these 30 young people who have now been denied the right to be trained. It is a disgrace and I should like the Minister to explain why the TAFE college is letting down these young people.

Mr CAIN (Premier)—The honourable member for Narracan brought to my attention the problems being experienced by some young people undertaking plumbing apprenticeship courses. I shall refer the matter to the Minister Assisting the Minister for Education for his detailed response. If the honourable member for Narracan had listened to the answers I gave to questions during the last session, instead of bleating about Standing Order No. 127, he would have realised that I gave a great deal of detail about the increase in the number of apprenticeship places provided by the government over a long period. I cannot recall the figures offhand, but there has been a huge increase in the number of apprenticeship places made available. I shall find out about the situation of those seeking places at the college that he mentioned.

The honourable member for Murray Valley raised the question of rate rebates for pensioners. When I was the Acting Treasurer I signed many letters of the kind referred to by the honourable member in response to similar applications. There is a long list of assistance measures that have been introduced for pensioners over the past six or seven years. I wish the government could do more; but there is a limit to what assistance can be given. I shall take up the matter with the Treasurer and ensure that the honourable member receives a detailed response.

The honourable member for Thomastown was concerned about both the frequency and the standard of service of a number of bus routes for children in her electorate. I shall bring that matter to the attention of the Minister Assisting the Minister for Education and ask him to reply to the honourable member.

The honourable member for Ivanhoe raised an issue that was given some prominence in the Melbourne *Sun* this morning. It is not the first time the question of a bridge across Lonsdale Street has been raised. There is little profit in speculating about the decision of planners. The planning area is a cesspit of gossip and speculation! Since the government took over control of planning in the central business district from the Melbourne City Council, planning procedures have been improved. Developers and investors were in the midst of a strike of capital six or seven years ago. That is no longer the case; and in some places the cranes blot out the sun.

Mr Leigh interjected.

Mr CAIN—I need to exaggerate to get through the mental barriers of the honourable member for Malvern! A considerable amount of development is taking place in the central business district. That is in response to the sensible and sensitive approach of both the Minister responsible for major projects and the Minister for Transport, when he was the Minister for Planning and Environment, as well as the present Minister for Planning and Environment.

In making planning decisions, a middle way must be found between those who want to knock down all old buildings and develop everything and those who believe that one must have regard—as the honourable member for Ivanhoe has—for sensible and discretionary planning decisions in certain areas. I accept what the honourable member for Ivanhoe said: a decision about the building of a bridge should not be made on one man's whim.

There has been a bridge across Little Bourke Street between the two Myer buildings for many years. I understand why people have reservations about such bridges, but I can assure the honourable member that proper planning procedures will be observed. An application of the kind the honourable member mentioned will be considered on its merits.

The comments the honourable member made about the Victoria project are probably accurate. The project has a long way to go, but it is progressing well. The decision, taken four or five years ago, to develop the northern end of the city is paying off. That end of the city had been a desolate place, but it is improving now. That has come about partly because of the confidence the government has given, through its planning policies, to those who have pursued developments in that part of the city. The confidence is certainly back and there is a preparedness to invest as a consequence. I will pass the matter on to the Minister for Planning and Environment.

The honourable member for Bendigo West raised the matter of the work of the Castlemaine and Maldon Railway Preservation Society. I have seen something of its work. The honourable member has been a strong supporter of the group for a considerable period, the members of the society welcome his support and are grateful for it. They are doing a good job in restoring old trains and giving tourism in the area a lift. In many cases, members of the society are retired people who have a love for trains and enjoy their work and want to make a contribution to the community. I shall look into the matters that the honourable member has raised to see what can be done to assist.

The honourable member for Malvern raised a question about the Oakleigh City Council. I have heard this matter raised before. He has a well-worn record that he uses on this matter. There are 210 councils, and I can name a few, but there are processes that should be followed for matters to be considered. It is not for government to tell those who are responsible for investigating the matters about which the honourable members complains how they should do their job.

The honourable member for Benalla raised with me the question of a Mr Larkin who occupies a V/Line property at Mangalore and does not want to leave it, but V/Line wants it. I shall inform the honourable member about the matter.

The honourable member for Frankston South is concerned about the course offered by the Flagstaff College of TAFE to those who wished to pursue the occupation of hairdressing and expressed concern about the way that course has been cancelled. I shall make inquiries and inform him of the outcome.

Mr SIMMONDS (Minister for Local Government)—The honourable member for Warrandyte raised a question about one of the 210 councils, namely, the Doncaster and Templestowe City Council. The matter was raised by the honourable member for Doncaster during debate on the Local Government Bill (No. 2). As with all issues in local government, one must remember that councillors are voluntary workers who perform a useful function in government.

It is alleged that Councillor Burlock voted on a motion to allow council to sell off a laneway to adjoining landowners. At the time, a company controlled by him had contracted to purchase one of the properties that borders the laneway.

That is the substance of the issue, and the Local Government Department, which has been engaged in the investigation, has shown that Councillor Burlock had a pecuniary interest in respect of a property at 732 Doncaster Road, Doncaster. He was present at a council meeting that commenced the process to sell council property to abutting landowners.

Advice from the Victorian Government Solicitor is required on whether section 181 of the Local Government Act totally covers the facts of this case. A number of defences may be raised by Councillor Burlock, the most relevant being whether he knew of his interest at the time of the vote. The report has been made available recently and I am taking legal

advice on the issue. I thank the honourable member for Warrandyte and the honourable member for Doncaster for putting the matter in its proper perspective. That is how matters like this should be handled.

The motion was agreed to.

The House adjourned at 5.40 p.m. until Tuesday, March 29.

QUESTIONS ON NOTICE

The following answers to questions on notice were circulated—

JOINT VENTURES OF MINISTRY FOR THE ARTS

(Question No. 156)

Mr STOCKDALE (Brighton) asked the Minister for the Arts:

In respect of each department, agency and authority within his administration, for the period 4 April 1982 to 1 May 1987:

1. What is the name of each joint venture or business entity created in which the State of Victoria had equity, indicating—

(i) the nature of each business; (ii) the proportion of equity held by each State instrumentality; (iii) the amount of consideration given for the equity held by the State instrumentality; and (iv) the proportion of equity held by any other organisation?

2. What is the name of each joint venture or business entity created in which the State of Victoria acquired equity, indicating—(i) the nature of each business; (ii) the proportion of equity held by each State instrumentality; (iii) the amount of consideration given for the equity held by the State instrumentality; and (iv) the proportion of equity held by any other organisation?

Mr CATHIE (Minister for the Arts)—The answer is:

The Film Victoria Act encourages the corporation to make investment in film production. It does so to support activity within the film and television industry in the State of Victoria.

Film and television production investment is generally undertaken on a project-by-project basis. It is not normal for an investor to provide capital for an ongoing production company, but to invest in each individual production.

Thus, Film Victoria invests in a wide range of one-off productions under varying terms and conditions. However, these terms are generally no less than the terms provided to commercial investors.

The size of Film Victoria's investment in each production is publicly available information contained in the annual reports of the corporation. It is not, however, normal practice for the corporation to release the size of the total budgets of productions as this figure is considered to be a commercial confidence of the producer of the program.

Film Victoria has, as a general investment guideline provided by the Department of Management and Budget, a maximum of 40 per cent equity in commercial ventures. However, most investments are considerably less than this percentage.

CARPETS FOR GOVERNMENT BUILDINGS

(Question No. 183)

Mr I. W. SMITH (Polwarth) asked the Minister for Property and Services:

In relation to carpet purchased for and used in buildings occupied by all government departments and instrumentalities in each of the preceding five financial years:

1. What was the quantity and cost of the carpets?
2. What was the percentage of Australian wool used in those carpets?
3. What was the source of origin of other materials used in the carpets?

Mr SPYKER (Minister for Property and Services)— The answer is:

As this question falls within the portfolio of the Minister for Housing and Construction, I suggest that the honourable member direct his question to the Minister for Housing and Construction.

UNIONISTS APPOINTED TO COMMITTEES OR BOARDS

(Question No. 205)

Mr GUDE (Hawthorn) asked the Minister Assisting the Minister for Education, for the Minister for Education:

In respect of each department, agency and authority within his administration, what are the names and qualifications of all—(a) union officials; (b) union members or affiliates; and (c) members of the ALP, appointed to any committee or board?

Mr CATHIE (Minister Assisting the Minister for Education)—The answer supplied by the Minister for Education is:

This information has already been provided to the honourable member under the Freedom of Information Act.

(Question No. 208)

Mr GUDE (Hawthorn) asked the Minister for the Arts:

In respect of each department, agency and authority within his administration, what are the names and qualifications of all—(a) union officials; (b) union members or affiliates; and (c) members of the ALP, appointed to any committee or board?

Mr CATHIE (Minister for the Arts)—The answer is:

The honourable member has already been provided with information on this matter under the Freedom of Information Act.

(Question No. 211)

Mr GUDE (Hawthorn) asked the Minister for Property and Services:

In respect of each department, agency and authority within his administration, what are the names and qualifications of all—(a) union officials; (b) union members, or affiliates; and (c) members of the ALP, appointed to any committee or board?

Mr SPYKER (Minister for Property and Services)—The answer is:

Appointments to boards and committees are made on the basis of merit and qualifications considered appropriate for the functions undertaken by the relevant board or committee. Information concerning the union, political or other affiliation of any person appointed to a board or committee within my portfolio is a private matter which, as long as it remains such, is not a matter within my Ministerial responsibility.

The above explanation does not include those appointments to boards or committees where union affiliation is a prerequisite for appointment either because it is specified in legislation or adopted as a matter of policy. This information has already been provided to the honourable member under the Freedom of Information Act.

(Question No. 220)

Mr GUDE (Hawthorn) asked the Minister for Community Services:

In respect of each department, agency and authority within his administration, what are the names and qualifications of all—(a) union officials; (b) union members or affiliates; and (c) members of the ALP, appointed to any committee or board?

Mr MATHEWS (Minister for Community Services)—The answer is:

Appointments to boards and committees in Community Services Victoria are made on the basis of merit and qualifications considered appropriate for the function undertaken by the relevant board or committee. Information concerning the union, political or other affiliation of any person appointed to a board or committee within my portfolio is a private matter which, as long as it remains such, is not a matter within my Ministerial responsibility. This does not include those appointments to boards or committees where union affiliation is a prerequisite for appointment either because it is specified in legislation or adopted as a matter of policy.

Accordingly, details concerning appointments where union affiliation is a prerequisite for appointment are as follows:

Mr J. Anderson—Victorian Public Service Association (official)

- CSV Staff/Management Consultative Council.

Mr C. Baxter—Victorian Teachers Union (official)

- Early Intervention Working Party
- CSV/VTHC Consultative Forum.

Mr M. Billings—Victorian Teachers Union (member)

- Day Training Centre/Adult Unit Staff Qualifications Review Committee.

Ms A. Black—Victorian Mothercraft Nurses and Allied Employees Association (official)

- CSV/VTHC Consultative Forum
- Advisory Committee for the Coordination of Service Agreements Project.

Mr M. Brough—Geelong Trades Hall Council (official)

- Youth Employment Development Office Management Committee
- Employment Access Program Advisory Committee.

Mr P. Bruce—The Hospital Employees Federation of Australia—Victorian No. 2 Branch (official)

- Occupational Health and Safety Coordinating Committee.
- CSV/VTHC Consultative Forum
- CSV Staff/Management Consultative Council.

Mr M. Burr—Victorian Trades Hall Council (official)

- CSV/VTHC Consultative Forum.

Mr C. Carter—The Hospital Employees Federation of Australia—Victorian No. 2 Branch (member)

- St Nicholas CRUs Working Party on Service Needs.

Ms L. Cheligo—Victorian Public Service Association (official)

- CSV Staff/Management Consultative Council.

Mr M. Coll—Victorian Public Service Association (member)

- Staff Training and Development Committee.

Ms B. Forbath—The Hospital Employees Federation of Australia—Victorian No. 1 Branch (official)

- CSV/VTHC Consultative Forum
- Advisory Committee for the Coordination of Service Agreements Project.

Mr G. Goller—The Hospital Employees Federation of Australia—Victorian No. 2 Branch (official)

- Occupational Health and Safety Coordinating Committee.

Mr F. Heyes—Federated Miscellaneous Workers Union of Australia—Victorian Branch (official)

- CSV/VTHC Consultative Forum.

Ms R. Kinson—Kindergarten Teachers Association of Victoria (official)

- CSV/VTHC Consultative Forum
- Advisory Committee for the Coordination of Service Agreements Project.

Mr G. Lawson—Victorian Public Service Association (member)

- Personnel/Payroll Steering Committee.

Ms M. Lyons—Royal Australian Nursing Federation—Victorian Branch (official)

- CSV/VTHC Consultative Forum
- Advisory Committee for the Coordination of Service Agreements Project.

Mr R. McCarroll—Victorian Public Service Association (official)

- CSV Staff/Management Consultative Council
- Qualifications Review Committee
- Occupational Health and Safety Coordinating Committee.

Ms B. McKenzie—Kindergarten Teachers Association of Victoria (member)

- Statewide Steering Committee: Specialist Child and Family Services.

Ms L. McKenzie—Australian Social Welfare Union (official)

- CSV/VTHC Consultative Forum
- Advisory Committee for the Coordination of Service Agreements Project
- Foster Care Consultative Committee
- Service Agreements Consultative Committee: Extended Family Care Branch.

Mr S. Murtagh—Amalgamated Metal Workers Union (official)

- Inner Urban Employment Access Program Advisory Committee.

Ms J. Newman—Victorian Public Service Association (member)

- Statewide Steering Committee: Specialist Child and Family Services.

Mr G. Reid—Victorian Public Service Association (member)

- SRD Steering Committee.

Mr J. Reid—Victorian Public Service Association (member)

- SRD Steering Committee.

Ms M. Robertson—Municipal Officers Association—Victorian Branch (official)

- Advisory Committee for the Coordination of Service Agreements Project
- CSV/VTHC Consultative Forum.

Mr W. Rowe—Victorian Public Service Association (member)

- Occupational Health and Safety Coordinating Committee.

Mr P. Schlesinger—The Hospital Employees Federation of Australia—Victorian No. 2 Branch (official)

- Developmental Disabilities Certificate Review Committee
- Staff Training and Development Committee.

Ms M. Scott—Victorian Public Service Association (official)

- CSV/VTHC Consultative Forum.

Mr B. Smith—Victorian Teachers Union (official)

- Early Intervention Working Party
- Transfer of Early Intervention Programs Working Group.

Ms B. Stumpf—Victorian Teachers Union (member)

- Day Training Centre/Adult Unit Staff Qualification Review Committee.

Ms F. Watkins—Victorian Teachers Union (official)

- Day Training Centre/Adult Unit Staff Qualification Review Committee
- Staff Training and Development Committee
- Joint Working Party CSV-OIDS/VTU/VCMR Staffing Issues in Day Training Centres.

WORK ACCIDENT CLAIMS—DEPARTMENT OF CONSERVATION, FORESTS AND LANDS

(Question No. 274)

Mr GUDE (Hawthorn) asked the Minister for the Arts, for the Minister for Conservation, Forests and Lands:

In respect of each department, agency and authority within her administration:

1. How many accidents resulted in workers compensation claims for the twelve months preceding the introduction of WorkCare in 1985, indicating the number of claims each month?
2. How many accidents resulted in WorkCare claims for the twelve months following the introduction of WorkCare, indicating the number of claims each month?

Mr CATHIE (Minister for the Arts)—The answer supplied by the Minister for Conservation, Forests and Lands is:

The Treasurer will answer this question on my behalf.

WORK ACCIDENT CLAIMS—DEPARTMENT OF AGRICULTURE AND RURAL AFFAIRS

(Question No. 276)

Mr GUDE (Hawthorn) asked the Treasurer, for the Minister for Agriculture and Rural Affairs:

In respect of each department, agency and authority within his administration:

1. How many accidents resulted in workers compensation claims for the twelve months preceding the introduction of WorkCare in 1985, indicating the number of claims each month?
2. How many accidents resulted in WorkCare claims for the twelve months following the introduction of WorkCare, indicating the number of claims each month?

Mr JOLLY (Treasurer)—The answer is:

I will answer this question on behalf of the Minister for Agriculture and Rural Affairs.

CLASSIFICATION OF EMPLOYMENT AGENCIES

(Question No. 281)

Mr GUDE (Hawthorn) asked the Treasurer:

1. Will the Treasurer review the new classification allocated to employment agencies in light of the industry claims experience at 2.66 per cent?
2. What are the names of all Victorian personnel agencies being charged this new rate?

Mr JOLLY (Treasurer)—The answer is:

1. The Accident Compensation Commission has advised me that employers classified as employment agencies will be reviewed to ensure that they are correctly classified.
2. Section 244 of the Accident Compensation Act precludes the commission from releasing the names of Victorian personnel agencies.

FAILED BUILDING COMPANIES

(Question No. 283)

Mr I. W. SMITH (Polwarth) asked the Attorney-General:

In view of the High Court decision handed down on 14 August 1987 rejecting leave to appeal by Mr David Michael Nicols against his disqualification from holding the position of director of a company for a period of five years as a result of a show cause notice served on him by the Victorian Corporate Affairs Commission under section 562A of the Companies (Victoria) Code:

1. Will he advise what action his Ministry and the Housing Guarantee Fund are taking under section 562A against directors of failed building companies who are known to be operating in related areas such as renovations and additions and are members of the Housing Industry Association or the Master Builders Association, indicating—(i) the names of the directors; (ii) the names of the failed companies; (iii) the result of the liquidation; and (iv) the details of the directors' present operations; (i.e. company, partnership, sole traders or other)?
2. Will he advise what action his Ministry is taking against directors of all building companies which were members of the Housing Guarantee Fund, including Spaceline Homes and the Frontier Group, and which have failed since 1 January 1983, indicating—(i) the names of the failed companies; (ii) the names of the directors; (iii) the result of the liquidation; and (iv) the details of the directors' present operations?

Mr McCUTCHEON (Attorney-General)—The answer is:

1. The Commissioner for Corporate Affairs for Victoria, as delegate of the National Companies and Securities Commission, exercises the powers and functions under section 562A of the Companies (Victoria) Code. Disqualified officers are listed in a public register maintained under that code.
2. It is inappropriate for me to advise whether or not a particular company or individual is the subject of an investigation which may or may not lead to the laying of criminal charges.

TERMS OF EMPLOYMENT OF FORMER DIRECTOR-GENERAL OF TRANSPORT

(Question No. 302)

Mr I. W. SMITH (Polwarth) asked the Minister for Transport:

1. What were the terms of employment of Mr Russell Ingersoll to the position of Director-General of Transport?
2. What were the terms of Mr Ingersoll's termination of employment?
3. What were the terms of Mr Alan Reiher's termination of employment as director-general?

Mr ROPER (Minister for Transport)—The answer is:

1. (a) Mr Ingersoll was appointed for a term of five years commencing on 26 May 1986.

(b) His salary on appointment was \$93 104 per year plus an annual expense of office allowance of \$4734.

(c) Mr Ingersoll was appointed under the terms and conditions which apply under the Public Service Act 1974 for officers holding the office of chief administrator except as modified by the following special terms and conditions:

accrued recreation, sick and long service leave and leave loading credits to be transferred from the Melbourne and Metropolitan Board of Works to the Ministry of Transport;

a lump sum payment at the rate of 15 per cent per annum of salary at the conclusion of the contract or earlier termination of the contract, not including termination for misconduct, neglect of duty or inefficiency or solely at the appointee's own wish;

in the event of early termination by the government for reasons other than incapacity, inability, misbehaviour or neglect to carry out his duties, the appointee will be offered alternative employment for the unexpired portion of the five-year term, with salary and allowances equal to those applicable at the time of termination. Should such alternative employment be unacceptable to the appointee, the government would be prepared to negotiate suitable termination payment with the appointee;

if the alternative employment is not acceptable to the appointee, the appointee shall be entitled to the following exit payments in addition to any other payments he may be entitled to:

(i) payment in lieu of accrued recreation leave and recreation leave loading;

(ii) payment in lieu of long service leave not taken;

(iii) payment of a sum equal to two and a half times superannuation contributions in addition to a refund of contributions;

payment in lieu of accrued recreation leave and recreation leave loading on termination of employment for resignation, ill health or death;

payment in lieu of long service leave on termination of employment for resignation, ill health or death;

reimbursement of the cost of telephone rental and half the cost of calls at the appointee's private residence;

payment of a vouchable entertainment allowance of \$3000 per year;

2. Mr Ingersoll received his normal salary payments to the date of his resignation. In addition, he was paid for accrued recreation leave and long service leave.

3. Ministry of Transport records indicate that Mr Reiher resigned as Director-General of Transport and was appointed Commissioner for Victoria in the United States of America, Canada and Mexico, Department of Industry, Technology and Resources (DITR) on 6 May 1986.

He was paid normal salary and allowance by the Ministry of Transport up to 5 May 1986, and from 6 May 1986 DITR was responsible for payment of his salary and allowance.