

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-FOURTH PARLIAMENT**

**FIRST SESSION**

**15 May 2002**

**(extract from Book 7)**

**Internet: [www.parliament.vic.gov.au/downloadhansard](http://www.parliament.vic.gov.au/downloadhansard)**

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**Standing Orders Committee** — Mr Speaker, Mrs Barker, Mr Jasper, Mr Langdon, Mr McArthur, Mrs Maddigan and Mr Perton.

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**FIFTY-FOURTH PARLIAMENT — FIRST SESSION**

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The Hon. J. W. THWAITES

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The Hon. D. V. NAPHTHINE

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The Hon. LOUISE ASHER

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Mr P. J. RYAN

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Mr B. E. H. STEGGALL

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Andrianopoulos, Mr Alex	Mill Park	ALP	Lim, Mr Hong Muy	Clayton	ALP
Asher, Ms Louise	Brighton	LP	Lindell, Ms Jennifer Margaret	Carrum	ALP
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Cameron, Mr Robert Graham	Bendigo West	ALP	Maughan, Mr Noel John	Rodney	NP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Maxfield, Mr Ian John	Narracan	ALP
Carli, Mr Carlo	Coburg	ALP	Mildenhall, Mr Bruce Allan	Footscray	ALP
Clark, Mr Robert William	Box Hill	LP	Mulder, Mr Terence Wynn	Polwarth	LP
Cooper, Mr Robert Fitzgerald	Mornington	LP	Napthine, Dr Denis Vincent	Portland	LP
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Leigh, Mr Geoffrey Graeme	Mordialloc	LP	Wynne, Mr Richard William	Richmond	ALP

<sup>1</sup> Resigned 3 November 1999

<sup>2</sup> Elected 11 December 1999

<sup>3</sup> Resigned 12 April 2000

<sup>4</sup> Elected 13 May 2000



# CONTENTS

WEDNESDAY, 15 MAY 2002

## CONDOLENCES

*Gordon Stanley Hockley*..... 1479

## PETITION

*Commonwealth Games: athletes village*..... 1479

PAPERS ..... 1479

## MEMBERS STATEMENTS

*Police: Somerville* ..... 1479

*Western Highway: parking bays and toilets* ..... 1479

*Gordon Hockley*..... 1480

*Dental services: Yarra Ranges* ..... 1480

*Australian Retailers Association awards* ..... 1480

*Insurance: public liability* ..... 1480

*Minister for Transport: performance* ..... 1481

*Ruth Cracknell* ..... 1481

*Freedom of information: Infrastructure*..... 1481

*Liberal Party: Geelong candidate* ..... 1482

*Point Nepean: land*..... 1482

## GRIEVANCES

*Workcover: tenders*..... 1482

*Shannon's Way Pty Ltd* ..... 1483

*Parliament: government conduct*..... 1484

*HIH Insurance: policy-holders* ..... 1487

*Government: advertising*..... 1489

*Calder Highway: funding*..... 1492

*Gas: Gippsland pipeline*..... 1494

*Agriculture: disease and pest control*..... 1496

*Rural and regional Victoria: former government cutbacks*..... 1498

*Budget: education*..... 1499

*Crime: statistics*..... 1500

*Budget: police* ..... 1501

*Budget: drug programs* ..... 1502

*Drayton Corp*..... 1502

*Federal budget: Telstra sale* ..... 1503

*Housing: administration*..... 1504

*Workplace safety: legislation*..... 1506

## PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL

*Introduction and first reading* ..... 1507

## LIQUOR CONTROL REFORM (PACKAGED LIQUOR LICENCES) BILL

*Introduction and first reading* ..... 1507

## DOMESTIC BUILDING CONTRACTS (CONCILIATION AND DISPUTE RESOLUTION) BILL

*Introduction and first reading* ..... 1507

## BUSINESS LICENSING LEGISLATION (AMENDMENT) BILL

*Introduction and first reading* ..... 1507

## CORRECTIONS (INTERSTATE LEAVE OF ABSENCE) BILL

*Introduction and first reading* ..... 1507

## NATIONAL PARKS (MARINE NATIONAL PARKS AND MARINE SANCTUARIES) BILL (No. 2)

*Introduction and first reading* ..... 1508

## STATE TAXATION LEGISLATION (FURTHER AMENDMENT) BILL

*Second reading*..... 1508, 1519, 1522

## QUESTIONS WITHOUT NOTICE

*Freedom of information: Infrastructure*..... 1512

*Forests: box-ironbark*..... 1512

*Calder Highway: funding*..... 1513

*Minister for Planning: second-reading speech* ..... 1514

*Disability services: funding*..... 1515

*Water: Wimmera-Mallee pipeline* ..... 1515

*Royal Melbourne Institute of Technology*..... 1517, 1518

*Hospitals: funding*..... 1517

*Schools: funding*..... 1518

## ELECTORAL BILL

*Second reading*..... 1522, 1527

*Committee*..... 1552

*Third reading* ..... 1570

*Remaining stages*..... 1570

## SUMMARY OFFENCES (SPRAY CANS) BILL

*Introduction and first reading* ..... 1570

## ADJOURNMENT

*Housing: eastern region*..... 1570

*Wimmera: disease and pest control*..... 1571

*Port of Geelong: rail access* ..... 1571

*Disability services: family options package*..... 1572

*Southern University Games* ..... 1572

*Electricity: charges*..... 1573

*Traralgon Racing Club* ..... 1573

*Winton Motor Raceway*..... 1574

*Point Nepean: land*..... 1574

*Western Region Disability Network* ..... 1574

*Freedom of information: Infrastructure*..... 1575

*Consumer affairs: business names* ..... 1575

*Responses* ..... 1576



**Wednesday, 15 May 2002**

**The SPEAKER (Hon. Alex Andrianopoulos) took the chair at 9.34 a.m. and read the prayer.**

**CONDOLENCES**

**Gordon Stanley Hockley**

**The SPEAKER** — Order! I advise the house of the death of Gordon Stanley Hockley, a member of the Legislative Assembly for the electoral district of Bentleigh from 1979 to 1988.

I ask honourable members to rise in their places as a mark of respect to the memory of the deceased.

**Honourable members stood in their places.**

**The SPEAKER** — Order! Thank you. I shall convey the message of sympathy from the house to the relatives of the late Gordon Stanley Hockley.

**PETITION**

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

**Commonwealth Games: athletes village**

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the Royal Park Protection Group Inc. and the undersigned citizens of the state of Victoria sheweth that in view of the fact that Parkville (the former Royal Park Psychiatric Hospital and adjacent sites) is the government's preferred site for the 2006 Commonwealth Games Village:

Your petitioners therefore pray that the 2006 Commonwealth Games Village be located on an appropriate site, not in Parkville, and that the former Royal Park Psychiatric Hospital and adjacent sites revert to public parkland and that the heritage hospital buildings be restored for community use and/or mental health services.

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

**By Mr LANGDON (Ivanhoe) (1007 signatures)**

**PAPERS**

**Laid on table by Clerk:**

Altona Memorial Park — Report for the year 2001

Geelong Cemeteries Trust — Report for the year 2001.

**MEMBERS STATEMENTS**

**Police: Somerville**

**Mr COOPER (Mornington)** — In recent months there have been a number of significant outbreaks of criminal and antisocial behaviour in Somerville. These incidents have alarmed people in the local community to such an extent that they are now of the view that Somerville does not have an appropriate level of police protection.

Unlike the western side of the Mornington Peninsula, which has five police stations, the eastern side of the peninsula has only one police station, at Hastings. That police station has limited resources to cover an area extending from Baxter to Cape Schanck — a distance of 53 kilometres.

Last week I received a petition from 3430 residents of Somerville and district calling on the government to establish a police station in Somerville. The petition is not in a form that enables it to be officially presented to the house. However, that lack of formality does nothing to diminish the concerns of the community or the validity of their argument.

I call on the government, and in particular the Minister for Police and Emergency Services, to give careful and urgent consideration to the very real concerns and needs of the Somerville community.

**Western Highway: parking bays and toilets**

**Mr DELAHUNTY (Wimmera)** — The government and the Minister for Transport are to be condemned for failing to provide relief in the form of public parking bays and toilets for motorists travelling along the eastbound lanes of the Western Highway between Beaufort and Melbourne. Nearly two years ago I raised this matter with the minister, and I was promised that something would be done.

On Monday I was travelling down to Melbourne. At Ballan there is a BP roadhouse on the right-hand side. The government has put up for the third or fourth time an extension of the fencing along the median strip to stop motorists turning right across the highway to visit this public convenience. In the state budget this year, \$1 billion, or \$1000 million, has been provided for a 34-kilometre roadway called the Scoresby freeway. I ask the government to provide some of that money to address the pressure that is building up along the Western Highway.

I call on the government and the Minister for Transport to provide relief for country motorists on the eastbound

roads of the Western Highway and provide public facilities in the form of parking bays and toilets for country motorists.

### **Gordon Hockley**

**Ms BARKER** (Oakleigh) — Today I record with sadness the passing of Gordon Hockley on Saturday, 11 May, at the age of 75. Gordon was the honourable member for Bentleigh from 1979 to 1988. He won the supposedly unwinnable seat in 1979 with a 9.5 per cent swing to him, and by 95 votes. He won because for two and a half years he doorknocked thousands of houses and sent daily press releases to the local paper. He was the consummate grassroots campaigner, very active in his community, well known and respected. He was a strong representative for his electorate. He won the seat on two more occasions and retired from Parliament in 1988.

A modest, intelligent and hardworking man, he held some very firm views. One which I admired greatly was his strong stance on gun control despite vigorous and loud opposition from the pro-gun lobby. At all times Gordon was strongly supported by his wife, Joyce, and his four sons. With Joyce he shared a 54-year marriage and partnership. He joined the ALP in 1949. He was one of the Labor Party's true believers.

At the funeral service yesterday his son said Gordon had a couple of regrets: that he would not see his grandchildren achieve their full potential and that he would not see Steve Bracks achieve his second term of government. To me this is what Gordon epitomised — a loving and caring family man, and a loyal, hardworking member of the Labor Party. On behalf of all those who knew Gordon, worked with him and were helped by him, I extend my deepest sympathy to Joyce, his sons Rob, Greg, Lindsay and Andrew, their spouses, and Gordon's seven grandchildren. He will be sadly missed. May he rest in peace.

### **Dental services: Yarra Ranges**

**Mrs FYFFE** (Evelyn) — On 17 August 2000 I raised the urgent need for dental health services in the Yarra Ranges. The federal government supplied dental chairs at the Yarra Ranges community health centre in Lilydale. But what has the Bracks government done? As last week's budget outcomes show, the expected waiting time for restorative dental care is increasing from 20 months in 2000–01 to 22 months in 2002–03, and the waiting time for dentures has increased from 21 to 24 months. Spending in 2001–02 was \$10 million less than expended — \$10 million was allocated but not spent.

I have constituents who have worked hard all their lives, who have given service to the community and who through no fault of their own have not had dentures or have struggled with broken dentures for more than three years — three years of living on mashed potatoes and minced meat! What does this government do? Nothing. One lady who has spent much time doing voluntary work helping others is so embarrassed by the state of her dentures that she holds her hand in front of her mouth every time she speaks. She delivers Meals on Wheels, and she is embarrassed that this government will not help her. The Bracks government does not care about the senior people in the Yarra Ranges.

### **Australian Retailers Association awards**

**Ms CAMPBELL** (Minister for Senior Victorians) — I offer my congratulations to staff ably led by store manager, Mr Gauci, at Bunnings Warehouse, Cranbourne, which won the Retailer 2002 award at the Australian Retailers Association awards last Friday. Retailer 2002 is a consumer-driven award designed to identify the state's top retailers. Consumers voted for their favourite stores during March, and those stores with the most votes were then mystery shopped.

The process resulted in a number of finalists, and I also congratulate the Victorian regional small retailer of the year, Redgum Country Clothing, Casterton; the Victorian metropolitan small retailer of the year, kikki.K, Melbourne Central; the Victorian regional medium-size retailer of the year, Bakers Delight, Bakery Hill, Ballarat; the Victorian metropolitan medium-size retailer of the year, Digicall, Dandenong; the Victorian metropolitan large retailer of the year, Myer Melbourne; and the customer service excellence award winner, Digicall, Dandenong. I note in particular the enthusiasm that was generated by these awards and I congratulate those involved. They are consumer-driven awards designed to identify the state's best retailers who acknowledge the importance of meeting consumer needs.

### **Insurance: public liability**

**Mr INGRAM** (Gippsland East) — Community groups will no doubt welcome the commitment of the Municipal Association of Victoria to providing affordable public liability insurance to volunteer community groups, which is reported in today's *Weekly Times*. However, I call on the government to address the issue of public liability insurance premiums, access to and underwriters for insurance for all sporting organisations, including pony clubs and equestrian groups.

These organisations have until the end of the financial year to get access to public liability insurance, which is absolutely essential. I will declare a personal interest in this because my wife is a keen horserider and I have four children in the local pony club. No doubt they will be here on the front steps of Parliament House on 1 June if something is not done to address this issue, because it really does impact on a lot of country areas. The honourable member for Mildura has already outlined to me this morning that the Melton pony club has written to him demanding that something be done.

Another public liability insurance issue relates to road maintenance and road servicing contractors who have been hit likewise. They are on set contracts of three years, and the public liability insurance premium of one group that has come to me has risen from \$1628 two years ago to now \$44 000 per year; another group has to pay \$80 000 per year in public liability insurance. This is having major impacts on the standards of our roads.

### **Minister for Transport: performance**

**Mr KOTSIRAS** (Bulleen) — The issue I raise is a matter of the left hand not knowing what the right hand is doing. I have raised on numerous occasions in this house and by correspondence the appalling and horrendous condition of Thompsons Road and Templestowe Road and I have called upon the Minister for Transport to take appropriate action. Finally, on 27 April the minister wrote back to me and said:

I appreciate the time you have taken to bring these matters to my attention, however I am unable to accept your invitation to visit your electorate at this time due to my busy schedule.

However, while the minister was signing off this letter his ministerial staff agreed that the minister would come to my electorate on 12 June at 12 noon at Ted Ajani Reserve to discuss with the local residents the condition of Thompsons Road and Templestowe Road. Someone forgot to tell the minister!

I now call upon the minister to advise me which information is correct: is the minister coming to my electorate as promised by his office or is his office simply misleading local residents to avoid bad publicity? This comes on top of the minister's refusing to meet with Grayson Andrew regarding the proposed park-and-ride facility.

Will the minister give me an undertaking that he will either come to my electorate to meet with the local residents or be honest and advise them that their lifestyles and amenities are of no interest to this government?

I also take this opportunity to congratulate Mr Graham Couch and his committee on taking a keen interest in the condition of the roads.

### **Ruth Cracknell**

**Ms DELAHUNTY** (Minister for the Arts) — I rise today to salute the life and achievements of a great artist. Ruth Cracknell was a woman of great style, wit and indeed artistry. She had a career in radio, in television, in review and in theatre — a career that spanned 56 years. Ruth Cracknell was an outstanding artist. She showed extraordinary range and could do anything from Greek tragedy right through to comedy.

Ruth Cracknell was a great Australian. In fact, the National Trust of Australia deemed her to be one of Australia's 100 living treasures. She began her professional career in the 1940s in radio serials and she moved to London to work for the BBC before returning to Australia in 1955. She was a remarkable woman not only because of her achievements in theatre, television and review but also because she championed the rights of women. Ruth hated the term 'housewife'. She said, 'I am not married to a house; I am married to my blessed husband', as she described Eric Phillips. She has attracted the respect and friendship of broad numbers of Australians and beyond.

I am sure that many honourable members and many Victorians will remember her outstanding performances with the Melbourne Theatre Company. In recent times who will ever forget her performance in *Three Tall Women*?

**The SPEAKER** — Order! The honourable member's time has expired.

### **Freedom of information: Infrastructure**

**Mr McINTOSH** (Kew) — The government's claim that it is an open, accountable and transparent government is in tatters today. Its shameless hypocrisy knows no bounds. To the litany of outrage to names such as James Gobbo, Michael Adams and Damien Bonnice we can now add the name Don Coulson.

Until recently Mr Coulson was a career public servant who worked for governments of all persuasions over the last two decades. He was employed as a freedom of information officer in the Department of Infrastructure and because he had the insolence or temerity to make a decision that his political masters did not agree with, he was moved to a smaller government agency being then wound up. Mr Coulson now finds himself redundant and sacked by this government.

The decision was made by the Deputy Premier and the Leader of the House, who is in charge of the Department of Infrastructure. It is a disgrace. The government is prepared to ruin a decent and honourable man for its own grubby political ends. It is a disgrace!

### **Liberal Party: Geelong candidate**

**Mr LONEY** (Geelong North) — I would like to announce today the discovery of an absolute rarity — a Liberal Party policy! It came in the form of a regional industry statement by the Liberal candidate for Geelong during the visit of the Leader of the Opposition to the area last Friday.

It seems the Liberal Party's newly announced policy is that it is opposed to the manufacturing industry because it says it does not provide jobs. In the company of the Leader of the Opposition, the Liberal Party candidate for Geelong announced to the *Geelong Advertiser* that tourist industries in the region were key drivers in jobs growth, not industries like Ford, Shell and Alcoa. This was only a week after Shell had announced a \$340 million expansion of its plant and less than a year after Ford announced a \$600 million boost to its operations — an announcement which the Liberal Party candidate as the mayor at the time did not even bother to attend. Similarly, Alcoa has been investing heavily in recent times.

Manufacturing is the heartbeat that drives the Geelong economy, and for the Liberal candidate to be talking it down and attacking Geelong's icon industries is against the best interests of our region. I call on the Leader of the Opposition to dump this turkey of a candidate and replace him with someone — —

**The SPEAKER** — Order! The honourable member's time has expired. The honourable member for Dromana has 35 seconds.

### **Point Nepean: land**

**Mr DIXON** (Dromana) — The state government has turned down an offer of 300 hectares of land at Point Nepean from the federal government for the bargain basement price of \$4 million. Since then the defence department has implemented a process to develop a master plan prior to the disposal of this land seeing the state government has missed out on it.

I ask the government to be an active participant in the process, because if it is not, Victoria risks this land being passed over to the private sector.

**The SPEAKER** — Order! The time set down for members statements has expired.

## **GRIEVANCES**

**The SPEAKER** — Order! The question is:

That grievances be noted.

### **Workcover: tenders**

**Ms ASHER** (Brighton) — This morning I wish to highlight both the incompetence and duplicity of the Minister for Workcover in his handling of tender issues in the Victorian Workcover Authority (VWA). I first want to draw the attention of the house to a tender program called the private investigators performance program that related to workplace inspectors. This tender process was so botched by the Minister for Workcover that the whole process had to be withdrawn on the threat of an investigation by the Auditor-General.

The facts of the matter are broadly as follows. On 26 April 2001 the Victorian Workcover Authority wrote to every licensed inquiry agent asking them for an expression of interest on this new process to select Workcover inspectors — the inspectors who investigate malingers in the Workcover system, to put it particularly bluntly. Registrations of interest were received on 11 May 2001. The third step in this process was that as a result of the expression of interest the companies and the individuals were invited to lodge a formal registration of interest, which occurred on 10 August 2001, and 83 of those were received.

The process then moved on to a request for tender from the successful registration of interest applicants. That occurred on 8 November 2001, and 35 companies and/or individuals were judged to be successful as a consequence of this process. The VWA published the names of the successful tenderers on 14 December 2001, and 33 Workcover inspectors were named. On 27 December — again a very odd date given the Christmas break — the VWA released a revised list of successful applicants for the inspector positions, which added two companies not initially included on the 14 December list.

Who got these tenders to be Workcover inspectors investigating malingers? One company that got that work was Agama Investigations Pty Ltd, which had never held a Victorian private agent's licence and therefore did not qualify for this tender. Another company that received an inspectorship under Labor's botched Workcover tender procedures was a company called Cygnus, Higgins, Shaw. That company did not obtain its licence until 21 December 2001, again breaching the tender guidelines.

Of even more significance, or more alarmingly, some of the companies that obtained these tenders had never done this type of work before — for example, the Labor government appointed a bed and breakfast operator to investigate Workcover malingerers — but the worst example of all under this minister's stewardship is a recipient of this tender process to become an investigator of Workcover fraud who was in fact a long-term Workcover recipient.

*Honourable members interjecting.*

**Ms ASHER** — You could argue that he knew how to rot the system; he knew how to manage this!

I will not read the name of the recipient of this tender into *Hansard*, but I will indicate that the company he runs is called Centre State Assessors. The date of this man's injury was 2 September 1999. His claim was registered very speedily on 7 September 1999 and he was paid Workcover until November 2001. The claim was lodged for carpal tunnel syndrome in both hands. The point I am making is that this is the sort of person that the Labor government, or the Minister for Workcover, thought was a suitable person to investigate long-term Workcover claims suspected to involve fraud.

It will come as no surprise to members of this house that last week this process was aborted. The Auditor-General had consented to a request — by an honourable member for North Western Province in the other place whom I know well — to investigate this botched tender process which threw up some results that are, I would have thought, unacceptable to the general public. Under threat of an Auditor-General's investigation the process has now been aborted by the minister and by the Workcover board. However, the broader question remains that this process was a most elongated process — it took from May right up until now; it took a year — and the minister was aware of faults in the process in December yet it took him until May, kicking and screaming, to abort a completely botched tender process. This type of handling of tenders is becoming typical of this Labor government.

I move on to another tender process that causes me even greater concern, because this second tender cannot simply be explained by botching — it is preferential treatment of Labor mates.

**An Honourable Member** — Again!

**Ms ASHER** — Again.

### Shannon's Way Pty Ltd

The second contract I wish to draw attention to is a Workcover contract with Shannon's Way Pty Ltd, Bill Shannon of course being the head of Labor's ad agency and the man who runs Progressive Business, the major fundraising arm of the Australian Labor Party.

This case shows how far the Labor Party will go to cover up its grubby deals with its mates. Shannon's Way Pty Ltd, in the persons of Bill Shannon and Marie Ferris — note that name, because this house will hear it again — also tried to do everything to cover up their contract with Workcover.

Industry sources say that this contract could be worth between \$10 million and \$12 million. This is not peanuts; it is a very large contract. Under freedom of information the opposition obtained access to a contract which had the amount of money deleted. The government, of course, claimed commercial in confidence.

I remind honourable members that under its 1999 policy this open and transparent government was going to end the secret state. I quote from their election policy of 1999:

Labor remains committed to open government ...

And what did it say Labor would be doing when in government? It said it would be adopting:

... a proper definition of 'commercial confidentiality' and ending the abuse of this term to conceal government activities ...

Surprise, surprise! The government and Shannon's Way, that company of Labor mates, have relied on commercial in confidence to try and fight access by the public to the grubby deal they have done with the Victorian Workcover Authority.

I turn to witness statements that were placed before the Victorian Civil and Administrative Tribunal (VCAT) and to the statement of Marie Ferris, who is employed by Shannon's Way. Ms Ferris has an interesting view of Victorian taxpayers: she regards them as outsiders. In her witness statement she said that the release of that information would damage Shannon's Way. She went on to say that all staff at Shannon's Way signed confidentiality agreements and that the company 'treats information of this type' — that is, commercial information — 'as covered strictly by the requirement that it not, unless specifically authorised, be disclosed in any way to outsiders.'

What she is saying is that Victorian taxpayers are outsiders — that is, outside this cosy ALP club that gives business to itself. I think that completely sums up the attitude of Shannon's Way.

Even more alarming is the witness statement of Peter Kelly, who subsequently became a marketing manager at Workcover. This is probably where we learn the great truth of this, because he said to VCAT:

On my first joining the VWA, I was surprised to learn that Shannon's Way was the successful tenderer as the VWA's advertising agency. Shannon's Way was not (and is not) a large agency, and initially I thought that one of the larger advertising agencies might have been expected to be selected, if for no other reason than the limited extent of in-house resources available to Shannon's Way to carry out such a major contract.

There we have in evidence before VCAT some real concerns about why this small company got the tender. It is no surprise to this side of politics that the company got the tender, because it is a mate of the Labor Party.

At VCAT on Monday morning the opposition had a win. Noreen Megay, a senior member of VCAT, directed the Victorian Workcover Authority to release a raft of documents to the opposition within 30 days. She too made comment of Ms Ferris from Shannon's Way. The tribunal member referred to Ms Ferris's claim that she could not imagine any public interest might be served by disclosure. The tribunal went on to find:

34. That evidence to my mind displays a narrow and clouded view of what is expected of private sector companies dealing with government.

The tribunal continued:

As Mr Adams —

that is, my lawyer —

put it, the bar is lifted in the circumstances. Practices that are completely acceptable and indeed expected between private sector organisations take on a different hue when the contract is between public and private entities and public money is involved.

The VCAT member then went on to indicate that she was unimpressed by the VWA's evidence that it would have difficulty securing contracts in the future. So a tribunal member was unimpressed by the evidence put forward by the VWA! Most alarmingly, she indicated that in her evidence to the tribunal Ms Ferris said that many of the contractual arrangements between Shannon's Way and the Victorian Workcover Authority were not contained in the original tender documentation but rather were developed as a result of negotiations after the contract was awarded to Shannon's Way.

*Honourable members interjecting.*

**Ms ASHER** — An absolute deal behind the scenes! Documents denied to the opposition and deals behind the scenes as found by VCAT: no wonder this government did not want to release those details to the opposition!

I wonder, given the 30-day ruling, when I will get those documents. Do you think it might be on a Sunday? Do you think it might be on a big news day? Will it be on day 29 or day 30 that the opposition finds out how much of a grubby deal has been done between the Labor Party and Bill Shannon?

I also note that Shannon's Way, and Bill Shannon in particular, will say anything to avoid scrutiny. In an edition of the *B & T Marketing & Media* magazine dated 14 May Bill Shannon:

... denied the agency has listed Cameron —

that refers to the Minister for Workcover —

as a client when pitching for Workcover. 'That is absolutely untrue', he said.

The 'he' is Bill Shannon. The problem was that the opposition had already got that document. The heading says 'Clients', and listed under clients — surprise, surprise! — is 'the office of the Minister for Local Government and Workcover, the Honourable Bob Cameron'. The document goes on to say:

Please feel free to contact any of these people for a first-hand opinion of our work.

This is a cover-up by government of its shabby deal with Bill Shannon, as part of which he and Marie Ferris try to avoid any possible scrutiny, including going to VCAT, describing taxpayers as outsiders and refusing to release documentation. Now we have seen Bill Shannon openly lying in the media about some other measly documentation the opposition managed to get from the government in the first instance.

This is a disgraceful, shabby deal, and the case before VCAT is one of four concerning Shannon's Way that we will pursue mercilessly. We will not tolerate this government's shabby deals with Shannon's Way or with any other of its Labor mates.

### **Parliament: government conduct**

**Mr MAUGHAN** (Rodney) — I grieve today about the Bracks government's failure to uphold the long-established traditions of Westminster parliamentary behaviour. As you would know, Madam Deputy Speaker, the Westminster tradition of

parliamentary democracy relies on one being elected by one's peers and on the government being elected according to who has the majority in this house.

Parliamentary democracy relies on the government and the executive being responsible to the Parliament, and particularly on ministers being responsible to the Parliament. This set of principles has been developed over the centuries and has served us well for a long time. I am therefore concerned about what I regard as the erosion of those important principles and hence an attack on the system of parliamentary democracy. During the course of my contribution I intend to raise at least seven different issues to illustrate where there has been an erosion of these principles.

Firstly, I raise concerns about ministers' abuse of question time. In the House of Commons, which is the home of parliamentary democracy, ministers give short, succinct answers to questions. In this house on numerous occasions ministers give long, rambling and boring answers to questions, and so enrage the other side of the house. I acknowledge this has gone on for some time and it is not entirely the fault of one side. However, I am concerned about the tendency of some ministers to go on with long answers that are irrelevant to the questions asked. This is understandable but also unacceptable, particularly for a government that came to power with promises of honest, open and accountable government and a better standard of behaviour. I deplore what is happening during question time.

I am concerned also about the failure to maintain the decorum and traditions of the house, firstly, by unruly behaviour on both sides — and I acknowledge it is on both sides — in many cases initiated by ministers refusing to answer a question that has been legitimately put by those on this side of the house. I compliment Mr Speaker on his attempts to maintain an even-handed attitude, within the limits he has, in order to get information from the ministers.

Another practice I deplore is the increasing tendency for honourable members to clap when there are notable guests in the gallery, or when somebody has done something notable. That is unparliamentary and should be jumped on before it goes too far.

There are far more serious abuses of the traditions of the house. One is the failure of ministers to attend the adjournment debate. The adjournment debate is an important forum for honourable members to raise matters on behalf of their constituents. A minister should come into the house and respond there and then.

Increasingly ministers are not coming in to respond during the adjournment debate.

Last night was a case in point in this house. The Minister for Environment and Conservation responded to a matter brought to her attention, but the Minister for Consumer Affairs was left to respond to the other 11 matters that were raised by honourable members from both sides of the house. As the honourable member for Mordialloc pointed out, frequently when matters are referred to other ministers that is the last you hear of them, and there is not always a response.

Last night the Minister for Small Business in the other house responded to all the matters that were raised in that house. That is an illustration of the point I raise about ministers not being accountable to the Parliament by coming in for the adjournment debate and responding to matters raised by honourable members.

Another failure concerns written responses. When matters are raised in the adjournment debate and the responsible minister is not present, frequently there is no written response to the matter raised. I referred a matter to the Minister for Transport on 30 March and I still do not have a response. I regard it as unacceptable that a month and a half after having raised it in the adjournment debate — —

**Dr Napthine** — It is probably coming up with the fast rail link!

**Mr MAUGHAN** — It is probably coming up with the fast rail link. It is certainly not with the Echuca–Moama bridge!

I am even more concerned about the failure of ministers to respond to their correspondence. For this honest, open and accountable government it is deplorable that the record of ministers responding to correspondence is getting worse. I will give a number of examples. On 17 December I wrote to the Minister for Transport. I still do not have a response to that letter. On 24 January I wrote another letter to the Minister for Transport and have received no response. On 6 March I wrote yet another letter to that minister and have received no response.

Mr Jim Smith from Moama, a former member of the Victoria Police, wrote to the Minister for Police and Emergency Services on 12 December last regarding the police service medal. He received no response to that letter. He wrote again on 19 March but has still not received a response. I intend taking that matter up — —

**Mr Jasper** — You are writing too many letters!

**Mr MAUGHAN** — Writing too many letters but certainly not getting too many replies.

The next matter concerns the previous Minister for Education. A proposal was put forward to rationalise secondary education in Echuca, and the minister at that time rejected the proposal on the basis that there was no consensus. I wrote to the minister seeking her definition of ‘consensus’ because that was critical to the whole debate. I have received no response, and that was about 18 months ago.

I have a list of ministers not responding to correspondence. On 12 March I wrote to the Minister for Planning regarding a planning issue of great concern to Murray Human Services. Not only have I received no acknowledgment, but I phoned on 3 May and was advised a response was being prepared. As of today I have not received a response.

On 5 February I wrote to the Minister for Education and Training about the early years numeracy training at the Tongala Primary School. I received an acknowledgment on 2 April but have still not received a response.

I wrote to the Minister for Education and Training on 4 April; we still do not have a response. I wrote to the Attorney-General on 10 April; that was acknowledged on the 22nd but still I have received no response. The previous Minister for Education was one of the worst. We had great difficulty getting responses from the previous Minister for Education’s office.

**Dr Napthine** interjected.

**Mr MAUGHAN** — Absolutely hopeless! We wrote on 26 September last year. It was acknowledged on the same day. We phoned on 8 April, 11 April and 3 May, and emailed on 3 May. We have still not got a response to that letter, which was written on 26 September last.

I wrote to the Premier inviting him to come and open an educational facility at Echuca. I knew from the Premier’s office that he could not do it, and that was understandable. There were discussions about other ministers. However, during last week I got a letter back from the Premier’s office saying he could not do it and referring me to the local member. The letter was addressed to the honourable member for Rodney; I am the local member, and the letter referred me to the local member. How silly can you get!

I also wish to grieve about the failure of ministers to notify local members when they are visiting their electorates. This is honoured more in the breach than the observance. Some ministers are very good and let

local members know when they are coming. Others are absolutely hopeless. It is an insult not just to the local member, but to the 35 000 people they represent. When I was a very new member in this place a former Labor Premier, Joan Kirner, showed me enormous courtesy when she came to Echuca. She took me around for the whole of the day. Now ministers come and do not even notify the local member that they are attending. It is absolutely ridiculous. The whole of the cabinet — in fact the whole of the caucus — had a two-day meeting in Echuca and I was never officially notified.

**Ms Campbell** — You did not want to come to that; come on!

**Mr MAUGHAN** — I did not want to come but it would have been nice to know. There was a so-called community consultation, to which I did go, as did many of my constituents. The point I make is that it was so silly because within 24 hours of the arrangements being made I was told by both restaurants and by my local paper that the cabinet was coming. More than that, the Premier’s office contacted my office to get some advice on security arrangements. However, officially I was never told that the cabinet was coming to Echuca.

Another item I grieve about is the lack of detail on specific projects in the budget papers. This year it has been incredibly difficult for local members to find details of projects in their electorates, be they schools, hospitals or community facilities. At the same time other individual projects have been highlighted in the budget papers. I suspect that the government is selective in its choosing of the projects. With an honest, open and accountable government one would have thought that local members would be able to go through the budget papers and find out whether their particular proposal for a school, a hospital or a bridge has been funded. Anything but! Generally speaking, detailed information is not available when a minister’s office is contacted.

Another matter I want to raise is that of members statements. Two ministers have used the small amount of time available for members statements — and I wonder why government backbenchers are not protesting about this — to make further statements when they already have plenty of opportunity to do so. There are a number of instances where there is a slow but steady erosion of the principles that are held dear in this house, the principles of parliamentary democracy. I certainly protest about that. Parliamentary democracy depends on each and every one of us upholding the traditions and protocols that have been established by parliaments in the commonwealth and the

English-speaking world and handed down over decades.

I grieve for this progressive erosion of the standards of parliamentary behaviour in this house and amongst ministers and I call on the Premier to ensure that his ministers treat question time with more respect. I call on him to ensure they respond to their correspondence and that as a matter of principle they come in and respond to matters raised in the adjournment. The lack of response to correspondence is appalling. The Premier ought to speak to his ministers and stipulate that correspondence is attended to.

The Premier should also instruct ministers to inform their staff to notify local members as a matter of courtesy when they are planning to visit those electorates. Local members, whatever their political affiliations, are elected by their constituents — the 35 000 people or thereabouts who elect them. The lack of courtesy and respect that I have highlighted is directed not just towards the member who represents a particular electorate, but also towards the 35 000 people who have elected that member.

I deplore the declining standards of parliamentary and ministerial behaviour and call on the Premier to demand a higher standard from his ministers generally and in particular with regard to correspondence, the adjournment debate and the other issues I have mentioned.

### **HIH Insurance: policy-holders**

**Ms CAMPBELL** (Minister for Senior Victorians) — The Liberal Party has thumbed its nose at consumers seeking to have their domestic claims considered by the Housing Guarantee Fund Ltd after the collapse of HIH Insurance Group. I grieve today for innocent Victorian home owners abandoned by the Liberal Party who have callously left these consumers with partly completed family homes or renovations. It is absolutely appalling that the Liberal Party is not allowing these consumers to rightly receive their just deserts.

Why does the Liberal Party do this? Is it because it is continuing its policy of looking after its mates who are commercial developers and abandoning consumers?

It is a truism that leopards never change their spots, and it is certainly borne out by the Liberal Party because it has thumbed its nose at families that this government is trying to assist. Perhaps the Liberals are looking for a fat political donation from a number of these big developers. Perhaps that is why they are abandoning consumers. But while they are thumbing their noses at

consumers the government is bending over backwards to ensure that consumers are protected. It does not want consumers sleeping in draughty homes or leaking and otherwise unsafe bedrooms. In contrast, the Liberal Party does.

**Mr Mulder** — On a point of order, Madam Deputy Speaker, I raise a matter of relevance. The minister is continually referring to Victorians living in draughty homes and unfit accommodation.

**Ms Campbell** interjected.

**Mr Mulder** — Come down to Colac Community Health Services and have a look at the nursing home beds that you have refused to fund and that's what you'll see then — frail elderly people being ignored by government.

**The DEPUTY SPEAKER** — Order! There is no point of order.

**Ms CAMPBELL** — As this house is aware, and honourable members should note, the House Contracts Guarantee (HIH) Bill 2001 was passed by this Parliament in the wake of the HIH collapse so that consumers would be in exactly the same position in relation to their claims of incomplete or faulty home constructions and renovations had HIH Insurance not collapsed.

The rescue package administered by the Housing Guarantee Fund Ltd assists three main categories of HIH policy-holders or potential claimants: firstly, those whose building project was covered by HIH and not completed because the builder had gone out of business; secondly, those who had completed a home in the past seven years and found a fault in the home that would have been covered by HIH; and, thirdly, those who have HIH insurance but cannot sell their home because they do not have a valid compulsory insurance policy. The government has provided \$35 million for those claims which have already arisen and which will be made throughout the six and a half year warranty period. The claims are being administered through the HGFL and as at 10 May 2002, \$5.152 million in claims had been approved and \$4.596 million had been paid out.

In late 2001 the government moved an amending bill, the House Contracts Guarantee (HIH Further Amendment) Bill 2001, to ensure all those consumers who should have been able to claim under the act but were prevented by technical interpretation difficulties would be able to claim. These are the people that I wish particularly to talk about today. Because of the Liberal Party's appalling and misguided policy those people's

claims have languished because for an astonishing seven months this house and the other place have refused to pass the bill.

The bill is intended to address a number of potentially serious differences between the actual implementation of the package and Parliament's underlying intentions for its operation. This is really the nub of the matter. It is true that the opposition has snubbed these consumers. While they are in draughty, unfinished, damp conditions it has refused to pass the bill that should be — —

**Dr Napthine** — On a point of order, Madam Deputy Speaker, I have been listening carefully to what the minister has been speaking about, and I ask you to rule on whether the minister is breaching the rule of anticipation. This issue that she is covering is covered by legislation that is currently before the Parliament and therefore she is breaching the rule of anticipation.

The Liberal Party has made it very clear that it supports the legislation with respect to looking after those consumers who have been affected by the collapse, but it absolutely deplores the government's trying to take away retrospectively the rights of other people. So the government is trying to divide one class of people against the other. I ask you to rule on the rule of anticipation with respect to the minister's contribution.

**The DEPUTY SPEAKER** — Order! The latter part of the point of order was in fact a point of debate.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! The Leader of the Opposition knows better than to behave like that in the house. I am advised that the rule of anticipation applies only when the matter is listed on the notice paper. It is not currently listed on the Assembly notice paper. The minister, to continue.

**Ms CAMPBELL** — Currently we have 200 consumers in this state whose claims cannot be considered because the bill has not yet been passed. Many of these consumers have contacted the HGFL and my office — in fact they have contacted opposition members and the Leader of the Opposition — and have pleaded their case. They have pointed out to us as members of this house the effect of their claims languishing. Let me give the house a couple of examples.

Case 1 is that of a Greensborough family living in their dream home constructed five years ago. From the outside it is a neat and tidy house and appears like any other house in the street. But inside it is a completely

different story. The foundations are subsiding and 10 to 15-millimetre wide cracks have appeared and grown over many months. The rectification of this family's home is estimated to cost a massive \$80 000 to \$100 000. You can imagine the utter disillusionment of this family! And you can understand why it is disillusioned: the builder whose work is faulty seems to get by unscathed; the system has abandoned them; and the insurer has collapsed.

Case 2 is that of a Richmond family whose home has a series of faults costing a total of \$23 000 to fix. The builder declared bankruptcy but now continues to trade under another name and has refused to rectify the faults despite a Victorian Civil and Administrative Tribunal (VCAT) order against his old company. This family is now left with nowhere to go because the initial HHH policy was in the name of the builder.

Case 3 is that of an Ascot Vale family who had a contract for an extension, erected to framing stage, which cost \$78 000. Through shoddy building work they have suffered flooding, faulty brickwork, faulty floors and faulty subfloor supports. Three VCAT-sanctioned terms of settlement have not been completed by the incompetent builder, who returns, does a poor job and has to return yet again. The result has been that a two-month job has dragged on for four years. A certificate of occupancy is still to be issued, and rectification will cost a further \$25 000.

I could go on but will not do so: suffice it to say that a number of constituents, often in Liberal-held seats, have contacted my office pleading for assistance. The correspondence I have received often signifies that copies have been sent to the Leader of the Opposition and Liberal members of Parliament and their pleading has gone unheard because of this very callous approach of the Liberal Party.

*Honourable members interjecting.*

**Ms CAMPBELL** — The National Party and the Independents — —

**The DEPUTY SPEAKER** — Order! The Leader of the Opposition!

**Ms CAMPBELL** — The National Party, the Independents and the government want to look after these consumers, but the opposition does not. It absolutely does not.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! I ask opposition members to cease interjecting.

**Ms CAMPBELL** — I could go on and on. The honourable member for Box Hill has received correspondence on this matter. Constituents say they find it appalling that their own member of Parliament is stopping rectification of work on their homes because he is acting in this house to block this legislation.

A final example I wish to offer is that of an Eltham resident who has written to the honourable member for Eltham and the Leader of the Opposition. He notes:

I am appalled that the opposition is holding up this legislation as we have been significantly disadvantaged by the delay in passing the legislation. In our particular situation we lodged a claim with HIH and it had been approved for payment and rectification but shortly after HIH folded and then subsequently our builder also went bankrupt.

It is his negligence which has caused the problems and we have no recourse against him or his insurance company and we are looking to the government and the opposition to remedy our position and put us in the same position as other claimants.

Again I note that the Nationals and the Independents are prepared to support consumers, 200 of them to date, who need this house to pass appropriate legislation. I thank the Independents and the Nationals for their commonsense approach. I thank them on behalf of families, including the children in those families, who at this point are unable to finish off their home extensions. In an astounding display of sleight of hand and smoke and mirrors, the Liberal Party argued that the initial act created rights and legitimate expectations in developers who would be compensated for their loss. This is absolute rubbish!

We have a situation where consumers all over Victoria have partially completed dwellings deteriorating in the weather. The government is looking after those people. One can hear a litany of problems being experienced by consumers who seem to be endlessly waiting because the Liberal Party will not look after those people. The Liberal Party and the Leader of the Opposition have correspondence — —

**Dr Napthine** interjected.

**The DEPUTY SPEAKER** — Order! The Leader of the Opposition will cease interjecting!

**Ms CAMPBELL** — The Liberal Party and members of the opposition continually put consumers' interests way behind those of major developers. People in this state are waiting for legislation to be passed and it is important that the Liberal Party makes sure that people who are often only starting off in life and simply trying to achieve the Australian dream by finishing the building of their homes are able to do so.

On behalf of people whose correspondence is sitting in the rooms of the Leader of the Opposition, I ask that members of the Liberal Party come into this house and state that they will look after 200 people who are, at this point — —

**Dr Napthine** interjected.

**The DEPUTY SPEAKER** — Order! The Leader of the Opposition will cease interjecting!

**Ms CAMPBELL** — Those 200 people are waiting to have their homes finished.

In conclusion, I again point out that the correspondence spells out absolutely clearly to the Leader of the Opposition and to members of this house why this legislation should be passed by the Victorian Parliament.

**Mr Nardella** — Where are the rest of your people?

**The DEPUTY SPEAKER** — Order! The honourable member for Melton!

### **Government: advertising**

**Dr NAPHTHINE** (Leader of the Opposition) — I rise to grieve about the gross hypocrisy of the Bracks Labor government and the absolute waste of taxpayers' money instituted by the government on deceitful, misleading and blatant political advertising that it has undertaken over the past few weeks. This is evidenced in today's *Age* where there is another full page of blatant political advertising. I call on the government to live up to the standards it set prior to the 1999 election. I ask it to get real!

The Labor Party, not the taxpayers of Victoria, should be funding that advertising. I call on the Premier to live up to the standards he set in 1999 and to get the Labor Party to fund that advertising and return the millions of dollars of taxpayers' funds that have been used for this blatant, misleading and deceitful political advertising. The money should be given to worthy causes in Victoria such as the Biala Early Intervention Centre, Irabina Childhood Autism Services, and the Cerebral Palsy Education Centre. The Cerebral Palsy Education Centre provides early intervention services for children aged zero to five who have multiple disabilities, both physical and intellectual, due to cerebral palsy. This government and this former Minister for Community Services deserted them in their hour of need and would not talk to them, would not fund them and left those children to suffer — yet they spend millions of dollars on blatant political advertising! It is an absolutely crass,

uncaring and hypocritical government, and the people of Victoria need to know that.

Let's have a look at what this government and the Premier said when in opposition. I quote from the words of the Labor Party of only a few short years ago:

Labor will put an end to the use of the public purse for inappropriate political advertising and promotion.

Political advertising, government promotion ... have all been a huge drain on the public purse.

A further quote is:

Labor will end the ... practice of misusing taxpayers' money for disguised political advertising and for market research that is clearly party political.

We will implement the Auditor-General's recommendations for limiting political advertising by stipulating that government information material should not:

promote or have the effect of promoting its interests above those of other political parties; and

attempt to secure political support for a political party.

All those quotes are sourced from the policy document entitled 'Integrity in public life — Labor's plan for proper standards'.

Labor's plan for proper standards is in absolute tatters after weeks and weeks of blatant party-political advertising by the Bracks Labor government — advertising that has been funded by the taxpayers of Victoria. That money would have been better spent on a whole range of services across this state.

Further, as absolute evidence of how blatantly political this advertising is, it continues to refer to 'the Bracks government'. It is the Victorian government, and any Victorian government advertising funded by Victorian taxpayers should be labelled 'the Victorian government' rather than being used to promote a political figure or a political party. To use the term 'the Bracks government' is wrong.

The other question one has to ask is: why is all this blatant political advertising, which the government might argue is about attracting business and investment to Victoria, placed in Victorian newspapers? If you were trying to attract investment from interstate and overseas why would you advertise in Victorian newspapers?

In reality this advertising is not about attracting business and investment and it is not about growing jobs in this state. It is about promoting the Labor Party — which business and increasingly Victorians are seeing as a do-nothing government — and about the

party's attempts to overcome the perception in the community that the Bracks Labor government is a lazy, do-nothing, review-everything, look-into-it government rather than a government that gets things done.

If you contrast that with what the Queensland Premier does when he looks to attract investment to Queensland, you see he advertises in Victoria. He says, 'Come to Queensland!' and he has been very successful in attracting jobs and investment from Victoria into Queensland.

But what we get under this government is blatant party-political advertising in the *Age*, the *Herald Sun* and regional and suburban newspapers which is about promoting the Labor Party, the Premier and his government. It is not about promoting Victoria, it is not about informing citizens. It is blatant party-political advertising. I call on the Premier, if he has any scruples and standards, to step in, stop that advertising and retrospectively pay the costs of the advertising from the Labor Party's own funds and return the taxpayer funds to good purpose in Victoria.

What is actually in these advertisements? They are not only blatantly political, they are dishonest, misleading and absolute lies. The Labor ads claim that Labor has cut payroll tax. The simple numbers in the budget tell a completely different story. If you compare the 1998–99 budget to this year's budget you see that payroll tax collections are up \$580 million, or 27 per cent — a massive increase in payroll tax collections!

Even the budget for the next financial year, which was handed down the other day, shows a 3.9 per cent increase in payroll tax take from employers in Victoria. In reality there are no real payroll tax cuts because people in Victoria are paying more, not less, payroll tax. Indeed the people of Victoria know that when they got a B-grade budget from a B-grade government, they got \$1500 worth of additional taxes and charges under the Bracks Labor government in two and a half years.

The blatantly political Labor Party advertisements claim that it is producing lower land tax for Victoria. Absolutely nothing could be further from the truth! In the budget that has just been handed down, on Labor's own figures, land tax collections are going up 17.7 per cent. So Victorians are paying more land tax, not less. Since the election of the Bracks Labor government land tax collections have gone up \$242 million, or 66 per cent, in three budgets. Yet it has the hide, the hypocrisy and the temerity to try to tell Victorians in a blatantly political advertising campaign that payroll tax and land tax have gone down.

It produces advertisements about the tax changes that the Bracks Labor government has delivered to the people of Victoria and claims credit for the abolition of certain taxes. The government says that it has abolished the financial institutions duty and the duty on marketable securities, but when you read the fine print in the advertisement — there is a little asterisk that looks like a fly spot hidden in the advertisement, but it leads you to look right down the bottom; with your microscope or magnifying glass you can look at the fine print at the bottom — it shows that those two taxes that have been abolished were part of the deal to introduce tax reform to Australia. However, that deal was signed by the Kennett Liberal–National party government and the Howard federal government.

These tax abolitions are nothing to do with the Bracks Labor government; they are to the credit of the former Kennett government and the Howard government, yet this hypocritical mob over there is claiming credit for them.

It is just the same as it is doing in the letter to the *Herald Sun* on Monday from the Minister for Transport, who is trying to resurrect the major projects portfolio, in which he says, ‘We’re building the Craigieburn bypass’, but that is 100 per cent federal funded; ‘We’re building the Hallam bypass’, but that project was started under the Kennett government; and, ‘We’re in charge of and building the upgrade of the Melbourne–Geelong road’. Who started that project?

**An Honourable Member** — Jeff Kennett.

**Dr NAPHTHINE** — What an absolute joke! This government is full of hypocrites who cannot keep their hands out of taxpayers’ pockets.

We see further in these advertisements Labor claims that private investment and building investment figures are improving for Victoria. Yet the figures from the Australian Bureau of Statistics show a worrying trend for investment in Victoria and that the level in buildings and structures — —

**Mr Nardella** — Who wrote this for you?

**Dr NAPHTHINE** — The honourable member for Melton would be interested in this because he presides over — —

**The DEPUTY SPEAKER** — Order! The honourable member for Melton and the Leader of the Opposition!

**Dr NAPHTHINE** — The honourable member for Melton ought to be concerned about the decline and the

real problems of the Japanese investment, Saizeriya, which is deserting his electorate and going to New Zealand.

The latest ABS figures show that investment in building and structures in Victoria has declined every quarter under the Bracks Labor government and is 40 per cent lower than when Labor came to government. Investment in manufacturing in the year to December last was 15.5 per cent lower than the year before and 16.7 per cent lower than it was under the previous government. We know that since the beginning of 2002 full-time employment in Victoria has fallen each and every month, and we have lost a total of nearly 5000 full-time jobs. We have seen major industries such as Arnott’s, Nestlé at Maryborough, Selectron, Email, BAE Systems, Hugo Boss, South Pacific Tyres — which had a massive shedding of jobs — all leave this state. Just last week another 77 jobs were lost at Glaxosmithkline.

Those businesses are leaving the state because of high Workcover charges, high land tax charges, high payroll tax and a government that does not understand or care about business and investment in this state. This government is trying to con the people of Victoria with blatant political advertising that in opposition it criticised and said that it would do differently. It said it would never do that sort of thing!

This government is spending more on blatant political advertising than any previous government in Victoria’s history. Millions upon millions of dollars of taxpayers’ funds are being used to promote the Bracks Labor government. I call on the Premier to show some integrity and some honesty and stop this blatant political advertising. He should get the Labor Party to pay back the money to the taxpayers of Victoria and use those millions of dollars for early intervention services for disabled children in this state who really could do with the money — rather than continuing to promote his blatant political advertising.

This government is letting down the people of Victoria. For evidence of that we need look only at the figures in the latest budgets: Mr Costello, the federal Treasurer, predicts a faster growth rate for Australia than the state Treasurer predicts for Victoria. Victoria used to be the leading state in Australia for growth and investment; it is now slipping well behind the Australian average; it is now dragging down Australia. It is about time this government concentrated on the real issues rather than continuing to be more interested in spin than substance.

### Calder Highway: funding

**Ms ALLAN** (Bendigo East) — I rise this morning to again grieve for the lack of funding in last night's federal budget for the Calder Highway duplication to Bendigo — that is, for work to be allocated on the crucial Kyneton-to-Faraday section to complete this vital transport link between Bendigo and Melbourne. Last night's 2002–03 federal budget handed down by the federal Treasurer allocated absolutely zero dollars — no money — to keeping up the momentum to complete the Calder Highway duplication to Bendigo by 2006.

In the federal government's own media releases it proudly boasts that it will spend \$410.7 million in the next financial year on Victoria's roads, but there is no new money in that \$410 million for the Calder Highway, no money to match the \$70 million for the Kyneton-to-Faraday section that was committed by our state Treasurer only one week ago. Clearly this puts at risk the 2006 deadline that the state government is continuing to work towards to see the complete duplication of the Calder Highway to Bendigo. It is important that we do meet this deadline because the Calder Highway is a vital transport link between Bendigo and Melbourne, and the lack of money in last night's federal budget is putting this deadline at risk. That is recognised in today's *Bendigo Advertiser*, which states:

Without the funding, the completion date for a fully duplicated highway between Bendigo and Melbourne is expected to blow out beyond 2006.

Clearly last night's federal budget was not a good-news budget for motorists in Bendigo and central Victoria.

Last night's budget has earmarked \$14 million to complete the Carlsruhe section of the Calder Highway. However, as anyone who regularly travels the Calder Highway understands, work is already under way on the Carlsruhe section. The state government has already committed its \$25 million — its 50 per cent share of the \$50 project — to complete that stretch of road. We remember how the federal Minister for Transport and Regional Services John Anderson was dragged kicking and screaming to the table over two years to put on the table the federal government's share of the road of national importance funding — \$25 million — and we are only just now in last night's budget seeing the funding for the completion of the Carlsruhe section of the Calder Highway.

The Calder Highway is a road of national importance. It was given that designation by the Howard government in November 1996. According to a media release of the

current federal Minister for Transport and Regional Services it was given that designation because of its role as a strategic road link from Melbourne to north-west Victoria.

Honourable members are well aware that designated roads of national importance attract funding on a fifty-fifty basis between federal and state governments. But we are now seeing, in the clearest of terms, that the federal coalition is trying to abandon the duplication of the Calder Highway to Bendigo and to abandon the motorists of Bendigo and central Victoria.

**Mr McArthur** interjected.

**The DEPUTY SPEAKER** — Order! The honourable member for Monbulk will cease interjecting in that manner!

**Ms ALLAN** — Let's again look at the media release of the federal Minister for Transport and Regional Services. On the one hand he acknowledges that the Calder Highway is a road of national importance that should attract fifty-fifty funding; on the other hand the media release states:

The Victorian government's current proposal is to duplicate the Calder from Melbourne to Bendigo by 2006. While the federal government will, when possible, assist Victoria to meet its stated road strategy, the highway is principally a state arterial road and the responsibility for meeting Victoria's strategy rests with the Victorian government.

The federal government cannot have it both ways. It cannot in the same media release say that the Calder Highway is a road of national importance that is to attract fifty-fifty funding between the federal and state governments and then turn around and say that the Calder Highway is a state arterial road. Clearly the federal government is trying to back away from its commitment to put its money on the table to complete the Calder Highway duplication by 2006.

In that same media release the federal minister, John Anderson, acknowledges that the expected cost of the Kyneton-to-Faraday section is \$140 million — that is, \$70 million from the state, which is already on the table, and \$70 million from the federal government, which we are still waiting on. Unfortunately motorists and people living in Bendigo and central Victoria will now have to wait another 12 months to see if the federal government will commit the funding next year. On the evidence of last night's budget I think we will continue to be waiting for the federal government to match the commitment. The state government has made the strongest possible commitment to completing the Calder Highway duplication by 2006 by continuously allocating the necessary funds.

It is interesting to note that last week, only the day after the state budget was delivered, the federal minister John Anderson made some comments on radio that gave those of us in central Victoria — people like the honourable member for Bendigo West — a bit of a sneaking suspicion that no funds for the Calder Highway duplication would be forthcoming from last night's federal budget. Certainly that is so when we see comments like this from the federal minister just one day after the state budget was delivered:

Victoria has done extraordinarily well out of the roads program in recent times, but any further developments I'd want to take forward in the appropriate way.

People and motorists in Bendigo and central Victoria now understand how members of the federal Liberal–National Party coalition approach things in country Victoria. That statement shows their complete lack of commitment to projects in country Victoria. They are too busy. Again, the federal Liberal–National government is falling into the same trap that the former Victorian government fell into. Its members are more interested in funding glittering projects in the centre of Melbourne while turning their backs on country Victoria.

I draw a simple contrast: the Bracks government has provided \$77 million funding for the Wimmera–Mallee pipeline, which is a good policy commitment, a good environmental outcome and a good economic result for that region, but this is another project that the federal government just could not bring itself to fund. It does not like country Victoria. It does not want to see country Victoria go ahead, and it continues to abandon country Victoria and central Victoria in particular.

I turn to the history of this matter. During last year's federal election campaign the Calder Highway was a crucial issue. The federal Liberal candidate at the time, Mr Maurie Sharkey, was also for a number of years the chair of the Calder Highway Improvement Committee. Even Maurie Sharkey, the Liberal Party's own federal candidate in a crucial marginal seat, was unable to convince the federal Treasurer on his visit to Bendigo on 31 October — one week before the federal election — of the importance of completing the Calder Highway duplication to Bendigo. The *Bendigo Advertiser* reported on 1 November that:

Mr Costello admitted Liberal candidate Maurie Sharkey had spent half an hour yesterday trying to convince him of the importance of the Calder.

Clearly the Liberal candidate failed, and if the federal Liberal candidate in a crucial marginal seat cannot convince the federal Treasurer to put money on the table for the duplication, I really fear that no-one would

be able to convince him. This again clearly shows the federal government's bias against country Victoria. It is completely bewildering that the federal Treasurer would come to Bendigo a week out from the federal election and make no commitment to the Calder Highway, leaving Bendigo motorists high and dry. The *Bendigo Advertiser* has rightly identified what the Treasurer said that day in Bendigo as mere weasel words.

I turn to the federal Labor Party's commitment, around which there was a bit of debate in my local community during the federal election campaign. The shadow Treasurer at the time, the now Labor leader Simon Crean, came to Bendigo the day after the federal Treasurer Peter Costello, and he made the firmest commitment possible that a federal Labor government would match the state government's commitment to complete the duplication of the Calder Highway by 2006.

That is a very simple commitment to make when you consider that the Calder Highway is a road of national importance (RONI), that the federal Labor opposition was continuing that commitment to the Calder Highway under the current RONI funding arrangements and that the state Labor government has a commitment to completing the duplication of the highway by 2006.

As I have said, it is clear that the federal coalition government does not share this commitment to the completion of the duplication by 2006. Clearly it has in mind a deadline for the completion of the duplication of the Calder Highway to Bendigo in the blue yonder or beyond the horizon somewhere! That is further evidence of the federal government's abandonment of country Victoria.

Residents in central Victoria have a National Party representative — their very own 'Roni' — who has failed to secure funding from his own federal mates and colleagues for this vital transport link between Melbourne and central Victoria. Let's consider what the Honourable Ron Best, a member for North Western Province in the other place, has achieved for his electorate in his 14 years as a state member: he has closed schools in his electorate; he tried to close the Dunolly hospital; he tried to privatise the Mildura hospital; and he was completely behind the privatisation of the electricity industry, which has seen a disastrous outcome for country Victoria. His final achievement is that he has been unable to secure funding for the completion of the Calder Highway from the federal Liberal–National Party coalition — and from his own party's federal minister, John Anderson.

One would think that the National Party in Victoria might be able to convince its National Party mate in Canberra — the federal Minister for Transport and Regional services — to put the money into the Calder Highway. Mr Best has completely failed as a local representative in this area.

I am very angry that the federal government is playing politics with the Calder Highway. Our local representatives should be campaigning up there in Canberra, demanding their fair share of funding for the Calder Highway from this federal government. It is vital that the Calder Highway is duplicated to Bendigo by 2006. It is an important transport link between Melbourne and Bendigo; it is important for the movement of significant amounts of freight; and most importantly, it is essential for road safety. The Calder Highway, particularly the stretch from Kyneton to Bendigo, is notorious. It is a dangerous road at times, and it is vital that the highway is upgraded and duplicated in order to increase the safety of motorists who travel on it regularly between central Victoria and Melbourne.

Clearly the federal government managed to secure funding for the Scoresby freeway, which will enable every last metre of that piece of road to be completed very quickly. It managed to pull that funding out during the by-election last July for the seat of Aston. It managed to pork-barrel the eastern suburbs to prop up its stocks in that part of Victoria. Unfortunately for central Victorian motorists the federal government is scraping the bottom of the barrel to find money for the Calder Highway: it just does not want to commit those funds beyond the completion of the Karlsruhe section, and it has no commitment to the 2006 deadline. In fact, one might consider that it actually opposes this deadline.

When one contrasts the commitment of the federal government to the Scoresby freeway with its commitment to the Calder Highway, what it is doing becomes clear: it is managing to prop up its stocks in Melbourne while abandoning central Victoria. I am very disappointed for a number of people in Bendigo who have campaigned for many a year to secure the duplication of the Calder Highway between Melbourne and Bendigo, and I am disappointed for the motorists who have to travel on this road on a regular basis.

When one considers that the state government has placed \$70 million on the table already, it is a very simple equation: the Calder Highway is a road of national importance and it is the subject of a fifty-fifty funding arrangement between the state and federal governments, so we now need to see \$70 million from

the federal government for the Kyneton to Faraday section to keep the momentum going towards the 2006 deadline for the completion of the Calder Highway duplication between Melbourne and Bendigo.

### **Gas: Gippsland pipeline**

**Ms DAVIES** (Gippsland West) — I grieve today because individuals, families and businesses in south-west Gippsland pay unjustifiably high prices for liquefied petroleum gas (LPG) and have no access to the cheaper, more convenient and better quality natural gas. I grieve because successive governments have failed to take steps to redress the overt, significant and ongoing disadvantage suffered by individuals, families and businesses in our area and other rural areas of the state.

When natural gas came to Melbourne in the 1980s we in Gippsland were excluded. When the previous government was in power it let slip by our best opportunity yet to put gas into our region when Murray Goulburn, Leongatha, was swapping boiler systems. The company needed help and encouragement to put on natural gas, and it did not get it!

I raised the issue with the previous government during the 1999 negotiations. The former Premier actually initiated the conversation by asking me what my constituents wanted most, and I said, 'Gas'. He said he had no memory of the issue being raised by his own members, of whom there was a vast number in my region, and I must say I was very surprised at that.

This government has so far made minute, inadequate and token efforts to deal with the issue — that is, it has raised the non-mains winter energy concession rate by a few dollars, and it is considering an extension of the utility relief grants. But it has been unwilling or unable so far to give LPG users access to the full winter energy concessions, it has failed to give us the benefits of the regulatory framework of the Essential Services Commission and it has failed to give us access to the utility relief grant scheme. The government has been unwilling or unable so far to take positive steps to ensure the extension of the natural gas pipelines into our region.

The most significant concession that we have had so far has been the setting up of the inquiry by the Essential Services Commission into the supply of LPG in Victoria. That gain was made only after considerable pressure from me and my Independent colleagues, and there is some concern about the terms of reference of this inquiry.

It excludes autogas and it excludes industry, and just to quote from a response from the Australian Liquefied Petroleum Gas Association:

... the consultative issues paper contains the statement that 'the scope of the inquiry is limited to cylinder or bottled LPG for domestic users, and does not extend to industrial & commercial or Autogas users. While the commission's motivation in seeking to simplify the situation ... is understood, it must be stressed that the simplification bears no relationship to the reality of the energy market and gives rise to an analysis that is seriously flawed.

I ask that the Essential Services Commission (ESC) make sure it is not doing a flawed analysis.

The time for submissions to that inquiry has now closed. My submission is available, with others, on the Essential Services Commission's web site. I do not pay consultants to do my submissions; I point out that it is my own sweat and late night and weekend blood that has gone into that submission. It should be noted publicly that the only submissions to that inquiry from MPs came from me, my colleague the Independent member for Gippsland East, and the honourable member for Benalla.

I am surrounded, in my area, by a bevy of big bovver boys from the coalition. They have recently started spouting off in the local papers about how vital gas provision is. I must say that I did wonder where they were, because they have only just started working again. But despite their ability to spout off in the local paper, not one of them was capable or willing to do the work, collect the information and prepare a submission to that inquiry. I think that is a bit sad.

I had to further push the ESC to get some public hearings in my area. Not everybody wants to write a detailed submission to an inquiry that is far, far away. There will now be a public hearing in Wonthaggi, and also one in Bairnsdale. The ESC's gaze is not yet properly on Gippsland; I advise the commission that it is time its gaze was very firmly focused on our area. The outcome I seek from this inquiry is affordable LPG and an extension of natural gas into our area. The only issue is how best to do that.

I read the submissions from various parts of the industry and — oh my! — how they hate the idea of regulation! The BHP Billiton submission says:

Any regulatory measures, such as price controls, would seriously disturb the risk/reward balance for oil and gas producers in Victoria.

BHP Billiton says that if the price was lower it might be forced to export all our gas. I suggest to BHP Billiton that gas is an asset of the people of Victoria, and that if

it cannot find a solution to the current pricing problems perhaps rules should be set to ensure that somebody else is able to find those solutions.

The Kleenheat Gas submission says there may be unintended consequences of price regulation, such as a total withdrawal from the market. Now Kleenheat says that cylinder LPG users in Victoria:

... have the lowest cylinder gas costs in Australia.

It quotes a price of \$63.50 per cylinder of gas. I remind Kleenheat that in my area we actually pay \$72 for a cylinder, and other members say they pay \$75. We have paid up to \$78 for a cylinder, so Kleenheat's averaging system obviously does not work. It also says that:

There is rivalry along all parts of the supply chain.

I don't think so! I think Kleenheat had better read my submission.

Elgas Ltd says:

... any government action which reduced these already constrained returns would make investment in serving customers unviable.

Excuse me, but somebody is making a big profit out of LPG!

We have a locally produced, locally processed and locally marketed product. The current unregulated market allows the source of that product to charge a price based very loosely and not transparently on the Saudi contract price, which itself is based very loosely on the oil price in the Middle East. On top of that, our producers are paid in US dollars and permitted to add — in US dollars — a component for US-level handling, transport and port charges. That is patently a nonsensical basis for the pricing of LPG in Victoria.

I recognise that the really desirable outcome of having state essential services owned and run by the state is an unrealistic wish, but I say to the government that halfway, temporary, inequitable subsidies of gas, electricity or any other essential service, or non-negotiated regulations, are not going to work.

I say to the government, 'Find a solution. Get us mains gas, not just a main pipeline but gas into our houses, our factories and community facilities'. That would have to be the biggest priority for the south-west Gippsland area.

I suggest that for the government to ensure that several companies are piping gas down that pipeline might be the only real way to get some genuine competition into

the industry in the area. We have a chicken-and-egg problem: we will get the development when we have the infrastructure.

Our second-best opportunity to bring gas into my region is here at the moment. A pipeline is being built from the Yolla gas field to a processing plant planned to be built between Nyora and Lang Lang, and then the gas line will go on to Pakenham. I want the government to work now with that company to take that opportunity to get our gas back into our region.

Secondly, the government must ensure that any subsidies for LPG are absolutely equivalent to those available for other energy sources. Do not penalise us because only 2 per cent of the community uses LPG. I would like to tell the government that that 2 per cent of the population counts.

We live in a beautiful region. We have amazing coastline, beautiful rural vistas and very easy access to the metropolitan area — and it is getting better all the time. It will get even better still when we get our train back. We have extraordinarily valuable agricultural and processed products going out of our region. Get us the gas and let us move ahead. This measure is necessary, sensible and just; and I can only keep urging the government to take some action now while the opportunity is before us with this new gas pipeline coming into the region. Make sure that we too can move along, move ahead and live in a proper environment where our individuals, families and businesses are not penalised for their choice of area in which to live. Get us the gas!

### **Agriculture: disease and pest control**

**Mr McARTHUR** (Monbulk) — I grieve today about the state of animal health and disease control and the government's efforts at exotic pest control here in Victoria.

These are extraordinarily important issues to all people in country and regional Victoria. They impact on lifestyle, on the economy and on the social fabric of communities right across country Victoria; yet we do not seem to have a government in control of these issues or a minister who is active and effective on the issue. Instead, what we seem to have resembles those road safety ads we see on long weekends and holidays in which authorities urge drivers not to fall asleep at the wheel. We seem to have a minister asleep at the desk!

A number of topics can strike fear into the hearts of anybody living in a rural area and involved in agriculture: anthrax; Newcastle disease; ovine Johne's disease; and fire ants. A chronology of events over the

two and a half years since the government came into power reveals that we had an incursion of fire ants in March 2001 that was secret and undisclosed for some six months afterwards. The government tried to keep it a secret. We have a continuing and endemic problem with ovine Johne's disease, and we have had two recent outbreaks of anthrax in northern Victoria. Then, just this month, we had a potentially devastating outbreak of Newcastle disease.

Taking them in turn, fire ants are now well established in Queensland. They are an exotic pest from South America and are causing up to \$2.7 billion of damage to the United States economy every year. They are extraordinarily difficult to eradicate once they are established in the community. They landed in Victoria in March of 2001 — yet the minister said nothing about it.

The Department of Agriculture, to its credit, took effective control action that time and is carrying out a monitoring brief at the moment. We are, however, extraordinarily lucky that that incursion occurred through the nursery industry. The nursery in Queensland responsible for the delivery that ended up in a Melbourne warehouse met its responsibilities and notified the Victorian authorities that the shipment had taken place, and our authorities went to check the warehouse. As a result, the fire ants were discovered in pot plants. Hopefully they have been eradicated.

The problem is not the event that was discovered, but the more likely threat of movements of products and plant material by families: the gift of the pot plant that Auntie Doris makes when the family goes to Queensland on holidays and then brings it back in the boot of the car; or the pot plants and household material that come down in the removalist van when a family relocates from Brisbane down to Victoria. It would be very hard to identify and catch any infected shipments when they come that way.

If fire ants are introduced into Victoria in that manner the most likely scenario is that we will hear about it some years later when they have become well established in a localised area. If that happens we can kiss goodbye to the outdoor way of life and the valuable nursery and plant products industries. Barbecues and outdoor picnics will become things of the past as they have in large areas of the southern United States because these ants are extraordinarily vicious and cause enormous harm. Dr David Beardsell from the Department of Natural Resources and Environment was quoted as saying fire ants are probably one of the worst pests to come here, right up there with rabbits and cane toads. God forbid that they

should become established in Victoria. The minister must do more than he currently is doing about fire ants.

I refer to Newcastle disease. This month we had news of a Newcastle disease outbreak on a poultry farm in the Meredith area. As a result several hundred thousand chickens are being destroyed. The direct cost to the industry of the destruction and eradication program is a couple of million dollars; \$800 000 of that cost will be met by the Victorian Chicken Meat Council, \$200 000 by the egg producers, and the rest by the state and federal governments.

However, that is not the largest cost. There are very large impacts on Victoria's export market already. Exports make up about 4 per cent of the chicken meat trade — roughly \$750 million a week in sales in that industry — so there is a resultant loss to Victorian exporters of around \$30 million a week in sales at the moment. There are other indirect costs to the industry and threats to jobs. The industry is calling for beefed-up biosecurity measures on farms and is urging the minister to take some prompt action in that area. However, we have heard little from the minister. He has been dozing on the job.

Let's look at anthrax. There have been two recent outbreaks of anthrax in northern Victoria. Anthrax is a soil-borne bacteria. The spores can remain dormant in the soil for up to 50 years. Extraordinary vigilance is required to get this disease under control. In April and May outbreaks have been reported on two separate properties in the Tatura area. We now know that about 95 properties will be indirectly affected by this situation and somewhere up around 10 000 cattle will need to be vaccinated. The departmental officers need to be congratulated on their action in this matter, but we need to do more if we are not to be exposed to further serious risks of anthrax outbreaks. I will deal with that in a little more detail later.

In relation to ovine Johne's disease (OJD), honourable members all well remember the lead-up to the 1999 election when the Labor Party played very cynical partisan politics with ovine Johne's disease. It went around country Victoria and promised farmers a quick fix in relation to OJD. It said the previous government had messed the issue up and that it would fix it in 5 minutes. However, it has done very little. In effect the same OJD programs are running as were running three or four years ago. Farmers are not receiving the quick fix they were promised. It is the same old program without the compensation. All the government has done is remove the compensation measures that were previously available. However, farms and farm families are still being bankrupted or severely damaged by OJD.

In the two and a half years since this government came to power there have been more detections and diagnoses. Many additional suspect properties are under surveillance for OJD. There is increasing disruption to business and to trade and farmers' ways of life in relation to OJD, yet no real progress has been made with the disease despite the promise of a quick fix. The minister has had two reviews on the issue, but all he has done is abolish the compensation program previously in place.

Finally, after some months, he has reluctantly agreed to meet the recommendation of his own review committee, the Fogarty committee, and pay off the incurred debt of the Sheep and Goat Compensation Fund in relation to OJD. However, there is no practical program operating in the community to assist farmers and farm families to deal with OJD, and the minister has to get his act in order.

Let's look at what might be done. There is a shortage of animal health officers across Victoria, and the government is not doing anything to address that. I am constantly getting informal advice from people within the department about a lack of animal health officers. I am constantly being advised that there are vacancies in the animal health area which are not being filled, and this is due to budgetary constraints at local and regional levels.

The editorial in the *Weekly Times* of today's date said that more effort has to be put into supporting veterinarians with adequate incentives and support in relation to animal diseases and that we need more vets in rural Victoria. Yes, I agree it would be good to have more vets, but the front-line troops are often the animal health officers, what used to be called the stock inspector. Those people go around the farms and to the saleyards. They are the people with experience and an alert eye and they were often very good at identifying problems with pests and diseases in days gone by. However, they are short on the ground at the moment and the government needs to do something about it. It is a simple administrative action, requiring a little bit of energy and drive from the minister and a very few dollars.

This government talks about the money it is spending in country Victoria. Let's have a few more animal health officers; let's do something practical about animal and disease control across Victoria, because they are easily established. Yes, it is good to have more vets, but the vets are often the second-line point of contact because by then the situation is so serious that the animal is either seriously ill or has died. That is what occurred with the two anthrax outbreaks near

Tatura in the last couple of weeks. They were not detected until the animals had died.

Similarly with the Newcastle disease outbreak at Meredith, there was presumably a breakdown in biosecurity controls in some way at that operation. It is one of Victoria's largest egg producers. As a result consumers will probably pay a lot more for their eggs. Increased animal health work would certainly assist there. I have spoken to the president of the Victorian Chicken Meat Council. It is urging the government to take action in relation to beefing up biosecurity controls in the poultry industry. At the moment it argues there is too much left to the behest of the operators and far too much risk, because some operators place a high value on biosecurity measures and others do not. The industry is calling for tougher and more stringent action, and I think the minister should meet that need.

It is time for the minister to wake up. We all know — the industry knows; country Victoria knows — that the Minister for Agriculture is on his retirement ticket. This is a once-only job for Keith and he will be wandering out of here. However, that does not absolve him from the responsibility of effectively dealing with animal and disease control and exotic pest control issues in Victoria. He needs to do more; he needs to be more vigilant. If he is not then country Victoria will suffer and continue to suffer badly.

### **Rural and regional Victoria: former government cutbacks**

**Mr HARDMAN** (Seymour) — I grieve today for the many rural communities that suffered during the dark days and under the uncaring hands of the Kennett government; the communities that lost their schools, teachers, community leaders and community centres — centres that were the heart of those communities. For seven long years the Kennett government did its best to undermine the dedication of our state school teachers' commitment to our children, especially those from the more disadvantaged areas.

The Kennett government concentrated its education cuts in areas of highest need, such as special needs teachers, disadvantaged schools, and closed schools in rural areas and disadvantaged areas such as Fitzroy and Northcote. Not only did the previous government do that, but it unashamedly targeted the most skilled teachers, those who had the most opportunity for employment outside the education system because they had the skills and the confidence to go out there after taking a voluntary redundant package.

**Mr Kilgour** interjected.

**The ACTING SPEAKER (Mr Savage)** — Order! The honourable member for Shepparton is out of his place and disorderly.

**Mr HARDMAN** — Then they got jobs within the work force outside of the education field. The Bracks government is bringing those people back and it is very proud of that fact. One only has to look at the statistics and read the case studies on people moving back to Victoria in the *Sunday Age* last weekend to realise that. I am sure opposition members cringed when they saw that ex-Victorians are returning to Victoria because it is the place to be. Under the Bracks government, Victoria is considered to be a state which cares for all its people, not just the wealthy private school students et cetera, as the Howard government does. People want to live here now because they know this government cares about all people, not just the top end of town or those in favour with the government of the day. This is also evidenced in the migration rate, as I have said before. Labor is turning things around. The decimation and degradation of our state education system under the previous government should be recorded so that the same scenario never happens again.

I turn now to the rebuilding of our education system in Victoria and the great work done by the Bracks government to turn education around in our state. I would like to relate a personal anecdote which I believe speaks volumes for the Bracks government's investment in education since coming to power. A week before the announcement of this budget I had the pleasure of visiting several schools in my electorate and announcing two very important grants: one for sports equipment and one for library equipment. Those grants were received with acclamation by all concerned because they knew that they did not have to raise funds to double their school sports equipment budget or double their library budget to buy books. Indeed, in many cases they would have had to fundraise considerably more or slug parents with extra voluntary fees. Schools received this money because this government wants them to do a great job for our kids.

In my days as a school principal, the Kennett government tried a few one-off grants, \$600 here or a couple of hundred dollars there. Schools received their grants and they said, 'What is that going to do? It is not going to lower class sizes for these kids. How are we going to help the kids in our classes learn to read and write with this lousy \$600?'. This government has got the basics right and that is fantastic. It is probably the first time I have had the feeling, since I have been the member for Seymour, that people are less stressed and happier to be teaching in this state. That is a really great sign.

Prior to the budget many things still needed to be done. This budget addresses some of those needs and I will go into those a little later on. This contrasts with the actions of the miserly and mean-spirited federal Liberal government which has once again shamelessly neglected funding for our most needy students and schools. Even worse, it has done this while at the same time significantly boosting funding for the richest private schools. This is appalling. As a society it is our responsibility to ensure that everyone has access to the best possible opportunities in life. This can only be provided through access to an education system that provides for all of our students. The federal government has once again missed this point in the budget. That is why the Bracks government is rebuilding Victoria's state education system with investment in our schools, people and infrastructure. That fact is demonstrated in this state budget and the previous one.

I grieve that again there seems to be no new money for TAFE institutes or universities. The federal government is still running down our higher education system by making no major investments. If Australia is to be a clever country, a high-tech country with great jobs for its people, I would expect that a federal government with a vision for the future prosperity and opportunity for all would see that investment in higher education is extraordinarily important.

At present there is a very serious shortage of teachers — and nurses as well — in country areas, and there is a teacher shortage in some curriculum areas, such as maths and science. Yet I see no funds in the federal budget to address this problem in universities so more people across the nation can be trained to fill the places of an ageing work force that will be retiring very soon, leaving a great gap in the teaching work force. From my reading of the newspapers this morning there is hardly enough in the federal budget to meet the recurrent costs of universities. This is again an example of the Howard government's mean-spiritedness.

### **Budget: education**

In contrast to the gloomy picture of neglect which the former state government left us with and the mean-spiritedness of the Howard federal government, I shall paint a brighter picture. Since coming to office the Bracks government has provided an extra \$2.75 billion to rebuild Victoria's school system — and as I said before, that includes both our people and our school infrastructure. All of this investment is being used to meet targets that will boost opportunities for all Victorians.

The latest state budget provides a \$550 million boost for education. That includes \$81.6 million for 300 additional secondary school teachers. It will enable schools to have smaller class sizes and provide more individual attention for their students, a better welfare system and a higher morale for their work force, because they will not be so stressed out.

The Bracks budget also includes \$216.4 million for rebuilding schools and TAFE colleges. Heathcote Primary School will receive \$1.8 million to upgrade its facilities; Alexandra Secondary College, which will be part of my electorate at the next state election, will receive almost \$1.9 million; and Yarra Glen Primary School, which will also become part of my electorate, will receive almost \$1 million. Previously the government has provided funding for an upgrade of Healesville Primary School, several upgrades for Whittlesea Secondary College and massive investments in the Wallan and Kilmore primary schools.

Right around the state the government is investing in the infrastructure, and not just in people and in getting teachers into those schools but in making working conditions better for teachers and students. I am very proud to see that the Bracks government is making those sound investments.

An amount of \$34.6 million has been allocated for the provision of 150 early numeracy teachers to continue to meet our targets on numeracy. Only a week before the budget we were talking about sports equipment and library grants at one of the schools I visited. The principal at Puckapunyal Primary School — that area is now famous because of the kangaroo problem — told me he was having problems with the numeracy diagnostic testing of the students, and that included having to spend money to replace teachers to do that testing, because it is quite intensive. The \$34.6 million will help knock right on the head the real issue that school had. It was having to fund the testing out of its casual relief teacher budget, which is there to replace teachers who are sick, and the principal could not see a way of doing this on an ongoing basis. It is great to see this happening there, but more importantly it is great to see the government targeting investment to numeracy and literacy, which we know are the most important things in enabling our students to succeed in future years.

The budget allocates \$43.3 million to provide an extra 285 teachers to lower class sizes in grades prep to 1 in order to improve literacy rates. Many people would be aware that if teachers have time to concentrate on individual students' needs those students have a much better chance to learn. The teachers also have a much

better chance to pick up and address any problems that students may have. That money will be extraordinarily well spent in reducing further the average class sizes in grades prep to 2 to the 21-student mark. I am very pleased to see that happening.

When I look at this budget, especially for education, I think to myself, 'Why am I here? Why am I a Labor Party member?'. The answer is that it is because of my passion to make sure that the best opportunities are provided for everybody in Victoria and Australia. The government is proudly delivering on those things through this targeted funding in the budget.

There is also an allocation of \$84.3 million to reform the middle years of schooling program. That will mean a large amount of money going into classes and into getting schools to cooperate by looking at how they can be innovative and provide for excellence in education. That money will also be very well spent. Schools will have to target that funding and show how they will use it to improve the middle years. Many people will say that despite a lot of effort being put in since the previous government was in office to try to get middle year reform happening, it remains a very difficult area.

This targeted funding will obviously make a big difference for those kids, especially for those in years 8 and 9 who are very disconnected and not too sure why they are at school. This will make their lives at school more interesting, which will obviously mean a great deal for their future. Encouraging them to stay on at school and continue their education will improve their attitude towards education and learning. It is a fantastic initiative, and I am proud to be part of a government that is delivering in this area.

The budget allocates \$47.7 million for the implementation of the Victorian certificate of applied learning, which has been trialled over the past year. It includes 120 additional teachers as well, and it will provide an alternative pathway for those students for whom the VCE does not cater at the moment. That means those kids will stay at school and get a certificate that actually means something. They will be able to say they stayed at school until year 12, and they will have a certificate that shows that they followed a rigorous program that makes them a good person to employ. It will give them the confidence of knowing that they can do it. The kids who do not do that course are likely to end up out on the streets and on the large youth unemployment dole queue. I believe that money will be extremely well spent and will help meet the target of having 90 per cent of students staying on at school until year 12.

The budget also allocates \$3.6 million for Koori educators and home liaison officers. A quick flick through the newspaper this morning showed that the federal government is cutting funds in this particular area. This is one of most disadvantaged areas in society, yet what does the federal government do? It cuts funding to those groups. It needed to boost up the rich private schools a little more, so it cut funding to the most needy people. That is what I call absolutely mean-spirited, and it is typical of the Howard federal government, which does not care for Australians.

Another matter I must mention before I finish is the school bus review. It will provide better access for many students, whether they be private or state government students, and make it fairer for them by enabling them to get to schools when there might not be normal bus services. That is great, because it represents the delivery of another election promise, as do many of the things I have been talking about. I am very proud to stand here today and say that that is being implemented, and it will provide a better system for all students in Victoria.

### **Crime: statistics**

**Mr WELLS (Wantirna)** — It gives me great pleasure to join the debate. I grieve for the public and community safety of this state and the blatant incompetence of the Bracks Labor government in failing to bring crime under control in Victoria. I have to admit that the Bracks government has made a major achievement in its almost 1000 days in government: it has conveyed a clear message to the Victorian community that it is soft on crime! I suspect that at the next state election law and order will be a priority that the opposition will be pushing very strongly.

This government has been tagged a do-nothing government, because although it promised to cut crime, it has delivered on nothing. To see that we only have to look at the Bracks government's document on law and order that was taken to the last state election. It was entitled 'No more excuses on crime'. Of course that has been changed. The government has done a review and set up a committee and changed its name to 'Nothing but excuses for crime'!

One of the first things Labor promised was:

... to protect the personal safety and security of all Victorians.

It failed to do that. It also said:

A first-term Labor government will be tough on crime and even tougher on its causes in order to make the Victorian community safer.

It has failed. It also claimed:

Labor also recognises that the most effective way to combat the rapid rise in Victoria's violent crime rate is through the implementation of a comprehensive crime prevention strategy that deals with not just the symptoms of crime, but also its causes.

We are still waiting. The knockout blow in the document is:

Labor will not accept any more excuses on crime.

That is what the Labor Party told the Victorian community at the last state election, and it is typical of this do-nothing government that it has not delivered on any of it. Nothing!

The Labor opposition went ahead and said:

Labor will develop and implement a comprehensive anti-violence strategy.

We are still waiting. Further, it said:

A Labor government will address the increase in the proliferation of knives and other dangerous weapons in our community.

We are still waiting. In addition, it said:

Labor is committed to tackling the need for greater safety at shopping centres and other community venues.

We are still waiting. The then Labor opposition said:

Labor is committed to ensuring greater safety for patrons of automatic teller machines.

We are still waiting, although the minister promised in January that he was going to review this because it was an election promise, but let me tell you: there is not one automatic teller machine that is any safer.

Let's look at some figures to prove what I have said. In the last 12 months the latest crime statistics from the police show very clearly that homicide is up 25.6 per cent; robberies are up 26.5 per cent; aggravated burglaries — that is, burglaries that occur when people are at home — are up 44.1 per cent; and theft of motor vehicles is up 14.9 per cent.

If you think that these increases are restricted to the metropolitan area, think again. Statistics for a couple of regional areas show how this government has failed to curtail crime across the state. In region 3, Mr Acting Speaker, which covers the area that you represent, including Mildura, Shepparton and Bendigo, homicides are up 8.6 per cent, and robberies increased 51.4 per cent — and this is just in a 12-month period! Aggravated burglaries in that area increased by 30 per

cent; thefts of motor vehicles were up by 21 per cent; and rape was up by 22.6 per cent.

It is a broken promise that the government committed itself to reducing crime by 5 per cent. It has failed, and failed so severely that we have to ask why it has happened. One of the main reasons is that instead of allowing the police to be out on the beat fighting crime, this government has had other work projects. It has turned our police force into prison wardens and revenue collectors.

### **Budget: police**

Let's just look at some of the facts. We only have to look at the last state budget — not the one just past but the one prior to it — to see the situation. As an opposition, we thought that at last this government was going to deliver on something to fix the overcrowding in police cells. We have had situations where hundreds of our police force members have been tied up looking after prisoners in police cells. At the last state election we thought, 'At last it is going to address this situation', because the government was going to build brand-new prisons. It was going to build a 600-bed metropolitan Melbourne remand prison; a 300-bed metropolitan medium security prison; two minimum security prisons in rural areas, including a 120-bed and a 100-bed prison; and three 20-bed suburban prisons.

I challenge anyone on the government side to name one location — just one location! — for any one of those promises that were made 12 months ago to fix overcrowding in our police cells, but there is deafening silence. Not one address! We do not even know whether the land has been purchased. If it has, we in the general community do not know where these places are. The government promised a 600-bed prison, a 300-bed medium prison, two rural prisons and three 20-bed suburban ones, but they are promises it has not delivered on 12 months later.

And what has happened? Our prison capacity is sitting at around 121 per cent occupancy. In budget paper 2 of 2001–02, the minister promised:

... a reduction in the adult prison system utilisation level to an average of around 90 per cent ...

He is right! World best practice is that prisons should operate at occupancy levels of between 90 and 95 per cent. The opposition agrees with the minister, but in the 12 months since this document was written the prison occupancy levels have not improved one iota. It sits at around 121 per cent. Of course the backlog of overcrowding in prisons means that prisoners end up spending more time in police cells, and the police are

not impressed. Police are paid to be out fighting crime and ensuring that all streets across country and metropolitan areas are safe.

The 2000–01 annual report of the Victoria Police stated that, on average — that is, every single night last year — 273 prisoners were held in police custody. When you consider that there is room only for 120, you can see these prisoners are packed in like sardines. Many in the community say, ‘That is bad luck. If they are prisoners, they are on sentence and get what they deserve’. Many would agree with that comment, but when you look at the figures for the 1999–2000 financial year they show that on average 199 prisoners were held in police custody, but under this government they have been cranked up through blatant incompetence to an average of 273 prisoners. The situation has not improved at all. We are tying up valuable police resources looking after prisoners, and that is not what we pay our police force to do.

I look at what else our police force is doing under the Bracks Labor government. Since its election in October 1999 police fines are up from \$99 million to \$336 million — an increase of 240 per cent! In the coming financial year fines are forecast to increase by 85 per cent. This represents a \$154 million increase on the expected revised budget figure of \$182 million in 2001–02, which is forecast to be \$336 million in 2002–03. The number of police fines is expected to almost double, from 903 000 to 1.7 million.

Again the government is tying up valuable police resources as members of the force are stuck behind desks, dishing out fines. You only have to look at the latest budget figures to confirm that the government is hell bent on turning the members of our excellent police force into tax collectors and prison wardens.

### **Budget: drug programs**

I conclude on an issue which many of us as parents would agree on — that is, the last thing we want is for our kids to be involved in illegal drugs when they are growing up. It must be devastating for parents whose children are tied up with this problem. What has the government done to address the needs of parents and to ensure that their kids are safe from the scourge of drug pushers and drug traffickers? The state budget reveals that this financial year the government will cut the number of hours police spend investigating illegal drug activities from 600 000 to 560 000. That does not make sense.

Given the government’s claims of an increase in police numbers, one would have thought that it would have

used some of those hours to ensure it cracked down on illegal drug activities. At the next state election I believe that law and order will be an enormous issue. To date, the Bracks Labor government’s record on law and order issues, including tackling crime, has been a miserable failure. I think the people in the general community will realise this and hold the government to account for the woeful job that it has done in law and order.

### **Drayton Corp**

**Mr ROBINSON (Mitcham)** — I grieve about a couple of subjects, but I want to start with the racing industry, particularly the snake-oil salesmen who are now using it as a vehicle for promoting dubious claims about moneymaking ventures.

I refer to a glossy brochure from a company under the working title of Dray-Tec which arrived unsolicited at my home the other day. It has the form and appearance of a prospectus that one might expect a reputable company would publish to promote different investment opportunities. Upon reading this brochure I found it was anything but a prospectus. I would go so far as to say that despite its similarities to a prospectus it is hardly respectable and it is certainly not honourable. It is wildly inaccurate and, I suspect, of dubious informative value.

The brochure is loaded with pejoratives and exaggerations. I guess if you are a snake-oil salesman trying to make money out of people through nothing other than a numbers game using the racing industry, you would dress it up in anything but those terms. However, it certainly starts off in those terms. On page 2 it makes the following claim:

Many economists are now admitting that Australia, as part of Asia, cannot survive with its current standard of living.

...

Every man, woman and child in Australia has a debt of \$42 000. Yet every man, woman and child has only \$400 in savings deposits.

It does not aim to find a quick way to separate you from your money; rather it dresses itself up as some grand economic statement that will address the balance of payments in this country. The hyperbole goes on:

It is a well-kept secret that 49 per cent of the work force in Australia is public service related (USA 7 per cent, UK 12 per cent).

I would agree. It is such a well-kept secret that it is actually deceitful, and that is far from the case. It goes on to say that there are only 2.5 million fully employed

workers across the country. For once I might agree with Peter Costello that that is an outrageously inaccurate claim.

The brochure suggests:

In future, the smart people will survive ... Those who follow old so-called 'paths to success' will fail.

That is to say that traditional hard work is worthless, which is a disgraceful sentiment to be putting around today. But in the vein of snake-oil salesmen it goes on to extol the virtues of easy money and further suggests:

Those with the ability to think laterally and take the rare opportunity when it presents itself; those with the foresight to take a brilliant concept by the scruff of the neck and wring the life out of it ...

THEY WILL BE THE WINNERS

Of course they will be glorious winners — and there will be no shortage of reward for them! It continues:

An 80-square waterfront home, a yacht for the weekends, three of your favourite cars in the garage. A floodlit tennis court with a well-stocked bar for your friends ... dinner at the best restaurant two or three times a week ... maybe Bali for the weekend. A Melbourne Cup winner, a country property, the best of schools for the kids, the top labels on your clothes. First-class air travel, a limousine to the casino, the penthouse suite thrown in.

There are no half measures in this advertisement. Finally:

It CAN be achieved ... but only on one condition —

and you must invest your hard-earned income.

The claim is made by Drayton Corp — —

**Ms Asher** interjected.

**Mr ROBINSON** — I think it will be many years before Bill Shannon gets to this league.

What is Drayton Corp? The brochure talks about the company's long history of dealing with the public in many facets of the industry. Unfortunately for Drayton Corp, Australian Securities and Investments Commission records show that the company's history goes back only two years, having been created in April 2000. We can be extraordinarily doubtful of its claim to having a long history. It then goes on to bag the hell out of the bookmaking industry, suggesting that anyone who bets with bookmakers cannot be a winner and that the future lies with taking up this investment opportunity.

When it is all said and done this is nothing more than a blatant effort to try to seduce people into parting with

their hard-earned income for a software program that will allow them to park their brains at the door and make investments based on numbers rather than trying to judge horse flesh on its relative merits in races that are conducted across Australia. As such it is to be discouraged.

It is interesting that in its attempt to lay out for people the virtues of investing in the product and the returns that are possible, the brochure I received provides advice on what the returns would have been only up until July 2001, so insofar as it pretends to put across any information that is accurate it falls well short of the mark. This is an invitation for fools. Dressed up as it is with its hyperbole and exaggeration it is essentially an invitation for people unsuspectingly to leave their brains at the door. The racing industry is promoting this as nothing other than a numbers game, which is extraordinarily unfortunate. It is exactly the sort of thing that we should be discouraging strongly.

The director of the company is a Michael Edward. I do not know Michael Edward; he is as entitled as anyone to start up a business, and that is his right. However, it is perhaps not surprising — it is perhaps entirely appropriate — that the company he operates, which I understand is a \$2 company, is based at Surfers Paradise. If there is any part of Australia where by reputation you would think a company like this should be located it is Surfers Paradise, where all the aspiring two-bob millionaires want to live, so he is well suited. But we need to put people like Michael Edward on notice. He would want to make sure that everything he puts in his advertisements for investment opportunities — I use that term loosely — is up to scratch.

I have asked Consumer and Business Affairs Victoria to investigate this matter because it is the sort of snake-oil hype and exaggeration that not only does the racing industry disservice but can seriously mislead people and undermine the hard work and effort I referred to earlier. The racing industry has a proud history and deserves better than the bumf that has been put around by Dray-Tec.

### **Federal budget: Telstra sale**

I want to grieve as well in the next few moments about the federal government's plans as enunciated in last night's budget to sell off Telstra, and the impact of that on Victorians. Prior to the last election the National Party in particular insisted on a principled stand — again I use that term loosely — that it would not allow the remaining 51 per cent of Telstra to be sold until service levels had improved. That claim was made not

so long ago. In fact, I can recall that claim being made by the National Party in Canberra and the Deputy Prime Minister in the lead-up to last year's federal election.

However, last night, and in fact in the lead-up to last night, statements were made that Telstra would be sold. I understand the announcement last night was that the remaining part of Telstra's public ownership will be sold off in equal halves or thirds.

It is worth us considering the view — logically this is the view that the National Party put forward — that Telstra service levels have not improved to anywhere near the standard that is either desirable or required by Victorians, particularly those who live outside Melbourne. I can recall only a few short weeks ago the *Herald Sun* in particular running a detailed account of a personal tragedy up on the border in which Telstra featured. It was referred to constantly in that coverage. I understand the facts of that were that Telstra had been requested on a number of occasions to repair a phone. I think the woman in question had a sight impairment and she had a son who had a medical condition, and as people would recall when the son required an ambulance the phone did not work. That was a great personal tragedy, and I am sure all members across the house would want to extend their sympathy to anyone who found themselves in that circumstance.

There is no hiding the fact that that story very much manifests the service inadequacies of Telstra, and no-one believes that in the time up until that incident happened Telstra had done enough to improve its service levels. Yet only a few weeks later the federal government is indicating that it believes service levels have improved enough for it to get on with the sale. I would dispute that contention very seriously. I do not believe there is a rising level of satisfaction with Telstra service levels. I do not believe the National Party has delivered in any way, shape or form upon its principled insistence, as it called it last year, that service levels would need to improve before it gave the green light to any future sales of the remaining public ownership of Telstra.

We on this side would call on the National Party to think twice about this folly of selling off Telstra's present remaining ownership. There are very few examples of essential public services that have been handed over to the private sector being run in a way in which service levels and satisfaction actually increase. Despite all the hype about the sale of the electricity industry, my experience in the electorate of Mitcham is that people are no more satisfied than they were previously about the performance of the different

companies in that industry, and I think the same applies to banks and to Telstra.

This is nothing less than a blatant revenue grab by the federal Treasurer. We have seen suggestions recently that the federal government will tinker with service charges, with fees and connection charges, offering a little bit for pensioners, but this has everything to do with Telstra's policy of fattening up the cow before it is sold off at the altar of privatisation. Selling off Telstra is a bad move. It should be resisted. The National Party should develop a bit of spine on this and stand up for the people it purports to represent by saying that service levels have certainly not improved enough and that until the federal government understands that, the future sale of Telstra should be off limits. If the National Party, having succeeded at the last federal election, thinks that this is an issue it can continue to ignore, then the National Party, certainly across this state, is in for a rude shock.

### **Housing: administration**

**Mrs SHARDEY (Caulfield)** — I rise today to grieve for struggling Victorian families endeavouring to access our public housing system. Since the Bracks government came to power we have witnessed in Victoria a litany of issues which amount to sheer incompetence on the part of the government, the minister, and unfortunately the Office of Housing, although I almost refrain from blaming a government office because it is the minister who should be showing leadership and controlling what happens in the way a particular government office or department operates.

I do not believe it is enough to simply be compassionate about the needs of low-income Victorian families who often have very large problems such as lack of employment, disabilities — many are elderly or from non-English-speaking backgrounds — who want to access our public housing system. If you are going to run an Office of Housing it is not enough to be compassionate about the needs of these people; you have to be able to run what amounts to a very large company. The Office of Housing has control over some nearly \$800 million per year, and it is up to its staff not only to show compassion towards the people out there but also to run the Office of Housing in an efficient and proper manner.

In the past two years we have seen an absolute litany of examples of incompetence in a number of areas. We have seen a huge blow-out in rent arrears — that is, money owing to the state government through rents in public housing; we have seen a huge blow-out in bad debts in the Office of Housing and we have seen a huge

blow-out in waiting lists — that is, people queuing up, waiting for homes which should be provided by this government.

Going back to the first issue, under this government public housing rent arrears have blown out by 50 per cent in the last two years. An Auditor-General's report in November of last year showed that public housing rent arrears had jumped from \$7.1 million in 1998–99 to \$10.6 million in 2000–01. That report also shows a 52 per cent increase — some \$11.9 million — of bad debts written off by this government. This is the kind of irresponsible economic mismanagement that characterises this government and also characterised the previous Cain–Kirner Labor governments. Under their tutelage rent arrears blew out from \$6.4 million in 1984 to \$15.3 million in 1988. Under the previous Liberal government, on the other hand, that debt was halved. It is on the way up again and it has now reached \$10.6 million.

The Office of Housing should be working with tenants to ensure they can meet their rental commitments and avoid — I repeat, avoid — eviction and homelessness. For example, a Brotherhood of St Laurence report of 2000 titled *Policy in Arrears* claims that some 20 per cent of residents in the southern region of Melbourne alone — which includes Frankston, Dandenong and Cheltenham — were in arrears with their rent payments and that 70 families were evicted as a result. When in government Victorian Liberals introduced reforms in the collection of rent arrears which reduced the level of rent arrears, as I have said, to \$6.5 million in 1997–98. It can be done; all it takes is a little vision and commitment.

Turning to waiting lists, in the period June 2000 to December 2001 — that is, just 18 months — the waiting list for public housing has blown out by a huge 11.7 per cent. Some 4807 families — nearly 5000 families! — were added to the waiting list and joined the queue. In June 2000 the number of applicants on the waiting list was 40 967; by December 2001 that figure had grown massively to 45 777. From June to September 2001 alone, 1796 families joined the queue waiting for a home, and from September to December 2001 an additional 1163 families joined the queue. This is an absolute outrage, and the hardest hit areas were in country Victoria. Over the period June 2000 to December 2001, waiting lists in the Loddon Mallee region went up by 23 per cent; in Gippsland by 27 per cent; in the Hume region by 40.3 per cent; and in the Grampians by a massive 52 per cent.

Victorian towns and the areas around them suffered hugely. Waiting lists went up in Ballarat by 56 per cent;

in Horsham by 35 per cent; in Benalla by 75.7 per cent; in Shepparton by 28 per cent; in Wangaratta by 55 per cent; in Wodonga by 61.6 per cent; in Bendigo by 32 per cent; in Swan Hill by 17.8 per cent; in Mildura by 10.5 per cent; in Geelong by 15.7 per cent; and in Portland the waiting list for public housing in that 18-month period alone went up by 85.3 per cent! The waiting list in Warrnambool went up by 40 per cent and in Morwell it went up by 44.4 per cent. What an absolute disgrace!

This government has claimed a number of things, including that its system for people being able to join the waiting list for a house is fairer than it was. I do not believe its system is fairer and I do not believe it is fairer to make more people wait longer for public housing. I believe that is most unfair. I believe that although this minister claims she is so caring she is not in fact particularly caring at all and I think her system demonstrates huge incompetence. Under the previous government waiting lists dropped by some 20 per cent. I believe a reduction can be achieved; all it takes is the will and some form of competence.

I took a one-day trip down to Bendigo and while just driving around public housing areas in the town I found three vacant homes — that is, homes not being occupied. I am sure the minister will tell me there was a good reason for that, but I cannot imagine one. I thought that was absolutely appalling. I am also told that last year in areas like Cheltenham some of the category 1 people on the segmented early housing waiting list had been waiting two years for accommodation. Individuals and families in segment 1 on the waiting list are people who suffer from recurrent homelessness. They are not people who have assets, a flow of income and stable housing; they are people in real need — and this government has turned its back on them.

The second issue I raise about housing is that this government gave a commitment that it would find a solution to the problems with the home opportunity loans scheme introduced in the Cain–Kirner years which has left some 8000 Victorians owing massive amounts of money to the government as a result of home loans that have gone wrong. This government by its action — it is an absolutely appalling action and I have never heard of anything like it before — has treated those people in a very vicious way and as a result a quite appalling situation has arisen.

The Bracks government tried to gag borrowers groups representing some 8000 home opportunity loans scheme victims and coerce them into agreeing to a government proposal before they had even seen it. I

have seen documents that attest to that. The peak bodies representing the 8000 home borrowers who have been so badly affected by those loans and who now owe thousands and thousands of dollars were invited to the office of the Minister for Housing to peruse a proposal that was supposed to provide a systemic response and solution to the issue of the huge amounts of money owed by those people to the government under the scheme.

Instead of the groups being shown the proposal, they were asked to sign a memorandum of understanding which required them to fully accept the government's proposal and, what is more, not to go out into the public arena and make the proposal known and not to communicate the proposal to the members of their groups whom they were representing — in other words, to keep the proposals secret.

This is an absolutely appalling situation. It amounts to gagging groups who are representing people who are in trouble and looking for a solution. This government promised a solution. I appreciate that it is a very difficult problem. The previous government went to great lengths to try to assist those people and it did so on a number of occasions. Firstly, the previous government bit the bullet and offered borrowers a lower fixed interest rate in 1993, resulting in the department sacrificing some \$20 million in the hope of sorting out the problems the borrowers faced. In 1994 further loan restructuring was carried out by the previous government, at an estimated cost of \$60 million to \$80 million.

The previous government tried to tackle the problem. The Bracks government made an absolute commitment that it would find a systemic solution — a whole-of-government solution — to the problem and not deal with individuals on a case-by-case basis. The proposal the government put before the borrowers really meant that the borrowers would have to fully accept the government's proposal without having seen the detail in writing. They just had to agree that they would accept the proposal fully and not transmit it to anybody else. I actually have a copy of that memorandum of understanding in front of me which the borrowers were asked to sign. It reads:

On the basis of this understanding, the consumer groups consider that the policy changes proposed by the government represent the maximum support that can reasonably be provided to address the concerns expressed by the consumer groups and others.

A summary of that package is attached. It is provided on a confidential basis and only for the information of the consumer groups about present government intentions ...

Each of the consumer groups supports the package in its entirety and each is prepared to work with the government in the implementation process.

Some of the groups actually refused to sign this memorandum of understanding (MOU). They thought it was absolutely appalling; they did not believe that what was being offered was in the best interests of the people they represented. The minister then had the gall to write them a letter inviting them to continue to participate in the process. They wrote back to the minister in March, informing her that they did not accept the proposals they were given just verbally and that they also objected very strongly to the way they were treated when they were with the minister in her office.

In fact, one of the letters to the minister I have before me says:

... the current solution under offer is not acceptable.

The current offer neither reflects the social injustice nor does it address the systemic problems our members are facing as per our previous discussion. Additionally the manner in which the current offer was tabled was patronising and authoritarian at best.

The members of the group who wrote the letter made the point that they objected to being asked to sign an MOU promising not to make the offer public, and they commented in their letter that they had never breached the confidentiality previously asked of them.

All these issues add up to one thing: in relation to public housing the government is letting the community down, and it is letting down those most in need. In particular it demonstrates a lack of competence on behalf of the minister. It demonstrates that she lacks the capacity and leadership to ensure that Victorians who are most in need — that is, struggling Victorian families on low incomes who depend upon government for support and accommodation — are given the support they require. They are not being given that support, and they are not being served well by this government, which I think has an appalling record in this area.

**The ACTING SPEAKER (Mr Loney)** — Order!  
The honourable member for Sunshine has 2½ minutes.

### **Workplace safety: legislation**

**Mr LANGUILLER (Sunshine)** — Today I rise to grieve at the lack of compassion on the part of the opposition given its unwillingness to support the Crimes (Workplace Deaths and Serious Injuries) Bill. The bill will enable a corporation to be prosecuted effectively only if its gross negligence results in the

death or serious injury of an employee or worker. This is not a new liability for corporations, but the bill will enable such prosecutions to be brought more effectively. There are many similarities between the existing liability of corporations for manslaughter under the common law and the new corporation manslaughter offence contained in the bill.

To be liable for either offence the corporation must have owed a duty of care to the person injured or killed; must have failed to act as a reasonable corporation would in all circumstances; and must have been grossly negligent. That is, its conduct must have fallen so short of the standard of care that a reasonable corporation would exercise in the circumstances and present such a high risk of death or really serious injury that it merits criminal punishment. The prosecution must prove all elements of the offence beyond reasonable doubt.

The opposition came into this chamber yesterday and misled the public by arguing that it would apply to every employer in the state. It would only apply to those who —

**The ACTING SPEAKER (Mr Loney)** — Order! The honourable member's time has expired. The time for raising matters on the grievance debate has expired.

**Motion agreed to.**

### PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL

*Introduction and first reading*

**Mr THWAITES (Minister for Health)** introduced a bill to amend the Pathology Services Accreditation Act 1984 to make further provision for the accreditation of pathology services and for other purposes.

**Read first time.**

### LIQUOR CONTROL REFORM (PACKAGED LIQUOR LICENCES) BILL

*Introduction and first reading*

**Mr BRUMBY (Minister for State and Regional Development)** introduced a bill to amend the Liquor Control Reform Act 1998 with respect to packaged liquor licences and for other purposes.

**Read first time.**

### DOMESTIC BUILDING CONTRACTS (CONCILIATION AND DISPUTE RESOLUTION) BILL

*Introduction and first reading*

**Ms DELAHUNTY (Minister for Planning)** introduced a bill to amend the Domestic Building Contracts Act 1995 to provide for the conciliation of domestic building disputes, to amend the Building Act 1993 to increase the building permit levy and to further regulate domestic builders, to amend the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes.

**Read first time.**

### BUSINESS LICENSING LEGISLATION (AMENDMENT) BILL

*Introduction and first reading*

**Ms CAMPBELL (Minister for Consumer Affairs)** — I move:

That I have leave to introduce a bill to amend the Associations Incorporation Act 1981, the Business Names Act 1962, the Estate Agents Act 1980, the Motor Car Traders Act 1986 and the Travel Agents Act 1986 to facilitate electronic transactions under those acts and to make further provision for registers under those acts and to amend the Business Licensing Authority Act 1998 and for other purposes.

**Mrs SHARDEY (Caulfield)** — I ask the minister for a brief description of the contents of the bill.

**Ms CAMPBELL (Minister for Consumer Affairs)** (*By leave*) — This bill is to enable the acts so named to have electronic lodgment attached to them so that we can facilitate e-commerce.

**Motion agreed to.**

**Read first time.**

### CORRECTIONS (INTERSTATE LEAVE OF ABSENCE) BILL

*Introduction and first reading*

**Mr HAERMEYER (Minister for Corrections)** — I move:

That I have leave to bring in a bill to amend the Corrections Act 1986 and for other purposes.

**Mrs SHARDEY (Caulfield)** — I ask the minister to provide a brief description of the bill.

**Mr HAERMEYER** (Minister for Corrections) (*By leave*) — The bill is basically to facilitate corresponding interstate legislation to provide for interstate leave for criminals, primarily in compassionate circumstances.

**Motion agreed to.**

**Read first time.**

## NATIONAL PARKS (MARINE NATIONAL PARKS AND MARINE SANCTUARIES) BILL (No. 2)

*Introduction and first reading*

**Ms GARBUTT** (Minister for Environment and Conservation) introduced a bill to amend the National Parks Act 1975, the Fisheries Act 1995 and other acts to provide for marine national parks and marine sanctuaries, to make further amendments to the National Parks Act 1975 and for other purposes.

**Read first time.**

## STATE TAXATION LEGISLATION (FURTHER AMENDMENT) BILL

*Second reading*

**Debate resumed from 18 April; motion of Mr BRUMBY** (Treasurer).

**Mr CLARK** (Box Hill) — This bill makes a range of amendments to different state taxation acts, and I will briefly summarise some of the main provisions. It will require stamp duty on the transfer of a motor vehicle acquired from a licensed motor car trader (LMCT) to be paid to the trader, who in turn will be required to pay it within 14 days of the time of sale to Vicroads at the same time as lodging the transfer documentation. It will require both the purchaser and the vendor of a motor car to sign the statement that gives the market value of the vehicle on which duty is paid.

The bill proposes to replace the current land valuation equalisation provisions of the Land Tax Act with indexation provisions, so that in the year in which actual land values do not apply for land tax purposes — it will be every second year — the land value of a property is to be increased by an indexation factor determined by the Valuer-General. The indexation factor is intended to represent one half of the movement in the value of taxable land in the municipality

concerned between the previous valuation year and the following valuation year.

The bill also proposes to exempt from land tax land that is owned by a non-profit organisation, the principal objectives of which are to conduct agricultural shows, farm machinery field days or similar where the land is used for those objectives. It also extends an exemption from payroll tax for schools or colleges that were in existence before 27 May 1997 to cover technical schools, so long as education is provided predominantly to students under 19 years of age, an amendment that does not affect the ongoing exemption that applies to all registered schools.

The bill also contains various technical and anti-avoidance amendments to the Duties Act, which were explained to the opposition very comprehensively and cogently by officers of the State Revenue Office (SRO). Based on the explanations given to the opposition by those officers, these miscellaneous amendments seem reasonable.

I will make some remarks on the principal provisions of the legislation, turning firstly to the changes to the regime for the collection of stamp duty on the transfer of motor vehicles. In relation to these amendments I pay tribute to my colleague the Deputy Leader of the Opposition, who led the charge in exposing the potential for the evasion of duty that was opened up by previous legislation of the Bracks government by enabling people to simply lodge the transfer documentation, obtain a registration, not pay the duty and have a fair chance of getting away with that scot-free. This was a defect that was raised most forcefully in the house by the deputy leader, and it appears her good work has at last borne fruit, at least to the extent that the government is coming back to the Parliament with a revised regime to attempt to tackle the problem.

**Mr Robinson** interjected.

**Mr CLARK** — I welcome the acknowledgment by the honourable member for Mitcham of the role of the deputy leader in raising this issue.

Whether the new regime in the bill will work is a different matter. While SRO officers put forward various reasons and explanations for the way the scheme works, it still appears to be a rather ramshackle operation, certainly in terms of its legislative base. Its day-to-day operation will have to wait to be seen. It is ramshackle in that some of the obligations appear in the amendments to be inserted in the Duties Act and some arise out of regulations to be made by Vicroads. It is

hard to get a comprehensive description from any one source of what the regime is supposed to be. Of course, when you have two separate sources for a combined regime such as this, there is always the risk that the two will not mesh properly and that there will be cracks through which duty can be evaded or paperwork may slip.

In terms of the way the regime is intended to work, the aspect that has caused the most concern and raised the most queries is the change from the current system to the new system when money is paid to a motor car trader. Under the current system when the duty money is paid to a motor car trader it has to be remitted by way of monthly return 21 days after the month in which the transaction took place. Under the new regime the money has to be remitted within 14 days of the sale, at the time of lodging the transfer paperwork.

A number of motor car traders have raised with the opposition their concern about the impact of this change on their cash flow. They make the point that they are collecting duty on behalf of the government and incurring expense in doing so. The benefits they may have enjoyed in the past, which gave them some compensation in terms of being able to hold the money for a little while longer, are being removed.

The opposition has consulted with the Victorian Automobile Chamber of Commerce on this issue. I will quote from the response we received from the VACC, which says:

Since July 2000 VACC has been concerned that, post the introduction of GST, payment of stamp duties upon the sale of a motor vehicle has been confusing and open to avoidance. Accordingly, we were pleased to be part of the stakeholders consultation process on the new model initiated by the State Revenue Office.

The new model for the collection of duty, which the bill facilitates, was put to our LMCT members in a survey questionnaire and 56 per cent of respondents agreed in principle with the model; 44 per cent did not agree.

However, the following two comments were dominant in the survey replies:

1. Members said that a fee should be paid for the work they perform in collection and forwarding the transfer of registration and stamp duty documents and payments.
2. Members want the period for payment to be extended beyond the 14 days after sale. Many commented that the State Revenue Office system allowed payment by the 21st day of the month, after sale.

It is agreed that processing payment of stamp duty through Vicroads will provide a simpler system and give the advantage of access to payment by credit card (cash flow management will be assisted by those who use the credit card method).

On balance it is fair to say that the VACC accepts the changes in the legislation, subject to the two significant comments to which I have referred. Let's hope that the government takes on board those comments and continues to monitor how the scheme works in practice.

I move to the provisions of the bill that relate to land tax. Land tax is, of course, one of the taxes by which the Bracks government has been rapidly escalating its tax take since coming to office, giving very little back by way of a reduction. Depending on exactly which series of figures you use, in 1998–99 the land tax collection was around \$369 million; in 2001–02 it was around \$519 million; and for the next financial year, 2002–03, it is estimated to reach \$611 million.

This is really ramping up the land tax take! Despite the government's loud blowing of trumpets about the raising of the threshold, the dollars that are being returned to taxpayers from that adjustment are minuscule compared with the increased tax take since the government came to office — about a \$3 million return from about a \$156 million increase per annum so far. There is more to come next year, and indeed almost certainly more to be locked in over the following two years — because of the lag between valuation year and tax year — when the increase in valuations which has taken place between the year 2000 and to date will flow through the system.

This bill makes a series of changes which are presented as being technical and procedural. The State Revenue Office told us that it had not done any modelling of the revenue effects of these measures. It said Treasury may have done this but the State Revenue Office did not know the results. I hope the parliamentary secretary or the Treasurer will inform the house about this modelling. It can be argued that in the long term this new indexation model will even out but I would be very surprised if the government had not modelled what the short-term impact was going to be and concluded that it would be at least neutral, if not favourable to it.

On top of that, the Property Council of Australia pointed out what appears to be a potentially serious flaw in the logical structure of the model which may result in permanent ongoing windfalls to the government. The flaw appears to be a serious one indeed. It is contained in clause 16(2) of the bill, which proposes to insert subsection (3) into section 3 of the Land Tax Act 1958. Proposed subsection (3) refers to a prescribed indexation factor:

... being a factor determined by the Valuer-General that in his or her opinion reflects half the aggregate movement in the site value of land classified residential, commercial or industrial

within that area between the applicable general valuation and the subsequent general valuation.

A subsequent provision in proposed subsection (3A) says:

... the Valuer-General is to disregard the value of land that is exempt from land tax as a principal place of residence.

The concept is that you look at overall movements in the value of taxable land in the municipality concerned between one valuation and the next. However, the Property Council of Australia points out that what this clause literally provides is that you have an indexation factor based on the movements in the aggregate site value of the taxable land in that municipality. In other words, if the total volume of taxable land in the municipality concerned has changed over the relevant period, that movement in the aggregate value has to be reflected in the indexation factor.

For example, if there is a new commercial or industrial subdivision on the suburban fringe so that new taxable properties have been created, that will increase the aggregate value of land in the municipality concerned, even though the price of any particular block of land may not have changed. In other words, the property council argues that in every second year you will get an in-built distortion in terms of how the indexation factor works, resulting in properties in that middle year being indexed up more than the true movement in their value. Then when the property is actually valued the following year that is going to flatten out. The property council seems to have a very valid argument.

The Property Council of Australia also raised a number of other concerns which can be put in the category of 'Why not go better than what we have got?'. In the past we had an equalisation factor that was necessary because land in different parts of the state was valued as at a different date. For fairness and equity everybody needs to be moved to a common date. The property council says that now that we have real valuations every second year, we do not need an equalisation factor. It does not like the notion of an indexation factor between valuations. It says that other states move more quickly to adopt new valuations. It points out that when the indexation factor is being struck for a particular year the new valuations for the following year are already to hand, even though they are not being used.

If we wanted a model that did not drastically change the way the current model works, the question one would have to ask is: if we are going to move to a 'split the difference system', why not do this on an individual rather than an aggregate property basis? Given that the new values for each property will be known, why not

split the difference between what the value was in the previous year and what we know it is going to be in the following year? That would be far more equitable than this current system which is based on the aggregate movement of values in the municipality concerned.

The property council points out that, apart from the flaw I referred to earlier, basing the movement on the aggregate value means that different classes of property get hit with the same indexation factor, even though, for example, the commercial sector may have moved differently from the industrial sector. That also was an issue with the equalisation factor, but again the property council asks, 'We have the opportunity to do it better; why don't we?'

The property council is very critical of the lack of opportunities to appeal. In a sense those opportunities were also limited under the previous regime, but because particular valuations lasted longer there were more opportunities to appeal. Under the new regime the problem has become particularly acute because by the time you get your first land tax bill based on the new valuation, the time that you have to lodge an objection to that valuation has gone. You get only the one opportunity when you get your council rate notice. Many councils do not base their rates on the site value, so it just looks to innocent landowners as an irrelevant piece of information. Landowners do not know that if they do not object to that site value when they get their council rate notice they lose all right to object when they get their land tax bill a few months later. That also seems to be a fair argument.

The property council also complains about the lack of right to appeal against an equalisation or indexation factor. It told me — which caused me considerable concern — that last year in the City of Melbourne there had been an error in the calculation of the equalisation factor; that it was originally promulgated as 1.14 per cent and then it was realised it should have been 1.06 per cent and it had to be corrected. The property council rightly says, 'Okay, this one was found and was corrected', but wonders how many go uncorrected, unknown and undiscovered, and the taxpayer has no rights to raise any objection about that whatsoever. That is something with which the Law Institute of Victoria also concurs.

The law institute has written to the Treasurer asking for an amendment to deal with that issue and an amendment to deal with problems relating to supplementary valuations and how equalisation factors are applied in the same way to supplementary valuations as to the general valuations, even though the supplementary valuation may have taken place at a later

date. That also, as the institute points out, is an issue with the current regime. It will continue with the new regime and it asks, 'Why not take this opportunity to fix it?'

There is a final grievance which the property council has put to the opposition very strongly. It alleges that the State Revenue Office is extremely tardy in making refund payments even after land tax payers have succeeded in their appeals or proceedings before the Victorian Civil and Administrative Tribunal (VCAT) and have had an order issued in their favour. The property council says there is no requirement in the Land Tax Act for setting times in which payments must be made. It quoted several examples where months, if not years, had passed between a taxpayer being successful at VCAT and the refund being issued. It says that if you get your refund within six months you are doing well. That is certainly a real cause for concern and one I hope the Treasurer and the State Revenue Office will speedily address.

The final area to which I refer is the exemption from payroll tax for schools or colleges in existence before 27 May 1997. This is something which is welcome and which, in the case of the National Theatre, has been urged on the government by an honourable member for Monash Province in another place, the Honourable Andrea Coote, and by me after she drew it to my attention and also, to give him credit, by the honourable member for Melton.

The National Theatre has been dragged through the courts over this issue and put to a great deal of expense, when it was clear for all purposes of policy that this body, which conducts ballet and drama classes, should have been entitled to the benefits of this exemption. Yet it was having great difficulty in obtaining it because of a convoluted dispute about whether it fell within the definition of 'technical education', which required examination of laws dating back, I think, as far as 1911.

I urged the Treasurer to adopt a policy decision on this matter early to spare the expense. At last a policy decision has been taken, but a lot of the expense has not been spared. The Treasurer has tried to argue that the previous government should have rectified this issue in 1997. But I say to him this is not an issue that arose in 1997. It arose subsequently and should have been dealt with by the Treasurer a lot earlier than it has been. At least the fact that it has reached the house at this stage is welcome.

Overall the opposition does not oppose the bill, but a number of serious issues arise from it to which I hope the government will respond.

**Mr STEGGALL** (Swan Hill) — I join the debate on the State Taxation Legislation (Further Amendment) Bill and inform the house that the National Party will not oppose it. The main purposes of the bill are to amend the Duties Act 2000 with respect to dutiable transactions, exemptions for trusts and mortgage duty; to revise motor vehicle duty, including the repeal of provisions for registration of used car dealers; and to amend the Land Tax Act 1958 to discontinue the use of equalisation factors and introduce a new method for determining the valuation of the value of land for land tax purposes; to exempt land used for agricultural shows and similar activities; and to amend the Pay-roll Tax Act 1971 with respect to the exemptions for wages paid by certain schools.

One might say these amendments are just the types of amendments that come through with governments improving and cleaning up different aspects of the taxation area, and I guess it is not a bill that has caused a great deal of excitement around the place.

The first area that I shall address is the duty on used cars. Under this bill from 1 July 2002 the motor car duty on used cars will become payable to Vicroads as part of the registration/transfer process, thus eliminating the State Revenue Office from that process. This puts the onus on the vendor or licensed motor car trader to remit the duty. It represents a much simpler collection regime and ensures the purchaser knows of the duty involved. It is interesting to note that this process will be identical to that which currently applies to new cars and as such will simplify it.

I appreciate the fact that many car traders around Victoria are very comfortable with the methods that are used today and have expressed some feelings about that. The VACC especially, which has certainly been consulted about this bill, has expressed views, and it is generally relaxed —

**Mr Robinson** interjected.

**Mr STEGGALL** — What an interesting view! He is not here, but I am sure the honourable member for Murray Valley will put his view on it. The VACC was consulted on the bill. Vicroads currently accepts payment by credit card, whereas the State Revenue Office (SRO) does not — I do not know whether it uses them, but it does not accept payment by credit card. This legislation prepares for the next step of online direct debit, which will offer additional efficiencies in transactions and the bonus of the cash flow delay.

Members of the VACC are concerned, as a lot of small business people are, about being unpaid tax collectors.

Some of them do not like Vicroads' 14-day terms, whereas as was previously mentioned the SRO returns were due on the 21st of the following month, and so some use of money was available to people.

I think everyone would agree that the technology we have throughout society is such that this is a natural progression and one which I am sure will be accepted. I appreciate that as changes are made — and I guess the opposition is more au fait with this than the government — certain people are going to feel disenfranchised and uncomfortable with some of those impacts. I guess the change in payment from the 21st day of the month following is one of those areas that some of our licensed motor car traders are going to feel aggrieved about. But I am sure that later today the honourable member for Murray Valley will give a full exposé of that and we will have — —

**Ms Asher** — And also a tour!

**Mr STEGGALL** — We will have a tour of Murray Valley and a full explanation! I think this house acknowledges the sincerity he has and the expertise he brings to this place from the motor car trading industry.

The third part of the bill concerns land tax assessment. Today land tax is payable each calendar year upon the unimproved value of aggregated land holdings above the threshold. Municipal valuations have been employed to estimate those unimproved values.

Prior to 2000, municipal valuations could extend to a six-year cycle. They were four years in some metropolitan council areas and six years in country areas. It was one of those things that gave us an enormous amount of pain, particularly when a new valuation came in with a six-year delay. In some areas, particularly in northern Victoria where we have seen enormous growth and development, six-year delays in valuations are huge and they have given legislators, councils and councillors a great deal of concern when they come around. To get some uniformity in land tax assessment, the Valuer-General has set an equalisation factor for each municipality to allow the determination of a notional value for each parcel at the assessment figure.

**Debate interrupted pursuant to sessional orders.**

**Sitting suspended 1.00 p.m. until 2.03 p.m.**

## QUESTIONS WITHOUT NOTICE

### Freedom of information: Infrastructure

**Dr NAPTHINE** (Leader of the Opposition) — I refer the Premier to the demotion of the freedom of information (FOI) officer of the Department of Infrastructure, Mr Don Coulson, following his decision to release significant FOI documents, and to the subsequent illegal intervention of the Deputy Premier's personal staff to overrule Mr Coulson's decision. Can the Premier inform the house why it is his government's policy to punish experienced, independent public servants when they make decisions that are inconsistent with what the Labor Party wants?

**Mr BRACKS** (Premier) — I thank the Leader of the Opposition for his question. From the outset, I reject the proposition that he has put to the Parliament. I am advised that in April last year, at his own request, the officer involved moved to a new position in the department. Therefore I totally reject the allegation and the implication made by the Leader of the Opposition in his question.

### Forests: box-ironbark

**Mr RYAN** (Leader of the National Party) — My question is for the Premier. I refer to the government's supposed commitment to openness and accountability and further to the box-ironbark implementation panel report prepared by former Labor senator John Button. Will the government release the Button report into the Environment Conservation Council's box-ironbark proposals, or does it have something to hide?

**Mr BRACKS** (Premier) — The report undertaken by former senator John Button, the former federal Minister for Industry and Commerce, was on the implementation of the box-ironbark recommendations made by the Environment Conservation Council. Those recommendations informed the government of key issues, including adjustments that need to be made to support people on low incomes who, for example, might have used firewood for their homes or who might have relied on firewood for their income or their existence. Those recommendations have been incorporated into a government decision to proceed with this plan. I will take advice on this, but it has been incorporated into the plan — —

**Mr Perton** — On a point of order, Mr Speaker, on the question of relevance, the question was quite specific as to whether the Premier would release the document. Both opposition parties have been promised briefings by Mr Button which have not been delivered.

Both parties have asked for the report. The Premier should answer the question by the Leader of the National Party and advise whether the document will be released.

**The SPEAKER** — Order! The honourable member for Doncaster is clearly attempting to make a point in debate. I shall not continue to hear him if he persists in that vein. On the earlier part of his point of order on the question of relevance, I am of the view that the Premier was being relevant and he was referring to the contents of the report.

**Mr BRACKS** — It has formed part of the government's decision in its implementation of that plan.

On the other matter which was raised in a point of order by the honourable member for Doncaster on a briefing request from the former senator John Button, I am sure it can be facilitated and we will seek to do that as quickly as possible.

**The SPEAKER** — Order! The Premier is not to respond to the point of order raised by the honourable member for Doncaster.

### Calder Highway: funding

**Ms ALLAN** (Bendigo East) — Will the Minister for Transport inform the house whether the Bracks government's commitment to fund the duplication of the Calder Highway was matched by the federal government in last night's budget?

**Mr BATCHELOR** (Minister for Transport) — Last night's federal budget betrayed the people of regional Victoria — it betrayed the people of central and northern Victoria; it betrayed the people of Bendigo. The Howard government's budget, delivered on behalf of the Liberal and National parties, failed to provide the required funding for the next section of the Calder Highway upgrade.

In our budget last week this government, through the Treasurer, committed \$70 million towards the next section of upgrading the Calder Highway affecting the Kyneton to Faraday — —

**Dr Napthine** interjected.

**Mr BATCHELOR** — You can ask about the Pakenham bypass. There was no money in the federal budget.

**Dr Napthine** interjected.

**Mr BATCHELOR** — No there was not. There was zero! No money — —

**Dr Napthine** interjected.

**Mr BATCHELOR** — The Leader of the Opposition cannot read the federal budget papers. There was zero money for the Pakenham — —

**Dr Napthine** interjected.

**Mr BATCHELOR** — Yes, I will bet on it all right!

**The SPEAKER** — Order! I ask the Minister for Transport and the Leader of the Opposition to desist.

**Mr BATCHELOR** — I will deal with the Pakenham bypass in a minute. The Leader of the Opposition has bet me \$100 — let the record show — that there was money for the Pakenham bypass announced in this year's federal budget. There was not. It was zero, Honourable Speaker, zero!

**Dr Napthine** interjected.

**Mr BATCHELOR** — That's \$100 you owe me!

**The SPEAKER** — Order! The minister, on the question!

**Mr BATCHELOR** — Not only did the federal government fail to fund the Pakenham bypass in this budget but it failed to fund the Calder Highway. This government committed \$70 million towards the building of the Kyneton to Faraday section of the Calder Highway upgrade, but we needed the federal government to commit its \$70 million so we could proceed with the section beyond the Carlsruhe section that is currently being upgraded.

There is a history of the Bracks Labor government leading the way in funding the Calder. When there was uncertainty about the Carlsruhe section it was the Labor government that led the way and committed the first \$25 million, and the federal government had to play catch up. Again, when they went to the last election posturing and committing towards the Calder, when they had the opportunity — —

**Mr Leigh** — On a point of order, Mr Speaker, I believe that the minister is debating the issue. The federal government wants a priority list from him, and he won't give it to them. I believe he is debating the issue, and as has been said by other opposition members, you, Sir, should bring him back to the point.

**The SPEAKER** — Order! I do not uphold the point of order raised by the honourable member for

Mordialloc. The Minister for Transport was providing information regarding the project about which he was questioned. Earlier in response to the question he veered off the subject, but at the point of the honourable member taking the point of order, he had come back to answering the question about the particular road.

**Mr BATCHELOR** — The failure by the federal government to provide funding for the upgrade clearly indicates that you cannot trust the Liberal and National parties in terms of delivering road funding. But even more disturbing than this has been the efforts of recent times — within the past 24 hours — of Liberal senators to undermine and move away from the clear federal responsibility there is to the Calder upgrade. The Calder has been designated as a road of national importance, and as a consequence the federal government has a responsibility to fund the upgrade on a fifty-fifty basis in partnership with the government of Victoria. We have put our \$70 million on the table. The opportunity was there for the federal government to do the same in last night's federal budget, but the federal government's response is lacking.

Liberal Senator Tsebin Tchen has written to the *Bendigo Advertiser* distancing the federal government from its responsibility to upgrade this freeway in a timely way so the full duplication can be completed by 2006. By the actions of Senator Tchen and the actions of the federal government — indeed the federal Treasurer — this target that has been supported by the Bracks government and supported by the people of Bendigo has now been put directly at risk. The federal government's actions are putting at risk the ability of the Calder Highway to be upgraded by 2006.

The attitude of the federal government is highlighted by what Senator Tchen said in his letter. He said that the government of Victoria should be begging for more funds. That is the arrogant attitude of the federal government, and it is the arrogant attitude of the Liberal and National parties towards road funding in Victoria. This was a disgraceful attitude, and we are calling upon him — —

**The SPEAKER** — Order! I remind the minister that he needs to be succinct as well. I ask him to conclude his answer.

**Mr BATCHELOR** — The issue is that the federal Treasurer has moved away from this commitment. We want to know from opposition members in this Parliament whether they are on the side of the people of Victoria or on the side of their partners in Canberra and whether they will sabotage the upgrade of the Calder Highway.

### Minister for Planning: second-reading speech

**Mr BAILLIEU** (Hawthorn) — I refer the Minister for Planning to the great second-reading speech disaster of 2002, and I further refer the minister to her claim last night that the department was to blame. I ask: has the minister ordered a departmental inquiry to identify a fall guy and will that public servant receive the same treatment as the department's former freedom of information officer, Don Coulson?

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask the honourable member for Doncaster to cease interjecting forthwith.

**Ms DELAHUNTY** (Minister for Planning) — As I think we are all aware, the wrong building amendment bill second-reading speech was delivered to the house last night and this has since been rectified. Both bills sprang from the Auditor-General's August 2000 report into the building industry. Both speeches and both bills implement amendments to the Building Act, and they implement the Auditor-General's recommendations for both legislative and procedural changes to the building control system.

As soon as I completed the speech I sought the correct document from the department and I had discussions with the clerks of the house — who were extremely helpful, and I thank them for that — about correcting the record and incorporating the appropriate second-reading speech. I appreciate the consideration of the house. I thank the opposition for agreeing to give us leave for that correction to be made — leave which I understand was negotiated with the honourable member for Hawthorn, among others. I appreciate that.

In the spirit of that cooperation, I would expect that we will have further support on the — —

**Mr Baillieu** — On a point of order, Mr Speaker, I do not wish to ask the question again, but the question went to the matter of the minister's blaming the department and an inquiry. I ask you, Sir, to bring her back to the question.

**The SPEAKER** — Order! I do not uphold the point of order raised by the honourable member for Hawthorn. The minister was being relevant in her response, and I will continue to hear her.

The minister has concluded her answer.

**Disability services: funding**

**Ms ALLEN** (Benalla) — I ask the Minister for Community Services to advise the house whether the government's commitment to increase spending on disability services was matched by the federal government in last night's budget.

**Ms PIKE** (Minister for Community Services) — I thank the honourable member for Benalla for the question. The Bracks government's budget which was delivered last week was a clear demonstration of the way that Labor cares, particularly for people with a disability. Unfortunately, the federal budget which was brought down last night showed yet again that the Liberals do not care and that they particularly do not care about funding and support for some of the most vulnerable people in our community.

*Honourable members interjecting.*

**The SPEAKER** — Order! There is far too much audible conversation and noise.

**Ms PIKE** — The Bracks government invested a further \$55.4 million in disability services. Included in that was \$25.4 million for the redevelopment of services at Kew.

So far over the last three Bracks budgets we have delivered \$156.9 million of additional resources for services for people with disabilities. This is in absolute and stark contrast with the mean federal Liberal budget which attacked the very financial security of Victorians with a disability. Not only did it attack the capacity for services to be delivered to people with disabilities but it attacked their very income security.

Of course, the federal Liberals are mightily misleading. In spite of all their rhetoric, last night's budget was an effective 3 per cent cut to the commonwealth share of funding for disability accommodation support and community services. The commonwealth government has abandoned growth funding; it has ignored adequate indexation; it has abandoned work with the states having previously committed to work on unmet needs in disability services. We needed an extra \$7 million just to stop the commonwealth's efforts from going backwards.

So last night's federal budget was an absolute shocker for Victorians with a disability, just as it was a shocking budget for ordinary Victorians who rely on education and health services. Just like their Liberal counterparts in Victoria, the federal Liberals do not care about the basic needs of ordinary people.

What a contrast to the additional resources and spending announced last week in the Bracks state Labor budget, which invested in health, education and community safety, and particularly in disability services. It provided \$12 million for preschool children with a disability, \$16 million more for home and community-based services, \$8 million more for supported accommodation; \$4 million more for the Futures for Adults program and, of course, as well as that, \$35.4 million for infrastructure for people with disabilities, with \$25.4 million of that for Kew.

On top of that there are other initiatives. Let me congratulate the Minister for Transport who included \$12.4 million for extra safety and wheelchair access at railway crossings and \$7.2 million to expand the multipurpose taxi program.

I reiterate: the Bracks government last week brought down a caring, compassionate budget that really targeted additional support services, additional capital, and additional infrastructure for people with a disability; the federal government last night brought down a mean, uncaring budget which will take us backwards and which will affect not just the services but also the very hip pockets of some of the most vulnerable people in our community.

**Water: Wimmera–Mallee pipeline**

**Mr SAVAGE** (Mildura) — I direct my question to the Treasurer. Despite the Prime Minister, John Howard, recently telling the Wimmera-Mallee Pipeline Group, 'I am impressed', and Senator Ian Macdonald, the federal Minister for Forestry and Conservation, saying that the project was of national importance, there is not one identifiable cent in the federal budget for the Wimmera–Mallee pipeline. In view of the abject failure by the federal government to fund the pipeline, what will the Victorian government now do if urgent federal funding is not forthcoming?

**Mr BRUMBY** (Treasurer) — I thank the honourable member for Mildura for his question. It is worth putting on the public record his strong and unwavering support — —

**Mr Perton** interjected.

**The SPEAKER** — Order! I warn the honourable member for Doncaster!

**Mr BRUMBY** — What a pathetic effort from the shadow minister for conservation and environment, the honourable member for Doncaster, who could not influence or persuade his federal colleagues to provide one single cent — not one single cent! — in last night's

federal budget for the Wimmera–Mallee pipeline. There was nothing for the study and nothing for the capital works: there was absolutely nothing in last night’s federal budget for the Wimmera–Mallee pipeline! Over recent months we have seen them all queue up — the Deputy Prime Minister, the Prime Minister, the Leader of the National Party, the shadow environment minister and the leader of the state Liberal Party — to say, ‘This is a great project. We support it 100 per cent. We are going to deliver federal funding’. What happened last night? A big fat zero! Absolutely nothing. Would you describe it as incompetent; would you describe it as negligent; would you describe it as an act of treachery? Whatever it was, here we are with a project which has enjoyed extraordinary —

**Mr Ryan** interjected.

**Mr BRUMBY** — Here we go. Hold it up!

**The SPEAKER** — Order! The Leader of the National Party is not assisting proceedings.

**Mr BRUMBY** — I have here a copy of the *Wimmera Mail-Times*, which said last week about the Bracks government’s commitment, ‘Match this’. What does the Leader of the National Party have?

*Honourable members interjecting.*

**The SPEAKER** — Order! Similarly, the Treasurer is not assisting the proceedings of the house. It is disorderly to display items.

**Mr BRUMBY** — The headline of the article held up by the Leader of the National Party is probably ‘Canberra stabs pipeline in the back’! Last night we went through the federal budget to see what was in it. We have seen them all line up over the past few weeks to get their free bit of publicity up there in Canberra, so we thought there might just be funding for the study. Not only was there no funding for the capital works out of a budget of \$160 billion, but there was no funding to even provide for that study.

The Bracks government said it would fund this project, and it funded it last week. It said it would build it, and it will build this project! Last Friday the Premier and the Minister for Environment and Conservation travelled to Horsham. In front of hundreds of people they went to Green Lake, where the Premier used to swim as a child — but you cannot swim there today. The Premier has swum across it in record time and still holds the record to this day.

**Mr Thwaites** — He walked across it!

**Mr BRUMBY** — Yes, he walked across it!

The Premier made it very clear to the people of that region that the commitment made by the Bracks government is irrevocable. This commitment is not conditional — it is locked into the budget for the next 10 years — and the government is absolutely determined to see this project proceed.

It is an extraordinary thing, given last night’s budget of \$160 billion, that a succession of federal ministerial colleagues have visited that area over the past few months and all lined up to make commitments, yet last night the Liberal Party and the National Party could not deliver on this great national project! What they say they do and what they actually do are totally different things.

The state government knows this project is feasible; it knows how important it is to country Victorians, and it is irrevocably committed to it. There are no circumstances in which the Bracks government will not be committing to this project. But for it to proceed on time, on plan and on cost, it needs the support of the federal government. This government will continue — —

**Mr Leigh** interjected.

**Mr BRUMBY** — It is not subject to feasibility!

**The SPEAKER** — Order! The Treasurer should not pick up interjections. The honourable member for Mordialloc should not interject. The minister needs to be succinct and to conclude his answer.

**Mr BRUMBY** — I will conclude. This project has already been the subject of a feasibility study, which was jointly funded by this government and the federal government. It was our initiative, but the federal government joined in. The feasibility study shows that for every 10 litres you put into this system only 1 litre comes out the other end. Some 83 000 megalitres are wasted.

This study is not about the feasibility; this study is about the design. It is not a matter of whether the project proceeds; it is a matter of how it proceeds. It is not a feasibility study. The capital funding and the funding for the design are absolutely crucial if this project is to proceed. The Bracks government is committed. We are bitterly disappointed with the lack of commitment by the federal government. We will continue with our campaign to get funding from the federal government to match our commitment and to ensure that this great project gets under way.

**The SPEAKER** — Order! The Treasurer is now not being succinct. I ask him to conclude his answer.

The Treasurer has concluded his answer.

### **Royal Melbourne Institute of Technology**

**Mr HONEYWOOD** (Warrandyte) — My question to the Minister for Education and Training relates to her state responsibility for universities. I refer the minister to her press release of 14 March this year, which trumpets the Bracks government's approval of a \$32 million loan for the Royal Melbourne Institute of Technology to construct a campus in Vietnam, and I ask: what financial projections give the minister confidence that this \$32 million loan will not be at risk?

**Ms KOSKY** (Minister for Education and Training) — I thank the honourable member for Warrandyte for his question. I think his is now the second question out of 95 possible questions, so we are improving the record!

The Royal Melbourne Institute of Technology did gain approval to build a campus in Vietnam, which is a project RMIT has been working on for quite some time now. It has funding from the World Bank, which clearly went through the details of this project in great depth.

**Ms Asher** interjected.

**Ms KOSKY** — I will not take up the interjection of the deputy opposition leader, because she may be embarrassed by the comment she just made.

The Department of Treasury and Finance also went through the details of the project. The government also sought and received support from the commonwealth government, so it has gone through a number of steps. This government has not lent money for the project. I had very detailed discussions with RMIT, because I wanted to be guaranteed that public dollars were not going into this project.

It is a good project that has very broad support right across the world, because it has both the support of the World Bank and funding from a private donor. The project, as well as providing education here for students from Vietnam, is about making sure that RMIT spreads its educational excellence to Vietnam and about providing education for people who have been missing out on high-quality higher education.

### **Hospitals: funding**

**Ms BARKER** (Oakleigh) — My question is to the Minister for Health. Will the minister advise the house of the effect of last night's federal budget on the delivery of health services in Victoria and the implication for our government's hospital demand management strategy?

**Mr THWAITES** (Minister for Health) — I thank the honourable member for her question, and unfortunately I have to advise her that it will cost her \$6.20 more to get the medicine she may require. That sums up the federal budget: it's mean and it's tricky.

A week ago we saw the state Bracks government bring down a budget that was widely praised. It was praised by the Australian Medical Association, which said this was a budget that addresses the key health issues. I compare that to last night's federal budget, which was described by the AMA as disappointing and tragic.

Labor is boosting health care in Victoria, while we see the federal government cutting health care and punishing the sick, the mentally ill and families that need pharmaceuticals. The federal budget contains some \$1.9 billion of cuts to the pharmaceutical benefits scheme. The cost to a consumer of pharmaceutical benefits will increase by \$6.20, some 30 per cent increase in one year.

Unfortunately, this will have a major negative effect on our public hospitals. The increase in the cost of drugs under the pharmaceutical benefits scheme will force people into our public hospital system, and it will increase the demand on our emergency departments. The Leader of the Opposition questions this, but there is Canadian research which clearly indicates that the effects of an increase in co-payments for pharmaceuticals for pensioners were demonstrated by an increase in the hospitalisation rate of 194 per cent and an increase in emergency department visits of 106 per cent. Professor Frank Lutenberg of the Columbia School of Business says that every \$1 increase in the cost of pharmaceuticals equates to a \$3.65 cut in hospital care expenditure.

The increased cost of these pharmaceutical co-payments also threatens hospitals that are part of the pharmaceutical benefits scheme, because hospitals will now bear the risk of increased bad debts, where patients are unable to pay those extra pharmaceutical co-payments. That means less money for our public hospitals.

Our public hospitals have had to cope with an increase in emergency demand of around 8.5 per cent in the last

year. And they have done that very well — ambulance bypass is down more than 50 per cent, waiting lists are down — but the federal government is threatening all that with these increased pharmaceutical costs. This \$1.9 billion cut is a cost shift from the commonwealth to the states. The states will bear the cost of this — the states and public hospitals.

We are seeing the same sort of behaviour on the part of the Liberal Party at the federal level as we saw at a state level. When the Liberals want to make savings they hit on the sick. They did it under the Kennett government and they are doing it now under the Howard government. They would do it under the opposition if they were ever in government in order to implement his unworkable tax policies.

### **Royal Melbourne Institute of Technology**

**Mr HONEYWOOD** (Warrandyte) — I again refer the Minister for Education and Training to her approval of a \$32 million loan to establish the Royal Melbourne Institute of Technology campus in Vietnam, and I ask: why did the minister approve this loan against the repeated and considered advice of the Department of Treasury and Finance?

**Ms KOSKY** (Minister for Education and Training) — The honourable member for Warrandyte is incorrect in saying that it was repeated advice against the project.

**Dr Napthine** interjected.

**Ms KOSKY** — Do you want the response or not?

The Department of Treasury and Finance did initially raise concerns about the project and sought a lot of additional information and much more detailed work from Royal Melbourne Institute of Technology (RMIT) in relation to the project. As well, I sought support from the federal government for this project because we wanted to make sure it had broad support.

There are always risks with international projects that universities engage in. My job is to make sure that the public investment dollar in all universities is not in any way compromised by the private and commercial activities that universities engage in. As the honourable member well knows, we have a governance review under way at the moment to look at how we ensure the transparency and accountability of both the commercial functions of universities and the public functions. But, yes, the Department of Treasury and Finance raised concerns and there was a lot more detailed work done with RMIT before it could gain approval to borrow the money.

### **Schools: funding**

**Mr LANGUILLER** (Sunshine) — I ask the Minister for Education and Training to advise the house whether the government's commitment to increased education spending was matched by the federal government in last night's budget.

**Ms KOSKY** (Minister for Education and Training) — I thank the honourable member for his question. Last night's federal budget was very much of concern for the state government, but also for people within our public education system and in our universities in Victoria. The funding increase that Dr Nelson pointed to was a 6.5 per cent increase in spending in schools on the previous year. That will cover growth only in the public school system. There was a 5.7 per cent increase for government schools and — of course, surprise, surprise! — an 8.4 per cent increase for non-government schools. So the non-government schools have yet again been looked after in the federal budget at the expense of government schools. The funding for government schools will only cover growth and CPI increases. The message from the federal government to very large numbers of students within our public system and their parents is that they do not count when it comes to education; it is only the non-government schools that count as far as the federal government is concerned.

We had major funding of \$550 million extra in the state budget for public education, but last night's federal budget released no additional funding for projects in schools. And it gets worse. While Dr Nelson is running around the countryside talking about the importance of higher education and the future directions of higher education — I think it is called Higher Education at the Crossroads — higher education certainly is at the crossroads. For the 20 000 eligible students in Victoria who missed out on a university place this year there is no good news at all. They will not get looked after next year or, probably, the year after and the year after that.

While we have made record investments in education in this state the federal government is not at all concerned about educating our nation, and certainly Victorians will be the worse for it. Victorians will miss out incredibly because this state has the highest demand of any of the states for higher education places.

We need to take into account that while, as we know, you cannot trust the federal Liberals, you also cannot trust the state Liberals at all, because they will not do any better. The equation is that federal Liberals plus state Liberals equals nothing for education!

**Dr Napthine** — On a point of order, Mr Speaker, the Minister for Transport, in a bet with me, said there was no money for the Pakenham bypass in the federal budget. I draw his attention to the documents — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The Leader of the Opposition is clearly not taking a point of order. I suggest to both the Leader of the Opposition and the Minister for Transport that they should make their personal arrangements outside the chamber!

## STATE TAXATION LEGISLATION (FURTHER AMENDMENT) BILL

*Second reading*

**Debate resumed.**

**Mr STEGGALL** (Swan Hill) — What an interesting time we have had in the past hour. Now we have to go back to debating mundane things such as changes to land tax assessments so that all the money that is being skited about and argued about can be spent. For the last hour the house has heard a lot of spin and more spin. That spin is rather sickening to most of us, but it goes on and on.

The taxation raised by the bill will go towards the Victorian component of many projects. When I look at the money from land tax assessments that will go towards the continued upgrade of the Calder Highway I get wild when I hear Labor politicians carrying on in the manner we have just heard, trying to put a negative spin on everything. People are not listening to or trusting the government anymore, particularly the Premier and the Treasurer. It is rather sad to see the Treasurer come along with his answers every day, which are more along the lines of ‘Come in, spinner’ than ‘Come in, Treasurer, and answer a few questions’!

The State Taxation Legislation (Further Amendment) Bill provides for a strong taxation base, and it is from that base that the Treasurer has been able to put up his money for the Wimmera–Mallee pipeline. A couple of things need to be said about that, because we are sick and tired of the spin, the carry-on and the rubbish that is being talked in this place. The budget of which this land tax assessment bill is part contains the funding for the Wimmera–Mallee pipeline. It contains \$3.5 million for proving up the feasibility of the design and the program. That is the only area that has been funded in this budget. Commitments have gone forward on the condition that that area measures up.

The federal government has done the same thing. It has put \$3.5 million into this project on the same conditions as the \$3.5 million put in by the state. Today the two governments are in the same position. They have agreed to go on to the final design and to prove up the feasibility of this project, and then they will make their decisions to go further. In the state’s case, if the project proves up, is feasible and the detail design is right, then it has made a forward commitment to go ahead. The federal government has said that once it has been proved up and the feasibility has been done, a further decision will be made — and it will be made in next year’s budget.

Country Victorians in particular are getting sick and tired of this spin and more spin rubbish that is coming from senior members of the government, mainly through the Premier and the Treasurer. The edge of the truth is a very dangerous area for the Labor Party and its senior members and parliamentarians to travel on. I refer honourable members to what the Treasurer said today, in what I thought was an absolutely rubbishy exhibition from a man who has some credibility and can stand up and argue a case. However, by the arguments he used today he belittled himself and his position.

Last week the Deputy Prime Minister, the Honourable John Anderson, said on ABC radio:

If the Victorian government wants to approach us in the normal way now, talk about matching the design work, the technical side of it with the 3.5 million, that’s fine, we will run with that.

That money is there, and the programs are there. Has this government, through its bureaucracy and its ministers, had any discussion? There has been an exchange of letters between the Prime Minister and the Premier, but the facts about what has gone on regarding the Wimmera–Mallee pipeline are not coming through. There is no truth in the discussions and the arguments in this place. I suggest to government members that it is a very stupid way to go.

Today we also listened to the argument about the Calder Highway problem, which the taxation raised from this bill will go a long way towards tackling. I need to put a few things on the record about the Calder. It suffered because of the construction of the Hume Highway back in the 1980s — and those of us from the north had to agree to the Hume Highway being completed between Melbourne and Albury. That was done, and then work on the Calder was commenced. Unfortunately in recent times the Geelong road and City Link have slowed us down a little, and now the Scoresby freeway has jumped up.

Today the Minister for Transport had much to say and was very critical of the federal government, but he cannot even settle on the route through the Harcourt section, which is the next part of the Calder upgrade. Does the Labor Party think we are that stupid? It cannot get the planning right, and it has no intention of getting its planning through this year. It will run through to the next election before it decides on the Harcourt section. No-one will believe the Minister for Transport, either, after the way he carried on in this place today. I warn senior members of government to beware of the folly of believing their own spin. If they do, they will lose credibility very quickly.

Last week it was interesting to watch what happened in Horsham. Luckily the *Wimmera Mail-Times* got the story right. The people of the Wimmera do not believe what the government is saying. The Premier and Treasurer are losing credibility, because people know they are not telling the truth. They know the government is trying to spin things, which can only do it damage. These subjects have been part of the planning, the debates and the battles in the country for the past 20 years. However, we have delivered, from the time when we eventually won our first battles back in the 1980s.

After former Prime Minister Malcolm Fraser lost the 1983 election it took us seven years to convince the Labor Party in Victoria and in Canberra to build the northern Mallee pipeline. Eventually we got it, seven years later, through a former Minister for Conservation and Environment, the Honourable Steve Crabb. So the government should not come in here and say we are not for the Wimmera–Mallee pipeline.

The battle for the piping of the Wimmera–Mallee has been going on for more than 45 years. Soon after that project was finished people were talking about the dream of piping. We did not have the technology then, but we do today — and we are building it. We have already built a \$52 million operation with the northern Mallee pipeline. We have proved up the technology, we have proved up the funding, and we have proved up the advantage.

Honourable members might remember that last week I mentioned the lack of — —

**Mr Savage** — On a point of order, Mr Acting Speaker, this is a taxation bill, not a bill about the Wimmera–Mallee pipeline. We have listened to the honourable member speaking about this for some time, and I think it has gone on long enough.

**The ACTING SPEAKER (Mr Lupton)** — Order! I thank the honourable member for Mildura for his contribution. However, I believe that what the honourable member for Swan Hill is talking about is to do with taxation, and I will allow that line of debate to continue.

**Mr STEGGALL** — Thank you, Mr Acting Speaker. I get disappointed with the honourable member for Mildura from time to time. We are not very close!

The work involved in the design and concept of what we have been trying to do in our country areas has been long and tortuous. We do not have city squares, we do not have Scoresby freeways, we do not have Geelong freeways, and we cannot walk into government departments and demand hundreds of millions of dollars, no matter what colour the government is. We have had to fight, battle and claw our way through since the early 1980s, and now we are succeeding. I will not stand in this place and listen to a Treasurer who, as I said before, has some credibility belittle himself by trying to put a political spin on this bill. Maybe he might understand why he got kicked out by his own mob and why he is not the Premier. We know his burning ambition is to get back.

As for arguments about the Wimmera–Mallee pipeline and the Calder Highway, I will just say, given the question time which we have just had, how disappointing it is — and how dangerous — for the government to travel down that path. In these last few days the politics of blame has changed. Remember the politics of blame that the Labor Party has been hitting us with over the former federal government and the GST? The former government missed out today, and the GST is dead or has been forgotten. It seems that we are okay now that the GST is part of folklore. Even the federal Leader of the Opposition has accepted that fact at long last — although it took a while! It seems that the only blame around today is being directed at the federal government.

I point out to the ministers in this house that we all have a duty of governing this state and this country as a joint responsibility, and we must make sure that the members of the two parliaments understand the workings between the two governments. In this federation of Australia we must make sure that we do not forget the fact that we operate as a commonwealth and that the state and federal governments have different roles which are also complementary.

I will now return to the State Taxation Legislation (Further Amendment) Bill, from which the government

is going to get a lot of money to carry out work which is vital to us all. This bill covers several areas. I have already mentioned the changes in the duty on cars, and I was just starting on land tax when the sitting was suspended for lunch. The National Party's report states:

Land tax is payable each calendar year on the unimproved value of (aggregated) land holdings above the threshold, and municipal valuations have been used to estimate those unimproved values.

Prior to 2000, municipal valuations could extend to a six-year cycle (four years for metropolitan councils).

In country areas of course it was six years, and it gave us a big problem when the six-year valuation cycle came through. For land tax valuations of course the equalisation factor was in place. It did not happen for local government, and therefore local government valuations were always way behind.

During the opposition's term in government it decided to standardise the date and reduce the time between valuations. That has made a big difference, and this bill is picking up on the next round, which is needed in that area. Since 2000 all municipalities have been required to undertake valuations on a common two-year cycle, using 1 January as the date.

The bill replaces the old equalisation factor with an indexation factor, which will still be set by the Valuer-General. It should give a better approximation of the unimproved value — remembering always that the value is hypothetical, anyway. In any event the new system should reduce the dramatic fluctuations in valuations, and thus land tax assessments, thrown up by the previous system.

While the minister can technically select any date at which the valuation will apply, the standard presumption is a delay of two years, and this should not really change under this legislation. This allows time for the councils to complete their valuation process and for the date to be loaded into the assessment formula of the State Revenue Office (SRO).

Although this term sounds excessive it must be remembered that the new valuation arrangements are taking some bedding down across local government. A large percentage of councils had not completed their valuations from 1 January 2000 by 31 December 2000. So one year after the set date they had not actually completed their valuations. The SRO cannot use the valuation until the last council's valuations are in because of the aggregation principle which applies to landowners with more than one property, and these may be held in more than one municipality.

The new indexation factor will have application only when the most recent valuation available to the SRO is more than two years old. It will be applied on the Valuer-General's assessment of the average of the two most recent valuations. For example, in 2002 the assessment will be based on the valuations in the year 2000; in 2003 the assessment will be based on the Valuer-General's assessed average of 2000 and 2002; in 2004 the assessment will be based on 2002 valuations; and in 2005 it will be the Valuer-General's assessed average of 2002 and 2004, and so on.

Apart from the reduced time cycle between valuations, and thus the reduced chance of wild fluctuations in the tax assessed, the new system has the advantage that the principal place of residence, which was a fundamental exclusion introduced under the coalition, is removed from the indexation factor set by the Valuer-General, so this moving formula should be more accurate.

The State Revenue Office pays councils for the valuations. I think the cost was about \$10 million last time around. The new system and the extent to which it is fairer to taxpayers, in that the fluctuations are reduced and thus more readily budgeted for, is available only because when in government the opposition parties took the brave decision to reduce the valuation cycle and standardise the dates.

Every time we look at and work through legislative changes, every time we come across the areas of stewardship of the previous government and the difficult changes and the break from the mould that it introduced in many areas, I think — most people in this place will agree — that this government has the luxury of an enormous amount of revenue at its disposal only because those tough and hard decisions were taken. I see nothing happening today in the way of difficult decisions being taken by this government. In every way it ducks, dodges, weaves and runs away from them.

Another area I wish to cover is the further exemption in the Pay-roll Tax Act for non-government and non-profit schools. It just tightens up the area, as the honourable member for Box Hill mentioned earlier, to make sure it preserves the exemptions and makes it clear that the Australian Ballet School and the Australian National Theatre will be exempt from payroll tax.

The other area that the bill cleans up and clarifies, which is near and dear to the hearts of National Party members, relates to field days and agricultural shows held on land other than the Crown land on which many of them operate. The matter has been resolved thanks to the honourable member for Rodney and his

representations for Elmore and the Elmore and district machinery field days and the Kyabram Show Society, both of which own their own land. It was unclear as to just where they would sit with regard to land tax.

Thankfully the Treasurer has responded positively to the proposition that was put on the National Party's behalf by an honourable member for Western Province in another place, the Honourable Roger Hallam. I am very pleased to see the Treasurer has agreed to our request and has now exempted field days and agricultural shows from land tax. That is cleared up now and no-one will have to go back and chase up clarification in these areas again.

As I said at the commencement of my remarks, this is a clean-up bill. In many ways it represents the next stage of an ongoing process of improvement and change in state taxation legislation — in this case the Duties Act, the Land Tax Act and the Pay-roll Tax Act — in our taxing regime. The National Party will not be opposing this bill.

**Mr Hulls** interjected.

**Mr STEGGALL** — If you were here in the first place — —

**Mr Hulls** — I was listening in my office.

**The ACTING SPEAKER (Mr Lupton)** — Order! The Deputy Leader of the National Party will address his remarks through the Chair.

**Mr STEGGALL** — It is with great delight that I note the Attorney-General was listening to the debate from the safety of his office, because he did not wish to come here and defend — —

**Mr Hulls** — Ministerial office — I've got one and you haven't!

**Mr STEGGALL** — True.

**Ms Asher** — And he's not arrogant.

**Mr STEGGALL** — No, I know my place. I conclude by saying that I trust the changes that are contained in this legislation will help to improve the operation of the SRO and the method of duty collection and clear up the position with regard to Vicroads and the duty on the transfer of registration of used cars. I wish the bill a speedy passage.

**Debate adjourned on motion of Mr ROBINSON (Mitcham).**

**Debate adjourned until later this day.**

## ELECTORAL BILL

*Second reading*

**Debate resumed from 21 March; motion of Mr HULLS (Attorney-General).**

**Debate adjourned on motion of Mr HULLS (Attorney-General).**

**Debate adjourned until later this day.**

## STATE TAXATION LEGISLATION (FURTHER AMENDMENT) BILL

*Second reading*

**Debate resumed from earlier this day; motion of Mr BRUMBY (Treasurer).**

**Mr ROBINSON (Mitcham)** — That break has allowed me to get my notes together in order to make a contribution to this important debate on the State Taxation Legislation (Further Amendment) Bill. The government acknowledges and appreciates the fact that the opposition parties will support the omnibus bill, which seeks to amend three acts — the Duties Act 2000, the Land Tax Act 1958 and the Pay-roll Tax Act 1971.

The bill before the house is effectively a housekeeping bill which has come out of the continuing efforts of the State Revenue Office to ensure that the taxation collection arrangements in place in this state are more efficient. The bill deals with some very complex arrangements, particularly with regard to the Duties Act. In considering this matter and preparing the notes for this contribution I had the opportunity to examine the Duties Act, which runs to over 200 sections and is a very complex piece of legislation. Some of the amendments in the bill are technical in nature and they are covered in the explanatory memorandum.

In summary, clause 3 deals with mortgage-backed securities and proposes to introduce changes which are close to the changes made to the New South Wales legislation and in line with contemporary business practices; clause 4 provides for an exemption of marketable security interests; clause 5 deals with double-duty relief; and clause 6 significantly tightens aggregation provisions to prevent avoidance, which is one of the mainstays of the effort at the State Revenue Office to preserve the state's taxation base. All of those things are very much mechanical annualised amendments to the taxation framework, and we commend the State Revenue Office in that regard.

Clauses 9 to 15 deal with duty arrangements and penalties for motor car traders. There has already been some commentary by the previous two speakers about motor car duty collections and the arrangements in that industry. A fairly complex duty collection system has evolved over the years and the bill attempts to make it simpler. We have had a system with motor car dealers and duties payable, especially with the introduction of the goods and services tax, where stamp duty was paid on the higher price. People are familiar with the way the GST has worked in that regard, but in order to compensate for the extra duty being paid, the dealers would increase their own charge to compensate for the GST and you would end up with taxes going back one way and the other.

It ended up being very inefficient for the used car industry, so the intention of the bill is to try to make that simpler and at the same time to tighten up avoidance opportunities for people in that business. The government does not propose this legislation with a view that avoidance is rampant in the industry; it is a problem everywhere. In an industry where tens of thousands of cars are bought and sold each year and duty is payable on all or the vast majority of them, in percentage terms even the smallest incidence of avoidance adds up to many forgone dollars, so it is an area that requires constant —

**Ms Asher** interjected.

**Mr ROBINSON** — On the duties of the vehicles, or are you talking more broadly?

**Ms Asher** interjected.

**Mr ROBINSON** — On cars? My response to the Deputy Leader of the Opposition is that even a small percentage of avoidance by people within the car industry, or those buying and selling privately, adds up to something significant. We might not be talking about seven or eight zeros after a number, but it is an area that requires the constant vigilance of the State Revenue Office.

In his contribution the honourable member for Box Hill alluded to work done on avoidance by the Deputy Leader of the Opposition. I suspect that all honourable members who at times have developed some familiarity with the industry through work in their electorates would be familiar with avoidance issues. In that regard I am no different.

Three years ago I had an experience where one of my constituents, a Blackburn resident, had purchased a vehicle on the understanding that if his wife did not approve the purchase he could return the car and get his

earlier car back. Having reached the verdict that the car was not satisfactory, he took it back and, in that case, the car dealer had done a runner, so my constituent did not have the opportunity of getting his car back. This led to inquiries with the State Revenue Office and I was able to understand a little bit more about the way duty is collected.

By the nature of the industry and, historically, by the way duty is collected, if people want to do a runner they can do so. But I hope that my inquiries at that point and the suggestion I made about how we might attend to those people who seek to do a runner have made a small contribution towards doing that. In that regard it is worth noting that the payment period for duty that is proposed by this bill actually narrows. I think it goes from 21 days to 14. The Victorian Automobile Chamber of Commerce and others recognise that perhaps that will create some difficulty, but the government does not believe it is unreasonable. The government believes it is important to ensure that revenue which is owed is paid in a timely fashion.

Another feature of the bill is that, as an anti-avoidance provision, the application for a transfer of registration will be taken as a taxation assessment. This avoids the situation in which someone may submit, for the sake of minimising the duty payable, a separate figure from the one actually paid. That has been possible under the existing system. The new provision will deal with that by providing that the application for transfer of the vehicle's registration equals a taxation assessment, so it will be harder for people to submit a lower figure to try to avoid or minimise the duty payable.

Part 4 of the bill deals with the Pay-roll Tax Act, and that has been adequately covered by the honourable member for Swan Hill in his contribution. It deals with not-for-profit institutions, including schools and colleges, and will provide some relief to a limited number of schools that have sought it. The government is pleased to be able to assist the limited number of schools in that category.

The honourable member for Swan Hill also referred to the land tax exemptions contained in clause 17 and their effect on agricultural shows. The government is happy to oblige and meet the requests that have been made about two events — namely, the organisation of the Elmore and Kyabram field days. That demonstrates the government's commitment to country Victorians, particularly people outside the cities in rural areas. It is a symbolic step which will be greatly appreciated.

Part 3 of the bill deals with land tax. Again, this has been covered reasonably well by previous speakers.

The essential element here is that equalisation factors will be replaced by indexation factors, and the aim of the legislation is to ensure a more accurate valuation of land when the tax is levied.

As has been described in contributions by previous speakers, tax is applied each year to the unimproved value of land. Land tax has been around for many years. I understand that it was originally a commonwealth tax which was given to the states, certainly to Victoria, back in 1958. It is one of a number of taxes, including payroll tax, which was passed to the states some years later.

Traditionally we have had a system of valuations being carried out in an unsynchronised manner across the state — in some places it was every four years; in others it was six — in which equalisation factors played an important role. However, the problem with unsynchronised valuations is that equalisation will always be a clumsy tool. It is amazing in one sense, looking back to 1958, that we have had a system in place for 44 years which still to this day, at least prior to these changes being hopefully agreed to, has relied upon an equalisation factor and where there is widespread acknowledgment of its clumsiness in trying to devise an accurate valuation of land for the purposes of applying a tax each year.

The government is confident that the measures will not in their own right increase revenue and that they are revenue neutral, which is certainly the intention. It is an attempt by the government to get a more accurate valuation of lands and to smooth out the steep rises in land tax — the spikes, if you like — which are attributable to valuations undertaken in an unsynchronised fashion.

Importantly, as part of this proposal the Valuer-General, under clause 16(2), will remove high-value exempt residential land from his base calculation of land tax. That will provide some relief in particular municipalities where the high-value residential properties are included in the calculation of the base figures, which can lead to distortions. That is something which the bill aims to remove.

In effect, the bill is housekeeping legislation introduced to try to ensure that we get a more efficient state taxation system. The government is pleased with what it has done in recent times to state taxation — it has introduced a number of reforms, particularly with land tax threshold valuations and payroll tax rates and thresholds — and some of those changes will be debated in greater detail in the next few weeks.

This is sensible legislation which has broad support. I congratulate the State Revenue Office for its continuing work on this front. The field of taxation and duties is not the most glamorous of industries to work in — anyone who has had the opportunity of wading through the Duties Act will not find it the most riveting read — but the work of the people in the State Revenue Office is vital and will ensure that over the years governments of either colour will be able to estimate and rely upon receipts well into the future in a sound and responsible way. I commend the bill to the house.

**Ms ASHER** (Brighton) — I wish to make a number of comments about the State Taxation Legislation (Further Amendment) Bill, which in the main amends the Duties Act. Honourable members will recall that some time ago the government brought in a new Duties Act. It has already been back here for amendment and we see further amendments here today. The bill also makes alterations to the Land Tax Act. I want to briefly run over just a couple of these issues.

The bill seeks to rectify the method of collection of stamp duty on used cars. In the initial run of the Duties Act the government made a mistake that resulted in revenue being forgone by the state. This bill rectifies, we hope, that particular error. This new system requires traders to notify changes in vehicle ownership.

The bill also changes the equalisation factor for land tax to an indexation factor. However, I have to say, given that my electorate of Brighton, which is in the City of Bayside, has suffered from the highest equalisation factor in many years, that this will not bring relief. There are many people in my electorate who are asset rich and income poor, and these changes to land tax will bring absolutely no tax relief to them.

The points I wish to make relate in the main to the amendments to the Duties Act. The government has been aware of the problem with the collection of stamp duty on used cars since 21 August 2001, because that is when I raised it in this house. I asked the Treasurer a question without notice, and in reply the Treasurer said I was irresponsible to be making comments about stamp duty. He then asked me for further information, clearly indicating that he did not know what was going on within the State Revenue Office (SRO). I raised it again in debate in this place on 31 October. It has taken the Treasurer nine months to address the problem of revenue collection — and by the commencement date of this bill, 1 July, it will probably be 10 months.

In fairness to the Treasurer, I must say that he wrote to me indicating that I was correct in my earlier assessment of this, and he acknowledged that of course

people were simply telling dealers they would pay the stamp duty direct to the government while in fact they opted not to do so. In 2000–01 stamp duty on used car transfers was \$141.3 million. I would be interested to know how much revenue the government lost because of this sloppy handling and the delays in bringing this bill before the house.

Usually the State Revenue Office and this government are masters of tax collection. Indeed they are collecting \$1.7 billion extra per annum over and above what the Kennett government collected. The SRO is so masterful in tax collection that we recently saw two Chinese interns from the Beijing tax office come here to learn how to collect tax. We have world best practice here under the Bracks government and the SRO.

In fact the Chinese trainees and the State Revenue Office had a pretty good time, and this is how our taxes were spent: commissioners dinner, catered for by the Mask of China — \$963; official hosting of this Chinese delegation — \$923, paid for by the taxpayer; a 2-hour cocktail party — another \$700, paid for by the taxpayer; hosting the Beijing delegation at the Jambo restaurant — another \$344, paid for by the taxpayer for these tax collector mandarins; luncheon for the Chinese delegation at the Kingbo Chinese restaurant — \$380; a yum cha lunch at the Dragon Boat restaurant — another \$350; an official meeting at the Shark Fin Inn — another \$262; and most curious of all, a dim sim delivery from the Dragon Boat for the Chinese delegation at the SRO — \$300. What an image! There are our tax collectors, who are raking in \$1.7 billion extra, sitting there having a munch on \$300 worth of dim sims from the Dragon Boat restaurant.

This expenditure was not confined to the Chinese delegation. We have seen receipts for a raft of parties in the information provided to the opposition under freedom of information. We have seen receipts for a ball for our tax collectors at Albert by the Lake which taxpayers subsidised to the tune of \$5575. That is what the taxpayers subsidised — a ball for the State Revenue Office! They are missing out on collecting stamp duty. Instead they are collecting every other tax known to man — and they are having a ball, literally, at Albert by the Lake.

I move on now to the Christmas parties hosted by the State Revenue Office. Let us have a look at 1999.

**Ms Delahunty** interjected.

**Ms ASHER** — Indeed! Let's look at the Christmas function in 1999. I note that the original description was 'Christmas party' and that someone scribbled off

'party' and wrote in 'function'. Some \$2500 worth of catering was provided by a company with the unfortunate name of Toff's Catering. We then move on to the grog consumed at the Christmas party, and again we see a huge bill. We move on to a commissioners Christmas function — and it seems one Christmas party is not enough for these mandarins in the SRO. The Christmas party was catered for by Beauty and the Feast Catering and included \$480 of tandoori chicken, Kobe beef, Tai chickballs, pumpkin pies, et cetera. The SRO tax collectors certainly enjoy spending taxpayers' money on entertainment.

We move on now to the Christmas party in 2000. The SRO is a good client of Philip Murphy's of Brighton, which is a good constituent business of mine. The SRO spent \$1500 there, and another \$2000-plus was paid to Toff's Catering for the SRO party. Although \$1200 was recouped from SRO staff, there was a taxpayer subsidy for the SRO Christmas party of \$2500. I note that the invoice submitted by Toffs Catering states, 'Paul to stay and serve at the special rate of \$22 an hour'. These guys did not even pour their own drinks; they had Paul to come in and serve them!

Again in that year the commissioner had another Christmas celebration, and another \$983 was spent. But it is not confined to Christmas. On 20 August 2001 Coles was the beneficiary of \$789 for 'groceries for SRO party'. No wonder Ballarat is welcoming the SRO! There will be a catering-led recovery in Ballarat, and it is starting already, because Ballarat Expo Catering has been paid another \$880.

There is more. As we are debating amendments to the Duties Act, I note that a significant number of task forces were set up within the SRO to examine the legislation and to examine the non-payment of stamp duty on used cars. In fact I need to tell the house about the hard work done by the SRO, with the Treasurer having his hands off the wheel — absolutely no control. Let me go through how our taxes were spent while these people considered the bill that is now before the house.

First of all there was what is described as a lunch meeting with the Law Institute of Victoria's state taxes committee. They were discussing duties that day, and I note this lunch meeting took place at the Menzies Tavern, with a beverage bill of \$32.30. Some meeting! It gets better.

**Mr Hulls** — Four lemon squashes!

**Ms ASHER** — Lemon squashes at the Menzies Tavern! Pull the other one!

**Mr Hulls** — It might not be what you drink, but that's what I drink!

**Ms ASHER** — My drinks are not financed by the taxpayer, that is the difference! We then go on to a monthly meeting with Vicroads on 1 March 2000, and again we see cakes for that meeting. We then move on to an interjurisdictional meeting on insurance duty on 29 March, which was held in the boardroom at 505 Collins Street, where 18 bagels, cheese and fruit were eaten — for a bill of \$137. This was while these guys were discussing the non-payment of stamp duty on used cars. These were the meetings that were meant to rectify the problem. It has taken them nine months to do it because they were down at the Menzies Tavern! Another interjurisdictional meeting on insurance duty was held on 30 March 2000, where 24 spring rolls and a fruit platter were eaten. They like their Chinese food in the SRO, and that added up to another \$119.

**Mr Hulls** — So freedom of information works!

**Ms ASHER** — Yes. We spent months and months and months getting this under freedom of information — which included, can you believe it, the SRO asking me for a definition of hospitality! These guys know hospitality: these mandarins are masters at it.

**Mr Hulls** — Like your previous board?

**Ms ASHER** — I note there was a Vicroads liaison meeting on the issues in the bill. There is more, this time from Hermes Fine Foods.

More cakes! More cakes for \$18. Again, at an interjurisdictional review of the Duties Act on 20 July 2000, more spring rolls and more sandwiches were purchased for another \$72.90. This is why this bill has been delayed for nine months. The Treasurer has his hands off the wheel and the mandarins have been eating spring rolls and dim sims.

I turn to a receipt relating to a Vicroads liaison meeting about motor car duty. Spot on! That is exactly what these guys are discussing. What are they doing? Surprise, surprise; they are having a bit more food — another \$28 for a cake platter. This gives a whole new meaning to 'Let them eat cake'! These guys are munching their way through cakes and eating their way through dim sims and spring rolls. But what is not getting fixed is the used car duty and this bill, which has now taken nine months to get before this house.

I turn now to a receipt for a morning tea for a Vicroads meeting on 5 May 2001 — another \$22 for cake. If I can allow my French background to come to the fore,

the pièce de résistance — how do you like this one! — is a state tax committee lunch which the Law Institute of Victoria had with the State Revenue Office. According to the cover sheet of the documentation of the SRO they were having a lunch. What were they doing at this lunch? Could the taxpayer hope they may have been discussing the administration of the Duties Act? Could the taxpayer hope that they were working out this problem with used car duty?

The caterer has given some clue to what they were doing: Epicure Catering has described the function as a cocktail party. These guys were having a cocktail party at a cost to the taxpayer of \$605 when they were meant to be discussing state taxation, when they were meant to be working and discussing the Duties Act, and when they were meant to be trying to work out how to overcome the Treasurer's negligence in leaving this loophole whereby duty was not collected on used cars for the state of Victoria.

**Mr Hulls** — On a point of order, Mr Acting Speaker, I understand that a fair amount of latitude is given in relation to debate on bills. This is the State Taxation Legislation (Further Amendment) Bill, and while the honourable member may be embarrassed that when she was a minister she and other ministers and staffers were known as a bunch of Sir Lunchalots when they were in government with their snouts in the trough, Mr Acting Speaker, I ask you to direct her to come back to the bill.

**Ms ASHER** — On the point of order, Mr Acting Speaker, these receipts are exactly on the amendments proposed by the bill. I have just read out, for example, a receipt which reads 'Vicroads liaison meeting (motor car duty)', which is the precise issue addressed by the bill before the house. For the record, I have not claimed one lunch from the taxpayer.

**The ACTING SPEAKER (Mr Lupton)** — Order! There is no point of order. The honourable member for Brighton has been discussing the bill, and the State Revenue Office has been mentioned often during earlier debate.

**Ms ASHER** — The bill before the house allegedly solves the problem of the Treasurer being unable to get the Duties Act right in the first instance because he had his hands off the wheel and took nine months to correct this error. When we look at the Menzies Tavern episode and the dim sims, the spring rolls, the cake platters and all the entertaining we can see why the Treasurer took nine months to solve this problem.

**An honourable member** interjected.

**Ms ASHER** — And the \$1000 dinner at the Mask of China. Ask the people of Niddrie if they think that is reasonable or not! Indeed, that explains why this bill is nine months late. However, some more important issues of freedom of information have emerged from this matter. It is my understanding that Vicroads advised the SRO — and indeed the Treasurer — all along that the original Duties Bill which set up this mechanism to collect this form of tax was wrong. I made a freedom of information request of Vicroads for its advice to Treasury and/or the State Revenue Office. My application went in on 23 August 2001, and I am yet to receive the documentation.

I received what I regard as a frivolous response in the first instance. I note also that Vicroads has its own letterhead for the freedom of information unit. I am not particularly interested in its letterhead; I am interested in the FOI application, which will show not only all the wining and dining but the negligence attached to the fact that Vicroads advised the SRO of this problem and that still it has taken the Treasurer nine months to fix it. Initially I was told, frivolously, that there were 6 million documents. Yes, they are the registrations. I obviously then narrowed my request.

**Mr Hulls** — How many do you want?

**Ms ASHER** — None. I do not want any of them. I narrowed my request to the advice. I want the advice which shows the incompetence of the SRO and the incompetence of the Treasurer in handling this particular issue. In fact, I am still waiting for Vicroads response. I lodged an FOI application on 23 August 2001 to find this out, and it has not been forthcoming.

This State Taxation Legislation (Further Amendment) Bill is nine months too late. By the time it comes into operation it will be over 10 months too late. Some revenue will be forgone to Victoria. What we have seen in this nine months is a frolic and a hands-off approach by the Treasurer and a frolic by the mandarins at the State Revenue Office, where they have done nothing to attempt to rectify the problem other than eat cake, go to Menzies Tavern, attend cocktail parties, go to Christmas parties and the like.

It is unacceptable supervision by the Treasurer, who should stand condemned. While the Liberal opposition does not oppose the State Tax Legislation (Further Amendment) Bill, it condemns the nine-month delay and the nine-month frolic it took to get the bill here.

**Debate adjourned on motion of Mr LANGDON (Ivanhoe).**

**Debate adjourned until later this day.**

## ELECTORAL BILL

### *Second reading*

**Debate resumed from earlier this day; motion of Mr HULLS (Attorney-General).**

**Government amendments circulated by Mr HULLS (Attorney-General) pursuant to sessional orders.**

**Independent amendments circulated by Mr SAVAGE (Mildura) pursuant to sessional orders.**

**Mr PERTON (Doncaster)** — It is my honour to lead the debate on this Electoral Bill on behalf of the Liberal opposition. This bill is a significant piece of legislation because it relates to the fundamentals of democracy in Victoria. While it is a large piece of legislation, running to some 214 pages, many of the proposed changes it contains are not so much substantive as modernising. In that sense, both political parties — the Attorney-General will correct me if I am wrong — are indebted to the Victorian Electoral Commission for its detailed examination of the existing provisions of the legislation relating to voting in the state of Victoria and the conduct of elections, and the detailed changes recommended by the Victorian Electoral Commission bring this legislation into this century.

In the Attorney-General's second-reading speech he indicated that there are several provisions of the act which need modernisation. In the second-reading speech the Attorney-General said:

An example is section 251 of the act, which provides that carrying a gun, pistol, sword or bludgeon at an election is punishable by a fine of not less than \$4 nor more than \$40. Accounts of elections in the 1850s suggest there was a real need for this provision at that time, when a fine of up to £20 would have been a deterrent. However, the provision serves little purpose today.

**Mr Hulls interjected.**

**Mr PERTON** — Indeed, as the Attorney-General says with some humour, the Liberal, Labor, and National parties only need it for the purposes of preselection today.

The second important change, for the purposes of both the citizen and the potential candidate, is that the legislation which has governed elections in this state, The Constitution Act Amendment Act, has probably been a little obscure in that the relationship to electoral matters is not made clear. So the title, the Electoral Bill 2002 — soon to be the Electoral Act 2002 — will govern the conduct of elections in this state. All of the major political parties in the state — Liberal, Labor and

National, as well as the Democrats, the Greens, and others — have examined the legislation and there will be a number of amendments coming into the house through the Attorney-General. They are quite detailed and have been distributed to members. They will provide a system for elections in this state that is more modern and up to date; will provide some very clear rules in relation to elections and will also provide for greater efficiency in elections for electoral officials, voters and candidates alike.

There are 12 parts to the bill. The first is made up of preliminary provisions relating to definitions and the like. The second part relates to the Victorian Electoral Commission and its structures and membership. The third relates to enrolment procedures and information. The fourth relates to registration of political parties. Part 5 relates to election procedures, part 6 to voting, part 7 to election results, part 8 to the Court of Disputed Returns and part 9 to enforcement and offences. Part 10 is the general section, part 11 is about transitional provisions, and part 12 refers to public funding of elections.

I could give a very long speech on behalf of the opposition on this matter, but as almost all of the provisions of the new bill are pretty much common ground between the major parties and the Independents as well — whilst they are moving amendments, those amendments are limited in scope — I shall not make a long speech on the detail of all those provisions.

The most important changes from the status quo are, for instance, in clause 3, which changes time-honoured terms such as ‘polling place’ and ‘returning officer’ to new terms like ‘voting centre’ and ‘election manager’. They are changes that deliver the language of today.

Clause 25 gives the electoral commission the power to reject inappropriate names. I think we have all been amused at times by the use of deed poll by candidates to get across a political message — sometimes not in terms that would be used in polite company.

Clause 26 increases the number of sources from which the Victorian Electoral Commissioner can gain information for updating the roll. That is useful for ensuring that the roll is as clean as it can be. I think all honourable members are aware that not only in overseas jurisdictions but in Australia too there have been many allegations of inaccuracy of rolls and the use of that inaccuracy for the advantage of candidates. Clause 26 will provide the Victorian Electoral Commission (VEC) with more sources that it can use to update the roll.

Clause 52 allows the VEC to review the registration of a political party which averages less than 4 per cent over all the electorates it contests.

Clause 91 reduces slightly the power of scrutineers during voting. That has little practical relevance, as you would be aware, Mr Acting Speaker. I for one have never seen anyone use a scrutineer during voting; but obviously on occasions the returning officers raise points of difficulty with the representatives of the parties or candidates and members, and that is important, too.

Clause 100 is a real boost for the technology of the new century. As honourable members know, I am extremely passionate about the potential for electronic democracy and for electronic voting. With this bill electronic voting appears in the statute for the first time in Victoria. The clause headed ‘Interstate and overseas voting centres’ states:

- (1) This section applies to electors voting at an overseas or interstate early voting centre appointed by the Commission.
- (2) An elector voting in accordance with this section may use such means of electronic voting as is provided at the early voting centre.
- (3) The procedures applying in respect of electronic voting are as prescribed.

We do not have the regulations that will govern that type of electronic voting. However, particularly in a country where voting is compulsory, where people are particularly mobile in both their social and working lives, and given that people are part of a globalised economy, it is quite clear that people will need to afford themselves the opportunity to vote from places other than the voting centre nearest to their home address.

This is a first step. Electronic voting, as is indicated, will apply only to those voting overseas or interstate at an early voting centre. However, as the issues of identity are dealt with in the handling of those votes, I suspect that election managers will probably use photographic evidence or the like to give someone access to the electronic polling device. I believe experiments on systems that can be put in place will involve some sort of biometric identification, whether fingerprints, iris identification or, ultimately, full face scans.

If it works interstate and overseas it will certainly spread to local government, where many councils already allow for postal voting. I am sure that in many cases citizens would find it more convenient to use electronic voting. Indeed, the problems of fraud in

physical postal voting systems are probably greater than those that would be afforded by a person voting after some biometric identification. It is a first step. I hope that it will be seen to work very well at the next state election and that it can then be introduced in a more widespread way into local government elections and, ultimately, be commonplace in the state.

The issue for us as politicians and as Victorians and Australians is that we have compulsory voting. Many Victorians and Australians value the fact that one of our citizen duties is to vote. We do not have many other compulsory duties, as people living in other countries may have. There is an increasing group in our society that finds participating in the electoral process an irritation and while I think that in Victoria both major parties want to maintain the positive benefits of compulsory voting, what we ought to do is take such steps as are possible to make it more convenient for busy people with busy lives to cast their votes as easily as possible.

The last remaining substantial change from the status quo is a change from 6 metres to 3 metres in the minimum distance from polling stations that people can hand out materials. In many small polling centres the activities of people handing out how-to-vote material and the like to voters can be quite hampered by the existing restriction. This provision will make it easier in smaller and more intimate polling places — or voting places, as they will now be called.

Some other changes that were suggested by the Electoral Commissioner and were contained in the original bill will not now be proceeded with as a result of the amendments that have been agreed between the major parties, other parties and the Independents. There was a proposal that the register of voters would not be available for public inspection, and there is quite a bit of anxiety about that. In discussions, I have had indications that the roll is used by churches and other groups active in local areas to help them deal in a constituency with the needs of those who have particular religious affiliations or the like. People who may want to be involved to a greater extent in political activity should have some rights of access.

The insertion of a new clause AA to follow clause 31 will mean there is a list of electors, which is updated every six months, available for public inspection. It is the classic conflict between the need for confidence in the roll and the public register and the need for privacy about which in this electronic age voters are increasingly concerned.

There was a proposal by the Victorian Electoral Commission (VEC) to remove the requirement to have six nominators for non-party candidates. It is not an onerous restriction on candidates running for a seat to have the sufficient respect of six people to have their nominations countersigned, but it is a small filter that provides some seriousness to the electoral process and requires a person not just to stand as a candidate on the spur of the moment but to do it as a serious decision.

Clause 83 was designed to allow political parties to not authorise material where it was clear the party had produced it. That will alter again as a result of the amendments that will be moved. There was a proposal for as-of-right early voting, which is an important philosophical change from the notion that polling day is a special day. In almost every democracy polling day is a special day. Many people take their children to polling places to have a look at the political process. Numbers of families go through polling places and the children diligently collect the how-to-vote cards to take back to school for projects or for use in participating in mock elections.

The notion that there is a polling day, a day on which campaigning leads to a crescendo of activity and the day people make their decision, the day the media focuses on the activities of the party leaders with significant vote-counting broadcasts after the polls have closed, is significant. The notion that those who will vote ahead of polling day will have some special reason for doing so will remain.

A proposal from the Electoral Commissioner raised the problem with the current legislation relating to the postmarking of envelopes in which postal votes are returned. The current legislation states that the voting closing time is 6.00 p.m. Saturday. In reality this means 6.00 p.m. Friday because Australia Post does not collect mail on Saturdays. The VEC proposal would have enfranchised those who posted their postal votes on Saturday, but the by-product would have enfranchised those who posted their votes on Sunday. I do not know of any electoral system that allows votes to be cast after the close of a polling day. Both the major parties have agreed that that would be inappropriate.

The last provision proposed by the VEC, which I think all parties agreed not to proceed with, would have given the VEC the discretion not to follow up non-voters after certain by-elections. In this country by-elections are a very important part of the political process. I know that political leaders in this state and elsewhere have from time to time suggested that in a safe seat the death or resignation of a member ought not to lead to a by-election. All the work that has been done with voters

indicates that they ought to be able to make that sort of decision.

**Mr Wynne** interjected.

**Mr PERTON** — As the honourable member for Richmond interjects, they ought to have the opportunity in the event that the sitting member retires or dies to have their own vote. Of course it has led to results from time to time that have changed the political climate.

**Mr Wynne** interjected.

**Mr PERTON** — As the honourable member for Richmond points out, there was the Wills by-election. Even more significant in political terms was the Bass by-election that signalled the demise of the Whitlam federal government, so these things remain important and the opportunity for voters to participate in by-elections is very important. Were we to change the requirement to vote, which removing the imposition of a fine would have done, it would have changed the nature of the by-election process.

As I have said, the bill is very long — 214 pages. Large teams of people from all political parties and the Independents have examined the legislation in detail and have agreed on a large set of amendments running to around 13 pages. I shall not go through those in detail. I have indicated that it is a very detailed bill.

In the spirit of cooperation all the parties represented in this Parliament are seeking to have modernised legislation and a more efficient legislative process. We have taken the advice of the independent Electoral Commissioner on these matters and where appropriate, as practical political people working with practical politics, we have rejected some of the changes proposed by the VEC which are not appropriate in the Victorian electoral climate. Generally the mechanistic changes to the legislation are probably not objectionable.

I know the honourable member for Mildura will move an amendment in relation to the availability of the electoral roll. That has not been agreed to. The availability of the electoral roll now as a public registry to people who are not in the political process is an important change. In respect of politicians, the new provisions require that this information be treated with respect. As politicians we are always trying to improve the way we communicate with our electors. Obviously the use of enrolment information is required in order to undertake that communication with the voter. Clause 36(3) provides that:

The permitted purposes in relation to a member of the Assembly or the Council are —

- (a) any purpose in connection with an election; and
- (b) monitoring the accuracy of information contained on an electoral roll or on the register of electors; and
- (c) exercising the functions of a member in relation to the member's constituents.

Those uses of the electoral roll would only be objectionable to those who are most sensitive. All practising parliamentarians certainly respect those constituent views.

The last area of change is probably that which has elicited the greatest interest from the media. I must confess that in my own electorate office I have not received a single phone call, letter or email — and my good friend the Deputy Leader of the National Party and my colleague the honourable member for Richmond indicate that they have not received material from any voter objecting to the changes to electoral funding.

The changes to the electoral funding provisions that will occur through the substantive provisions of this bill and the amendments are in essence the same provisions that apply to elections at the federal level, so Victorian voters, as federal voters, are used to this concept of public funding of campaigns at the federal level. These sorts of changes have also been made in New South Wales, Queensland and Tasmania. Public funding is found in many European countries, and those of us who take an interest in American presidential campaigns will be aware of the matching funds that are delivered in those circumstances.

Essentially modern electoral campaigns require ever-increasing expenditure in order to provide information to and communicate with voters. We live in a time when the media does not always focus on state elections and even on federal elections as closely as many voters would like. Many is the time when a major policy has been released by either party and the coverage of it has been minuscule. Many voters want more than that. They want to be able to get access to policies that will affect them, and they want access to information that is relevant not just to them as voters in a geographical area but to them and their circumstances in particular electoral areas.

The communications methods that are demanded by constituents include traditional television, newspaper and magazine advertising, but members often have voters who ring, write or send emails requesting additional information. The cost of postage is always rising, as is the cost of electronic communications. I suspect that at some time in the near future young voters will probably be demanding short messaging

services through telephone systems. The cost of campaigns is ever increasing.

At the same time as the cost of electoral campaigns is increasing there is greater scrutiny by the media of the gathering of electoral funds. Whether it is the \$1000-a-head dinner held by some political party or donations by major corporations or unions, there is increasing scrutiny by the public of the source of campaign funds. What this means — and I think it is why we have not had any complaints about this bill in our offices — is that most voters quite like the idea of a cleaner electoral process. They know that if a political party or a candidate receives funding in a very public way — in a way for which they are held accountable and through a process to which the public contributes — it means that in theory at least there will not be the same reliance on major donors.

Political parties often have to make difficult decisions. Victoria has seen the introduction of gaming machines in the late 1980s and a casino in the early 1990s, as well as the activities of Tattersalls, Tabcorp and others. So in the area of gaming, for instance, governments make significant decisions that have major financial impacts on our community. I think the community would probably have greater confidence in the system knowing that it had this element of centralised funding. The term used in a lot of the academic literature which supports this indicates that the public regards public funding as ‘clean money’ versus the requirements for parties to finance their own campaigns.

Obviously there are different philosophical positions on that. There are those who much prefer that the parties continue to obtain their funds from donations. But in general certainly the literature and the polling information that I have surveyed in preparation for this speech today indicate there is a general public comfort with this notion of public funding because it is seen as reducing the reliance of parties and independent candidates on people who fund their election campaigns, and who obviously would want their donations taken into account in policy making.

I do not think I need to add anything else to the debate at this stage. The arguments for the legislation are sound. The agreements across the Parliament have improved the legislation. It is very much based on the work of the independent Electoral Commissioner, who has worked very hard on it. Obviously there will be some debate about public funding, but on behalf of the Liberal Party certainly the indication is that Victorians accept it at the federal level and that interstate Australian voters in New South Wales, Queensland and Tasmania have certainly not found that to be an

abhorrent way of funding campaigns. I think the general changes introduced by this bill will improve the electoral system of this state.

**Mr STEGGALL** (Swan Hill) — It is always fascinating to listen to politicians talk about elections, voting systems and all the other things that go with them. It is the first time since I have been a member of Parliament that we have seen a total rewrite of the electoral legislation, or The Constitution Act Amendment Act, the title of which has always been a mouthful; it has always been confusing and not too many of us understood why it was in the form that it was.

As the honourable member for Doncaster said, some very strange things are still sitting in that act and I welcome the rewrite of the legislation. It has been a bit strange inasmuch as it has been a rather quiet debate living up to the debate in this house. I have not been the National Party person responsible for this bill — an honourable member for North Eastern Province in another place, the Honourable Bill Baxter, has been — so I am not so au fait with the amendments that have been circulated to members today, and, I might say, neither is Mr Baxter. So we will have to work with the amendments as they appear before us today without the knowledge that the honourable member for Doncaster has alluded to.

Of course the minister knows the National Party is basically comfortable with the direction of the legislation. We were concerned about the part of the bill dealing with the disclosure of information and public funding, but we believe that has been fixed up. I understand the changes embodied in the 13 pages of amendments that have just arrived will reflect more the commonwealth method than was originally proposed in this bill.

You never know what will happen in Parliament when you talk about electoral legislation. Usually we get rather excited about various things, particularly changes to the voting system. That has occurred in this place many times, when it has been proposed to change from preferential voting to a proportional representation system. I think we have had that debate five times in the 19 years I have been in this place, and luckily that has not ever succeeded. That type of emotion will not be present in this debate.

I guess we in the country look at elections a little differently from those in the city, because the areas we cover are so different. Our application to politics, our relationship with our constituencies and the expectations of country members are very different

from those of city members. Whereas a city member may be lucky enough to have two, three or four communities in his or her area, under the new boundaries those of us who represent spread-out country electorates like Swan Hill will have about 45 different communities in our electorates. That makes it difficult for them and for the members. However, we have balanced up many times the systems that we have in place and have developed our own methods of handling them in the country.

This bill will bring about a bit more speed to the changes that have been occurring — that is, the cutback in the number of polling booths throughout our electorates. That has always been a problem probably to parties other than the National Party — the small polling booths have always been an advantage to us. That number has been dwindled back in recent times and now it will be dwindled back even more. The introduction of postal voting that we have experienced over the past few elections, where all those people who are a certain distance from a polling booth — or election place, as it will now be called — by right get a postal vote. That has changed the dynamics of a lot of the country voting in the past few years. I believe that will be speeded up under this legislation.

I guess if I made an observation about this bill it would be that it is the start of many of the changes that we will see introduced. The honourable member for Doncaster mentioned clause 100 and the fact that electronic voting is now allowed overseas and interstate. One does not have to be blind Freddy to see that society here will embrace that in a far greater way in the future.

I happen to disagree with the honourable member for Doncaster on the importance of the polling day. Since the pre-polling voting has been introduced in our electorates up to 20 per cent of the people pre-poll. That gives us some problems logistically; it also gives us some advantages logistically in some areas.

**Mr Wynne** — They might want to get in early and vote for you.

**Mr STEGGALL** — That is right. At the last election they did, thankfully, because those who voted later didn't! It is an interesting point to address. At the last election I was up against a very high-profile Independent. I had what turned out to be a very comfortable victory in the end, but I had to rely on Labor Party preferences, which were not counted until the Wednesday, when I won by 2500 votes.

The interesting point, though, is that the vote of the pre-poll was totally different from the vote of the

Saturday. If anyone studies the last election properly and thoroughly — as many of us have done and agonised over it — they will see that something terrible happened in the last four days of that election campaign.

**Mr Hulls** — No, it didn't.

**Mr STEGGALL** — Well, it did from our point of view. In my electorate the people who voted pre-poll and by postal vote had a totally different voting profile from those who voted on the day.

So this bill comes to us in pretty good form, but I believe that from now changes will be made to our Electoral Act, as this will become, more regularly than has been the case in the past, when we had just nibbled at the edges with a few amendments to The Constitution Act Amendment Act. Because of its name it was always rather important and we probably thought we should not be doing too much of that.

When we look at these voting systems — as I said earlier, listening to politicians talking about voting systems and elections is quite fascinating — I think this debate today will be quite low key and not shy, but that is probably the word closest to describing it. I do not think there is anything here that will excite any politicians. Basically it is straight up and down and takes a reasonably sensible approach to some difficult areas. We have to get an electoral act that is able to account for the seat of Prahran, with its 12 square kilometres of electors; the seat of Wimmera; the new seat of Lowan, which will have 31 000 square kilometres; or the seat of Swan Hill, which has 29 500 square kilometres.

We come from very different areas to represent people in this place, and our electoral system is there to show that up and to make sure that we get as close as we can to reflecting the wishes, the will and the desires of the people who elect us to represent them. Counting the Geelong, Ballarat and Bendigo electorates, country members have 25 per cent of the seats in this house. Country people will always be in a minority, particularly if you take out the major regional electorates — Bendigo East and Bendigo West, Ballarat East and Ballarat West, and Geelong and Geelong North.

At the last election both the Labor and Liberal parties treated major regional electorates in a similar manner to the way they treated metropolitan electorates. If that remains the case, people in subregional and country areas will be a smaller minority, being somewhere around 15 to 17 per cent of the population. The

National Party therefore has a great interest in how it is going to work.

Surprisingly the funding and disclosure provisions of this legislation have not created much interest — and they have created no interest at all in my electorate office. I guess it is about the acceptance of the changes in electoral arrangements that have occurred at the commonwealth level, in New South Wales, in Queensland and in the Australian Capital Territory. Those changes have been successfully implemented, and people are probably a little more relaxed when they think about it and see the funding methods, which give the system a better chance to be as clean and as clear as possible. It will never be pure, but at least it will be clear — and, I hope, as transparent as it can be. This game is one where if a quarter is given, you can lose severely, heavily and quickly.

The changes to the electoral commission seem reasonable, straightforward and understandable, and are being put down in a legislative form so we can see them and understand them. The enrolment procedures and information are in part 3. Part 4, which deals with the registration of political parties, is reasonable and clear and something that people can work on and understand.

We are changing the terminology of electoral procedures, and that is something that will be simple enough for those who come after us. Returning officers will become ‘election managers’. I have a few returning officers who thought they were managers! Polling days will be ‘election days’, polling places will be ‘election places’, pre-poll voting will be ‘early voting’, and pre-poll locations will be ‘early voting centres’.

Pre-poll voting and postal voting have become very popular. Remember that in many parts of Victoria we have a local government system where they have purely postal voting, which we are responsible for. I hate to mention this to the honourable member for Doncaster, who is alongside me, but gee, there are a lot of people who love postal votes! They do not face the pressure of electoral booths and all the hustle and bustle involved. We do not see it so much in country areas, but in Melbourne we have instances of exuberant competition. Would that be a reasonable thing to say?

**Mr Wynne** — Vigorous competition!

**Mr STEGGALL** — It is exuberant and vigorous at certain polling booths throughout the metropolitan area, but we do not experience that in small country ones as yet. No doubt it will come!

**Mr Perton** — Yeah, but you are good at hiding the other cards behind the water shed, aren't you?

**Mr STEGGALL** — That is different. That is an art that goes back a long time, and those things are accepted! In the country you do not leave your how-to-vote cards around if you are going for a cup of tea!

As we have seen in the federal election, how-to-vote cards have always been an issue, but they have always been special to Australian politics. Interestingly during the last federal election how-to-vote cards were distributed and placed in pre-polling centres, which we are going to call early voting centres, so electoral managers were making sure that they were there for people who wished to use them. That was a bit of a change — a big change! — but one that makes a lot of sense. I would think that that change will come, but it will give political parties more headaches as it goes through.

I guess we have all had great experiences with how-to-vote cards. We brought in changes after the Peter Batchelor issue in the 1980s. I see the minister's clause is in here! We must make sure he does not make it in any way strange! The Printer's name will live in infamy from his days as the secretary of the Labor Party and his involvement in the Nunawading Province re-election matter! I have not actually caught up with the final details of that, but I think the amendments go back to the present authorisation instead of what is proposed in the bill. I was quite comfortable with what was proposed in the bill. I am not sure why we would want to go back, however it is not an issue that we would be worried about.

Part 6 takes us through voting at an election day voting centre, early voting and postal voting — as I have already mentioned — and specific provisions relevant to people with special needs.

Part 7 covers election results. I do not think that it contains anything new or strange.

Part 8 deals with the Court of Disputed Returns, which is used occasionally. From my reading of this it is reasonably well laid out in pretty simple terms. It is something that people can understand and see very simply.

Part 9 outlines enforcement and offences. It is always interesting when those provisions come into play. Enforcement of compulsory voting, found in division 2, is a rather special area. As you travel around Australia you find yourself defending the system of compulsory voting. I have always challenged my belief in it to see just how strong I am. The more I look at what happens

around the world, the more I note that people want to disassociate themselves from those in authority.

We have a generation of people not only in Australia but it seems around the world turning away from institutions and the structures of their society and opting out in many ways. At least at election time compulsory voting makes them have a bit of a think, whether they agree with it or not. They do not actually have to vote; they have to attend a voting station. We should maintain that requirement in Australia because any society that does not bring its people along with its system of government will suffer failure in many ways. We have examples of that right around the world today. The enforcement of compulsory voting in Australia, which is subject to some amendments today, is an important system that we should not hesitate to retain. It will be interesting if during this debate anyone wants to argue against compulsory voting, because it is something I take as a given, having, as I said, challenged myself many times over the issue.

Part 10 contains the general provisions on evidentiary provisions, offences by corporations, refund of deposits and related matters.

Part 11 sets out transitional and consequential provisions, and part 12 covers the election funding and financial disclosure sections of the legislation.

As I said, I had expected this part to have more vigour but it has not. Most of us have accepted the concept. It has been well debated around Australia, though we seem to be coming to it as a Johnny-come-lately. Many parts of Australia have seen the challenges in that, and have accepted and adopted it and it has worked well. I do not see any reason why it will not continue to work well here in Victoria.

From time to time the Electoral Act, as it will be known in the future, will assist people with regard to voting. The provisions are pretty clear on any changes to the funding operations. The provisions on disclosure that are contained in the amendments, which we received today, take us back more to the federal system of disclosure than to those put up in the legislation prepared by the minister, and that is the main area we have a problem with.

The National Party will not be opposing this legislation. We trust that the discussion on and debate about the new legislation is welcomed. It is probably the start of a range of changes. Some of those changes will be made now by amendment. The act will probably come back in the next few years for further amendment, but there

are enough changes in the bill for us to digest and put in place to see how they work.

Each of us has an individual responsibility to try to do our best to make sure that this system is sincere and works and that our constituents will not be confused by any changes. Although we are implementing a number of changes, including the public funding, they are only subtle and will not confuse people. It is a nice steady-as-you-go piece of legislation, changing a bit here and there. At the moment all the major political parties agree with it, though there might be some in the chamber who will not, and they have a great chance to put their case and be heard.

**Mr Hulls** interjected.

**Mr STEGGALL** — The Electoral Commission, having looked at the discussion of the last election and having experienced a few frustrations during it, has presented to the government a set of practical and workable procedures.

My surprise, I suppose, is that the Attorney-General actually picked up the recommendations and ran with them. I am also a bit surprised but glad that he has not been a little more radical because this is an acceptable way of moving forward. Had he been a little more radical we probably would have had the vigorous debate that I expected to have on this bill.

**Mr Perton** — You have not seen the Hulls-for-Premier amendment.

**Mr STEGGALL** — Crikey! If he can just hold his seat he will be going well.

**Mr Hulls** interjected.

**Mr STEGGALL** — Carl had one huge — —

**The ACTING SPEAKER (Mr Plowman)** — Order! The honourable member for Swan Hill, on the bill.

**Mr STEGGALL** — Could I just say to the Attorney-General, through you, of course, Mr Acting Speaker, that gentleman mentioned got an awful fright. He nearly got there!

**Mr Hulls** interjected.

**Mr STEGGALL** — So say all of you! I wish this bill a speedy passage. I look forward to the ongoing debate that it will bring about. I trust that we will not confuse our population and our constituency in the process by changing the procedures with which they are most familiar in electing their governments.

**Mr WYNNE** (Richmond) — I rise to support the Electoral Bill and to thank my colleagues for their contributions to the debate. Honourable members have given a very useful exposé on a number of aspects of the bill. It is appropriate for me to acknowledge at the outset the work of the Attorney-General in instigating this important review of the Electoral Act. It has been a big week for the Attorney: yesterday he sought to introduce reforms relating to workplaces and today he has dealt with the reforms to the electoral process. So the reform agenda of the Bracks government goes on, and the 2002 Electoral Bill is further manifestation of that.

An enormous amount of work has been undertaken on the bill, particularly by officers of the Department of Justice, the staff of the Victorian Electoral Commission, who are here today, and staff from the private office of the minister. I pay my respects to those colleagues who have put in an enormous amount of work to bring the bill to fruition today, and I publicly acknowledge their efforts.

Victoria's principal legislation, the Constitution Act Amendment Act 1958, incorporates provisions dating back to the 1850s. Although, as has been indicated by other speakers, it has been amended several times, it has never been thoroughly revised. The act contains some extraordinary examples of what in modern times are obvious redundancies. One example dealt with in the second-reading speech was a provision that the carrying of a gun, pistol, sword or bludgeon — I am not sure what a bludgeon is; I will have to take some advice from the Attorney-General about that item — is punishable by a fine of not less than \$4 nor more than \$40. Further, in the 1850s it was suggested there was a real need for this provision, when a fine of up to £20 would have been a deterrent. So when there are anachronistic provisions such as that it clearly falls to us to thoroughly review the act.

In his report on the 1999 state election, the Electoral Commissioner recommended that a new electoral act for Victoria be drafted. A comprehensive review by the Victorian Electoral Commission, known to us all as the VEC, has resulted in what is regarded by all participants in this house as substantial and necessary reform. The bill before us today includes the recommendations made by the Electoral Commissioner and clearly sets out the rights and obligations of all participants in the electoral process. We all know the importance of elections — they are the true test for all of us as members of Parliament. In our case within a minimum of every three years and sometimes between the third and fourth year, we must ultimately stand before the people and seek their further endorsement.

I well recall the importance of the electoral process. Many people take the electoral process for granted, but it is an essential part of our democracy and in our process from time to time people are forced to exercise a democratic right at federal, state and local government elections. In fact some people are a bit miffed by that and find it a bit of an inconvenience to exercise those democratic rights.

My late mother-in-law, who passed away a couple of years ago — obviously she was a great supporter of the Labor Party — came from the former Yugoslavia, where the rights we so much enjoy in a country like ours were not afforded to her. She had to flee her country and held refugee status in Italy for a number of years. She ultimately moved to this great country of Australia, where her socialist principles remained intact to the day of her death. During the years that I knew her she instilled in me the importance of the electoral process, of democracy, and that exercising the obligations of that democratic process is fundamentally important to people. She regarded, as I am sure we all do, the electoral system in this country as one of the best of any democratic countries in the world. In that context and by way of that background, I go briefly to some of the reforms made by this bill.

The bill will improve the administration procedures for the conduct of elections, making it easier for the candidates and other election stakeholders to more clearly understand the electoral process and procedures. It will enable the application of new technology to the conducting of the polls. I think we would all concede that in 2002 that is a useful step forward. The bill will provide the VEC with more flexibility, and members from both sides of the house agree that it will enable the improvement of the efficiency and management of the election process.

Modern electoral legislation such as that recently revised in the Australian Capital Territory and Queensland is considerably shorter in length than the current Victorian act, while still containing all the essential principles. This bill contains the essential electoral principles and the more detailed administrative procedures are included by way of regulation. The 1958 act establishes the Office of the Electoral Commissioner with a range of functions and powers but does not refer to the Victorian Electoral Commission through which those functions and powers are carried out. The legislation before the house today establishes the Victorian Electoral Commission as a body corporate and transfers the Electoral Commissioner's functions, powers and duties to the VEC, so cleaning up any administrative anomaly.

The VEC will be responsible for the maintenance of the enrolment system and the conduct of parliamentary elections. As we know, in the current climate local government takes on responsibility for the holding of local government elections.

There is a general perception that the Victorian Electoral Commission has status in our community. It is one of those institutions which is very highly regarded by the community, not only because of its function but because of its impeccable role in running elections in this state. It is above criticism generally by the community and very highly regarded for its true independence in its role in managing the democratic process on behalf of the people of Victoria.

One of the provisions of the bill is that power companies will be required to provide data for electoral enrolment purposes to the VEC so that the VEC can assist electors to update enrolments.

We have an extraordinary turnover of enrollees in the seat of Richmond. We have a lot of residents who are renters and, as I have said many times in the house, my electorate hosts the largest proportion of public housing in the state of Victoria. There is a massive throughput of residents, particularly in the public housing estates. Indeed, in the high-rise towers the turnover of residents is 25 per cent a year. So it is quite a challenge for the VEC and quite a challenge for me, having the honour of representing the people of Richmond, to ensure that people are well aware of the key initiatives and outcomes that the Bracks government is achieving and that closer to election time there is an intensive enrolment drive, because so many people fall off the roll. One of my responsibilities is to ensure that people have the opportunity to exercise their democratic right to vote in elections, in particular those good folk in public housing.

Honourable members can be assured that the government and the VEC in its own right will be undertaking extensive enrolment drives. Having the capacity to use the records of power companies is obviously a useful tool.

Safeguards to ensure that enrolment information is not misused are provided for in this bill. Clause 36 in particular restricts the use of this information provided to members of Parliament, registered political parties and candidates. As the honourable member for Doncaster indicated in his contribution, it is appropriate that there are some checks and balances in terms of how that is done.

The bill ensures that only political parties with substantial community support are registered. We do not want to get into situations of the rather unseemly circumstances we have seen arise over the years.

**Mr Perton** interjected.

**Mr WYNNE** — Indeed, as the honourable member for Doncaster indicated, there is a matter before the courts today, which I will not transgress any further. Under clause 52 the electoral commission will have the authority to review the registration of a political party at any time. The commission obviously must review the registration of a political party after the election if the party has obtained an average of less than 4 per cent of the first preference votes over all of the electorates it has contested.

Part 5 of the bill includes substantial changes to election procedures and, importantly, includes the requirement for candidates to be enrolled to vote and also to declare that they are qualified to be elected to Parliament, which is not an unreasonable requirement. There is some history around some of these matters. The qualifications of candidates who stand for Parliament have been tested on at least a couple of occasions in the federal Parliament; I am not sure necessarily if that has happened in the state arena.

New technology is a reality for us all, and the legislation reflects this by providing for the authorisation of electoral material on web sites, which is clearly an emerging technology. Although I am a bit of a Luddite in relation to the use of computers, my staff has done much of the work in establishing my web site, and it is quite often visited by people to check up on the latest information about what is going on in the seat of Richmond. It is emerging technology which will become more powerful over the next decade or so.

By way of an aside to this debate, my son, who is nine years of age and much more technologically proficient than I, was commenting upon the various web sites of members of Parliament, and his general advice to me was that I needed to pick up my game because some of my colleagues were far more sophisticated in their linkages and so forth to other sites. I will mention that to my senior electorate officer, who I think is listening to this debate downstairs in my office.

Obviously this technology will create alternative voting options for people. I do not seek to canvass the issue of postal voting at local council elections, which was canvassed in a previous contribution by the Deputy Leader of the National Party, and I have some personal views around that. However, we all have a civic

responsibility to make the effort to go out and vote. For many people voting is part of quite a day out. Many people hold street stalls and community events around the day of polling, and it is important. There is a lot of symbolism around the concept of exercising one's democratic vote, and people's capacity to go along to a polling booth, get their voting ticket and exert their right to vote is fundamental for many people.

**Ms Campbell** interjected.

**Mr WYNNE** — Indeed, as the minister says, being proud to be Australian and to exercise that democratic right is very important, and we should celebrate that.

Part 12 of the bill deals with issues around the question of public funding. The purpose of this reform is to make election contests fairer through the introduction of limited — I underline limited — public funding of campaigns. The limitations of public funding set Victoria apart from the commonwealth and the Australian Capital Territory, where parties and candidates receive funds regardless of how much they have spent on the election.

In Victoria, the provision of funds to candidates and parties will be limited to no more than the amount they have spent on the election, and that is quite an important consideration in a public funding debate. The government believes this initiative is fair to all parties and all candidates and introduces equity and a level playing field for all. It will reduce the dependence of political parties on corporate money and put them on a more equal footing.

The bill importantly introduces a capping of political donations from the holders of casino operator and gaming operator licences. As these licence-holders derive a direct benefit from the licence, special arrangements are necessary to ensure they do not have any undue influence on any political party in government.

Aficionados of the electoral process will know that the process in the United States of America in particular is virtually now out of control. Special interest groups in that country have an extraordinary capacity to influence the election of people to public office and the policy positions that elected officials may take. That is a course that we in this country repudiate, and through the process we have established we can ensure that the very crudest elements of the political process — that is, the attempts really to buy and influence a political process which is so much a hallmark of the American system — do not taint the democratic system that we operate in this country.

Powerful organisations such as the National Rifle Association pour millions and millions of dollars into election campaigns in the United States, but we do not have that sort of phenomenon here in this country.

The bill provides that donations are capped at \$50 000 for a financial year and that any amount above that will be forfeited to the state. The reforms in this bill are aimed at enfranchising all Victorians by making it easier for them to enrol, to update their enrolment and to cast their vote at election time. The government is introducing strong accountability processes for political parties and candidates.

In summary, this is an important piece of legislation which brings the electoral process up to 21st century standards. It contains the appropriate checks and balances. Yes, there is public funding; we know there is some disputation with some of our colleagues in relation to that matter and I am sure they will detail their concerns about that in their contributions. A national review in relation to disclosure is being conducted and the Attorney-General will indicate in his contribution, both in summary and at the committee stage, some commitments the government will be making in relation to that commonwealth review and any outcomes of that process.

The bill is important work. I commend my colleagues from the Victorian Electoral Commission and the Department of Justice who have done an absolute power of work in bringing this bill here. I also commend my colleagues in the minister's private office who have been so intensively involved with this piece of legislation. I commend it to the house.

**Mr SAVAGE** (Mildura) — I am pleased to make a contribution to this debate on the Electoral Bill. At the outset I would like to say that there are some appropriate changes in this bill, which I support. However, there are some changes which I do not believe are in the interests of every Victorian. I am disappointed that the Independents received no consultation on the development of this bill, considering that a significant component of the bill affects us as well as other honourable members of Parliament.

I vigorously oppose the public funding of election campaigns, and I think we are asking the people of Victoria to do something they do not support. I note that in the last state election nearly a quarter of a million people did not vote. I guess there will now be some encouragement placed before the people of Victoria to make sure they all do, because it is \$1.20 a vote, and that adds up to quite a significant amount of money.

I conducted an electorate survey last year on a number of issues, and this was one of them. Eighty per cent of people said they were opposed to — —

**Mr Perton** — What was the question you asked?

**Mr SAVAGE** — I don't respond to interjections, but the — —

**Mr Perton** — What was the question you asked?

**Mr SAVAGE** — The question was, 'Do you support publicly funded or taxpayer-funded electoral campaigns?', which is what this is. Eighty per cent of those who responded said no, they did not support that. That was a very fundamental question. It does not matter how you put the question, the facts are that we will have taxpayer-funded election campaigns in future, which the Liberal Party has supported very vigorously.

I notice that there are not too many members in this house who are out there at the edge, advocating a strong position. It is a bit like some men who like going to brothels but who do not want to be caught going out, so they leave by the back door. This is the same thing: you take the money, but you go out the back door.

**Mr Mulder** — They've got a back door?

**Mr SAVAGE** — I hope they have.

One of the fundamentals of being a member of Parliament is making sure you reflect faithfully the wishes of the people you represent. I do not believe that members in this place have done so on this bill, especially on the public funding part of it. There are many unanswered questions, and I will be detailing some of the concerns I have through a series of amendments.

It seems to me that the bill will primarily support political parties, with a greater emphasis on them than on the citizens of Victoria. The \$1.20 a vote would benefit me and my colleagues quite significantly — in fact I suspect that it would benefit me more than any other member apart from my two Independent colleagues — because the funding goes to the political party, not the member concerned, except in the case of Independents. But I have a great problem with asking anyone for money, let alone asking the taxpayer to fund my election campaigns. Therefore it is one thing that in principle I will not ever support.

We also have to look at the fact that the \$1.20 a vote is for the forthcoming election. It will be indexed, and after that it will be a lot more. If you double it up you make \$2.40, because every vote from the upper and

lower house — the primary votes — adds up to quite a lot of money.

There is one aspect of the bill that I do support, and that is the removal of the \$5000 limitation on personal spending. That has always been a disadvantage to candidates, and it is unreasonable. We all have our wives sponsor us, or our friends and family, and it is appropriate that if you spend \$10 000 or \$15 000 personally you are able to claim it as a tax deduction. It is not unreasonable to have that sort of spending, and maybe more, because political parties have no limitation on what they can spend. That is one of the parts of the bill that is a change in the right direction.

On 8 December 1983 — prior to the introduction of federal election campaign funding — a Gallup poll in the *Herald* showed that 73 per cent of Australians were opposed to taxpayer-funded elections. When the funding of federal election campaigns was being debated, the then National Party of Victoria director said:

... public funding of political parties and candidates should only be introduced if the majority of Australians approve of it through a referendum.

As I said, that was reported in the *Age* of 1 August 1983. Even though political parties claim that funding them is for the democratic good, none of them is game to be subjected to the same test.

When taxpayers started funding federal election campaigns in 1984 a vote in the House of Representatives was worth 66 cents and a vote in the Senate was worth 33 cents, and the cost to the taxpayer was \$7.5 million. At the last federal election a vote was worth \$1.79, and taxpayers have just paid out \$40 million on the endless political advertising we saw during the political campaign. I am sure there are no members of our community right across the state who would find political advertising in any way rewarding or the sort of thing you wait up for at night!

When that money was divided up \$15 million went to the Labor Party, \$14.5 million went to the Liberal Party, \$3 million went to the National Party and \$2.5 million went to the Australian Democrats. Despite the outlay, there is no evidence that taxpayer-funded election campaigns reduce the dependence of political parties on donations from business or the corporate sector, unions and individuals, or that large donors exert less influence over election outcomes and political decisions.

Last year the brewer Lion Nathan's director of corporate affairs said:

We like to be even-handed with our political donations, but we do not support parties whose policies are against the interests of beer drinkers and our shareholders. We have no expectation that our donations will give us an advantage or influence policy one way or the other. Equally, we don't make donations to parties with policies contrary to our interests.

There is an oxymoron in there: they say they do not ask for influence, but at the same time they do not give money to people who have contrary policies. That quote came from the *Age* of 14 February 2001.

In 1999 the chairman of Macquarie Bank told the bank's annual general meeting that political donations could lead to direct fees and government business. A Liberal party official has explained how the system works:

You would say to people, 'We're having an exclusive lunch and you'll get to see the PM and these ministers, and you'll get a one-on-one close-to'. Often it is extremely helpful for them to be able to say, 'Look, I have raised this issue with the minister'. There's obviously no guarantee they'll be listened to but ... the opportunity to speak to people is obviously of value.

Next week a couple of federal government ministers — the Minister for Finance and the Minister for Communications, Information Technology and the Arts — will be here, and I think the fee is \$3500 for an opportunity to be at one of their meetings. That is proof that the corporate fundraising component is not diminished by public funding of election campaigns. It just puts another layer of costs on the Victorian community in having to pay out huge amounts of money for the running of a state election — and now we have added another \$8 million on top of that.

The New South Wales Parliament passed a law for taxpayer-funded elections in 1981, so they have been there for 21 years; yet 20 years later it seems that the ALP needed a \$25 000 donation from a Manila lawyer who was in prison for murder charges! During the latest New South Wales electoral cycle property developers donated more than \$1 million to the ALP — almost four times the contribution from the unions during that period.

Looking at some European nations, the German constitutional court ruled in 1992 that taxpayer funding for election campaigns should be reduced because there was a worry that the parties were becoming too dependent on taxpayer funds. In Italy taxpayer funding for elections stopped in 1993 because it was felt that corruption was being compounded rather than cured. In 1984 a report to the House of Commons drew attention to election funding scandals in France, Spain and Japan,

despite their having taxpayer-funded election campaigning.

It seems that the Liberal Party has an attitude towards taxpayer-funded elections that has not changed over the last 20 years. Back when Mr Fraser was Prime Minister a Liberal adviser wrote:

When the Liberals were in government, many at the national secretariat regarded the government as an extension of their own political activities and saw nothing wrong with using taxpayers' funds to promote blatantly political Liberal Party causes. So in opposition it is not hard to see that the Liberal machine men would love the opportunity to all defray —

**Mr Perton** interjected.

**Mr SAVAGE** — Mr Acting Speaker! This man — —

**Mr Perton** interjected.

**The ACTING SPEAKER (Mr Phillips)** — Order! The honourable member for Doncaster!

**Mr SAVAGE** — He is the only member of the Liberal Party who can find his voice, but his voice is inappropriate at the moment. If you listen to me — —

**Mr Perton** interjected.

**The ACTING SPEAKER (Mr Phillips)** — Order! I ask the honourable member for Doncaster, if he wants to make comments, to address them in the third person through me. I ask all honourable members to allow members on their feet to have their say. And when the Chair is on his feet or calls the house to order, please acknowledge him.

**Mr Perton** interjected.

**The ACTING SPEAKER (Mr Phillips)** — Order! The honourable member for Mildura, without interruption.

**Mr Perton** interjected.

**Mr SAVAGE** — I have just been detailing a number of situations of public funding — —

**Mr Perton** interjected.

**Mr Wynne** — On a point of order, Mr Acting Speaker, the honourable member for Doncaster is clearly seeking to provoke the honourable member for Mildura. I am interested in hearing the honourable member's contribution. He has a contrary view to the government's position on public funding, and I am interested in hearing it without its being disrupted in

this disorderly way by the honourable member for Doncaster.

**Mr Perton** — On a point of order, the honourable member for Richmond did not actually raise a point of order, but standing orders are quite clear in saying that interjections are permitted by way of question. I am very interested to know what the honourable member thinks of the casino-sponsored dinner or breakfast for the Labor Party the day after the budget.

**The ACTING SPEAKER (Mr Phillips)** — Order! There is no point of order from either honourable member. I enjoy, as do other honourable members, a little bit of robust debate in this chamber; but when the Chair asks for order it is very important that we all control ourselves and bring ourselves back to order, otherwise the Speaker will be asked to return and that will not benefit any of us. I ask that the honourable member for Mildura be given the opportunity to be heard and that if there are to be interjections that they be made in a very simple manner.

**Mr SAVAGE** — Thank you, Mr Acting Speaker. I would like to make the point that I have never been in the Crown Casino in my life, and I am not going to start now. If the honourable member for Doncaster had his ears open he would have heard that I was mentioning some activities of the New South Wales ALP that were unacceptable in terms of public funding. The honourable member for Doncaster has a reputation in this place for being badly behaved most of the time. He does not like hearing the truth, but he is happy to put his grubby little hands in the taxpayers' pockets for public funding.

**Mr Perton** — You are a hypocritical pig!

**Mr SAVAGE** — I would ask the honourable member for Doncaster to withdraw that. I think he has gone past an acceptable point.

**The ACTING SPEAKER (Mr Phillips)** — Order! The honourable member for Mildura has taken offence at the words used by the honourable member for Doncaster, and I ask the honourable member to withdraw them.

**Mr Perton** — Mr Acting Speaker, in deference to you, despite the insulting words the honourable member used against me, I withdraw the words to which this honourable member takes objection.

**The ACTING SPEAKER (Mr Phillips)** — Order! I suggest to the honourable member for Doncaster that it might be an opportune time for him to relax!

**Mr SAVAGE** — It was a Liberal Party adviser who said:

So in opposition it is not hard to see that the Liberal machine men would love the opportunity to defray their running expenses by leaning on the taxpayer. Indeed their attitude suggests they basically support public funding — provided it is introduced by a Labor government. This way they can join in the rape of the public purse while claiming it was forced upon them by the ALP.

That was part of an article that appeared in the *Australian* of 25 July 1983, so this has a long history. It does not matter what sort of spin you put on it, it is wrong, and it is not publicly supported by the people of Victoria. In fact it does not in any way diminish corporate funding and the influence that big business has on all sides of politics.

We should reflect that during the last election in 1999 this type of funding could have been pooled and used to resource the political parties in Victoria in a way that would have had an adverse impact on outcomes in certain seats. For example, the Liberal Party and the National Party in 1999 would have been funded — —

**Mr Perton** interjected.

**Ms Davies** — On a point of order, Mr Acting Speaker, I take offence at the comments made by the honourable member for Doncaster, and I ask him to withdraw them.

**The ACTING SPEAKER (Mr Phillips)** — Order! The honourable member for Gippsland West has taken offence at some words used by the honourable member for Doncaster that were directed to — —

**Ms Davies** — I ask the honourable member to withdraw the comments he made.

**Ms Asher** — What were they?

**Mr Wynne (to Ms Asher)** — 'Take the money on the side', is what was said.

**Mr Perton** — I understand the honourable member objects to my use of the words 'money on the side' to describe the secret slush fund paid to her by the Premier's office. Mr Acting Speaker, if you require me to withdraw those words I will, but the truth remains that they have taken secret money on the side from the Premier's office and objected to its disclosure. I withdraw.

**The ACTING SPEAKER (Mr Phillips)** — Order! The honourable member for Doncaster has withdrawn. The honourable member for Mildura, continuing.

**Mr SAVAGE** — The funding that will be garnered by the political parties of Victoria could be used to adversely impact a by-election or a state election in areas where they want to remove somebody from this place. During the 1999 election I estimate that nearly \$250 000 was put up against me by the National Party and the Liberal Party. Of course my funding was minimal and I am still here, but the point is that this funding could lead to further exacerbation and influence, which I do not believe would be a good outcome for many members of Parliament.

At a later stage I will detail the amendments that I propose on public funding and on the provision of an electoral database for political parties 11 times a year when it is only available to members of Parliament on one occasion. There are a couple of other procedural matters — for example, a person who stood at a previous election and got more than 4 per cent of the vote cannot get information from the electoral commission on where people voted and whether they voted postal or absentee.

There are some positive things in this bill, but there are some disclosure provisions that have caused me some concern. This place is supposed to be a people's house and a reflection of the will of the people of Victoria, and no matter what sort of spin you put on it, this publicly funded component does not have good public support — in fact, it is far from it. In some ways this is a sad day for democracy. The bill has too many provisions in it that are there to help political parties rather than the people of Victoria.

**The ACTING SPEAKER (Mr Phillips)** — Order! Before I call the honourable member for Polwarth, I advise honourable members that because the three Independents have indicated they will speak on the bill the speaking order will now be to go to an opposition member, then to another Independent, then to a government member, back to an Independent, and then back to the opposition.

**Mr MULDER** (Polwarth) — I will make a brief contribution to the debate on the Electoral Bill. The most contentious part of the bill, or the part that has raised most concern among honourable members, is public funding. I note that the honourable member for Mildura said he had surveyed his electorate and come up with an 80 per cent negative response to the question, 'Do you support the public funding of election campaigns?'. Had a potential candidate made the following statement, 'I cannot raise the funds to mount a campaign. However, I have a great message for the electorate and I believe there should be some taxpayer assistance to run campaigns so that I am not

disadvantaged in relation to the position of some of the parties', the response would possibly be directly opposite to the response gained by the honourable member for Mildura from his survey of his constituents.

It is an issue that I know everyone struggles with. The simple fact is that political parties in the federal arena and in Queensland, New South Wales and the ACT are all provided with a degree of taxpayers' funds to assist them with their campaigns. The issue of how political parties obtain their funding is always being raised. Taking the emphasis off having to go to corporations and other sectors for assistance in running campaigns places a better slant on political parties in that there is genuine overall taxpayer involvement in the running of particular campaigns.

An issue that concerns me, and the matter was also raised by the honourable members for Richmond and Doncaster, is about electoral rolls not being available for sale and only being available to parties and candidates. I wonder how this will be controlled. I understand the privacy issue surrounding this, but will the electoral rolls be made available electronically? If so, once they are out in the arena, whether with political parties or with potential candidates, how will you police them and control their distribution and the information that is contained in them?

**Ms Davies** — It is against the law.

**Mr MULDER** — It is one thing for it to be against the law, but how will you police it? How will you stop someone from changing the format of the electoral rolls so that they do not appear as electoral rolls but retain all their information and end up with mail order houses and other organisations that will use them for commercial purposes, with no-one able to go back and track the origin of the documents? I have some difficulty with that.

Recently I visited a small town in my electorate to welcome a new minister who had just moved into the area to take up a position in one of the parishes. The first thing he asked was, 'Do you know where I can buy or get hold of an electoral roll, because I would like to move out into the community and understand where people are and who lives in various streets and roads, so I can canvass and speak to them?'. This bill says, 'This information is not available to you anymore. You can travel to the electoral office, view the information and look at the electoral roll, but you cannot take the information away with you'. This would put him at a distinct disadvantage.

Many years ago when I worked in the post office one of the people who frequently visited to look at the electoral roll was a process server. Most people would want to keep information on where they live, who they are living with or what they had at arms length from the process server, but he always had access to information in the electoral roll simply by viewing it. Given the way this legislation has been put forward, I would have thought that the process of not making electoral rolls available to people who could use them for genuine purposes will disadvantage and catch the wrong people in the net. I quote from the second-reading speech given by the Attorney-General on 21 March:

The bill provides for the (Victorian Electoral Commission) VEC to use technology to assist electors. For example, in the future the VEC will be able to use computers at the interstate and overseas early voting centres.

The bill also addresses the issue of people being able to vote earlier than would normally be the case, whereas postal voting has been restricted to a certain set of circumstances. I think this clause indicates a drift away from the traditional polling day and the traditional ability for political candidates to meet and greet people as they enter polling booths and put the views of their parties. I have some difficulty with this. I think we are starting to drift away from the real issue of polling days and true elections. We may end up getting to the point — and this has been suggested when I have been manning polling booths — where we simply have a card inside each booth with every candidate's name on it so that people can walk in and do what they wish. That way you could save a whole heap of paper. I think all politicians cop that comment every polling day.

There is a democratic process in place whereby people who support a political party can be involved in the policy development of that party and play a role on the day by being involved and assisting the candidates they want to support. That aspect of the electoral process is very important, and I would not like to see it go by the wayside. I previously raised the issue of electoral rolls. It is one thing to put a process in place and say it is illegal to use the information in a certain manner and that penalties will apply if it is, but when you ask how is it going to be policed, no-one knows. When this sort of legislation comes before Parliament I have difficulty with the fact that a mechanism of supposed control is being put in place without any real way of policing it or making it happen.

We come once again to this issue of capping political donations from certain licensed persons. Given the interconnection of business relationships between various companies, it is a token gesture. I cannot possibly see how anyone could police or control this

process. If anyone wants to get under the guard of that particular provision there are a million contra deals that can be done in the business world — although I am not saying that will happen. If you are going to introduce legislation which puts penalties in place, you must have a mechanism which you are confident will be able to control it.

I only wanted to make a brief comment on this legislation, and I think I have covered the major point, which relates to the rolls not being made available.

I have great difficulty with that because perhaps in looking to protect the privacy of members of the community we have actually disadvantaged many people who live there who have used electoral rolls in the past for absolutely the right and proper purposes. I believe they have been disadvantaged by the way this legislation has been put together. Nevertheless I wish the bill a speedy passage.

**Ms DAVIES** (Gippsland West) — I was initially very pleased to see this bill coming into the house — all but one part of the bill, which is the public funding component of it. The idea of setting up a new electoral bill was that The Constitution Act Amendment Act 1958 was outdated and had been dealt with in bits and pieces so it was all over the place and not very logically organised, and this bill was supposed to be logically organised and in plain English and therefore much easier for everybody to understand.

My Independent colleagues and I had discussions with the Electoral Commissioner. He was supportive and in fact very encouraging of us, saying that he hoped we would support the vast majority of the bill because he had had a very significant part to play in the development of most of it — not in all sections, but in most of it.

I am disappointed at the extent of the amendments that have been circulated pretty much without prior discussion with anybody but the opposition, and at the last moment. I am very disappointed with those amendments, which I assume have been included as part of the Liberal Party saying, 'We'll support the bill if you put in these amendments'. Sadly, I think the bill is weakened, to the extent that I will vote against it.

I had always stated my intention to vote against those parts of the bill which make provision for public funding of candidates in elections and which was going to allow candidates who received more than 4 per cent of the primary vote to be paid \$1.20 for each primary vote they received. The honourable member for

Mildura has amendments relating to those clauses and I will be supporting them.

One part of the bill that I was strongly supportive of was part 12, which dealt with extra disclosure, and which was going to require parties and candidates to disclose the money they received for and spent on elections. It was going to mean that entities that were controlled by political parties or operating for their benefit had to be declared as associated entities, that parties would have to name them, and that the entities would also have to disclose who had been funding them. That meant that when a trust made donations to parties, which had to be disclosed, the people who had actually donated to the trust would also have to disclose who they were.

Suddenly we have these proposed government amendments, which obviously the Liberal Party has gone to some effort to have inserted into the bill. Those disclosure elements are gone, and I think that is a great loss to the bill. Instead we have disclosure requirements which are related to annual returns by parties to the Australian Electoral Commission. They are much more distant disclosure requirements. I note the Attorney-General has undertaken to take note of the Senate inquiry into funding disclosures and is prepared to take on further amendments if they are deemed necessary by that inquiry. However, I am disappointed that he has allowed himself to be pushed to the extent that he has by the opposition parties on that issue.

Another amendment that I was originally quite pleased to see was that the electoral commission was going to be given the authority to ask the various different bodies for information to enable the Victorian Electoral Commission itself to initiate changes of address by people. There was going to be a requirement that if the electoral commission realised somebody's address changed through information it had, it would then notify that person.

The original intention of that change was partly to assist some of our more elderly citizens who move from their own home into a nursing home. Those people still really like to vote, but when you are facing an elderly citizen who may be getting a little vague about the exact detail of where they are, they might not be able to clearly deal with changing their enrolment forms and stating where they used to live. Part of the intention of this change was that the electoral commission could update their enrolments and those people would still be enrolled.

Given that some people move too often and forget bits and pieces of their lives as they get too busy, I would

have thought having the Victorian Electoral Commission with that power to update the information was a very positive measure. Suddenly we have these opposition-initiated amendments and that is gone.

*Honourable members interjecting.*

**Ms DAVIES** — This was a government bill, and suddenly without discussion, after the negotiations with the opposition have concluded, we find there are a lot of amendments.

Another part of the original bill which I could see had a very definite purpose relates to the early voting provisions. I understand some of the concerns about not wanting to have a whole week of voting if you can possibly help it. But our society is changing. A lot of people now work on weekends and live much busier lives. The ultimate aim that we are always supposed to be considering in this sort of legislation is to make it possible, easy and simple for people to exercise their democratic right to vote.

The idea of making it easier for people to do a postal or absentee vote was partly to cope with that, but it was also partly to cope with the reality of the situation. Now it is not possible to force people to give reasons why they want to put in an early vote. In fact, if people go to an early voting booth and say, 'I want to vote early because I am going to do such and such', there is absolutely no way you can tell whether they are telling the truth. The reality is that if people want to vote early they will vote early. By removing that particular change from the legislation, as these amendments do, all it does is maintain the status quo, which was unenforceable and unrealistic anyway. I cannot understand why it is being done.

An original part of the bill was going to ensure that election officials had to ask people three questions before they voted, including where they lived. Part of the intention is to make sure that people are actually voting where they live.

**Mr Steggall** interjected.

**Ms DAVIES** — Yes, it is to make sure they are voting where they live, that they are on the roll and that sort of thing; but it is also to make sure that people are enrolling appropriately, so they are enrolling in the seat in which they genuinely live. That was the intention of that particular part of the bill. When we discussed this with the independent Electoral Commissioner we suggested that for country kids that question posed a problem. Many of our kids still see home as home, which is where their parents are, but they go up to town and change residences with frightening frequency —

and my own son is an example of that. They do not identify with any particular area in any number of these array of residences. If somebody asks them, 'Where do you live?' there is a degree of ambiguity in that question. They identify with home, but their current abode may be any one of a number of different addresses.

So we asked the government and the Electoral Commissioner to see if they could address the issue, and these house amendments attempt to do that by asking a question which I believe is worded, 'Has the address on the roll been your principal place of residence in the last three months?'. We have been told that dealing with this particular issue will involve educating the people who work in polling booths in making sure that the question is explained properly. However, there will need to be an education campaign to teach our kids what the intention of that question is. It is not clear.

We will need to make sure that young people and the more mobile part of the population understand that home is the place you identify as your home. Even if you have temporary residences in other places, you should be allowed to be legitimately enrolled in the place you identify as your home. I have got a bit of a wait-and-see response on that matter, but I believe there probably needs to be a little more work done, and I ask the Attorney-General to consider it in some detail.

Various parts of the amendments do not matter all that much. The original bill said that independent candidates would not have to be nominated by six people on the electoral roll. Peculiarly, that requirement has been reinstated so they will still have to be nominated by six people. If an independent candidate cannot get six people to support their nomination, they are in big trouble! I do not mind the fact that that requirement has come back.

The other amendment, which again I believe was inserted after discussions with the Independents, was that the bill specifies that holders of relevant licences should not be allowed to give over \$50 000 a year to any one political party. We suggested that perhaps companies related to holders of those relevant licences should also be excluded or brought into that part of the legislation, and we also suggested that it would be appropriate to add individuals and family members to that clause. That suggestion has not been taken up; however, the change for companies related to holders of a relevant licence has been.

The original bill provided that major political parties did not have to put the words 'authorised by' under

their advertising signs, but Independents were always going to have to keep 'authorised by' acknowledgments on their political advertising. With these amendments, political parties will have to authorise their advertising, and I do not mind that. As I understand it, the original argument for not putting it in was that if an advertising sign had a political party logo on it, then it should be the central office of the political party which validates that advertising and was therefore responsible for it, and that you should not be able to let some minor political campaign say, 'We can say what we like and the central party does not have to take responsibility'.

The other major change in the legislation that I am concerned about and that I think is unfortunate is that the original bill said that postal vote envelopes that are postmarked on the Sunday after an election would be accepted as legitimate votes. This amended legislation says that postal votes postmarked after election day will not be accepted. That bothers me a bit. I can see a rationale behind it, but post offices will not frank letters posted after 7 o'clock on a Friday. We had discussions with the Electoral Commissioner on this one. He believes there are thousands of votes which are posted late on Friday or during election day and that they are legitimate postal votes, but because the post office will not frank them until the next Monday, in future, if these amendments are brought into law, those people will be disenfranchised. Again, the whole intention of this bill is to make sure that we make it easy for people who are possibly leading fairly frenetic lives to offer legitimate votes and to exercise their legitimate right to vote. I think that is an unfortunate amendment and one that has been brought in at the last minute.

In conclusion, I very much support the amendments brought by my colleague the honourable member for Mildura. They will remove the matter of election funding from this bill. His amendments limit the obligation of the electoral commission to supply copies of the electoral roll to registered parties when those parties do not hold those particular seats. I also support his amendments which encourage further disclosure. I am very disturbed at the extent of the amendments to the bill which have been brought in at the last minute. I believe that the financial disclosure arguments significantly gut the bill, therefore I will not just be opposing the original part of the bill relating to electoral funding; I will also oppose the entire bill.

**Mr ASHLEY** (Bayswater) — I rise to support the bill and perhaps I will throw in some different reasons for doing so than some members have done to date. I was going to confine my remarks to the public funding component of the bill, but I would like to take up something mentioned by the honourable member for

Gippsland West in terms of post offices and postal vote franking.

While the honourable member for Gippsland West was speaking about that issue, it struck me that if we are talking about the importance of the democratic right of people to vote and record their wish and will about what happens next in the nation or the state, then one would think that the very least that would be required of the post office would be that it would frank on the Saturday, the election day, every vote received — —

**Ms Davies** — They won't do it. They're not there!

**Mr ASHLEY** — They can be compelled by law to do that.

**Ms Davies** — This law does not compel them.

**Mr ASHLEY** — This is a state law, but it is not beyond the realms of plausibility that the post office be required to undertake that duty on election days, if on no other days in the year or during the electoral cycle.

Coming to the issue of public funding, it seems to me that when we deal with elections it might be said that we could add to the saying, 'All is fair in love and war' the saying, 'All is fair in elections', because there is a kind of rumbustiousness that often gets out of hand at elections and they tend to be free-for-alls. Over the centuries the task has been to tame those passions and to give them reasonable expression and, by one means or another, reduce what might be called undue influence.

It might sound strange that I should begin by tackling something that has been in place for a long time, but the first area that is worth reflecting upon is the secret ballot. It was put in place to overcome the problem of people running the gauntlet of political personalities or others who would arm-twist and bully them into voting one way or another. The issue was direct undue influence on voters. Historically we dealt with and to a large extent overcame that problem by the creation of the secret ballot. However, I suggest when it comes to the kind of compulsory preferential system of voting that we have there is nevertheless pressure to somewhat prise open the secret ballot, if only metaphorically.

The objective of compulsory preferential voting is to shoehorn certain components of votes in one direction or another. I am not sure that that is entirely right and proper. Indeed, there is virtue in going to a system of optional preferential voting. There is a good deal to be said for first-past-the-post voting. The strange thing about this legislation is that it introduces a \$1.20 payment per vote as long as that vote is the first

preference. No-one will suggest that it would go further, but it is making a point about the validity of that first vote, and not where it may go after that, which has some degree of influence even if it is a cooperative influence or a matter of convenience for many voters.

That brings me to another form of undue influence — that is, partisan funding. Partisan funding to one political party or another is an attempt to influence how an individual or a group of individuals thinks and votes.

What we are dealing with is a tendency, historically, through partisan funding for undue influence to be exerted, both on the voter and, especially, on individual parties, so that parties to one degree or another become beholden to certain interest groups, whether on the Liberal or Labor side. Already today we have had a couple of flare-ups in the chamber, in part because this issue makes us pretty prickly. That kind of thing will not go away; it is part of human behaviour and attitudes and will always be part of elections.

The point about public funding is that in a strange and ironic way it is actually a form of democratising the process of elections. It indicates, especially when there is compulsory voting, that if people are compelled to vote at an election they should at least be given the honour of having information presented in a way that allows some of it at least to be outside the scope of the heavyweights who come in behind to exert the undue influence, if they can, both on the individual and on the parties they may support.

The significance of public funding is that it accords a degree of reality to the concept of free association. It is the equivalent of saying, 'It is right and proper for a nation or a state to recognise the significance and worth of the individuals voting and recording their opinions in that manner'. It may not take the process a long way further down the path of democratisation, if you like — if I can use that term — but at least it is an attempt to honour that basic sense of free association.

Independents are not deprived of public funding, but nevertheless the bill acknowledges the custom of organising into one party or one group or another to pursue goals, visions and objectives and to influence outcomes. In a strange way allowing that to take shape through public funding allows a society to gel in a way that it may not otherwise.

At a time when there are many tensions in societies and a lot of stresses that tend to pull groups apart and individuals away from one another public funding is something that actually draws people back to a sense of solidarity, even beyond their party voting, when that

kind of proposal is put in place. At least it says that you do not give the same degree of scope, the same degree of recognition, to the extreme candidate, the small, fractious, troublemaking individual, perhaps of the right or the left, who may not have the best interests of an electorate or a society in mind and who could quite easily garner a lot of support from groups within a society that have a desire to make trouble and to break that society down.

So in a strange and ironic way I believe that the component of public funding can help knit a society together and propel its democratic intention, recognise it, and give it prominence.

With those few words I conclude my contribution. In supporting the bill I say that the jury is out, and will be out on many of the things that the bill contains, and we will only work some of those things out to better conclusions over time and not necessarily over a short time.

**Mr SMITH** (Glen Waverley) — The way we conduct our elections is the basis of our form of democracy. We are privileged to live in a country where the population believes it has probably the greatest form of freedom of any nation on earth. We are extraordinarily lucky in this respect. We have only to look at the composition of this house to see the people who have chosen Australia as their final destination, as the place where they want to live in the end.

We as a Parliament have to be sure that the way in which we conduct our elections will prolong and preserve our form of democracy, which is our form of freedom. That is what it is all about.

When we have a bill like this coming before the house many of us have misgivings about public funding, and we think about what an ideal situation might be; but then we look at the federal government and we see that it has been receiving public funding for at least 15 years. The community has got used to it, and as a result of the community becoming used to public funding the system itself has not been corrupted.

This is the argument that we have to look at when we are making up our minds as to whether we support or oppose a bill like this. They are some of the considerations that I have taken into account as I have looked at the ideal situation.

However, it is also very important to know that as we realise the modern ways in which society has gone, we realise also that democracy itself is not always properly resourced in a way that we would like. The Australian Labor Party has union support and union money, and

that is no secret; it is the normal way that the party operates. In the past the conservative parties have relied on companies being part of their source of election funding, which can be looked at in two ways. The main part of election funding goes to the advertising we see on television, radio and in the metropolitan papers and those sorts of areas. But there is also the local election money that all of us have to go out and raise to be re-elected within those various electorates.

When it comes to the area of companies giving money to the conservative parties, over the years I suppose you could say that the companies have become intimidated into not giving or they have not given money for whatever other reason. I am sure that members of the Labor Party could give lots of reasons why they would think that people would not want to give money to the conservative parties! But that is the theoretical side. The practical side is that the conservative parties have to be able to compete with the Labor Party in a way that will be fair so that democracy can work, so that people can choose between the parties of the right of centre and the left of centre as we know them in Australia — not the far right or the far left, because Australians are generally not interested in those types of parties. Because the companies that have traditionally been giving them funds over the years have gone down then conservative parties have to think again. Basically what we have with this bill is this conundrum. We in the Liberal Party have decided that we will support the bill for the reasons I have outlined.

One last thing that I would like to mention is that when people are looking at elections again I would like them to consider the old idea of having people vote in subdivisions within electorates rather than being able to vote at any polling booth within their electorate, because I believe that over the years this has become corrupted. I cannot give any specific examples of it because I have not gone on to the — —

**Mr Holding** interjected.

**Mr SMITH** — As soon as I get that sort of response I realise that the honourable member for Springvale is probably up to his neck in that sort of thing and knows all about it! But in any case I would draw the attention of the house to the fact that this is one area that should be considered in any future examination of how the electoral process is working, because this is one area that we need to look at very carefully. As far as this bill before the house today is concerned, I am prepared to give it my support, as is the Liberal Party, and leave it at that.

**Mr INGRAM** (Gippsland East) — I am pleased to speak on this bill. Those on both sides of the house will get an equal serving, I would have thought!

I would like to start with a quote from Charles de Gaulle:

In order to become the master, the politician poses as the servant.

This legislation has come into this place posing as the servant of the people — it will deliver you. I refer to a government press release of 19 March which states:

Victoria will have the toughest disclosure laws for political donations in Australia under new legislation to be introduced to state Parliament ...

So the government is selling this, basically saying, ‘This is going to be really good for democracy. It will promote vibrant, good political discussion in Victoria’.

The problem has come about that a few things have been missed out in that discussion. The main one to focus on is part 12 of the bill, which is the reason for the bill. One of the main reasons for it is to bring in an election commitment, the government says, to have its hands on the public purse. In other words the government wants to get its sticky fingers inside the pocket of every voter in Victoria to take a little bit of money out every time it goes to the polls.

I take a fairly cynical view of how democracy works, but it is amazing: the political parties seem to sell within areas the policies they want to sell. They have a big sheaf of policies, most of which never get to see the light of day. I am sure in Narracan at the last election news of this legislation did not appear in the papers!

I am sure nothing about this legislation appeared on the front page! This is not the major policy that the Labor Party spouted across Victoria, saying, ‘You vote for us and we will put our hands in your pockets to the tune of \$6 million every time we go to an election!’.

**Mr Savage** — Eight million.

**Mr INGRAM** — Eight million dollars, I am sorry; I do not want to be an auctioneer here. This happens everywhere with a lot of policies. I did not see too much about the Labor Party’s social agenda flashing up in East Gippsland as a major Labor Party policy platform. I did not see that happening.

*Honourable members interjecting.*

**Mr INGRAM** — I will not take up interjections. The Independents had some discussions with Colin Barry, who is the Electoral Commissioner in Victoria

and who does a very good job. We were discussing the implementation of this bill, and he gave a very clear indication to us that basically the first half of this proposed legislation is a review of the electoral laws in Victoria because the existing ones are fairly ancient. They date back to 1958 and there have been very few changes made to them since then.

**Ms Gillett** — That is not ancient!

**Mr INGRAM** — They are nearly as old as I am. Mr Barry told us that there is a whole range of changes that need to be done to bring the electoral laws in the state up to date.

He said he basically had a free hand with no political interference in the process he went through of updating the legislation to make it more relevant to today’s society, to the way we vote and to the way things happen out on the ground. We thought, ‘This is a really good process’. We were told that half of the provisions in this bill will make changes to the Electoral Act and that the review had been done totally free of political influence. The Independents tried to ring Mr Barry just before to inform him that 158 house amendments are to be made to the bill before us today, most of which relate to the part of the bill that was said to be totally free of any political interference.

We woke up today, but unfortunately Colin Barry was not available. He told us this was a really good process, but unfortunately it appears that somewhere in the intervening period over the past few days the political parties have got their hands on a whole raft of changes. The National Party indicated that it had not been consulted, and we certainly have not been consulted on most of them — some of them, yes, but not on most of them.

**Mr Wilson** interjected.

**Mr INGRAM** — I will not take up the interjection. A free and independent process to change the electoral laws somehow got a smidgin tainted on the side. We will obviously address the house amendments in committee.

It would be good to go to a poll on this bill, particularly on part 12, which deals with the public funding provisions, to see how many people out there in the real world — the voters and the punters who are actually going to vote at the next election — support the taxpayer politically donating.

*Honourable members interjecting.*

**Mr INGRAM** — Yes, I know there are a few members here putting their hands up because that will mean they will not have to go out and raise the funds. This is an indication that the political parties are struggling to raise enough funds, and the reason for that is that we are going down the road of the United States-style presidential campaigns. Parties put their leader up as their figurehead and blast their advertising across the television media. This costs an incredible amount of money, and the way we are structuring it is getting away from what democracy is. We in this place are the servants of our electorates, and we are elected to represent our electorates. We are not here to represent a political party.

Too many people out there are disillusioned with the political process. In a lot of city electorates the local members are nameless people who are members of political parties and who are hiding behind the shield of those political parties. Because they are now no longer servants of their electorates, they think they can come in here and stand behind the party banner and vote as a block on whichever side of the house they sit.

**Mr Wilson** interjected.

**Mr INGRAM** — Very rarely. A fair few voters out there today are feeling their pockets and their wallets with a real sense that they have been violated over the past few days. Voters feel that someone has had their grubby hands in the voters' pockets taking their money out against their will.

That does not mean that there are not some good parts of the bill. There are some positive things in this bill. I will return to that press release which spoke about tightening up on the disclosure laws. One of the proposed amendments to the bill appears to water down the disclosure laws. Instead of having the tightest disclosure laws in Australia, all of a sudden one of the house amendments that the government will be moving appears to be watering down those disclosure laws.

What do we have now? We have a government saying, 'We had better withdraw that press release that went out a while ago and say, "Hang on a second, we no longer have the strongest disclosure laws in Victoria. We are just about the same as everyone else, but we will still take your money and run"'.

A number of the amendments need to be addressed in committee and I hope the Attorney-General will be here to inform the house what the impact of those 158 house amendments will be. Some of the amendments are reasonably major and the house deserves an

explanation of what they will do, and that can be given at the committee stage.

When the honourable member for Gippsland West was speaking she had a few interjections about the definition of the principal place of residence. When country students come to study in the city how should they define their principal place of residence? Are they still residents of the electorate they come from, where most of their worldly belongings are still kept? That definition needs to be tightened up.

Originally the bill dealt with putting party logos on election material. We see this occurring often in elections where grubby local campaigns are generated and authorised by someone who is not clearly identifiable as coming from a political party. We discussed with the Victorian Electoral Commission the way it had originally drawn up the legislation to provide that when any material was clearly political in nature and clearly identifiable as coming from a political party, the responsibility would go back directly onto the head of the party secretary in the city.

In the past people on the ground were basically dodging responsibility by putting out election material in the last couple of days of election campaigns to generate smear campaigns against candidates. Those provisions appear to have been changed by some of these house amendments and that needs some clarification, because I thought it was a good thing that the bill had tightened those provisions up and imposed some responsibility in those circumstances.

The real issue here is that we have a robust democracy in this country and it is incredibly important that we keep it that way. The only way we will keep that is if the people out there who are voting believe they are voting for their local member and not for a political party. The further we follow that United States style of campaign, the more we diminish the impact of the individual on policies.

One of the arguments that has been put fairly strongly by those who are trying to sell this legislation is that bringing in public funding will reduce the influence that major corporations, unions and everyone else can have on the political process. I am sure the Labor Party would be very grateful for that, because a couple of its unions seem to be running away a bit at the moment. Maybe because of that it is trying to get some of that funding.

Recently we have seen the federal government basically charging cash for comment, cash for access to ministers, and the same thing — cash for access to

ministers — is happening in Victoria. This is going on right across the political spectrum. I think that is not what this is about.

Federally public funding is over \$1.80 per vote in both houses of Parliament, but large corporations still have a major influence over the political process and over policy. There is no less reliance on corporate donations; all we are doing is letting more flood in and putting that additional cash directly into highly focused political TV advertising. One of the simple solutions to this would be to get rid of political TV advertising; to get it back to the grassroots where politics should be so that people are out there influencing their local people and really have some connection with the people they represent.

I will be opposing the legislation. I think the bill will go through the committee stage. Some answers are needed on some of the amendments that have been brought in at the last minute. We will be asking for some explanation of those. The major political parties have a lot to answer for, for getting their grubby hands on the taxpayers' purse without asking them first. I think they will be held to account for this process because it has been in breach of the faith of the public and is against everything that members of Parliament should stand for.

**Mr LANGUILLER** (Sunshine) — I rise today in support of the Electoral Bill 2001. It needs to be said that this is the result of a number of exercises that have occurred in the last century, particularly those housekeeping exercises that occurred in 1958, and prior to that in the 1890s and so on.

I think it is important to put on record that we have come a long way in terms of the way in which our democracy works. At our first election in 1843 only adult males who owned property worth more than £200 could take part. Alternatively, those who had freehold property or householders with an annual income of £20 were given the right to vote in the New South Wales Legislative Council elections. It was subsequently, during the 1850s, that other colonists introduced partly elected Legislative Councils and allowed a similar property-based suffrage.

Once we put it in context we recognise how far we have come and how much progress has been made during the course of the last century and a bit. In 1859, all colonies except Western Australia had been granted self-government and full parliamentary democracy. It is important to register that Victoria was the last state to extend the right to vote to women.

This bill's main aims are to improve administrative procedures for the conduct of elections. It aims to make it easier for country electorates and other election stakeholders to understand electoral procedures; it will enable the application of new technologies to the conduct of elections; and last but not least it will make provisions for election funding and disclosure of political parties.

This bill will bring us into the 21st century. It will make provisions for people who are otherwise typically unable to vote.

For instance, it will provide for those who are confined to hospitals and others who are overseas and are willing to vote prior to election day. It is not the case that that cannot happen today, but the new provisions will make it easier and will give them the automatic right to do so.

The bill recognises that society and lifestyles have changed and that new and modern provisions need to be made for people to have much better access to the ballot box for the purpose of voting. The bill provides that electors can cast an early postal vote as of right instead of having to satisfy certain criteria to be entitled to vote before election day. I genuinely believe that this is an issue certainly of democracy but also of social justice, access and equity insofar as the passage of this legislation enables people who are otherwise unable to vote to do so.

We should commend the Attorney-General for advancing in this state modern legislation which will, amongst other things, ensure that the Victorian Electoral Commission can work at its best by allowing and enabling the introduction of new technologies — for example, computers — and making provision for people to be able to vote electronically interstate and overseas. These are important arrangements, as are the provisions that convert the current terminology into modern language. For example, polling places are to be called voting centres and we will now have election managers. This language will be more easily understood by the electors in the community.

I certainly do not take for granted the right to vote. It is important to place on the record that many members of the Victorian and Australian communities come from countries where the right to vote was taken away from them, and I include myself in that group. As honourable members may be aware, I came to Victoria from Uruguay in 1973 precisely because, amongst other things, the right to vote was taken away from us — from the people — by a military dictatorship.

The same thing happened subsequently in Argentina, Chile and many other countries in Asia and Africa whose governments have taken away the most basic democratic right: the right to elect to those who govern and manage the state and administer the funds and resources of the state or country. The right to vote is not to be taken for granted, and it is not to be assumed that every nation in the international community has the capacity to manage its society, the state, its elections and its government in a civil way and allow smooth passage of legislation and smooth transfer from one government to the next.

Honourable members will be aware that one in four or one in five of us comes from a country outside Australia, many of which countries have taken away such rights. Consequently, with the utmost respect, I say that there are members of our community, and I humbly suggest myself as an example, who really appreciate the value of the right to vote and who do not take it lightly or jokingly. We come from lands where that right has been taken away from us and we appreciate it very much. Consequently we value the contribution we can make to bills such as this.

In my objective judgment, this is the best democracy there is. Our democracy elects governments in not only a peaceful but also a modern way and in as just a manner as is possible to achieve. I am also sure there are ways that we can improve our electoral system, and we will continue to work in that direction as previous generations have in order to bring us to where we are today.

I repeat that our first election, held in 1843, was only for those who owned property. Today every member of our community can vote: women, indigenous people and people from other communities who have become Australian citizens, and so on. That says a lot that is good about this community and we ought to be seriously proud of that and continue to improve our democracy and ensure that in future the best democracy is upheld.

Before concluding, I commend the Attorney-General and this government for advancing this legislation. It will bring about and enable the use of new technologies and will make sure that just about every other member of the community who up to this point has had difficulty in voting will now be able to vote. I wish the legislation speedy passage.

**Mr HOLDING** (Springvale) — I am very pleased to make a contribution to the debate on the Electoral Bill and happy to follow the honourable member for Sunshine. I agree with his sentiments and his comments

about the scheme of electoral arrangements we have in Victoria. I also believe that the electoral system we have in Australia, both here in Victoria and nationally, is the best electoral system and the best system of mechanics for conducting elections anywhere in the world.

At the outset, I congratulate Colin Barry, the Victorian Electoral Commissioner, and all his team at the Victorian Electoral Commission (VEC) for their input into this legislation and the work they do generally in their conduct of elections.

One of the important things spelt out in this bill is that the VEC, as I understand the legislation, becomes a body corporate. That is a very important measure and confirms the VEC's central role in the conduct of elections here in Victoria.

I looked at the absurd situation that existed in the United States during their last presidential election. The most important feature that differentiated the system of electoral procedures we have here in Australia from the circumstances that existed in the United States last year is the role of the electoral authorities in United States compared with the role of the electoral authorities here in Australia.

In the United States the electoral machinery is actually controlled by bipartisan appointees of the different political parties. So if you are unfortunate enough to live in the state of Florida, which has a Republican administration, the electoral officials appointed are basically the agents of the Florida Republican Party. If you happen to live in a Democrat-held state such as Massachusetts, then the electoral officials are the electoral agents and appointees of the Democratic Party in Massachusetts.

We are lucky in Australia that our electoral machinery is controlled by independent, non-partisan, non-political functionaries. It is the single most significant feature of Australia's democratic framework, and it is the most important thing that differentiates our electoral framework from other democracies.

If we look at what happens in the United Kingdom we see that the electoral machinery for a national election is conducted by municipal authorities. For example, different municipal authorities have different election activities, and municipal authorities conduct the actual ballots. The situation was outlined in the book *Were You Still Up for Portillo?*. The municipal authorities conduct a race to be the first to announce the result of the election in their local municipal area. That way they can get on national television and be the first seat to be

declared. That does not contribute to the fair and thorough counting of the election; it is just a public relations exercise for the different municipal authorities. There are ridiculous situations, with police escorts for ballot boxes. They hold the traffic lights in different areas to make sure they get the ballots in and counted as quickly as possible, regardless of how accurate they are in getting the count, which is most unfortunate.

**Sitting suspended 6.27 p.m. until 8.02 p.m.**

**Mr HOLDING** — Before the dinner break I was dealing with the importance of the Victorian Electoral Commission and the Australian Electoral Commission as overarching institutions that ensure that fair and unbiased elections occur in Victoria and throughout Australia. The importance of the bill for the operation of fair elections in Victoria cannot be overstated.

The bill contains a raft of different measures that will improve the operation of the legislative regime for the conduct of fair and free elections. It will introduce a system of public funding, which I will not go into in detail. I know other honourable members have expressed their views on that measure. While I acknowledge that there are a range of views in the chamber, it will serve to make our electoral system more robust and will ensure that the growing reliance on private dollars is at least partially offset by some public funds. While it will not put all candidates on an equal footing, it will at least give them some public support for their election campaigns, provided they are able to at least reach the threshold of 4 per cent of the primary vote.

In conclusion I refer to those aspects of the legislation that will enable the operation of the VEC to better reflect emerging technologies — for example, the provision that will introduce the capacity for the electronic counting of votes. It is important that the whole raft of emerging technologies — not only information technologies but other technologies — are available to make sure the VEC remains at the cutting edge of international electoral best practice.

I refer to clause 90, headed ‘Questions to be asked of voter’, which was touched on by the honourable member for Gippsland West. I know there are some house amendments on this clause, so I will not quote it extensively. In essence the amendments will make it clear that when a voter casts a vote at an election it should be in the electorate of his or her primary place of residence.

I support the sentiments of the honourable member for Gippsland West, who is attempting to ensure that the

legislation makes it clear that for an elector who has a range of addresses — for example, a student — their primary address is the one with which they have a strong affinity. Perhaps it is where their parents live. For example, this legislation will allow a student who is studying in Melbourne but whose parents live in the country to maintain that connection and have their parents’ address as their primary place of residence, meaning that they will be able to vote in that electorate.

It is worth considering the origins of clause 90. As the Attorney-General pointed out in this house a couple of years ago, its origins lie in a situation that occurred at the last state election. Honourable members will recall that a member for Chelsea Province in the other place, the Honourable Cameron Boardman, had the misfortune to cast his ballot in the electoral district of Carrum, even though at the time he was a resident in the electoral district of Frankston. Honourable members may wonder why this was the cause of such comment or significance. Honourable members will recall that the electoral district of Carrum was probably the second-most marginal seat in the state — I think only a little more than 100 votes decided the seat — so having any voter on the roll in that electorate when they ought to have been on the roll somewhere else was significant. If it had been any member of the public we would be very concerned. We are even more concerned because it was a member of this Parliament.

I refer honourable members to an article in the *Herald Sun* of 3 April 2000 headed ‘Reprieve for poll-gaffe Lib’. The issues were canvassed at length, and when the Attorney-General indicated that it was the government’s intention to amend the law to ensure this would not occur in the future, the Honourable Cameron Boardman was reported in the *Herald Sun* as saying:

I’ll believe the amendments when I see them.

I would direct the honourable member’s attention to clause 90. He is a very fortunate MP, in that having transgressed the spirit of the legislation, he will now be in the position of being able to vote on a law which he previously broke! I congratulate him on that. I look forward to his contribution on the legislation in the upper house, and I commend the bill to honourable members.

**Mr HULLS** (Attorney-General) — I thank honourable members for their contribution to this debate. In doing so I thank the Independents for their contributions. I got the impression from hearing what they had to say that they may be opposing this legislation — but we will probably have to wait and see. They have a view in relation to public funding with

which I disagree. That is the beauty of democracy, and funding democracy is what this legislation is all about.

I believe the public funding aspect of the legislation is appropriate, because public funding occurs in most other states. The whole purpose of public funding is to ensure that the holding of elections is far less dependent upon corporate donations. The public has a perception, whether we like it or not, that at election time political parties, whether Liberal, Labor, or National, become dependent on funds from corporate entities. People ask, 'Does this mean that those parties are influenced in their policy-making decisions by corporate entities that donate funds?'

**An honourable member** interjected.

**Mr HULLS** — I will not take up the interjection, because to do so would prolong this debate, and then we would have to go into all sorts of matters that I am sure would embarrass him. But that is the purpose of the funding aspect of the bill.

In relation to the disclosure aspect that the honourable member for Mildura raised, the regime set out in this bill is based on the commonwealth government's disclosure regime. An inquiry is currently being conducted in the Senate on disclosure generally. Submissions have been made to that inquiry and it may well be that as a result the commonwealth government decides to amend its regime. If that is the case, the state government will follow suit. I believe we need a national system on disclosure.

Regarding the cap on donations — if the honourable member for Mildura wants to, we can deal with this in more depth in committee — we made a commitment to cap political donations emanating from gaming enterprises. That includes Tattersalls, Tabcorp and Crown Casino. The original legislation did not relate to associated entities, if you like, of Crown Casino. This bill and the amendments thereto broaden the original legislation to encompass them. We believe, therefore, that is a more stringent regime. The original legislation also enabled parties to receive public finances as of right. This government believes that this ought to be tightened up. The amendments relating to public funding are based on a reimbursement model, whereby an appropriately audited certificate must be supplied by political parties before they actually get the money. So it is about reimbursement, rather than as-of-right funding.

A whole range of other matters in the bill have been required by the Electoral Commissioner to bring our democracy into the 21st century. For far too long a

whole range of issues associated with elections have been dealt with by different acts of Parliament, the main one being the Constitution Act (Amendment) Act, which deals with elections. There has not been a stand-alone electoral act. This is a total rewrite of that legislation, so we will now have a modern, 21st-century electoral bill that will serve us well into the future.

I thank honourable members for their contributions on this legislation. It is good legislation, and it is long overdue. It fulfils a commitment that this government made before the last election to introduce legislation to ensure the public funding of election campaigns. I do not shy away from that in any way. I think that it is appropriate. I certainly wish this bill a very speedy passage.

**The ACTING SPEAKER (Mr Seitz)** — Order! This bill requires to be passed by an absolute majority. As there is not an absolute majority of members in the house I ask the Clerk to ring the bells.

**Bells rung.**

**Members having assembled in chamber:**

**The SPEAKER** — Order! The question is that the bill be now read a second time. All those of that opinion say aye, to the contrary no. As there are some voices for the noes I ask honourable members supporting the bill to stand in their places.

**Required number of members having risen:**

**The SPEAKER** — Order! I am prepared to call that the second reading of this bill has been passed by an absolute majority of the members of the Legislative Assembly.

**Motion agreed to by absolute majority.**

**Read second time.**

**Committed.**

*Committee*

**Clause 1**

**Mr HULLS (Attorney-General)** — I move:

1. Clause 1, page 2, lines 30 and 31, omit "funding and financial disclosure" and insert "expenditure".

This amends clause 1 of the bill, which provides an outline of the legislation. This amendment replaces the reference to 'funding and financial disclosure' with a reference to 'expenditure' as a result of significant changes to part 12 of the bill.

**Mr SAVAGE (Mildura) — I move:**

1. Clause 1, page 2, lines 30 and 31, omit “election funding and financial disclosure” and insert “disclosure of electoral expenditure”.

My amendment on this occasion is consequential. It relates to the removal of the words ‘election funding and financial disclosure’ from the provision.

**Mr HULLS (Attorney-General) —** The government will be opposing the amendment moved by the honourable member for Mildura. His amendment replaces the reference to ‘election funding and financial disclosure’ with reference to the ‘disclosure of electoral expenditure’. The government does not believe the honourable member’s amendment is necessary because the government’s house amendment does effectively the same thing.

**The CHAIRMAN —** Order! In relation to voting on these amendments, there is only one difference between the amendment moved by the Attorney-General and the amendment moved by the honourable member for Mildura, and that is the word ‘election’. The committee has to vote in relation to the word ‘election’ before it gets to the amendment moved by the Attorney-General. If the Attorney-General’s amendment passes, the amendment of the honourable member for Mildura no longer requires voting on. So the first question in relation to clause 1 is:

That the word ‘election’ stand part of the bill.

**Committee divided on omission (members in favour vote no):**

*Ayes, 80*

Allan, Ms	Lenders, Mr
Allen, Ms	Lim, Mr
Asher, Ms	Lindell, Ms
Ashley, Mr	Loney, Mr
Baillieu, Mr	Lupton, Mr
Barker, Ms	McArthur, Mr
Batchelor, Mr	McCall, Ms
Beattie, Ms	McIntosh, Mr
Bracks, Mr	Maclellan, Mr
Brumby, Mr	Maughan, Mr
Burke, Ms	Maxfield, Mr
Cameron, Mr	Mildenhall, Mr
Campbell, Ms	Mulder, Mr
Carli, Mr	Naphine, Dr
Clark, Mr	Nardella, Mr
Cooper, Mr	Overington, Ms
Delahunty, Mr	Pandazopoulos, Mr
Delahunty, Ms	Paterson, Mr
Dixon, Mr	Perton, Mr
Doyle, Mr	Peulich, Mrs
Duncan, Ms	Phillips, Mr
Elliott, Mrs	Pike, Ms
Fyffe, Mrs	Richardson, Mr
Garbutt, Ms	Robinson, Mr

Gillett, Ms	Rowe, Mr
Haermeyer, Mr	Ryan, Mr
Hamilton, Mr	Seitz, Mr
Hardman, Mr	Shardey, Mrs
Helper, Mr	Smith, Mr ( <i>Teller</i> )
Holding, Mr	Spry, Mr
Honeywood, Mr	Steggall, Mr
Howard, Mr	Stensholt, Mr
Hulls, Mr	Thompson, Mr
Jasper, Mr	Thwaites, Mr
Kosky, Ms	Treize, Mr
Kotsiras, Mr	Viney, Mr
Langdon, Mr ( <i>Teller</i> )	Vogels, Mr
Languiller, Mr	Wells, Mr
Leigh, Mr	Wilson, Mr
Leighton, Mr	Wynne, Mr

*Noes, 3*

Davies, Ms	Savage, Mr ( <i>Teller</i> )
Ingram, Mr ( <i>Teller</i> )	

**Question agreed to.**

**Mr Hulls’s amendment agreed to; amended clause agreed to; clause 2 agreed to.**

**Clause 3**

**Mr HULLS (Attorney-General) — I move:**

2. Clause 3, page 3, line 22, omit “168” and insert “167”.
3. Clause 3, page 6, lines 5 and 6, omit “an electoral roll prepared under section 29” and insert “a list prepared under section 29 of the names and addresses of electors who are eligible to vote at a particular election”.
4. Clause 3, page 7, line 8, omit “168” and insert “167”.
5. Clause 3, page 8, line 9, omit “167(1)” and insert “166(1)”.
6. Clause 3, page 8, line 26, after “21” insert “that contains the names and addresses of all electors and the particulars required under the Act”.

**Amendments agreed to; amended clause agreed to; clauses 4 to 22 agreed to.**

**Clause 23**

**Mr HULLS (Attorney-General) — I move:**

7. Clause 23, page 27, line 17, omit “Subject to section 27(3), if” and insert “If”.

**Amendment agreed to; amended clause agreed to; clauses 24 and 25 agreed to.**

**Clause 26**

**Mr HULLS (Attorney-General) — I move:**

8. Clause 26, page 32, line 7, after “company” insert “or a retailer”.

**Amendment agreed to; amended clause agreed to.****Clause 27**

**Mr HULLS (Attorney-General) — I move:**

9. Clause 27, page 32, lines 23 to 25, omit “make any alterations to the register of electors that the Commission thinks necessary to”.
10. Clause 27, page 32, lines 27 to 31 and page 33, lines 1 to 3, omit sub-clause (3).

**Amendments agreed to; amended clause agreed to; clauses 28 to 31 agreed to.****Clause 32**

**Mr HULLS (Attorney-General) — I move:**

11. Clause 32, omit this clause.

**Mr INGRAM (Gippsland East) — I ask the Attorney-General to explain what this amendment actually does in practice.**

**Mr HULLS (Attorney-General) —** This amendment omits clause 32, which will be replaced by a new provision that will be inserted by amendment 154. Amendment 154 deals with the financial disclosure regime. There is to be a change in the entire financial disclosure regime, as I said earlier, making it consistent with the commonwealth regime. As a result disclosure is dealt with throughout the act, so a whole range of amendments have to be made to ensure that the disclosure regime is in sync with the commonwealth disclosure regime. This amendment is part of that.

**Amendment agreed to.****Clause negatived.****Clause 33**

**Mr HULLS (Attorney-General) — I move:**

12. Clause 33, page 36, lines 1 to 13, omit sub-clause (3) and insert —

“( ) Following a redivision under the **Electoral Boundaries Commission Act 1982**, the Commission must provide each member of the Assembly, free of charge, a list specifying electors for the district for which the member was elected and a list specifying electors for the district whose name and boundary is published under section 15 of that Act after the redivision and that, in the opinion of the Commission, most resembles the district for which the member was elected and the particulars of the electors on both lists —

- (a) as soon as practicable after the redivision; and

- (b) on receiving a request from the member not more than once each year until the Assembly is dissolved.

- ( ) Following a redivision under the **Electoral Boundaries Commission Act 1982**, the Commission must provide each member of the Council, free of charge, a list specifying electors for the province for which the member was elected and a list specifying electors for the province whose name and boundary is published under section 14 of that Act after the redivision and that, in the opinion of the Commission, most resembles the province for which the member was elected and the particulars of the electors on both lists —

- (a) as soon as practicable after the redivision; and

- (b) on receiving a request from the member not more than once each year until the dissolution of the second Assembly after the member has been elected.”.

**Mr INGRAM (Gippsland East) —** This appears to be an amendment that reduces the public disclosure laws. When this bill was first highlighted, it was indicated that Victoria would have the toughest disclosure laws for political donations in Australia.

This amendment seems to be watering down that disclosure regime, which the Attorney-General was selling as one of the highlights of the bill when it was first put up. I ask the Attorney-General whether this amendment does water down the disclosure regime, particularly for those fundraising bodies set up by political parties, thereby limiting accountability and the ability to trace-back who is basically putting money into those organisations. I ask the Attorney-General to explain what the amendment does, what the reasons behind it are and why he is going against the original intention of the legislation and his first public position.

**Mr HULLS (Attorney-General) —** In relation to the matters raised by the honourable member, amendment 12 deals with clause 33, which relates the provision of enrolment information to political parties, members and candidates. That clause provides that after a redistribution of electoral boundaries the commission must provide — —

**Mr Ingram —** I had the wrong amendment.

**Mr HULLS —** We will deal with the issue raised by the honourable member when we get to it, but this particular amendment does not relate to the matters he has raised but to the provision of enrolment information to political parties. I know the Independent members of Parliament expressed concern that they would be disadvantaged by this because they would not be entitled to receive a list of electors for new districts.

House amendment 12 amends clause 33 to require the commission to provide a list of electors for the members of both current districts and new districts which most resemble the current districts as soon as possible after a redivision and, on request from the member, no more than one year after the assembly was dissolved. So I would have thought this amendment will be of some assistance.

The provisions relating to the members in another place have been amended slightly to require the commission to provide lists of electors for both the members' current provinces and the new provinces which most resemble the current provinces as soon as possible after a redivision. But in relation to public funding, if the honourable member wants to raise that when we get to it I will deal with it then.

**Mr SAVAGE (Mildura) — I move:**

2. Clause 33, page 35, line 17, omit "and their" and insert "for the district or province for which each member of the Assembly or Council endorsed by the party was elected and the electors".
3. Clause 33, page 35, line 23, omit "11 times" and insert "once".

Amendment 2 relates to the electoral commission having an obligation to supply copies of an electoral roll to a registered party in those districts and provinces represented by members of that party. In other words, if the party did not have members elected in that area they could not claim information from the electoral commission.

Amendment 3 relates to the limit of the entitlement being the same as that of a member of Parliament — one free request per year, not 11, as is the case with a political party.

**Mr HULLS (Attorney-General) — I understand the nature of the honourable member's amendment. However, the government is opposing it because we believe this significantly reduces the amount of information available to political parties. The amendment proposes that a party is only entitled to receive a list once a year upon request. We believe, as I said, that this would reduce the amount of information available.**

**Mr Savage's amendments negatived; Mr Hulls's amendment agreed to; amended clause agreed to.**

#### Clause 34

**Mr HULLS (Attorney-General) — I move:**

13. Clause 34, omit this clause.

**Amendment agreed to.**

**Clause negatived**

#### Clause 35

**Mr HULLS (Attorney-General) — I move:**

14. Clause 35, line 28, after "34" insert "and on any finding made under that section".

**Amendment agreed to; amended clause agreed to; clauses 36 to 44 agreed to.**

#### Clause 45

**Mr HULLS (Attorney-General) — I move:**

15. Clause 45, page 43, line 29, after "registered" insert "if the political party had not made an application for registration within the previous 6 months that was refused by the Commission".

In moving this clause I take the liberty of going back to the matter raised by the honourable member for Gippsland East concerning my house amendment 11. I think I advised him that it was part of the disclosure regime linking into the commonwealth regime. This is a fairly complicated exercise.

Amendments 43 to 153, as well as amendments 157 to 158, all relate in part to disclosure. My house amendment 11, which he earlier referred to, omits existing clause 32 and substitutes a new clause 32, which as I said relates to my house amendment 154. Amendment 154 retains the status quo: clause 32 provides that the latest print of any electoral roll is available for public inspection. Concern was expressed about reduced public access to enrolment information, since at present an alphabetical list — that is the A-to-Z list — of the names and addresses of all electors, which is updated every six months, is available for inspection on CD-ROM at the Victorian Electoral Commission. House amendment 154 amends the bill to ensure that the public continues to have access to the information currently provided, so it retains the status quo.

**Amendment agreed to; amended clause agreed to; clause 46 agreed to.**

#### Heading to clause 47

**Mr HULLS (Attorney-General) — I move:**

16. Heading to clause 47, line 10, omit "*Parties*" and insert "*parties*".

**Amendment agreed to; amended heading agreed to; clause 47 agreed to.**

**Clause 48**

**Mr HULLS (Attorney-General) — I move:**

17. Clause 48, page 46, line 27, after “Commission” insert “within 45 days after receiving the notice”.
18. Clause 48, page 47, line 4, omit “30” and insert “45”.

**Amendments agreed to; amended clause agreed to; clauses 49 to 64 agreed to.**

**Clause 65**

**Mr HULLS (Attorney-General) — I move:**

19. Clause 65, page 60, line 21, omit “give” and insert “show”.

**Amendment agreed to; amended clause agreed to; clauses 66 to 68 agreed to.**

**Clause 69**

**Mr HULLS (Attorney-General) — I move:**

20. Clause 69, page 63, line 15, after “candidate” insert “and by 6 persons entitled to vote at the election for which the candidate is nominated”.

**Mr INGRAM (Gippsland East) —** During our discussions in briefing on this bill, the Victorian Electoral Commissioner indicated that the change proposed previously by the bill to not require six persons entitled to vote to sign a nomination caused the electoral commission some problems in that when nominations were put in late the commissioner would have to go around checking them. The commissioner believed that the change originally made by the bill was a very positive one. I ask the Attorney-General to explain why that change has been made and to indicate whether it has been made after discussions with the Victorian Electoral Commissioner.

**Mr HULLS (Attorney-General) —** It is true that the Victorian Electoral Commission (VEC) did make a number of recommendations about the original bill — The Constitution Act Amendment Act — and it is true that not all those recommendations have been adhered to.

In relation to this particular amendment, the bill removed the requirement that candidates not endorsed by a registered political party be nominated by six persons entitled to vote for the candidate’s electorate. Some concern was expressed by the VEC as to whether or not that was still appropriate. The original bill made some changes; on reflection it was agreed that a person nominating ought to be able to show that they have at least some support. They will either need to be

nominated by a political party or, alternatively, they will need to have six people sign their nomination form.

The reality is that if you cannot get six people to sign your nomination form it shows that you do not have much support around the place. I am quite sure that the honourable member for Gippsland East, as popular as he is in his electorate, would have absolutely no problem at all getting at least six people to sign his nomination form, so I do not think he has anything to fear from this amendment.

**Amendment agreed to; amended clause agreed to; clauses 70 to 72 agreed to.**

**Clause 73**

**Mr HULLS (Attorney-General) — I move:**

21. Clause 73, page 66, lines 29 to 31, omit sub-clause (1) and insert —

“( ) If there is more than one candidate for an election in a district or province, an election must be held.”.

**Amendment agreed to; amended clause agreed to; clauses 74 to 82 agreed to.**

**Clause 83**

**Mr HULLS (Attorney-General) — I move:**

22. Clause 83, page 75, line 16, omit “T-shirt” and insert “an item of clothing”.
23. Clause 83, page 75, line 17, after “badge,” insert “fridge magnet,”.
24. Clause 83, page 75, lines 23 to 33, omit sub-clauses (5) and (6).

**Amendments agreed to; amended clause agreed to; clauses 84 to 86 agreed to.**

**Clause 87**

**Mr HULLS (Attorney-General) — I move:**

25. Clause 87, lines 11 to 13, omit these lines and insert “section 22(1), is enrolled in respect of the address of the person’s principal place of residence or the address of the place that was the person’s principal place of residence”.

**Amendment agreed to; amended clause agreed to; clauses 88 and 89 agreed to.**

**Clause 90**

**Mr HULLS (Attorney-General) — I move:**

26. Clause 90, page 81, lines 9 and 10, omit “Have you lived at (the address shown on the electoral roll)” and

insert "Has (the address shown on the electoral roll) been your principal place of residence".

**Amendment agreed to; amended clause agreed to; clauses 91 to 97 agreed to.**

**Clause 98**

**Mr HULLS (Attorney-General) — I move:**

27. Clause 98, after line 17, insert —

"(2) In relation to voting at an early voting centre, sections 90 to 96 apply, so far as relevant."

**Amendment agreed to; amended clause agreed to.**

**Clause 99**

**Mr HULLS (Attorney-General) — I move:**

28. Clause 99, omit this clause.

**Amendment agreed to.**

**Clause negatived.**

**Clauses 100 to 105 agreed to.**

**Clause 106**

**Mr HULLS (Attorney-General) — I move:**

29. Clause 106, page 90, lines 9 and 10, omit these lines and insert "day on or before election day; or".

**Amendment agreed to; amended clause agreed to; clauses 107 and 108 agreed to.**

**Clause 109**

**Mr HULLS (Attorney-General) — I move:**

30. Clause 109, page 91, lines 30 and 31, omit "Have you lived at the address for which you are enrolled" and insert "Has (the address shown on the electoral roll) been your principal place of residence".

**Amendment agreed to; amended clause agreed to; clauses 110 to 122 agreed to.**

**Clause 123**

**Mr SAVAGE (Mildura) — I move:**

4. Clause 123, page 101, line 30, omit " — " and insert —

“; and

- ( ) each candidate at the election who received at least 4% of the total number of first preference votes and who makes a request in respect of the district or province for which the candidate sought election — “.

This amendment relates to where the Victorian Electoral Commission is to provide to candidates who poll at least 4 per cent of the primary vote the same information concerning voters as it is required to provide to registered parties. The example I use is that at the last state election Chris Hazelman in Shepparton polled 35 per cent of the vote but he would be excluded from getting this information because he is not a current candidate or member of Parliament.

**Mr HULLS (Attorney-General) —** The government does not support this amendment. It is true that the amendment moved by the honourable member for Mildura proposes amending clause 123, which provides that after an election the Victorian Electoral Commission must make the results available and must provide details of voters to registered political parties and to independent members who request this information. To ensure that this information is treated as confidential, under the current bill the misuse of this information will attract a penalty.

The amendment moved by the honourable member for Mildura proposes amending this clause to require the commission to provide to candidates who poll at least 4 per cent of the primary vote the same information concerning voters as it would be required to provide to members of Parliament who are not members of registered political parties. The government and I believe that the proposed amendment gives rise to some substantial privacy concerns because obviously the information would be far more widely available than is currently provided for by this bill.

Members of Parliament have ongoing and continuous responsibilities to the Parliament after an election as well as to their electorates. In contrast, of course, unsuccessful candidates do not have any real status following an election. While the honourable member cited the case of a candidate who received 35 per cent of the vote, it has to be remembered that unsuccessful candidates have no status after elections; they are simply defeated or failed candidates and have no responsibilities to the electorate and no responsibilities to the Parliament. Indeed, there are other candidates who would fit into the category of receiving perhaps just on or over 4 per cent of the vote who would also be covered by the honourable member's amendment. The government believes that because of the matters I have raised this information should not be available, and it cannot support the amendment.

**Mr SAVAGE (Mildura) —** I wish to make a further observation on that particular clause, on the basis that, for instance, while Shepparton is held by the National

Party, all other registered political parties can get that information — that is where it is unfair.

We can say that a candidate is not a member of Parliament, so therefore he is not entitled to that information — but neither is the Liberal Party nor the Labor Party, but they can get the information. Therefore it is unfair.

**Mr HULLS (Attorney-General)** — I understand that matter being raised by the honourable member. He is an Independent and, indeed, one might say that there are advantages in being a member of a political party.

*Honourable members interjecting.*

**Mr HULLS** — Well, they might say that!

Indeed, this bill refers throughout to political parties and party members — that is what the whole bill is about. It is about the entitlements of registered political parties, and Independent members, but not failed candidates. That is why there are different arrangements for Independent members of Parliament and political parties, as opposed to candidates only.

**Amendment negatived; clause agreed to; clauses 124 to 134 agreed to.**

#### Clause 135

**Mr HULLS (Attorney-General)** — I move:

31. Clause 135, line 25, omit “prescribed sum” and insert “sum of \$100”.

**Amendment agreed to; amended clause agreed to; clauses 136 to 161 agreed to.**

#### Clause 162

**Mr HULLS (Attorney-General)** — I move:

32. Clause 162, omit this clause.

**Amendment agreed to.**

**Clause negatived.**

**Clause 163 agreed to.**

#### Clause 164

**Mr HULLS (Attorney-General)** — I move:

33. Clause 164, page 120, line 9, omit “163” and insert “162”.

**Amendment agreed to; amended clause agreed to.**

#### Clause 165

**Mr HULLS (Attorney-General)** — I move:

34. Clause 165, page 121, line 8, omit “164” and insert “163”.
35. Clause 165, page 121, line 29, omit “163” and insert “162”.

**Amendments agreed to; amended clause agreed to.**

#### Clause 166

**Mr HULLS (Attorney-General)** — I move:

36. Clause 166, line 10, omit “163” and insert “162”.

**Amendment agreed to; amended clause agreed to.**

#### Clause 167

**Mr HULLS (Attorney-General)** — I move:

37. Clause 167, page 122, line 29, omit “165” and insert “164”.
38. Clause 167, page 122, line 30, omit “165” and insert “164”.

**Amendments agreed to; amended clause agreed to; clause 168 agreed to.**

#### Clause 169

**Mr HULLS (Attorney-General)** — I move:

39. Clause 169, line 26, omit “171” and insert “170”.

**Amendment agreed to; amended clause agreed to; clause 170 agreed to.**

#### Clause 171

**Mr HULLS (Attorney-General)** — I move:

40. Clause 171, line 16, omit “167(1)” and insert “166(1)”.

**Amendment agreed to; amended clause agreed to; clauses 172 and 173 agreed to.**

#### Clause 174

**Mr HULLS (Attorney-General)** — I move:

41. Clause 174, line 33, omit “173” and insert “172”.

**Amendment agreed to; amended clause agreed to; clauses 175 to 181 agreed to.**

#### Clause 182

**Mr HULLS (Attorney-General)** — I move:

42. Clause 182, line 25, omit “223” and insert “215”.

**Mr SAVAGE (Mildura) — I move:**

5. Clause 182, page 132, line 25, omit “Except as otherwise provided by section 223, the” and insert “The”.

The explanation is that these amendments relate to the removal of provisions concerning election funding and financial disclosure. Their effect is to remove those provisions and to allow the \$5000 expenditure limit to remain. Candidates will still be subject to the current obligations to file returns on election expenditure.

**Mr HULLS (Attorney-General) —** This is where the thrust of the difference between the amendments by the honourable member for Mildura and the proposed amendments of the government lies. Basically, amendments 5 to 105 proposed by the honourable member for Mildura refer mainly to part 12 of the bill, which deals with election funding and disclosure. Amendment 5 by the honourable member for Mildura is to clause 182 of the bill and is only necessary as a consequence of the proposed house amendments to part 12 — so it is a consequential amendment and we can deal with all of those in due course.

The government opposes this amendment and will oppose all amendments numbered 5 to 105 by the honourable member for Mildura for the reasons I have already outlined — namely, that we believe in the public funding of elections. That was an election commitment and these amendments deal with that very issue. The government also believes that with public funding the disclosure regime should be as per the commonwealth and that there should be a national disclosure regime. If the commonwealth tightens up its regime, as I said, as a result of the current inquiry and makes recommendations, we will go down that path. Indeed, I am more than happy to say that on the record.

As a result we will be opposing the honourable member for Mildura’s amendments 5 to 105.

**Mr Savage’s amendment negated; Mr Hulls’s amendment agreed to; amended clause agreed to; clauses 183 to 206 agreed to.**

**Part heading preceding clause 207****Mr SAVAGE (Mildura) — I move:**

6. Part heading preceding clause 207, omit “**ELECTION FUNDING AND FINANCIAL DISCLOSURE**” and insert “**DISCLOSURE OF ELECTORAL EXPENDITURE**”.

**Mr HULLS (Attorney-General) — I move:**

43. Part heading preceding clause 207, omit “**FUNDING AND FINANCIAL DISCLOSURE**” and insert “**EXPENDITURE**”.

**Mr Savage’s amendment negated; Mr Hulls’s amendment agreed to; amended part heading agreed to.**

**Division heading preceding clause 207****Mr SAVAGE (Mildura) — I move:**

7. Division heading preceding clause 207, omit this heading.

**Amendment negated.**

**Clause 207****Mr HULLS (Attorney-General) — I move:**

44. Clause 207, page 149, lines 6 to 33 and page 150, lines 1 to 6, omit these lines.
45. Clause 207, page 150, line 9, after “payment” insert “, gift”.
46. Clause 207, page 150, lines 30 to 33 and page 151, lines 1 to 9, omit these lines and insert —

“**election period**” in relation to an election, means the period that starts on the day on which the writ was issued for the election and ends at 6 p.m. on election day;

“**electoral expenditure**”, in relation to an election, means expenditure incurred within the period of 12 months immediately before election day on —

- (a) the broadcasting of an advertisement relating to the election; or
- (b) the publishing in a journal of an advertisement relating to the election; or
- (c) the display at a theatre or other place of entertainment, of an advertisement relating to the election; or
- (d) the production of an advertisement relating to the election, being an advertisement that is broadcast, published or displayed as mentioned in paragraph (a), (b) or (c); or
- (e) the production of any material in relation to the election (not being material referred to in paragraph (a), (b) or (c)) that is required under section 83 to include the name and address of the author of the material or of the person authorising the material; or
- (f) the production and distribution of electoral matter that is addressed to particular persons or organisations; or

- (g) fees or salaries paid to consultants or advertising agents for —
  - (i) services provided, being services relating to the election; or
  - (ii) material relating to the election; or
  - (h) the carrying out of an opinion poll, or other research, relating to the election;

“**entitlement**” means the amount determined in accordance with section 211;’.

47. Clause 207, page 151, line 22, omit “Division 3” and insert “this Part”.

48. Clause 207, page 151, lines 26 to 28, omit these lines.

49. Clause 207, page 151, after line 31 insert —

“**political donation**” means a gift to a registered political party;’.

50. Clause 207, page 152, lines 4 to 7, omit these lines and insert —

“**relevant licence**” means a licence granted under —

- (a) section 13 of the **Casino Control Act 1991**; or
- (b) section 33 of the **Gaming Machine Control Act 1991**;

“**statement**” means the statement given to the Commission under section 208.’.

**Mr SAVAGE (Mildura) — I move:**

8. Clause 207, page 149, line 7, omit “210 or 211” and insert “208”.

9. Clause 207, page 149, after line 7 insert —

“**election period**”, in relation to an election, means the period that starts on the day on which the writ was issued for the election and ends at 6 p.m. on election day;

“**electoral expenditure**”, in relation to an election, means expenditure incurred (whether or not incurred during the election period) on —

- (a) the broadcasting, during the election period, of an advertisement relating to the election; or
- (b) the publishing in a journal, during the election period, of an advertisement relating to the election; or
- (c) the display, during the election period, at a theatre or other place of entertainment, of an advertisement relating to the election; or
- (d) the production of an advertisement relating to the election, being an advertisement that is broadcast, published or displayed as mentioned in paragraph (a), (b), or (c); or

- (e) the production of any material (not being material referred to in paragraph (a), (b) or (c)) that is required under section 83 to include the name and address of the author of the material or of the person authorising the material and that is used during the election period; or

- (f) the production and distribution of electoral matter that is addressed to particular persons or organisations and is distributed during the election period; or

- (g) fees paid to consultants or advertising agents for —

- (i) services provided during the election period, being services relating to the election; or

- (ii) material relating to the election that is used during the election period; or

- (h) the carrying out, during the election period, of an opinion poll, or other research, relating to the election;’.

10. Clause 207, page 149, lines 8 to 33, page 150, lines 11 to 33, page 151, lines 1 to 28, omit these lines.

11. Clause 207, page 151, line 32 and page 152, lines 1 to 29, omit these lines.

Just for clarification, Madam Chairman, I thought some of these amendments of mine had failed because of earlier amendments.

**The CHAIRMAN** — Order! I will check with the Clerk.

We will continue voting on the amendments to make sure we have all the clauses covered.

**Mr Savage’s amendments negatived; Mr Hulls’s amendments agreed to; amended clause agreed to.**

**Clause 208**

**Mr HULLS (Attorney-General) — I move:**

51. Clause 208, page 152, line 32, omit “Divisions 4, 5 and 6 apply” and insert “This Part applies”.

**Mr SAVAGE (Mildura) — I move:**

12. Clause 208, omit this clause.

**Mr Savage’s amendment negatived; Mr Hulls’s amendment agreed to; amended clause agreed to.**

**Clause 209**

**The CHAIRMAN** — Order! The Attorney-General’s amendment 52 and the honourable member for Mildura’s amendment 13 have the same effect.

**Mr HULLS** (Attorney-General) — I move:

52. Clause 209, omit this clause.

**Mr INGRAM** (Gippsland East) — This is the clause I was speaking to when I got confused about which clause we were up to. I seek some clarification from the Attorney-General because of the press release he put out when he was selling the positives in the bill, such as the toughest disclosure laws. Does the clause actually water down that disclosure, particularly in relation to fundraising bodies and the membership of those bodies, and are they required to be audited as was required in the original bill?

**Mr HULLS** (Attorney-General) — It is true that when the original bill was proposed the disclosure regime, because of public funding, was akin to a submission that was made, as I recall, by the Labor Party to a Senate inquiry. That inquiry is yet to report. Because we have gone even further than that by putting a cap on political donations from gaming entities — the honourable member may recall that the original cap on gaming entities related to the operators of gaming enterprises but not associated entities — we have moved amendments to the legislation to broaden it out to associated entities, so I believe we have a much more stringent disclosure regime in relation to a cap on gaming entities.

However, in relation to the other disclosure mechanisms that were originally proposed, we have reverted to the commonwealth disclosure regime until such stage as the commonwealth inquiry is concluded and a report is made. It may well be that the commonwealth government decides, subject to the recommendations of that inquiry, to amend its own legislation, which we believe ought be followed by the states, and we would follow that. However, with this bill we are going down the path of the current commonwealth disclosure regime. We believe that is appropriate for national consistency reasons.

**Amendment agreed to.**

**Clause negatived.**

**Division heading preceding clause 210**

**The CHAIRMAN** — Order! The Attorney-General's amendment 53 is the same as the honourable member for Mildura's amendment 14.

**Mr HULLS** (Attorney-General) — I move:

53. Division heading preceding clause 210, omit this heading.

**Mr INGRAM** (Gippsland East) — I ask the Attorney-General to explain clause 210, which is headed 'Agents of registered political parties' and reads:

A registered political party must have an agent for the purpose of this part.

The amendment omits that clause. Will the Attorney-General explain that and what that actually does to the bill?

**Mr HULLS** (Attorney-General) — It relates to the disclosure regime. We are changing the original disclosure regime in the bill that related to political donations to that which currently exists, which is the commonwealth disclosure regime. As a result the amendments that are being moved in this part of the bill, which alter part 12, ensure that the disclosure regime that will be required in Victoria for political donations is akin to the commonwealth regime. There is a whole range of amendments of a consequential nature as a result of the policy decision to have the same regime in Victoria as the commonwealth regime. So there will be some 112 amendments that will relate to the disclosure regime. It is difficult to do them all as a block because they also link into the public funding aspect of the bill and the proposed cap on political donations from certain licence-holders.

In relation to that aspect, and this may answer some further questions the honourable member has, he will probably remember that it was originally decided to place a cap on donations from gaming operators and that the best way to do that was to actually put a cap on donations from licence-holders, the holders having got that licence from the Victorian government, the main purpose of that licence being to generate income. It was thought that the best way to capture the government's policy of entrapping gaming operators was to broaden it out to all licence-holders, the purpose of which was to generate income. However, on further examination that may have all sorts of unintended consequences, because there may well be some licence-holders who will be unintentionally caught by this.

I notice that the honourable member is agreeing that there may be some unintended consequences. So it was decided that that the best way to deal with this was to broaden out the aspect in relation to gaming licences to associated entities. In relation to other licence-holders, that matter will be referred to the Scrutiny of Acts and Regulations Committee, which will have a look at how many licences have been issued and the nature of those licences to ensure that there are no unintended consequences. An initial inquiry from my department seemed to suggest that there are hundreds of licences

that may fit into this category. This government does not want any unintended consequences, and therefore it has gone down the path of broadening out the cap on gaming operators to cover associated entities. It will have a look at the broader licence aspect in due course.

**Amendment agreed to.**

**Heading negatived.**

**The CHAIRMAN** — Order! I ask the honourable member for Mordialloc to stop reading his book, as it is a breach of standing order 46.

**Clause 210**

**Mr HULLS (Attorney-General)** — I move:

54. Clause 210, omit this clause.

**Amendment agreed to.**

**Clause negatived.**

**Clause 211**

**Mr HULLS (Attorney-General)** — I move:

55. Clause 211, omit this clause.

**Amendment agreed to.**

**Clause negatived.**

**Clause 212**

**Mr HULLS (Attorney-General)** — I move:

56. Clause 212, omit this clause.

**Mr SAVAGE (Mildura)** — I move:

16. Clause 212, page 154, lines 24 to 30, omit these lines and insert — “the Commission by the candidate making the appointment; and”.

**Mr Savage’s amendment negatived; Mr Hulls’s amendment agreed to.**

**Clause negatived.**

**Clause 213**

**Mr HULLS (Attorney-General)** — I move:

57. Clause 213, omit this clause.

**The CHAIRMAN** — Order! Amendment 17 of the honourable member for Mildura is the same as amendment 57 moved by the Attorney-General.

**Amendment agreed to.**

**Clause negatived.**

**Clause 214**

**Mr HULLS (Attorney-General)** — I move:

58. Clause 214, omit this clause.

**The CHAIRMAN** — Order! Amendment 18 of the honourable member for Mildura is the same as amendment 58 moved by the Attorney-General.

**Amendment agreed to.**

**Clause negatived.**

**Clause 215**

**Mr HULLS (Attorney-General)** — I move:

59. Clause 215, omit this clause.

**The CHAIRMAN** — Order! Amendments 19 and 20 of the honourable member for Mildura are the same as amendment 59 moved by the Attorney-General.

**Amendment agreed to.**

**Clause negatived.**

**Clause 216**

**Mr HULLS (Attorney-General)** — I move:

60. Clause 216, omit this clause.

**The CHAIRMAN** — Order! Amendment 21 of the honourable member for Mildura is the same as amendment 60 moved by the Attorney-General.

**Amendment agreed to.**

**Clause negatived.**

**Clause 217**

**Mr HULLS (Attorney-General)** — I move:

61. Clause 217, omit this clause.

**Amendment agreed to.**

**Clause negatived.**

**Clause 218**

**Mr HULLS (Attorney-General)** — I move:

62. Clause 218, omit this clause.

**Amendment agreed to.**

**Clause negatived.**

**Division heading preceding clause 219****Mr HULLS (Attorney-General) — I move:**

63. Division heading preceding clause 219, omit “3 — Election Funding” and insert “2 — Election Expenditure”.

**Mr SAVAGE (Mildura) — I move:**

22. Division heading preceding clause 219, omit this heading.

**Mr Savage’s amendment negatived; Mr Hulls’s amendment agreed to; amended heading agreed to.****Heading to clause 219****Mr HULLS (Attorney-General) — I move:**

64. Clause heading to clause 219, omit “General entitlement to funds” and insert “Entitlement”.

**Amendment agreed to; amended heading agreed to.****Clause 219****Mr HULLS (Attorney-General) — I move:**

65. Clause 219, page 157, after line 28 insert —  
“(1) This section sets out the entitlement.”.
66. Clause 219, page 157, line 29, omit “Subject to this Division,” and insert “The sum of”.
67. Clause 219, page 158, line 1, omit “Division” and insert “section”.

**Mr SAVAGE (Mildura) — I move:**

23. Clause 219, omit this clause.

**The CHAIRMAN — Order!** The honourable member for Mildura’s amendment is to omit the whole clause, while the Attorney-General’s amendment is to make changes. So I will put the amendments from the Attorney-General first. If they pass, therefore the amendment of the honourable member for Mildura fails.

**Mr Hulls’s amendments agreed to; Mr Savage’s amendment negatived; amended clause agreed to.****Clause 220****Mr HULLS (Attorney-General) — I move:**

68. Clause 220, after line 9 insert —  
“(1) An amount is only payable if the statement required to be given to the Commission has been given to the Commission.

(2) The amount payable is —

- (a) if the statement specifies that not less than the entitlement has been spent or incurred in relation to the election, the whole of the entitlement; or
- (b) if the statement specifies that an amount that is less than the entitlement has been spent or incurred in relation to the election, an amount equal to the amount specified in the statement.”.

69. Clause 220, line 10, omit “under this Division”.

70. Clause 220, line 14, omit this line and insert “registered officer of the registered political party within 30 days after the Commission has been given the statement.”.

71. Clause 220, line 15, omit “under this Division”.

72. Clause 220, line 19, omit line 19 and insert “payment to the candidate within 30 days after the Commission has been given the statement.”.

73. Clause 220, line 20, omit “under this Division”.

These amendments are to ensure that public funding is not public funding as of right but that the payment of public funding will be conditional on the giving of an audited statement on election expenditure to the Victorian Electoral Commissioner. They actually tighten up the previous arrangement, which would have allowed public funding as of right, making it one where there is a reimbursement arrangement.

**Ms DAVIES (Gippsland West) —** I just seek some clarification about the audited statement. Is that a statement that has to be signed by an auditor, so it has to be an official document that people have to get signed off by a registered person?

**Mr HULLS (Attorney-General) —** Yes. It is not proposed that it simply be, if I can use the expression, a mickey mouse statement. It will actually have to be a signed statement. For the honourable member’s information, and for what it is worth, given that the amount of public funding under this bill is \$1.20 per vote, with the types of advertising campaigns that the major political parties run in this state it would be my expectation that they would certainly be spending a lot more than that. It will not be difficult to substantiate the reimbursement model, but we decided not to change the situation to funding as of right, because, as the honourable member may well know, there have been some difficulties in other states with election campaigns and parties and accounting for public moneys.

**Ms Davies —** Not Independents!

**Mr HULLS** — I acknowledge that, and I am happy for that interjection to be recorded in *Hansard*. This is to ensure that does not happen. A statement has to verify where the money is spent.

**Mr SAVAGE (Mildura)** — I move:

24. Clause 220, omit this clause.

**Mr Hulls's amendments agreed to; Mr Savage's amendment negated; amended clause agreed to.**

#### Clause 221

**Mr HULLS (Attorney-General)** — I move:

74. Clause 221, line 27, omit "under this Division".

75. Clause 221, lines 31 and 32, omit "and was the agent for the purposes of this Part".

**Mr SAVAGE (Mildura)** — I move:

25. Clause 221, omit this clause.

**Mr Hulls's amendments agreed to; Mr Savage's amendment negated; amended clause agreed to.**

#### Clause 222

**Mr HULLS (Attorney-General)** — I move:

76. Clause 222, page 159, line 9, omit "219(1)" and insert "211(2)".

**Mr SAVAGE (Mildura)** — I move:

26. Clause 222, omit this clause.

**Mr Hulls's amendment agreed to; Mr Savage's amendment negated; amended clause agreed to.**

#### Clause 223

**Mr HULLS (Attorney-General)** — I move:

77. Clause 223, page 160, line 30, omit "Division" and insert "Part".

**Mr SAVAGE (Mildura)** — I move:

27. Clause 223, omit this clause.

**Mr Hulls's amendment agreed to; Mr Savage's amendment negated; amended clause agreed to.**

#### Division heading preceding clause 224

**Mr HULLS (Attorney-General)** — I move:

78. Division heading preceding clause 224, omit this heading.

**The CHAIRMAN** — Order! Amendment 28 in the name of the honourable member for Mildura is identical to the Attorney-General's amendment, so the committee will vote on the Attorney-General's amendment.

**Amendment agreed to.**

**Heading negated.**

#### Clause 224

**Mr HULLS (Attorney-General)** — I move:

79. Clause 224, omit this clause.

**The CHAIRMAN** — Order! Amendment 29 in the name of the honourable member for Mildura is the same as amendment 79 in the name of the Attorney-General.

**Amendment agreed to.**

**Clause negated.**

#### Clause 225

**Mr HULLS (Attorney-General)** — I move:

80. Clause 225, omit this clause.

**The CHAIRMAN** — Order! Amendment 30 in the name of the honourable member for Mildura is the same as amendment 80 in the name of the Attorney-General.

**Amendment agreed to.**

**Clause negated.**

#### Clause 226

**Mr HULLS (Attorney-General)** — I move:

81. Clause 226, omit this clause.

**The CHAIRMAN** — Order! Amendment 31 in the name of the honourable member for Mildura is the same as amendment 81 in the name of the Attorney-General.

**Amendment agreed to.**

**Clause negated.**

**Mr SAVAGE (Mildura)** — Madam Chairman, I ask that the amendments from hereon in standing in my name be withdrawn.

**Mr Savage's amendments withdrawn by leave.**

**Clause 227****Mr HULLS (Attorney-General) — I move:**

82. Clause 227, omit this clause.

**Amendment agreed to.****Clause negatived.****Clauses 228 to 230****Mr HULLS (Attorney-General) — I move:**

83. Clause 228, omit this clause.

84. Clause 229, omit this clause.

85. Clause 230, omit this clause.

**Amendments agreed to.****Clauses negatived.****Division heading preceding clause 231****Mr HULLS (Attorney-General) — I move:**

86. Division heading preceding clause 231, omit this heading.

**Amendment agreed to.****Heading negatived.****Clauses 231 to 234****Mr HULLS (Attorney-General) — I move:**

87. Clause 231, omit this clause.

88. Clause 232, omit this clause.

89. Clause 233, omit this clause.

90. Clause 234, omit this clause.

**Amendments agreed to.****Clauses negatived.****Division heading preceding clause 235****Mr HULLS (Attorney-General) — I move:**

91. Division heading preceding clause 235, omit this heading.

**Amendment agreed to.****Heading negatived.****Clauses 235 to 242****Mr HULLS (Attorney-General) — I move:**

92. Clause 235, omit this clause.

93. Clause 236, omit this clause.

94. Clause 237, omit this clause.

95. Clause 238, omit this clause.

96. Clause 239, omit this clause.

97. Clause 240, omit this clause.

98. Clause 241, omit this clause.

99. Clause 242, omit this clause.

**Amendments agreed to.****Clauses negatived.****Division heading preceding clause 243****Mr HULLS (Attorney-General) — I move:**

100. Division heading preceding clause 243, omit “7” and insert “3”.

**Amendment agreed to; amended heading agreed to.****Clause 243****Mr HULLS (Attorney-General) — I move:**

101. Clause 243, omit this clause.

**Amendment agreed to.****Clause negatived.****Clause 244****Mr HULLS (Attorney-General) — I move:**

102. Clause 244, line 17, omit “prescribed” and insert “relevant”.

103. Clause 244, after line 20 insert —

“( ) For the purposes of calculating the total amount or value of the political donations made under sub-section (1) by the holder of a relevant licence that is a company, any political donations made during the financial year to the same registered political party by a related company in relation to the company that is the holder of the relevant licence are to be included.

( ) For the purposes of this section, a company is a related company if it is —

- (a) a related body corporate within the meaning of section 50 of the Corporations Act; or
- (b) a shareholder in the other company.”.

**Amendments agreed to; amended clause agreed to.**

**Clause 245****Mr HULLS (Attorney-General) — I move:**

104. Clause 245, line 22, omit “prescribed” and insert “relevant”.
105. Clause 245, line 23, omit “244” and insert “216”.
106. Clause 245, line 31, omit “agent” and insert “registered officer”.

**Amendments agreed to; amended clause agreed to.****Division heading preceding clause 246****Mr HULLS (Attorney-General) — I move:**

107. Division heading preceding clause 246, omit “8” and insert “4”.

**Amendment agreed to; amended heading agreed to.****Clause 246****Mr HULLS (Attorney-General) — I move:**

108. Clause 246, omit this clause.

**Amendment agreed to.****Clause negatived.****Clause 247****Mr HULLS (Attorney-General) — I move:**

109. Clause 247, page 182, lines 8 to 30 and page 183, lines 1 to 7, omit these lines and insert —

“(1) If the registered officer of a registered political party gives a statement that contains particulars that are, to the knowledge of the registered officer, false or misleading in a material particular, the registered officer is guilty of an offence.

Penalty: 120 penalty units.

(2) If a candidate gives a statement that contains particulars that are, to the knowledge of the candidate, false or misleading in a material particular, the candidate is guilty of an offence.

Penalty: 60 penalty units.”.

110. Clause 247, page 183, line 9, omit “(3) or (4)” and insert “(1) or (2)”.
111. Clause 247, page 183, line 13, omit “Division 3” and insert “this Part”.
112. Clause 247, page 183, line 14, omit “(5)” and insert “(3)”.
113. Clause 247, page 183, line 23, omit “return under Division 4, 5 or 6” and insert “statement any”.

114. Clause 247, page 183, line 24, omit “return” and insert “statement”.

115. Clause 247, [page 183,] lines 29 to 34 and page 184, lines 1 to 20, omit these lines.

**Amendments agreed to; amended clause agreed to; clause 248 agreed to.****Clause 249****Mr HULLS (Attorney-General) — I move:**

116. Clause 249, [page 185,] line 6, omit “return under this Part” and insert “statement”.

**Amendment agreed to; amended clause agreed to.****Clause 250****Mr HULLS (Attorney-General) — I move:**

117. Clause 250, omit this clause.

**Amendment agreed to.****Clause negatived.****Heading to clause 251****Mr HULLS (Attorney-General) — I move:**

118. Clause heading to clause 251, omit “returns” and insert “statements”.

**Amendment agreed to; amended heading agreed to.****Clause 251****Mr HULLS (Attorney-General) — I move:**

119. Clause 251, page 187, lines 6 and 7, omit “return under this Part” and insert “statement”.

120. Clause 251, page 187, line 9, omit “return” and insert “statement”.

121. Clause 251, page 187, line 11, omit “return under this Part” and insert “statement”.

122. Clause 251, page 187, line 13, omit “return” and insert “statement”.

123. Clause 251, page 187, line 15, omit this line and insert —

“( ) If the statement was given by a person as the registered officer of”.

124. Clause 251, page 187, lines 18 to 20, omit sub-paragraphs (a) and (b) and insert —

“(a) the person who gave the statement; or

(b) the person who is currently the registered officer of the registered political party.”.

125. Clause 251, page 187, line 29, omit “return” and insert “statement”.
126. Clause 251, page 187, line 32, omit “return” and insert “statement”.
127. Clause 251, page 188, line 5, omit “return” and insert “statement”.
128. Clause 251, page 188, line 8, omit “return” and insert “statement”.

**Amendments agreed to; amended clause agreed to.****Clause 252**

**Mr HULLS (Attorney-General) — I move:**

129. Clause 252, omit this clause.

**Amendment agreed to.****Clause negatived.****Division heading preceding clause 253.**

**Mr HULLS (Attorney-General) — I move:**

130. Division heading preceding clause 253, omit this heading.

**Amendment agreed to.****Heading negatived.****Clauses 253 to 274**

**Mr HULLS (Attorney-General) — I move:**

131. Clause 253, omit this clause.
132. Clause 254, omit this clause.
133. Clause 255, omit this clause.
134. Clause 256, omit this clause.
135. Clause 257, omit this clause.
136. Clause 258, omit this clause.
137. Clause 259, omit this clause.
138. Clause 260, omit this clause.
139. Clause 261, omit this clause.
140. Clause 262, omit this clause.
141. Clause 263, omit this clause.
142. Clause 264, omit this clause.
143. Clause 265, omit this clause.
144. Clause 266, omit this clause.

145. Clause 267, omit this clause.
146. Clause 268, omit this clause.
147. Clause 269, omit this clause.
148. Clause 270, omit this clause.
149. Clause 271, omit this clause.
150. Clause 272, omit this clause.
151. Clause 273, omit this clause.
152. Clause 274, omit this clause.

**Amendments agreed to.****Clauses negatived.****Division heading preceding clause 275**

**Mr HULLS (Attorney-General) — I move:**

153. Division heading preceding clause 275, omit “10” and insert “5”.

**Amendment agreed to; amended heading agreed to; clause 275 agreed to.****New clauses**

**Mr HULLS (Attorney-General) — I move:**

154. Insert the following new clause to follow clause 31 —

**“AA. Inspection of list of electors and electoral rolls**

- (1) The Commission must prepare every 6 months a list of the names of electors (other than silent electors) in alphabetical order and their addresses.
- (2) The Commission must ensure that copies of the latest list of electors are available for public inspection free of charge at the office of the Commission during office hours.
- (3) The Commission must ensure that copies of the latest print of any electoral roll are available for public inspection free of charge at any place and during times determined by the Commission.”.

155. Insert the following new clause to follow clause 33 —

**“BB. Provision of enrolment information to others**

- (1) After receiving a request from any person or organisation not referred to in section 33 for a list of electors and their particulars, the Commission must —
  - (a) identify the public interest in providing the requested information; and
  - (b) consult with the Privacy Commissioner appointed under the **Information Privacy**

- Act 2000** on the public interest in protecting the privacy of personal information; and
- (c) taking into account the advice of the Privacy Commissioner, make a finding whether or not the public interest in providing the requested information outweighs the public interest in protecting the privacy of personal information in the particular circumstances.
- (2) Subject to sub-section (3), if the Commission has made a finding under sub-section (1) that the public interest in providing the requested information outweighs the public interest in protecting the privacy of personal information, the Commission may —
- (a) provide to the person or organisation a list specifying electors and their particulars; and
- (b) charge a fee that covers the cost to the Commission of providing the list.
- (3) The Commission must obtain from the person or organisation to be provided with information under this section an undertaking that the person or organisation will —
- (a) only use the information for the purpose for which the Commission agreed to provide the information; and
- (b) not copy the information or give it to any other person or organisation; and
- (c) return the information to the Commission or destroy the information after using it for the purpose for which the Commission agreed to provide the information.
- (4) If the Commission provides enrolment information under this section —
- (a) to a person or organisation that conducts medical research; or
- (b) to a person or organisation that provides a health screening program —
- the Commission may include in the enrolment information the age ranges of electors in a form determined by the Commission.
- (5) The Commission must not provide particulars of silent electors under this section.
- (6) The Commission must make available for public inspection, free of charge, at the office of the Commission, any finding made under sub-section (1).”.

156. Insert the following new clause to precede clause 98 —

**“CC. Electors who may apply to vote early or by post**

For the purposes of this Division, a person may make an application under section 99 or 101 if the person is —

- (a) an elector who will not be within Victoria during the hours of voting on election day; or
- (b) an elector who will be travelling on election day under conditions which preclude the elector from voting at an election day voting centre;
- (c) an elector who will not be within 8 kilometres, by the nearest practicable route, of an election day voting centre; or
- (d) an elector who, by reason of being seriously ill or infirm or of approaching maternity, will be unable to travel to an election day voting centre; or
- (e) an elector who, because he or she will be at a place (other than a hospital) caring for a person who is seriously ill or infirm or approaching maternity, will be unable to travel from that place to an election day voting centre; or
- (f) an elector who will be a patient in a hospital during the hours of voting on election day; or
- (g) an elector who on election day will be —
- (i) serving a sentence of imprisonment; or
- (ii) otherwise in lawful custody or detention; or
- (h) an elector who is a silent elector; or
- (i) an elector who because of his or her religious beliefs or membership of a religious order —
- (i) will be precluded from attending an election day voting centre; or
- (ii) for the greater part of the hours of voting on election day, will be precluded from attending an election day voting centre; or
- (j) an elector who will be required by the elector’s employer to remain at the elector’s place of employment under conditions which prevent the elector from voting at an election day voting centre.”.

157. Insert the following new clauses to precede clause 219 —

**“DD. Statement of expenditure**

- (1) For the purposes of having an entitlement under section 211, the registered officer of a registered political party must, before the expiration of 20 weeks after election day, give the Commission a statement in an approved form specifying that the registered political party has spent or incurred in relation to the election —

- (a) not less than the entitlement; or

- (b) less than the entitlement, being the amount specified in the statement.
- (2) For the purposes of having an entitlement under section 211, a candidate in the election who was not endorsed by a registered political party must, before the expiration of 20 weeks after election day, give the Commission a statement in an approved form specifying that the candidate has spent or incurred in relation to the election —
- (a) not less than the entitlement; or
- (b) less than the entitlement, being the amount specified in the statement.

**EE. Audit of statement**

- (1) A statement under section 208(1) must be given to the Commission with the certificate of a registered company auditor within the meaning of the Corporations Act.
- (2) A statement under section 208(2) must be given to the Commission with the certificate of an independent auditor advising that the statement has been audited in accordance with Australian Accounting Standards as specified in section 334(1) of the Corporations Act.
- (3) A certificate under sub-section (1) or (2) must state that the auditor —
- (a) was given full and free access at all reasonable times to all accounts, records, documents and papers relating directly or indirectly to any matter required to be specified in the statement; and
- (b) examined the material referred to in paragraph (a) for the purpose of giving the certificate; and
- (c) received all information and explanations that the auditor requested in respect of any matter required to be specified in the statement; and
- (d) has no reason to believe that any matter stated in the statement is not correct.
- (4) A statement is to be taken not to have been given to the Commission unless the certificate required by this section is attached to the statement.

**FF. Powers of Commission**

- (1) If the Commission is satisfied on reasonable grounds that information provided in the statement or the certificate is materially incorrect, the Commission may by notice in writing request the auditor to provide further information as specified in the notice within 14 days of the date of the notice.
- (2) If the auditor fails to provide the requested information, the Commission may by notice in writing request the registered officer of the registered political party or the candidate to provide

further information as specified in the notice within 14 days of the date of the notice.

- (3) If the registered officer of the registered political party or the candidate fails to provide the requested information, the Commission may —
- (a) withhold any payment under section 212 until the requested information is provided; or
- (b) if a payment has already been made under section 212, take proceedings to recover the payment under section 212(5).”.

158. Insert the following new clause to follow clause 251 —

**“GG. Provision of annual returns**

- (1) The registered officer of a registered political party must give to the Commission a copy of the annual return provided on behalf of the registered political party under section 314AC of the Commonwealth Electoral Act 1918 as soon as the annual return has been provided under that section.
- (2) The registered officer of the registered political party must certify that the copy is a true copy of the annual return provided on behalf of the registered political party under section 314AC of the Commonwealth Electoral Act 1918.”.

**New clauses agreed to.****Schedules 1 and 2 agreed to.****Reported to house with amendments.****Report considered.****The SPEAKER — Order! The question is:**

That the house agree to the amendments made by the committee.

**House divided on question:**

*Ayes, 80*

Allan, Ms	Leighton, Mr
Allen, Ms	Lenders, Mr
Asher, Ms	Lim, Mr
Ashley, Mr	Lindell, Ms
Baillieu, Mr	Loney, Mr
Barker, Ms	Lupton, Mr
Batchelor, Mr	McArthur, Mr
Beattie, Ms	McCall, Ms
Bracks, Mr	McIntosh, Mr
Brumby, Mr	Maddigan, Mrs
Burke, Ms	Maughan, Mr
Cameron, Mr	Maxfield, Mr
Campbell, Ms	Mildenhall, Mr
Carli, Mr	Mulder, Mr
Clark, Mr	Napthine, Dr
Cooper, Mr	Nardella, Mr
Delahunty, Mr	Overington, Ms
Delahunty, Ms	Pandazopoulos, Mr
Dixon, Mr	Paterson, Mr
Doyle, Mr	Perton, Mr

Duncan, Ms  
 Elliott, Mrs  
 Fyffe, Mrs  
 Garbutt, Ms  
 Gillett, Ms  
 Haermeyer, Mr  
 Hamilton, Mr  
 Hardman, Mr  
 Helper, Mr  
 Holding, Mr  
 Honeywood, Mr  
 Howard, Mr  
 Hulls, Mr  
 Jasper, Mr  
 Kilgour, Mr  
 Kosky, Ms  
 Kotsiras, Mr  
 Langdon, Mr (*Teller*)  
 Languiller, Mr  
 Leigh, Mr

Peulich, Mrs  
 Pike, Ms  
 Plowman, Mr  
 Richardson, Mr  
 Robinson, Mr  
 Ryan, Mr  
 Seitz, Mr  
 Shardey, Mrs  
 Smith, Mr (*Teller*)  
 Spry, Mr  
 Steggall, Mr  
 Stensholt, Mr  
 Thompson, Mr  
 Thwaites, Mr  
 Trezise, Mr  
 Viney, Mr  
 Vogels, Mr  
 Wells, Mr  
 Wilson, Mr  
 Wynne, Mr

*Noes, 3*

Davies, Ms (*Teller*)  
 Ingram, Mr (*Teller*)  
 Savage, Mr

**Question agreed to.**

**Amendments agreed to.**

**The SPEAKER** — Order! The time appointed under sessional orders for me to interrupt the business of the house has now arrived.

**Sitting continued on motion of Mr HULLS (Attorney-General).**

*Third reading*

**The SPEAKER** — Order! The question is:

That the bill be now read a third time.

As there are some voices for the noes, I ask all those supporting the bill to stand.

**Required number of members having risen:**

**Motion agreed to by absolute majority.**

**Read third time.**

*Remaining stages*

**Passed remaining stages.**

## SUMMARY OFFENCES (SPRAY CANS) BILL

*Introduction and first reading*

**Received from Council.**

**Read first time on motion of Dr NAPHTHINE (Leader of the Opposition).**

**Dr NAPHTHINE (Leader of the Opposition)** — I move:

That the bill be printed and, by leave, be read a second time forthwith.

**Leave refused.**

**Ordered to be printed and second reading to be made order of the day for next day.**

**Remaining business postponed on motion of Mr HULLS (Attorney-General).**

## ADJOURNMENT

**Mr HULLS (Attorney-General)** — I move:

That the house do now adjourn.

## Housing: eastern region

**Mrs SHARDEY (Caulfield)** — I ask the Minister for Housing to conduct an independent investigation into a matter that results from a letter written anonymously but written, in the words of the writer of the letter, as an act from a whistleblower. The anonymous letter is written in relation to the operation of the eastern region housing office. I often ignore letters written anonymously, but in this particular case I have not ignored the letter as I understand the minister herself may have received this letter as it is dated 2 May.

There are some very serious accusations made in this letter, and I will go through them. The accusations made include: that the housing and homeless manager of the eastern region has appointed an acting manager and has made himself unavailable and unapproachable while apparently not resigning his position; that the acting housing manager intimidates staff, is guilty of nepotism through the employment of family members in the office and uses standover tactics with staff; that these matters have been raised with other managers but to no avail; that only some staff are in receipt of performance-based pay and that such people appear to be the family and friends of the acting manager; that a particular family member of the acting manager has been promoted despite poor performance and the position not being advertised; that team leaders in the eastern region have no qualifications, skills or professional training, and a specific example was given in the letter; and that deals are being done with contractors who are mates, without there being a proper tender or competitive process and with lack of

accountability. As I said before, it is claimed in this letter that these matters have been raised with other senior managers, but to no avail.

I ask that the minister conduct an independent inquiry into this matter. I further ask that the minister report the results of this inquiry back to Parliament, as the issues raised are serious and I believe that if they are found to be untrue she should report to the Parliament so as to clear the name and the reputation of the staff involved in these accusations.

### **Wimmera: disease and pest control**

**Mr DELAHUNTY** (Wimmera) — I raise for the attention of the Minister for Agriculture major concerns that have been raised with me regarding white snails and noxious weeds along railway lines, water channels and roadside reserves. If the Wimmera–Mallee pipeline project does happen, we might not have any channels.

At the present time white snails are causing particular concern among members of the farming community because farmers believe the government and the railway operators are not maintaining their land in an appropriate way. This is causing problems over an increasing area of the Wimmera–Mallee region. I request the Minister for Agriculture to take action and bring together his department, other government agencies, private rail companies and the farming community to develop a strategy to reduce this white snail problem.

Currently highways and main roads are the responsibility of Vicroads. Local government also has some responsibility for road reserves. Wimmera–Mallee Water has the responsibility for channel banks unless there is agreement with adjoining landowners. EDI-PTR is a private company responsible for the management of open rail reserves. The Department of Natural Resources and Environment has the responsibility for controlling prohibited noxious weeds in most of these areas. DNRE also has a good neighbour program to control noxious weeds where private land adjoins national parks, reserves and uncommitted Crown land.

White snails have been identified in the Wimmera for 15 years with the main concentration being around Natimuk, Nhill, Kaniva and Rainbow. Farmers in rural communities have contacted me about this increasing problem. The snails are spreading and in greater numbers across the Wimmera. This year there seems to be much more burning going on of stubbles and grasses across the western part of Victoria. I am aware that burning is an effective way of controlling white snails,

but the public land managers are not pulling their weight in this matter. They are not being good neighbours.

I am aware that DNRE held 5-hour workshops in three locations at Kaniva, Natimuk and Rainbow last month, but that only five or six people attended each of these forums. The cost to attend was \$70. This problem occurs mostly on Crown land, and yet the government is charging rural communities \$70 a head to attend these forums. With an increasing problem mostly coming from Crown land reserves I again ask the Minister for Agriculture to take action and review the white snail problem in the Wimmera and to work with the farming community, the various government agencies and the private companies to address this major problem.

### **Port of Geelong: rail access**

**Mr TREZISE** (Geelong) — I raise an issue for action by the Minister for Ports in another place and it relates to the proposed construction of a dual gauge rail line into Lascelles wharf at the port of Geelong. As honourable members would well appreciate, the port of Geelong is a vital link in Geelong's commercial transport system and it is essential that it is linked effectively not only to road but also to rail.

At the present time that key wharf — Lascelles wharf — is not linked to rail and it relies solely on road transport for its linkages to the rest of Australia. This severely limits the potential of the wharf, and therefore the action I seek is for the minister to liaise with the Geelong port and appropriate government departments to ensure that work on this important project is started and completed as soon as possible.

The importance of the rail link to Lascelles wharf within the port of Geelong can be recognised when one considers that Geelong's busiest wharf is not linked to rail even though the national line is literally only metres away from the wharf and the private operator of the port of Geelong, Toll Holdings, is currently planning a multimillion dollar expansion of the wharf.

The port of Geelong believes there is potential for future development at the wharf to an estimated value of \$620 million. The proposed rail link would contribute significantly to the future plans and development of that wharf and it would assist the port of Geelong compete against not only its immediate neighbours — the ports of Melbourne, Hastings and Portland — but also nationally and internationally. Previously the port operator has invested heavily in the

facilities of Lascelles wharf to ensure that it is competitive with rival ports.

Toll Holdings believes Lascelles wharf is one of the best bulk facilities in Australia. Of course, the rail link to the National Line will significantly enhance that reputation.

In relation to future development at Lascelles wharf, the port operator owns 30 hectares immediately adjacent to the wharf and has definite plans to extend Lascelles wharf onto that land in the near to mid-term future.

With the connection of Lascelles wharf with the rail, Toll Holdings will seek to promote rail freight heavily and extensively, not only for its bulk goods, but also for containers in the future.

This initiative is all about future investment — —

**The ACTING SPEAKER (Mr Kilgour)** — Order! The honourable member's time has expired.

### **Disability services: family options package**

**Mrs ELLIOTT (Mooroolbark)** — I wish to raise a matter for the attention of the Minister for Community Services. I ask her to review the flexibility of the family options package of Anja and Mark Turner, who are constituents of mine, for their son Joshua. Joshua has autism, severe to profound hearing loss, a moderate intellectual disability and Down syndrome and presents with numerous behavioural and physical difficulties, including severe incontinence.

The Turners first came to see me in 1997 regarding the difficulties they were having in getting help for Joshua. They were offered a family options package in August 2000; that package was designed to provide out-of-home care for Joshua in a shared-care arrangement. However, the Turners made it very clear to me when they first came to see me and later that they wanted to care for Joshua at home, and were committed to giving him the same options as the other children in their family, who have mild disabilities.

Eventually the department offered them \$2600 a month, which covered in-home support including personal care, occasional respite holiday programs and assistance with incontinence products, amongst other things. However since then, although the value of the package has not changed, the flexibility of it has.

Mr and Mrs Turner have told me they cannot roll over any amounts from one month to the next. Because Joshua's needs vary, they would like to be able to do that. Of the original monthly amount, \$738.74 has to be

kept for emergencies. If no emergencies arise in a given month, then they cannot roll that money over either.

Also, they were told that the options package would be available until Joshua turned 18; they have now been informed it will cease when he turns 16 and receives a pension. I realise the demand on the department for these sorts of packages, but I am impressed with the desire of this family to take care of Joshua at home, and ask the minister to review that options package and see if some more flexibility can be built into it.

### **Southern University Games**

**Ms ALLAN (Bendigo East)** — I raise a matter this evening for the Minister for Tourism, and the action I seek is his support and the support of his department for the 2002 Southern University Games, which are being held in Bendigo in July of this year. This event will be held over four days in July, and there will be 14 events held over those days. These days will attract around 800 competitors to Bendigo, and there will also be a number of officials, and friends of the competitors and officials, who will travel to Bendigo for the games. So quite clearly there are a number of economic spin-offs to the Bendigo community through flow-on into our local economy and particularly into the hospitality industry. Also there are a great number of tourism benefits, both to the local tourism officers themselves and also in terms of the many opportunities to further promote Bendigo as a fantastic tourist destination in central Victoria.

This will be another great event for Bendigo, and Bendigo certainly has a large number of top-quality facilities to enable it to host an event of this nature. For example, we have the Schweppes Centre, which is about to undergo a \$4 million redevelopment, \$2 million of which funding has been allocated by the Bracks government. That will convert that centre and develop it into a fantastic sporting venue. We also have redevelopments under way — or about to be under way — at the Queen Elizabeth Oval and the aquatic centre, and we have an international-level athletics track at Flora Hill; so we certainly have the facilities.

Bendigo is already host to a number of state, national and international events. This year Bendigo will host part of the World Masters Games, and in 2004 we are going to host the Commonwealth Youth Games — a fantastic coup for Bendigo and central Victoria! Then, in the lead-up to the 2006 Commonwealth Games we will be hosting the rifle shooting at the Wellsford rifle range as well as a number of other lead-up events to those games.

Bendigo can rightly claim to be the sporting capital of country Victoria and probably almost the sporting capital of regional Australia, when you consider the large number of events and venues of top quality that Bendigo has.

The 2002 Southern University Games will be another opportunity to showcase Bendigo, both our sporting facilities and our many tourist opportunities that games such as these provide.

The action I seek from the minister is to give his support to enable promotional opportunities to be undertaken in the lead-up to be Southern University Games to be held in July 2002.

**The ACTING SPEAKER (Mr Kilgour)** — Order! The honourable member's time has expired.

### **Electricity: charges**

**Mr SAVAGE (Mildura)** — I rise to seek action from the Minister for Finance. Considering that the recommendations from the Essential Services Commission on future electricity pricing are due later this year, the government should ensure that people living in country and outer metropolitan areas continue to pay comparable prices to those paid by their Melbourne counterparts.

I draw the attention of the minister to the report on the aluminium smelting industry undertaken by the Australia Institute.

**The ACTING SPEAKER (Mr Kilgour)** — Order! There is too much audible conversation in the house. I am having trouble hearing the honourable member for Mildura. Honourable members in the house, please keep quiet.

**Mr SAVAGE** — The author, Hal Turton, estimates that between 1996–97 and 2001–02 the losses suffered by the SECV in supplying electricity to Alcoa at Point Henry and Portland were respectively between \$175 million and \$110 million annually. I am sure that Alcoa would point out that due to the number of people it employs and the export dollars it generates Victoria gets good value for this subsidy. However, what these figures do is put in perspective the cost of ensuring comparable electricity prices for all Victorians.

Comparable electricity prices are not only essential for the survival of regional and rural communities but are critical if regional Victoria is going to attract the new businesses and achieve increased population and decentralisation. These benefits are as basic as the price

of a 45-cent stamp, which is soon to cost 50 cents. Electricity prices must reflect this reality.

Without diminishing the benefits Victoria may derive from the electricity subsidies to Alcoa, they pale when compared with the benefits to Victoria from similar subsidies to ensure an equitable electricity pricing policy for all Victorians.

Consequently I seek from the minister an assurance that the government will consider the recommendations of the commission, and will do so from that perspective.

### **Traralgon Racing Club**

**Mr MULDER (Polwarth)** — As a passionate supporter of country racing I raise with the Minister for Racing the devastating news that Traralgon Racing Club has had its racing licence revoked. While Country Racing Victoria attempts to salvage a reasonable outcome for the citizens and racing enthusiasts of Traralgon, Labor's mates are attempting to undermine the entire process.

While these sensitive negotiations are taking place Latrobe City Council's Labor mayor and former Labor Party candidate for Narracan, Brendan Jenkins, is eyeing off the Traralgon racecourse for subdivision and a windfall gain for the council, which owns the land. It is common knowledge that windfall gains from the sale would be used not to retain and refurbish the current council offices in Traralgon but to enable the council to move to Morwell, where Brendan Jenkins and his Labor council mates intend to build a Taj Mahal to entertain their union buddies.

Once in Morwell, the Labor mayor, Brendan Jenkins, who is also electorate officer and heir apparent to the honourable member for Morwell, will have achieved his objectives at the expense of the citizens of Traralgon. This Labor and union mates scheme would have Brendan Jenkins eventually sitting in the honourable member for Morwell's office directing traffic through his newly created Taj Mahal and leaving a local government and sporting vacuum in Traralgon.

I call on the minister to work with Country Racing Victoria to ensure that Labor mayor Brendan Jenkins does not get his hands on the Traralgon Racing Club's land and in so doing destroy any chance of retaining a racetrack in Traralgon. While I agree that it is not appropriate for the minister to interfere in the day-to-day activities of the racing industry, I ask: if it were Flemington, Ballarat or Bendigo turf clubs that had encountered governance and financial problems, would the minister take the same hands-off approach as

he has with Traralgon? No! He would be in there, boots and all, from day one fighting for these other clubs.

There is a whiff of foul air in Traralgon as I speak, the smell of dirty Labor politics being played out at the expense of the citizens of Traralgon.

### **Winton Motor Raceway**

**Ms ALLEN** (Benalla) — I raise with the Minister for Tourism the very important issue of tourism in my electorate, especially in the area of motor sports. I want the minister to take action to ensure that the best possible advantage can be taken by the Winton Motor Raceway to ensure that it can remain the foremost motor sports raceway in country Victoria.

Winton Motor Raceway was originally built in 1949 and has, over the years, grown to be the best country raceway in Victoria, attracting many racing events, in particular the famous Super V8s, which will be held in August this year. Other events to be held are the Super 500 cc motorbike events, both of which types of events attract in the vicinity of 20 000 people. That is because they are very well known not only across country Victoria but also throughout the state of Victoria and right across Australia.

I have been for a drive around Winton Motor Raceway with the chief executive officer of the raceway, Mick Ronke, so I know getting into a racing car and being driven around the Winton raceway at high speed with an experienced driver is an exhilarating thing to do and I would recommend it to anyone.

Winton Motor Raceway is also the home of many of the training camps for the top name cars in Australia, including Holden and Toyota's training facilities and facilities for motorbikes and tyre testing.

A recent economic impact assessment commissioned by the Delatite shire and completed by Essential Economics found that the raceway has an economic value to the area of \$24 million. This area reaches from Benalla to Wangaratta and Shepparton. It means the businesses in those towns — from hotels, motels and bed and breakfasts to bakeries, cafes and restaurants, and many other businesses — reap the economic and employment benefits brought by the tourists attending the raceway. The Benalla Auto Club has worked hard over the years to upgrade the raceway to an international standard so it can attract the race meetings organised by Avesco and Cams.

As a result of the economic impact it is now time for the raceway to move forward and improve its standing not only as the foremost raceway in country Victoria

but to ensure it remains one of regional Victoria's most exciting tourist destinations.

### **Point Nepean: land**

**Mr DIXON** (Dromana) — I refer the Minister for Environment and Conservation to the federal Department of Defence land at Portsea. I ask the minister to ensure that the state government is an active participant in the disposal process of that land, which has been initiated by the Department of Defence. The defence department is disposing of 300 hectares of land at Point Nepean, which is surrounded by the Mornington Peninsula National Park. Two hundred hectares of the bushland is full of unexploded ordinance, but 100 hectares consists of open land, heritage buildings, the old quarantine station and some housing.

On a number of occasions in this place I have raised the future of the army land at Point Nepean, and each time I have been told the government is looking at the issue and will get back to me. Since the last time I raised it in this place I have learnt that the federal government offered the 300 hectares to the state government for only \$4 million, but this government turned it down. So the defence department has now implemented a process of developing a master plan before it actually disposes of that land, and some state government departments will be part of that process.

I am really urging the minister to be an active and interested participant in that process, because the overwhelming view of the community is that that land must remain available for public use. The state government therefore must be an active participant, because if it is not there is a real risk that that land will be handed over to the private sector for development, and the local community certainly does not want that.

### **Western Region Disability Network**

**Mr MILDENHALL** (Footscray) — I raise for the attention of the compassionate Minister for Community Services the future of government support for the Western Region Disability Network. This disability network has some 330 members, made up of service providers and people with disabilities. It operates as a regional peak body for the disability sector as well as a voice for people with disabilities in the western suburbs. It also provides the department with a vehicle to form strategic alliances and to formalise its relationships with the sector.

A number of groups in my electorate have written of their concern about the long-term future of the group.

They include the Westgate Community Initiatives Group, the Maribyrnong City Council, Carer Links West, the Carer Respite Centre and the Parent to Parent Western Network. The groups request sufficient funding to be able to employ a development officer. The history of the position, which has been funded up until now, has been that that officer has been able to pull together diverse interests in relation to disability issues and to be behind some quite positive changes and outcomes for people with disabilities. Other achievements that I am aware of include being nominated as a best practice model in 2000 by the Department of Human Services; having their research into funding gaps used by the department to identify regional funding priorities; and having the regional newsletter that is available in an electronic and hard copy form acknowledged as an invaluable tool for sharing information and inspiring those working in the sector.

It is vital not only that this network continues with the momentum that it has developed over the last few years but that a structure exists to represent the needs of those affected by disabilities, to link individuals with appropriate services and to perform a robust role as an advocate for people. I ask the minister to take appropriate action.

**The ACTING SPEAKER (Mr Kilgour)** — Order! The honourable member's time has expired.

### **Freedom of information: Infrastructure**

**Mr WILSON** (Bennettswood) — I raise a matter for the attention of the Attorney-General, who I note is not in the chamber. I refer to a story in today's *Age* under the heading 'Bracks staff gagged in FOI inquiry':

The Victorian government is trying to prevent ministerial advisers from appearing before a tribunal hearing into allegations of government interference in a freedom of information request.

I also refer to the allegations made earlier today by my colleague the honourable member for Kew and to a question to the Premier asked today by the Leader of the Opposition. The action I am seeking from the Attorney-General — I wish he was in the chamber to respond to this issue — is that he conduct an investigation into the handling of freedom of information (FOI) requests in the Department of Infrastructure in accordance with his memorandum of 2 February 2000.

In that memorandum the Attorney-General set the standards for the handling of freedom of information requests in the state of Victoria. The policy, which was

established on 2 February 2000 and distributed widely among government agencies, told us that in the state of Victoria freedom of information law should now be interpreted by departments in a manner that reflects a willingness to disclose information. That memorandum also told FOI officers and agencies that departments must facilitate a general right of access to documents held by those departments.

As I said, in that memorandum the Attorney-General set the standards for the administration of freedom of information in the state of Victoria. Those standards should be set in concrete. Yet the opposition is aware that the rhetoric of the government of February 2000 falls far short of its action in government. The opposition is aware that Mr Don Coulson, the former FOI officer for the Department of Infrastructure, an excellent FOI officer who served Labor and coalition governments with integrity and maintained all the standards required of a public servant, has been shifted sideways.

**The ACTING SPEAKER (Mr Kilgour)** — Order! The honourable member's time has expired. The honourable member for Ivanhoe has 1 minute 30 seconds.

### **Consumer affairs: business names**

**Mr LANGDON** (Ivanhoe) — I ask the Minister for Consumer Affairs to come into the house to explain what action the government is taking to assist constituents who wish to register business names to ascertain whether the names they propose to register are likely to be available. I have had a few constituents come to me with that problem, and obviously any action the minister could take to assist businesses would be beneficial. Constituents have also been to see me about concerns they have about being unable to ascertain whether a name they wish to register is already registered and whether the proprietor of the business trading under that name has the correct business identity.

I ask the Minister for Consumers Affairs to come into the house and explain what action the government is taking to remedy this situation. That would obviously assist people from all over the state, including people who want to get into small business, to register their businesses by being able to ascertain whether the name has already been registered and whether the identity of that business is correct.

**The ACTING SPEAKER (Mr Kilgour)** — Order! The honourable member's time has expired.

**Mr Perton** — On a point of order, Mr Acting Speaker, the Government Whip has just raised a matter which has the appearance of a question rather than an adjournment matter. There have been many rulings on this. The honourable member needs to ask for action. His guise in attempting to cover his question — which I think was actually a filler, because it lasted 1½ minutes — was to ask the minister to come in here and answer it! The honourable member needs to call for action in respect of government administration. The adjournment debate is not an opportunity for ministers who have missed out on question time and who are not prepared to make a ministerial statement to engage in propaganda and spin.

I ask you, Mr Acting Speaker, to rule that it is inappropriate when the only action sought is for the minister to answer a question. I think the poor old Government Whip was filling in time for someone, and on this occasion he got it wrong.

**Mr Langdon** — On the point of order, Mr Acting Speaker, I clearly asked for action. I asked the minister to come into the house to explain what action the government is taking to assist businesses in registering new business names. That is action.

**The ACTING SPEAKER (Mr Kilgour)** — Order! I uphold the point of order — —

**Mr Thompson** interjected.

**The ACTING SPEAKER (Mr Kilgour)** — Order! I inform the honourable member for Sandringham that I have already upheld the point of order. I advise the Government Whip that I was listening carefully for his request for action, and I felt that he asked the minister to come into the house to explain something and did not actually ask for specific action, as is required in the adjournment debate. I simply ask the Government Whip to be aware of that fact the next time he raises an issue on the adjournment.

The time for raising matters in the adjournment debate has expired.

### Responses

**The ACTING SPEAKER (Mr Kilgour)** — Order! I call the Minister for Agriculture to reply to a matter raised by the honourable member for Wimmera.

**Mr HAMILTON** (Minister for Agriculture) — Mr Acting Speaker, I have been in this place for 14 years, and in that time I have seen some great abuses of this Parliament by honourable members — who in some cases it would be very lax to describe as

honourable. Tonight I witnessed the greatest character assassination, the greatest abuse of Parliament and the greatest example of hiding in cowards' castle that I have heard in 14 years.

The honourable member for Polwarth raised a matter which was really a character assassination of a person he has never met regarding something he knows nothing about and relying on information supplied by some lunatic. The information could not be described in any other way. It is true that the Traralgon Racing Club is in danger of folding. However, if the honourable member had done his homework he would have known that the biggest sponsor of Traralgon Racing Club has been the Latrobe City Council. The person he described in his distasteful and unacceptable character assassination, which is something this Parliament — —

**The ACTING SPEAKER (Mr Kilgour)** — Order! I called on the Minister for Agriculture to reply to the matter raised by the honourable member for Wimmera. My understanding is that the honourable member for Polwarth raised a matter for the Minister for Racing. At this stage the minister is, as I understand it, answering on behalf of the Minister for Racing. I would have thought this should have been done by the minister at the table, the Minister for Housing.

**Mr HAMILTON** — Mr Acting Speaker, I am raising a matter of parliamentary privilege that I believe should be referred to the Privileges Committee. That is how serious this matter is.

**An Honourable Member** — There are procedures — —

**Mr HAMILTON** — I think it is contemptible.

**Mr Perton** — On a point of order, Mr Acting Speaker, the minister has risen in the guise of responding to a matter raised by another member, and this is clearly an abuse of the parliamentary process. If he believes that there has been a breach of privilege, he should remember that there have been many rulings by the Speaker to the effect that he ought to put the matter in writing and send it to the Speaker, who will consider it and if necessary refer it to the Privileges Committee. But I am afraid the minister is using cowards' castle.

**Mr Maxfield** (to Mr Perton) — What a disgrace!

**The ACTING SPEAKER (Mr Kilgour)** — Order! I have heard enough. I uphold the point of order, and ask the Minister for Agriculture to return to the subject raised by the honourable member for Wimmera.

**Mr HAMILTON** — The honourable member for Wimmera is an honourable person. He raised his matter in a sincere and genuine way, representing his constituents and doing a great job as a local member. The example that that honourable member sets is one of which any member in this house could be very proud.

The honourable member raised a matter relating to the incursion of white snails, which are very serious pests in the grains district. Indeed, the white snail has extended its infestation onto the calcareous soils in the Wimmera. This is causing great concern to farmers, especially grain growers, because the white snails certainly interfere with the cropping that occurs in the area as well as reducing yields.

Some eight or nine months ago I visited one of the field days that the honourable member mentioned in his comments on this serious problem. The research work being done on the white snails is fundamentally being led by the South Australian Research and Development Institute — or SARDI, for short. The problem is of greater concern in South Australia, and that is why South Australia's agriculture department has invested a great deal of money in research into this problem.

There have been a number of field days, and as the honourable member indicated, there have been a number of attempts to deal with the problem, including burning the stubble and the crop as well as undertaking a number of baiting experiments.

The thing that concerned me in what the honourable member mentioned, which I was not aware of, was that there was a very small attendance at a couple of the workshops and other efforts being made to involve local farmers. The honourable member indicated that the attendance fee of \$70 was indeed substantial. I believe that under the new guidelines a natural resource management claim to Farmbis should see those classes conducted at little or no cost to the farmers. I will certainly follow up that matter.

The department has been working with other agencies, including the catchment management authority, the Crown land division and Vicroads, where there is a joint responsibility for ensuring that we have some way of controlling this very serious menace to the croppers in that part of the state.

I do not have the latest details, as the honourable member has raised the matter with me this evening, but I will ensure that a full and comprehensive report is given on the current status of dealing with this pest, including the directions the department is pursuing in conjunction with the local Victorian Farmers

Federation district council, local individual farmers and the people in South Australia. I can assure the honourable member that that full and comprehensive report will be provided to him and his constituents, more importantly, within the next few days. I thank the honourable member for raising the matter and, especially, for the honourable way in which he raised it.

**Mr PANDAZOPOULOS** (Minister for Tourism) — The honourable member for Bendigo East raised the matter of the Southern University Games, which will be held again in July in Bendigo. She is a highly enthusiastic local member who is hugely committed to her area, and she is not only a big sports fan but a big participant in sports events in Bendigo. I know she has been very — —

**Mr Perton** interjected.

**Mr PANDAZOPOULOS** — It is basketball, all right? She is involved at the Schweppes Centre in Bendigo, if you would really like to know.

The fact is that the honourable member has been very keen to support events which showcase Bendigo as a great local area for sports events for young people — including the university sports. That is basically something the local community and the local council have been trying to brand themselves on.

Last year Tourism Victoria supported the Southern University Games and the government did say that, subject to its meeting its targets and commitments to it in terms of the success of the event — maximising attendance into Bendigo — it would support it again this financial year. I am pleased to report to the honourable member that, following the success of the event last year and its commitment to a four-day period and 14 sports events that will bring about 1800 competitors to the area, in order to maximise the available opportunities and the number of attendees involved in these Southern University Games the government will provide \$10 000 in marketing support for the organisation.

It is great to win the right to hold an event, but you have to work to make sure you get the visitors, and Bendigo is a great place for such events. That is why it won the world rights to hold the Commonwealth Youth Games in Bendigo in 2004. I congratulate the city, and I was pleased as minister to be involved in that. I thank the honourable member for Bendigo East very much for her great work in supporting these events and for the submissions and presentations she has made to me.

The honourable member for Benalla, who is also a huge enthusiast for tourism in her own wonderful area,

has on many occasions raised the issue of the Winton Motor Raceway with me and other ministers, irrespective of their portfolios. The action she seeks from me is to support the raceway so it is able to support its well-known events, which can broaden out to tourism and improve the branding of Winton raceway.

Following the honourable member's representations I have been working with Tourism Victoria to see what sort of assistance the government can give Winton Motor Raceway. The Delatite shire is also of the same view. We all agree that we need to work on a marketing strategy for the raceway that helps it better brand itself and better identify what events and which types will maximise visitation to the area. It is really all about ensuring that more visitors visit the area, not only to drive up for events and go back to Melbourne or other places in Victoria but to stay overnight and spend more money.

The Winton raceway has been involved in two significant regional events — the V8 Supercar series and the Historic Winton Weekend. Those events have really been identified as providing the opportunity to improve the raceway's profile among motor racing enthusiasts not only in Victoria but interstate.

So the funding now of \$5000, which will be jointly matched by the Delatite shire, will produce a strategy that identifies a set of objectives for the future marketing of the facility as an event destination, and it will help to develop specific travel and accommodation packages that are complementary to existing events and aimed at increasing the regional visitation length of stay.

I thank the honourable member very much for raising the issue. Winton is a great part of Victoria, and other great towns all the way out to Shepparton benefit from having events at Winton. I look forward to that study being done and to seeing how we can support Winton Motor Raceway with its great events in the future.

**Ms PIKE** (Minister for Housing) — The honourable member for Mooroolbark raised with me the necessity to review the family options package for Joshua Turner, the son of Anja and Mark Turner. I will certainly be very happy to look into that matter and respond to the honourable member and to the family.

The honourable member for Footscray has raised with me a matter concerning ongoing funding for the Western Region Disability Network. I want to commend the honourable member not only for his advocacy for people with disabilities and their families

in the western suburbs but also for his support for groups like the Western Region Disability Network, which works very closely with the Department of Human Services and other community groups in the area to ensure that people have the best possible access to appropriate services.

I have asked the department's disability services, together with home and community care services, to explore the availability of additional resources to fund the Western Region Disability Network for a full-time worker. They will be getting back to me with a report on the matter, but in the meantime I have approved a grant of \$76 000, a practice that has been in place for the last four years. It is one of a number of flexible funding arrangements to support the network. I thank the honourable member for bringing that matter to my attention.

The honourable member for Caulfield has been in receipt of an anonymous letter which raises some very serious matters and contains some significant allegations about staff in the eastern metropolitan region of the Department of Human Services. Of course the Office of Housing is part of the eastern metropolitan region of the Department of Human Services. I must say I find it quite concerning that the anonymous letter was aired publicly in this matter and read in this house and into *Hansard* so that the people against whom the allegations have been made have absolutely no opportunity to defend themselves. Some of the people who were supposedly referred to are people of long standing within the Department of Human Services, and I have full confidence in John Leatherland, who is the regional director, and others in that region.

The purpose of this state's Whistleblowers Protection Act 2001 is to encourage and facilitate disclosures of the improper conduct of public officers and public bodies, and to provide protection for people who make such disclosures. As Minister for Community Services and Minister for Housing I am in receipt of many anonymous letters which make all sorts of allegations about all sorts of members of the public — people who live in public housing and people who have supposedly done this and that to other people. Regarding this matter, it is not my intention to start a witch-hunt. I see no necessity for an independent inquiry; however, I will raise the matter with the appropriate people in management, both within the eastern region of the Department of Human Services and also centrally so that I can assure myself that these allegations are not true.

The honourable member for Geelong raised a matter for the Minister for Ports in another place concerning

the rail link to the port of Geelong. I will pass that matter on to the minister.

The honourable member for Mildura raised a matter for the Minister for Finance concerning a future electricity pricing regime. Again, I will pass that matter on to the minister.

The honourable member for Polwarth raised a number of very serious allegations concerning the future of racing in Traralgon, and I am sure that the Minister for Racing will — —

**Mr Maxfield** interjected.

**The ACTING SPEAKER (Mr Kilgour)** — Order! The honourable member for Narracan will stop interjecting!

*Honourable members interjecting.*

**The ACTING SPEAKER (Mr Kilgour)** — Order! I will not ask the honourable member for Narracan again to stop interjecting! The minister continuing, without assistance!

**Ms PIKE** — Thank you, Mr Acting Speaker. I am sure that the Minister for Racing will provide the appropriate information concerning the matters that were raised.

The honourable member for Dromana raised a matter with the Minister for Environment and Conservation concerning the future disposal of Department of Defence land in Point Nepean. That matter will be passed on.

The honourable member for Bennettswood raised a matter for the attention of the Attorney-General regarding the handling of freedom of information requests in the Department of Infrastructure, and I am sure the Attorney-General will provide appropriate information on that matter.

The honourable member for Ivanhoe raised a matter with the Minister for Consumer Affairs concerning the registration of business — —

**The ACTING SPEAKER (Mr Kilgour)** — Order! I ruled the honourable member for Ivanhoe out of order on that issue. The minister should take note of that.

**Ms PIKE** — I think they are all the matters I needed to respond to.

**Motion agreed to.**

**House adjourned 10.56 p.m.**

